

Queensland Government Submission to the Crime and Misconduct Commission Inquiry into the Abuse of Children in Foster Care in Queensland

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1. Introduction

The Queensland Government welcomes the opportunity to present this submission to the Crime and Misconduct Commission Inquiry into the Abuse of Children in Foster Care.

Child abuse is abhorrent. Unfortunately it occurs in most communities, including in Queensland. The care and protection of our children is paramount and they deserve every opportunity to reach their full potential. Strengthening communities, so that children are safe and have access to equality of opportunity is a priority for the Queensland Government. Achieving this requires the commitment and resources of the entire community. Government recognises that it has particular responsibilities to vulnerable children and their families, including children in care.

Notifications of child abuse and neglect have increased significantly in Queensland over the last decade, a trend evident across all Australian jurisdictions. In Queensland in 2002-03 there were 31,068 cases notified of child abuse and neglect, and 3,966 children were under child protection orders, of whom 3,642 were under orders granting custody and/or guardianship to the Chief Executive of the Department of Families. The vast majority of these children were placed in alternative care, which is predominantly family-based care, either in foster or relative care settings.

The cases which have instigated this Inquiry are a major concern to Government, as providing high levels of care for children in custody or guardianship is a primary responsibility and a priority for Government. The cases indicate that not all children have received the quality of care that the children deserve and the community expects. They also highlight that despite our reforms and efforts, our child protection system needs further reform.

As a result of these cases, we have again reviewed our practices and processes relating to children in foster care. We have found that while much progress has been made over recent years, there is a need for further improvements. The Government is committed to continuing reform so that the whole system becomes more responsive to children in need of protection.

Child protection work is demanding and difficult, requiring a significant commitment on a daily basis from foster carers and child protection and other human service staff, from the Government and non-government sectors. Government is concerned that this Inquiry recognises the efforts of all those involved in offering children protection from harm.

This complex area of public administration poses significant challenges, not just in Queensland but in all Australian and international jurisdictions. Many have undertaken major reviews of legislation, child protection infrastructure and approaches to caring for children and young people for whom the State must assume guardianship, whether this be for a short period or until the child turns 18.

2. Systemic Factors Contributing to Abuse of Children

Most children are loved and cherished by their parents. Unfortunately, some children's lives are different. Instead of experiencing the warmth and security of family life, these children's lives are dominated by fear and danger. Sadly, for many children, that danger often comes from the people closest to them.

Protecting children from harm and reducing risk factors is a complex area of intervention for Government. The challenge begins with recognising that some parents are unable and/or unwilling to provide the loving, secure family environment that children deserve and which enables them to achieve their full potential. Unfortunately, too many children find themselves in circumstances which do not provide for their best interests (See Attachment 1 for the profile and trends relevant to child abuse and neglect).

Parents have the primary responsibility for caring for children and meeting their physical, social, cultural and emotional needs. The overwhelming majority of families perform this role with no contact with the child protection or family support service systems. However, many families experience crises or pressures which, if unresolved, result in harm to children.

The provision of the right responses, at the right time, can assist in building a family's resilience and improving the quality of family relationships. It is well documented that social determinants, such as low income, drug and alcohol abuse, family violence, mental illness, and family isolation, are strongly correlated with child abuse and neglect. The Queensland Government believes that prevention and early intervention can be instrumental in preventing families from falling into crisis. This means that, in the first instance, responses should be directed to mitigating poor social determinants rather than statutory interventions.

The focus on prevention and early intervention is supported by national and international research. This suggests that an investment in early intervention can help to identify individuals and families who experience multiple risk factors and reduce the likelihood of their experiencing crises. The adoption of a preventative approach benefits communities and society at large, by both minimising the harm experienced by individual members and reducing social expenditure in the long term. This approach is also likely to reduce the demand on other government services such as education, health, law enforcement, corrections and mental health. Unfortunately, this approach takes time and its benefits will come too late for the children who need support now.

There has been an increase in the number of children placed in alternative care by the Department of Families each year. Wherever possible, children are placed within their extended family and community. (See Attachment 2 for an overview of the Queensland Child Protection System).

In the five year period to 2002-03, the rate per '000 of distinct children notified increased from 14.6 to 23.5 in the 0-17 years age group. This trend is due, in part, to the increasing risk factors in families; increased levels of awareness and willingness to report child abuse within the community; and a more responsive reporting system within Government. In addition, it highlights the need for prevention and early intervention to ensure the right service at the right time for vulnerable families. Table 1 illustrates the changes.

Table 1: Distinct children notified by financial year: Rate per '000, 0 - 17 years

Year	Distinct children notified	Estimated resident population	Rate per '000, 0-17 years
1997-1998	12,972	889,787	14.6
1998-1999	14,119	898,959	15.7
1999-2000	14,500	908,018	16.0
2000-2001	16,314	917,918	17.8
2001-2002	19,575	929,521	21.1
2002-2003	22,027	938,464	23.5

Note: 'Distinct children' refers to the number of children who are the subject of notification. Some children are the subject of more than one notification.

Source: Department of Families

In Queensland, we face additional challenges in providing effective responses to families at risk. The State's rapid population growth is creating pressures on existing service systems, requiring additional staffing and financial resources to be allocated to high growth areas. Changes in the age structure and labour force participation rates for women are impacting on the capacity to recruit and retain foster carers and place additional pressure on existing alternative care models. In response to this situation, the Government has introduced a series of support measures for foster carers, including increased financial reimbursement.

A growing proportion of notifications relates to children or young people who have previously been the subject of a notification, highlighting the challenges of achieving the right response at the right time.

Aboriginal and Torres Strait Islander children continue to represent a quarter of those in care, despite forming only 5.7% of their age range. This reflects the need to address the cumulative effects of severe disadvantage experienced by Aboriginal and Torres Strait Islander families. For Aboriginal and Torres Strait Islander children, the principle of being placed within their extended family and community, wherever possible, is enshrined in the *Child Protection Act 1999*. Achieving this is not always easy. Currently, there is limited capacity in Queensland's alternative care system to provide sufficient placements for Aboriginal and Torres Strait Islander children in accordance with this Child Placement Principle.

3. Foster Care - A Key Component of the Child Protection System

As outlined above, there are many factors that influence the safety of children and the functionality of families. Foster families are affected by the same factors as other families in our community.

Foster families provide an important service to the community and form a central part of the child protection system. Without their commitment and compassion, many children would be without a placement and without the warmth and support of a family. They are also often the only resort for a child when alternative placement options, with grandparents and extended family members have not been approved, have failed or are not an option.

Family-based care offers the best setting for children to develop, ideally providing them with a safe, private and non-judgemental environment. When placing children in foster care, Government has a responsibility to balance respect for the privacy of the family and child, with ensuring the appropriate checks and balances are in place to ensure children's safety and wellbeing. (Attachment 3 provides a summary of child placement data between 1997-98 and 2002-03).

The following section describes who provides foster care, the challenges that foster families face and what is in place to make the foster care system work. (Attachment 4 outlines roles and responsibilities relating to child protection, including foster care).

Foster and relative carers

In 2001 a study by Marilyn McHugh¹ in which foster carers across Australia took part found that:

- two-thirds of foster carers were retired or not in the labour force;
- the majority of the sample (60%) were between 40 and 60 years of age;
- for just over half of the carers (54%), a wage or salary was the main source of income; and
- for 25%, the main source of income was income support.

The study also identified that 50% of the carers had fostered for between one and six years, with the remainder having fostered from seven to 40 years.

Carer numbers and profiles

At 30 June 2003, in Queensland there were 1,667 distinct carer families with whom children were placed. This represents an increase of 540 carer families with whom children were placed, in comparison with 30 June 1998.

A "snapshot" survey of alternative care placements as at 2 April 2002 found that 1,113 people had approved foster carer status. In addition, there were 646 relative carers and 109 carers with limited approval status. A limited approval carer is a person who has not been fully assessed or trained, but is approved for a particular child or young person, for a specific purpose, for a defined period of time. These two latter groups comprised approximately 40% of the total carer population at that date.

Of the carers who had a child placed with them, Shared Family Care agencies and Area Offices indicated that 352 carers (approximately 32% of total active foster carers) were available for additional placements. However, carer availability is often limited to short-term or emergency placements, or by the child's age. Of all foster carers with placements, 348 had a long-term placement and were not available for additional placements. This means that a third of carers (32%) were not available to take new placements.

Sixty-seven (4%) of foster carers were identified as providing respite only. This is an indicative number only and many carers with long-term placements are also actively providing respite to other carers. Table 2 summarises the data.

Table 2: Number of Carers as at 2 April 2002

Support Agency	Active Foster Carers	Relative Carers	Carers with Limited Approval	TOTAL
Shared Family Care Agencies	633	25	24	682
Departmental Area Offices	443	524	69	1036
Indigenous Agencies	37	97	16	150
TOTAL	1113 (59.6%)	646 (34.6%)	109 (5.8%)	1868 (100%)

¹ McHugh, M. The Costs of caring: a study of appropriate foster care payments for stable and adequate out of home care in Australia, Sydney, 2002.

Note: For the mapping activity purpose, an active carer was defined as a foster carer who had a child or young person or have had a child or young person placed with them in the past 6 months
Source: Department of Families

An examination of data relating to the number of families entering the alternative care system between 1998 and 2003 reveals the following trends:

- a negligible increase in the number of approved foster carer families entering the system over time; and
- an increase in the use of limited approval and relative carer families.

The overall increase in carer family numbers has been driven by the recruitment of relatives and limited approval carers who specifically meet the needs of particular children, but who are not part of the general pool of carers.

Numbers of children per carer

At 30 June 1998, 44.3% of the carer families had more than one child placed with them at the same time. At 30 June 2003, this had increased to 53.3% of families. At 30 June 1998, 90% of carer families had three or less children placed with them, compared with 85% of carer families as at 30 June 2003. Table 3 illustrates placement data.

Table 3: Type of carer by number of children placed

Year	Type of carer	Number of children placed											
		1	2	3	4	5	6	7	8	9	10	11	12
1998	Approved foster carer	304	182	90	59	17	6	4	1	1	-	-	-
	Carer with limited approval	75	26	13	2	4	2	-	-	-	-	-	-
	Relative carer	249	53	25	8	3	2	-	1	-	-	-	-
	Total	628	261	128	69	24	10	4	2	1	-	-	-
1999	Approved foster carer	276	193	108	50	29	15	6	1	-	-	-	-
	Carer with limited approval	75	23	11	7	7	1	-	-	-	-	-	-
	Relative carer	276	72	28	7	5	1	-	-	-	-	-	-
	Total	627	288	147	64	41	17	6	1	-	-	-	-
2000	Approved foster carer	261	202	122	67	30	13	8	5	1	1	-	-
	Carer with limited approval	87	26	12	7	7	1	-	-	-	-	-	-
	Relative carer	323	95	29	16	1	2	-	-	-	-	-	-
	Total	671	323	163	90	38	16	8	5	1	1	-	-
2001	Approved foster carer	302	192	133	75	35	16	13	7	3	-	-	-
	Carer with limited approval	94	26	15	6	4	-	-	-	-	-	-	-
	Relative carer	330	104	43	8	2	2	-	-	-	-	-	-
	Total	726	322	191	89	41	18	13	7	3	-	-	-
2002	Approved foster carer	285	209	131	86	41	25	16	2	2	-	-	1
	Carer with limited approval	105	34	10	7	2	1	-	-	-	-	-	-
	Relative carer	369	138	45	13	5	-	-	-	-	-	-	-
	Total	759	381	186	106	48	26	16	2	2	-	-	1
2003	Approved foster carer	273	226	151	91	59	40	17	7	3	-	1	1
	Carer with limited approval	104	49	19	8	2	1	-	-	-	-	-	-
	Relative carer	402	149	44	18	1	-	1	-	-	-	-	-
	Total	779	424	214	117	62	41	18	7	3	-	1	1

Note: (+) Dual carers are counted as one carer family.
Carer counted once only based on approval hierarchy of - foster, limited, relative.
Source: Department of Families, Information Services Branch, September 2003

The Department of Families' policy requires sibling groups, as far as possible, to be placed together. This should be considered when interpreting this table. The current information system is unable to distinguish children who are siblings, a matter that will be addressed in the planned Integrated Client Management System. The Department has recently commenced reporting instances where the number of children placed with any one carer exceeds four.

Allowances and support for carers

Allowances and financial support for carers are provided on the basis that carers are volunteers and that reimbursements are a contribution towards the direct costs associated with providing care for children and young people. This expenditure is managed by the Department within the broader context of the available budget.

Since 1999, the Government has increased the foster care allowance, with a 1.5% increase in the 1999-00 Budget and followed the next year with a further 4% rise. In 2001-02, the Government provided for a 10% increase to the total allowances paid to foster carers which enabled the creation of the Outfitting and Incidentals Allowance (\$17.50 a week), the Entry Into Care Payment (\$200 when a child enters into a long term order), and the Start Up Outfitting Allowance (\$50 for placements greater than five days). This allocation was in response to feedback received from foster carers where additional payments would assist most. In 2002-03, the foster care allowance was increased a further 6% for those foster carers looking after children aged 11 years and above. The following table details the increases to the weekly fostering allowance amount.

Table 4: Increase in the Fostering Allowance (\$ per week)

Age of Child	1998/99	1999/00 ¹	2000/01 ²	2002/03 ³
0 to 1 years	72	73	75.92	75.92
2 to 5 years	87	89	92.56	92.56
6 to 10 years	108	110	114.40	114.40
11 to 15 years	131	133	138.32	146.62
16 to 18 years ⁴	122	124	128.96	136.70

¹ Indexation of 1.5%

² 4% increase to account for the effects of GST. No indexation.

³ 6% increase in the allowances for 11 years and over.

⁴ A separate payment rate for young people 16 and over was first introduced in 1989. These young people were paid \$89.75 for the first four weeks and \$72.90 per week thereafter. In 1990/91 these were increased to \$94.20 and \$76.50 respectively. In 1991/92 the higher initial rate was discontinued and a flat rate of \$99.20 introduced.

Note: The 2001-02 increase provided an additional \$17.50 per week for outfitting and incidentals, plus a one-off payment of \$200 when a child enters into a long-term order and a start-up outfitting allowance of \$50 for placements greater than five days.

Source: Department of Families

There is carer, practitioner and community dissatisfaction with the level of the fostering allowance and availability of secondary and contingency payments. The provision of adequate financial support to carers has demonstrated benefits in both the recruitment and retention of carers. An inadequate level of basic remuneration to carers can impact negatively upon the Department's ability to retain and recruit carers, and also created financial hardship for the low income families who constitute the major carer demographic.

High Support Needs Allowance

The High Support Needs Allowance (HSNA) is an enhanced allowance in recognition that some children and young people in care have additional needs. The Allowance was introduced in 1997 as a payment of \$60 per week. Perceptions about its value are qualified by the decline in the value of the payment in real term as it has not been updated to take account of CPI inflation or the introduction of the Goods and Services tax (GST). As part of *Future Directions*, in 2002-03, the investment to the HSNA doubled to \$3 million enabling twice the number of children and young people to be allocated the Allowance.

Child Related Costs

In the context of carers' concerns about the adequacy of the fostering allowance and the HSNA, it is anticipated that the demand for Child Related Costs (CRC) funds by carers will increase. The Department has implemented a range of strategies to manage the CRC expenditure within the available budget.

Foster Carer Training

Knowledge and skill development of foster carers is a critical component of a quality alternative care system. The complexity of the needs of children placed with foster or relative carers is ever increasing. The pressures on carers can be exacerbated by the problems children in their care experience as a consequence of previous abuse or neglect. Their previous experiences often manifest themselves in challenging behaviours which can be difficult to accommodate in a family setting.

This presents challenges for carers in their day to day work with children and can result in considerable carer stress, placement breakdown and even abuse, which is unacceptable. Supporting carers and providing learning and development opportunities are important strategies in avoiding this situation and making a placement work.

As a key step to improving the quality and consistency of information, a pre-service training package for foster carers was implemented statewide in 1997, with attainment in *Sharing the Care-Pre Service Foster Carer Training* as a prerequisite to initial foster carer approval. This is an accredited course registered with the Department of Employment and Training.

After the introduction of the *Child Protection Act 1999*, extensive consultations occurred with stakeholders to inform revisions of *Sharing the Care*. Modules were revised in accordance with new legislation, including guidelines about quality care provisions as outlined in the Statement of Standards.

Training currently occurs in accordance with accreditation guidelines, although formal accreditation lapsed with the introduction of the National Community Services Training package in June 2003. Primary trainers must have completed a Certificate 1V in workplace training and assessment, and co-trainers must have completed an *Orientation to Sharing the Care*. Learning outcomes must be demonstrated by participants, who complete a formal workbook and participate in group activities during training. Pre-service training, *Sharing the Care*, is a pre-requisite to approval as a foster carer. Ongoing training needs are met by local area support groups and regional teams according to local need and resources.

Respite care

A review of the Department's dual payment report for the financial year 2000-01 indicated significant variance in the use of respite care for foster carers by Area Offices. There is insufficient data to ascertain the numbers of carers who access respite care or the rate of access. However, from the small percentage of specific respite carers available and the records of dual payments made, it is clear that a significant number of existing carers have little or no access to formal respite support. Respite is significant because better support for carers has recently been identified as a means of retaining carers and reducing placement breakdown. As well, a trial of respite services has been progressed through *Future Directions* and will be evaluated as part of the long term reform of the alternative care system.

Case Management in Foster Care

Section 88 of the *Child Protection Act 1999* states "the Chief Executive must review the arrangements in place for the child's protection to ensure the arrangements are in the child's best interest".

Effective case management for children in foster care means the key components - assessment, planning, implementation and review - are integrated. This is so all those who are working with the child, as well as the child and the family, know what plans are in place and what services, for example education and health, are required to meet the child's needs. This should apply throughout a child's placement in foster care.

Case planning is the process undertaken to address a child's safety and care needs and needs to be understood by practitioners as one aspect of a comprehensive integrated case management framework. Currently, the primary mechanism for planning around the needs of a child or young person is a series of three meetings.

The placement meeting is a formal discussion between departmental officers and the child or young person's carers, where agreement is negotiated about matters relating to the child or young person's placement. Placement meetings are attended by departmental staff, foster carers, foster care service or residential care service staff (if applicable) and provide a forum to:

- formulate goals of the placement which are consistent with the decisions of the case discussion and family meetings;
- outline the responsibilities and tasks of the foster carer and the officer with case responsibility, as they relate to the needs of the child while placed with the foster carer;
- ensure that the foster carer is provided with information and support as required in each particular case; and
- provide regular information about the child's development and needs while in the placement, to take into account in further planning for the child.

A placement meeting takes place in all cases when a child subject to departmental child protection intervention is placed with a foster carer, licensed care service, or other alternative care service or program, irrespective of the proposed length of the placement or the category of foster carer.

In addition, where a child or young person is placed with an approved foster carer, Section 84 of the Act requires the Chief Executive to enter into a written agreement for the child or young person's care with the approved foster carer. This agreement must include the terms prescribed under the *Child Protection Regulation 2000* (Section 7).

The frequency of placement meetings depends on the stage of planning for the case, the frequency of family meetings, and the needs of the child or young person and their carer. At a minimum, placement meetings occur when the child or young person is to be placed in a placement for the first time or in a new placement, six monthly or where a long-term child protection order is made.

A Placement Agreement is completed for each placement meeting held. At a minimum, this incorporates the:

- goals of the placement;
- tasks and actions required to achieve identified goals, by whom, and within what time-frame;
- agreed practical arrangements for matters specific to each placement;
- resources to be provided by the Department; and
- matters specified in *Child Protection Regulation 2000*.

The Placement Agreement is signed by all participants, and placed on file. It is also recorded electronically (accessed through the Child Protection Information System) where possible. Otherwise, the existence of the hard copy document is noted on the system through the use of an external file reference. A signed copy of the Placement Agreement is provided to all participants either at the meeting, or as soon as practicable thereafter.

4. Government Reforms

Overview

In 1998, the Queensland Government commenced an analysis of the broader child protection system in Queensland. We found a system that had been neglected over many years and did not serve the needs of vulnerable children well.

Our first priority was institutional reform, stimulated by the revelations of the Forde Inquiry. Since then we have introduced a comprehensive set of legislative changes and policies aimed at improving the whole system.

This required overcoming the legacy of long-term under-resourcing and shifting the child protection system towards contemporary practice. Over recent years, significant progress has been made and a clear roadmap developed to lead further reform into the future.

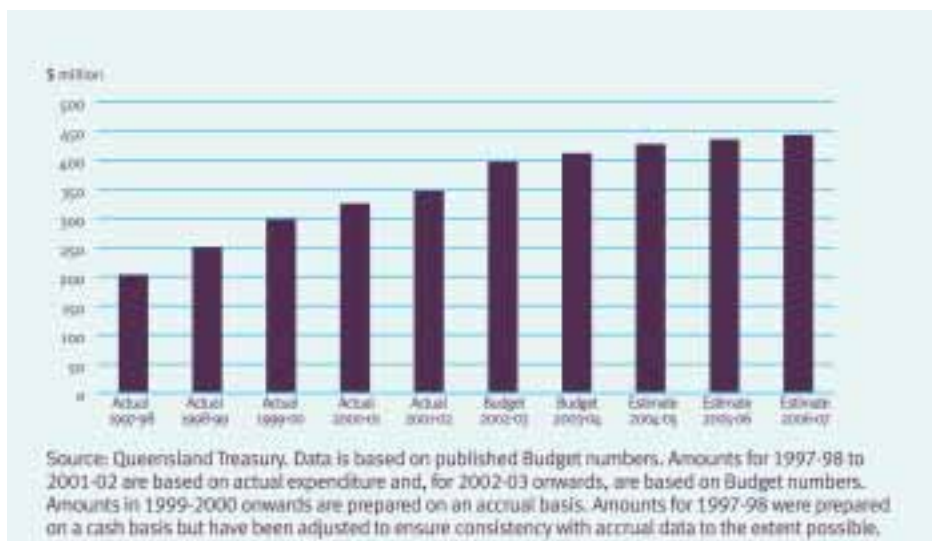
This has included:

- increases in resources aimed at building the capacity of the system, including significant funding and staffing commitments;
- standardisation of policies and procedures in line with new legislation, in particular strengthened accountability, quality assurance and review mechanisms;
- integration of services across Government and with the non-Government sector; and
- development of new service models and responses, in particular enhanced practice in the area of prevention and early intervention.

However, achieving real systemic change takes time and there is still a long way to go.

Our reforms have been underpinned by a substantial and sustained funding commitment of unprecedented levels. In fact we have more than doubled the funding to the Department of Families since 1997-98.

Figure 1: Department of Families – Budgeted and Estimated Expenditure 1997–98 to 2006-07



The Government spent \$575 million on child protection and out-of-home care services over the five year period 1998-99 to 2002-03. Expenditure in 2002-03 (\$159.4 million) represented a 107.5% increase over expenditure in 1998-99 (\$76.8 million). The following table illustrates this trend.

Table 5: Department of Families Expenditure on Child Protection & Out-of-Home Care Services

Year	Expenditure (\$M)
1998-99	76.805
1999-00	95.047
2000-01	113.414
2001-02	130.307
2002-03	*159.353
Total Expenditure	\$574.926

Source: Department of Families

* Note: This total expenditure is less costs associated with the "Family Support Services" activity which the Productivity Commission has ruled "out-of-scope". The total Department of Families expenditure on child protection activities is \$171.506 million for the year 2002-03

The Government has also boosted the level and quality of the professional child protection work force and committed to improving quality assurance and information management systems and processes. Table 6 details the changes in service delivery staff by category over a six year period.

Table 6: Service delivery staff by category July 1997 to June 2003

Status	Family Services Officer	Admin	Senior Practitioner	Team Leader	Ratio Admin to FSO	Ratio Senior Practitioner to FSO	Ratio Team Leader to FSO
04/07/1997	365	132		44	36.2%	0	12.1%
03/07/1998	372	140		56	37.6%	0	15.1%
02/07/1999	403	120		61	29.8%	0	15.1%
02/07/2000	458	124	8	76	27.1%	1.7%	16.6%
15/07/2001	465	124	7	96	26.7%	1.5%	20.6%
30/06/2002	485	133	8	103	27.4%	1.6%	21.2%
29/06/2003	574	135	9	118	23.5%	1.6%	20.6%

Source: Department of Families

As of 30 June 2003, the Department employs 574 Family Services Officers (FSOs) who work across child protection and youth justice areas. The number of FSOs permanently employed by the Department has risen by 57% from 365 in July 1997 to 574 in June 2003. The number of Team Leaders permanently employed by the Department has risen by 168% from 44 in July 1997 to 118 in June 2003. The ratio of Team Leaders to FSOs has improved to over 1:5 (12.1% in July 1997 to 20.6% in June 2003).

Significantly, the Department has improved the proportion of staff working in client service delivery compared with administrative support roles from less than 3:1 in July 1997 when 63.8% of the Department's staff were in service delivery roles, to over 4:1 in June 2003, when this figure had increased to 76.5%.

In August 2003, the Government announced funding for additional positions for the Department, comprising: 40 permanent Family Services Officers; 25 Suspected Child Abuse and Neglect (SCAN) Team Co-ordinators; 9 Senior Practitioners; and 5 Quality Assurance Officers.

Key Child Protection Reforms

The Government's establishment in August 1998 of the **Commission of Inquiry into the Abuse of Children in Queensland Institutions (Forde Inquiry)** was a landmark in opening the child protection system to public scrutiny. The Inquiry reported in 1999, with 41 of the 42 recommendations accepted by Government, which undertook to address past abuse and improve youth justice and residential care services. In addition, the Government decided to apply the recommendations to improve the quality of foster care.

To monitor the implementation of the recommendations, Government established an independent committee comprising eminent persons. The Committee reported to Parliament in August 2000 and September 2001, noting Government had taken major steps forward in implementation, with further improvements required in relation to child protection.

The implications of the Inquiry's findings, coupled with the Government's decision to broaden the application of the recommendations beyond residential care to child protection and alternative care, demanded a substantial funding investment over a sustained period of time. This commenced in the 1999-00 Budget, with a **commitment of \$100 million over four years** to respond to recommendations of the Forde Inquiry, and support the implementation of the new *Child Protection Act 1999*.

Building on the child protection reforms commenced in 1999-00, **Putting Families First**, launched in October 2001, was a whole of government strategy to further progress the Forde Inquiry recommendations, with a special focus on strengthening family and other relevant supports for young people at risk.

In March 1999, the Government decided to establish the Child Protection Council to enable broader community participation in child protection issues and provided a forum for improved cooperation between the community sector and Government. In addition, given the important role of the non-government sector in the child protection system, funding was allocated to supplement community agencies' implementation of the new Social and Community Services (SACS) Award.

The proclamation of the **Child Protection Act** in March 2000 gave Queensland a historic opportunity to articulate a vision for the future direction of child protection in Queensland. The Act promotes children's rights, through inclusions such as the child placement principle for Aboriginal and Torres Strait Islander children;

improved regulation of alternative care including foster care; and recognition of the family as having the primary responsibility for children. The introduction of the Act was supported by the development of resources suitable for statutory officers, community organisations and families. Implementation teams provided training on a state-wide basis to Government and community agencies.

Significantly, the Act provides for stringent requirements on potential foster carers prior to being issued with a certificate of approval and the introduction of renewal of approvals for existing foster carers. The Act requires personal history checks on an applicant carer and adult members of the carer's household to determine their suitability. It also requires a suitable person to:

- be an approved foster carer, and all members of the applicant's household to be suitable persons to associate on a daily basis with children;
- meet the standards of care in the statement of standards; and
- be able to help in appropriate ways towards achieving plans for the child's protection.

Improvements in accountability mechanisms provide for the checks and balances in the child protection system, to ensure its operations are transparent and accountable to the community. In June 2000, the Government strengthened the role of the Commission for Children and Young People, which serves to promote the rights, interests and wellbeing of children and in this capacity is mandated to advocate on behalf of individual children. This initiative was complemented by the establishment of the Children Services Tribunal as a separate entity with powers to review decisions relating to children. (Attachment 5 outlines the child protection external review mechanisms).

In addition, the **CREATE Foundation**, an independent systems advocacy organisation for children in care, received recurrent funding to enable children and young people under custody or guardianship orders to be more involved in decision making about their lives.

These enhanced powers and functions further opened up the child protection system to scrutiny, ensuring more rigour and accountability in decision making.

The Government's reform agenda took another step forward with the release in June 2002 of the policy document, **Queensland Families, Future Directions**. This represented a significant commitment by Government to increase funding to improve the delivery of child protection services, particularly prevention and early intervention services, to children, young people and families. This also included funding for increased payments to foster carers and for other costs associated with caring for children under child protection orders.

In addition to the major focus on prevention and early intervention, *Future Directions* includes a range of initiatives and system improvements (at Attachment 6) that enhance the quality and consistency of service delivery, including:

- new departmental service delivery roles, with the employment of 70 additional staff in four new types of positions;
- new business processes and work practices, including the development of an Integrated Client Management System;
- improved inter-agency, industry and community partnerships, including joint human services agency protocols; and
- new policy responses to community needs, such as the *Queensland Government Strategic Framework for Child Protection*, and the consultation draft of *Stopping the Drift: Improving the lives of Queensland's children and young people in long-term care*.

The 2002-03 Budget provided an additional \$148 million over four years for implementation. The package comprised 27 initiatives including: prevention and early intervention trials to support families and prevent them falling further into crisis; support for foster and relative carers through increased reimbursement, respite services and specialist workers; increased support for the non-government sector; and a significant focus on improving work practices.

The package **specifically dedicated \$7.24 million to support foster carers** through:

- new service delivery staff to coordinate services and information for carers and undertake recruitment and training;
- short-term respite services;
- increased payments to foster carers looking after children aged 11 years or over; and streamlined foster payments systems, particularly to assist with urgent and new placements.

In September 2002, a **Child Protection Think Tank** was convened to provide advice on innovative strategies to deal with urgent and compelling matters, particularly the increase in notifications, and to advise on strategic policy directions and priorities for child protection over the next decade. The Think Tank report in December

2002 identified a range of initiatives required to improve work practices and professional decision making which are currently being implemented.

One initiative is the **trailing of a range of 'differential responses'**, including the child protection support response, which aims to ensure better outcomes for families and children, including early assistance, intervention and diversion from the statutory system. This can be achieved through more flexible initial responses, tailored interventions and better engagement with families in assessment and intervention activities.

The Queensland Government **Strategic Framework for Child Protection 2003-2006 and Action Plan**, endorsed in June 2003, is a key plank of *Future Directions* and builds on the collaborative efforts to date of Government agencies, to meet the needs of children and families. The Framework aims to improve the coordination of Government services to children who have been significantly harmed and those at risk of harm.

5. The Way Forward

Since 1998 the Government has initiated a comprehensive change program to the child protection system. Ideally, no child should require the support and protection of the State. As previously indicated, the Government pursues this aim by emphasising prevention, early intervention and whole of Government action. However, the necessity for the State to directly intervene to ensure a child's protection is an unfortunate reality.

The cases currently under investigation have highlighted the complexity and magnitude of the improvements underway and still required. As a result, we have again assessed the pace of change and reviewed the specific issues identified to date.

Building on the significant commitment by Government to improve the child protection system, including increased support to foster carers and outlined in *Queensland Families, Future Directions*, the Government will implement the following actions and also look to the CMC Inquiry for further recommendations.

Foster Carers and Alternative care

Foster care offers a family based environment for the child in care and provides a critical support role to the child protection system. There are difficulties in recruiting and retaining foster carers which sometimes makes it hard for Government to maintain viable foster care arrangements. This has a significant impact on meeting a child's development and placement needs.

The Department has been examining options to better meet children's needs through an expansion of the range of alternative care available. A new trial has commenced, involving the appointment of specialist Foster and Relative Carer positions within Area Offices. It aims to give additional support to children in care and foster carers. Combined with improved quality assurance processes and information management systems, these initiatives will see both immediate and longer-term improvements.

Family based care is not always appropriate for meeting the complex needs of children in care, particularly for older teenagers. The Department of Families is jointly undertaking a review of the alternative care system with the non-government sector. A vision statement and five year implementation plan is anticipated in December 2003. Family-based care will continue to be the mainstay of any alternative care system, as outmoded institutional care arrangements are not appropriate for children in care. However, a wider range of placement options is needed and is being investigated by the Department.

Action:

The Government will review recruitment strategies, payment and support structures offered to foster carers.

The Government will also investigate alternative placement models of care for children whose needs cannot be met in foster care.

The Child Protection Act 1999

This Act provides the legislative basis for the provision of child protection responses and forms the basis for an accountable and transparent child protection system. Implementing new legislation of this magnitude requires significant change management. The implementation of the Act has demanded significant reforms to professional practice and resulted in changes to the workloads of service delivery staff, particularly in relation to court work, information provision and the licensing of care services. The new legislation has resulted in workload demands and changes to the nature of the work undertaken by frontline staff. To investigate these concerns the Government will undertake a review of the implementation and impact of the Act.

Action:

The Government will undertake a review of the implementation and impact of the Child Protection Act 1999.

Workforce Reform

The people who work with children in need of protection bring a high level of commitment to their jobs. We need to support these people and continue to improve their skills and status. Family Services Officers play a critical and valued role in the child protection system. More support is needed for these staff and looking after vulnerable children needs to become a desirable career choice.

Statutory child protection services are primarily delivered through the Department of Families' 39 Area Offices. The number of core service delivery staff, (Family Services Officers), has increased by almost two thirds, to 574, over the last five years. Additionally, in September 2003, the Government announced a further allocation of funding which will contribute to the expansion of the number of alternative care teams available in regions.

These teams will build on the Government's previous investment and establishment of Alternative Care Teams in late 2002.

The recruitment and maintenance of a skilled and stable professional workforce is a continuing challenge. Twenty-eight percent of Family Service Officers (direct child protection workers) have been employed by the Department for less than twelve months, with 60% having served between one and three years. There is a high rate of turnover of Family Services Officers, with approximately half of those leaving direct child protection work for other positions. The outcome is a workforce which is relatively inexperienced, undertaking extremely complex and stressful work.

Clearly, a core element of any quality system is the professionalism of its staff. There is growing evidence that professional practice requires improvement. To address this, the Government has introduced the Quality Performance Statement and Collaborative Area Office Reviews, and is introducing a staff training program. Given the relative inexperience and significant turnover of direct service delivery staff in child protection, more work needs to be done to develop a better career structure and to provide ongoing training in risk assessment and case work. Additional funding has been allocated to staff training and development requirements.

The Government is also progressing the appointment of additional Senior Practitioners to Regional Offices. These expert staff will work with child protection staff to improve the skill base.

In addition, the Department of Families is trialling new service delivery approaches within Area Offices to strengthen specialist advice and support to staff.

Action:
The Government will review the career structure, training and development, as well as support needs, of staff working in child protection.

Quality assurance and improvement

Effective quality improvement processes within the Department of Families are a priority and since 1998, much work has been done to support consistency and transparency of professional practice. This area continues to challenge the Department.

The Department has developed a Quality Performance Statement and implemented a program of Collaborative Area Office reviews to ensure consistency and transparency across the State. The Reviews will improve the quality and consistency of practice by facilitating accountability through the identification of good practice and the sharing of resources and knowledge. Coupled with other initiatives, this provides the Department with a greater capacity to monitor and compare office performance across the State. The Government has recently announced the allocation of new funding that will make it possible for each Area Office to be subject to a review twice each year.

In line with this initiative, the Department has improved the collection of performance data from all Area Offices and bolstered its capacity for review and evaluation of case management decisions. This will enable effective practice to be identified, and incidents of poor practice to be targeted for remedial action.

Action:
The Government will ensure that child protection decisions in each Area Office are reviewed annually, with a capacity for more frequent reviews, where required.

Integrated Case Management

The Queensland Government is committed to ensuring children receive adequate care and protection services at the first onset of problems and to preventing any children slipping through the safety net. A continuing challenge is ensuring that the system responds to the needs of children in an integrated way.

The current case management arrangements could be strengthened to ensure that planning processes are more accessible to children and young people in keeping with the principles of the *Child Protection Act 1999*. In particular, the development of an integrated case plan will assist in achieving a shared understanding from all involved, as to the goals of intervention for the child.

Facilitating the involvement of all relevant stakeholders in planning for the safety and well being of a child or young person is also important to ensure the needs of the child or young person are being addressed in a holistic way. Anecdotal evidence suggests that practice tends to focus on the protective needs of the child or young person, which is highly appropriate. Given the complexity of client need and the inter-relatedness of the issues that can impact upon the safety, development and well being of a child, young person and their family, it is important that case management and case planning takes account of this wider range of factors.

Action:

The Government will adopt an integrated case management model that incorporates the roles, responsibilities and accountabilities of other agencies.

Information Sharing

Effective case management also requires good sharing of information between agencies in contact with children in care or at risk. For example, the educational outcomes for children in care are poor in comparison with other children of similar ages. A report prepared by a Government Members of Parliament Committee, released in February 2003, documented a range of issues that impact upon the educational outcomes of children and young people in care. This included: lower expectations and the stigma associated with being in care; care placement changes affecting the continuity of education; and poor coordination between government departments, including limited sharing of client information.

In response, Education Queensland and the Department of Families are jointly funding an annual allocation of \$1.6 million to cover core education-related costs for children in care. Agencies have also agreed on planning and intervention strategies for young people at risk of suspension or exclusion from school.

The Department of Families, Queensland Health, Education Queensland and the Queensland Police Service have also put in place a protocol for improved information sharing practices throughout all stages of case management generally. This approach is currently being trialled in several locations. The Protocol represents a significant step towards better identifying children and families at risk and improved responses.

SCAN teams also provide multidisciplinary response to instances of serious harm to a child. These teams operate in major regional centres in Queensland, with core membership comprising officers from the Department of Families, the Queensland Police Service and a Queensland Health appointed medical practitioner. Other representatives, including non-government agencies, are co-opted to the team when additional information or expertise is required.

Following a review of their operations, the Queensland Government recently announced further support for the network of 38 SCAN Teams across the State at a cost of \$2 million per annum.

Action:

The Government will continue to review and identify options for improving information sharing practices across relevant agencies and parties.

Advocacy and Accountability

Children need to be at the centre of the child protection system and services arranged around their needs. The Government is committed to making the whole system more transparent and accountable so there is a high degree of scrutiny. Where improvements can be made to strengthen accountability, the Government will do so.

This will ensure that those who have responsibilities for children, be they foster carers, the Department of Families, or other agencies, fulfil their obligations and that children achieve better outcomes.

The Commission for Children and Young People and the Children Services Tribunal represent key external advocacy and accountability mechanisms for children in foster care. They have a responsibility to advocate on behalf of individual children and to monitor and review policies, practices and decisions to ensure the rights, interests and well being of children are promoted and protected.

It is evident that children in foster care need to have more of a say in decisions about their lives. The CREATE Foundation is currently funded to provide systems advocacy for children and young people in care. This important role could be expanded to provide:

- Independent, third party verification of the findings of the Department of Families' quality assurance processes by seeking the input of children and young people; and
- Ongoing independent representation of children's views on the care they receive.

Action:

The Government will ensure that its accountability mechanisms are operating effectively.

The Government will increase funding to CREATE Foundation to expand its systems advocacy role.

Information Systems

The Department of Families recognises the value of integrated information in delivering effective and improved services to its clients. The need for timely access to information about a child or family's past and current contact

with the child protection system is vital for the department to prevent, detect, respond to, and deal with, allegations of harm and neglect. This will assist in expediting our responses following a serious incident involving a child in care.

Limitations with the current client information systems have been widely recognised. Predominantly these relate to system design and architecture. Department of Families staff generally find the systems cumbersome to work with. These provide few advantages to motivate users to enter information in an accurate and timely manner.

As a result of the current system architecture:

- Family Services Officers must access two separate systems to view recorded client information;
- a considerable amount of information is entered centrally. Because of cycle times this information is not immediately available to Family Services Officers. They must wait to generate a new client record before they can record intakes, notifications, assessments and case notes;
- some information recorded on local area office CPS databases (eg. case notes) is not uploaded to the Family and Youth Justice Information System. Consequently this information is not available statewide; and
- the system provides no functionality to record youth justice case management information.

The current system does not allow for statewide access to casenotes, placement agreements, Assessment of Protective Needs Reports, or family meetings. This is particularly of concern in relation to mobile families. The inability of staff across the state to access relevant client information stored on other Area Office data bases, may mean that children who are at significant risk of harm slip through the system, as current information is not available to service delivery staff. These information management issues have been identified as problematic through some child death reviews.

The system focuses on front-end outputs. There are mechanisms in place to track which Initial Assessments and Notifications are outstanding, but there are no similar mechanisms to monitor whether placement agreements, case discussion meetings or family meetings are being held regularly.

In addition to these issues, the current systems do not provide flexible management reporting capability. Many requests for management information depend upon a laborious process of checking and counting individual records.

The Government has invested significantly in the area of information management within the child protection and youth justice context. As part of the Future Directions commitment, \$12 million was allocated to the development of a new Integrated Client Management System (ICMS) to respond to the inadequacies of the existing system in terms of recording and accessing relevant data to support decision making. The anticipated benefits of the new ICMS will be evidenced through greater efficiency, consistency and quality of service. These funds will also be used to trial new technologies aimed at speeding up data entry and information management into the system.

The ICMS will enhance the Department's ability to minimise risk through improved decision making and provide an information framework to support quality performance management. The new system will ensure more effective monitoring and compliance with requirements under the *Child Protection Act 1999* and will be fast tracked as a priority. The end result will be a stronger safety net for vulnerable children and effective responses involving incidences of harm to children in foster care.

Action:

The Government will improve information management and decision making by

- Accelerating a risk assessment decision support system, in conjunction with the ICMS;
- Continuing work on data integrity in Area Offices; and
- Instituting consistent record keeping.

The Way Forward – A Summary

To achieve better outcomes for children and young people in foster care, the Queensland Government is committed to:

- Assessing the pace of change in improving Queensland's child protection system.
- Strengthening specialist Foster and Relative Carer expertise within Area Offices.
- Reviewing recruitment strategies, payment and support structures offered to foster carers.
- Investigating alternative placement models of care for children whose needs cannot be met in foster care.
- Reviewing the implementation and impact of the *Child Protection Act 1999*.
- Monitoring the impact of the additional funding for staff training and development.
- Trialling new service delivery approaches within Area Offices.
- Reviewing the career structure, training, development and support needs of staff working in child protection.
- Implementing Collaborative Area Office reviews to ensure consistency and transparency of practice.
- Ensuring that child protection decisions in each Area Office are reviewed annually, with the capacity for more frequent reviews, where required.
- Adopting an integrated case management model that will incorporate the roles responsibilities and accountabilities of other agencies.
- Continuing to review and identify options for improving information sharing practices across all relevant agencies and parties.
- Ensuring that accountability mechanisms are operating effectively.
- Increasing funding to the CREATE foundation to expand its systems advocacy role.
- Ensuring more effective monitoring and compliance with requirements under the *Child Protection Act 1999*.
- Driving the development of the new Integrated Client Management System (ICMS) to improve information management by:
 - accelerating a risk assessment decision support system;
 - continuing work on data integrity in Area Offices; and
 - instituting consistent record keeping.

ATTACHMENT 1 - Profile and Trends

Introduction

The following social and economic factors have been widely attributed to driving increasing levels of harm to children and young people across Australia. In combination with individual factors such as poor parental communication skills or their own experiences of abuse as children, they exert a powerful influence on the level of risk experienced within families. The prevalence of these factors suggest that demand for child protection services, including foster care, is likely to at least be maintained at current levels and may grow into the future, and that the complexity of issues confronting families coming to the attention of the Department of Families will be sustained.

The capacity of government to deliver an effective, efficient and viable child protection system², including for children in care, is affected by a variety of demographic and social trends.

Factors Influencing Abuse of Children

Financial Stress

There is a clear relationship between financial stress and involvement in the child protection system. Studies in Victoria, South Australia and Queensland found that the majority of families investigated for suspected child abuse were on very low incomes, with many receiving a pension or benefit.³

Substance abuse

Drug and alcohol abuse affect the decision-making capacity of parents and their ability to provide consistent and appropriate responses to their children. The cost of drugs and alcohol can severely exacerbate the financial stress experienced by families. Increases in child protection notifications have been attributed to increased levels of serious substance abuse in the community. For example, it is estimated that up to 80% of all notifications investigated in New South Wales relate to drug and alcohol- affected parenting.⁴ Approximately two-thirds of Victorian parents in substantiated cases of abuse or neglect had alcohol or other substance abuse problems.⁵

The Cape York Justice Study, commissioned by the Queensland Government in 2001, found a strong causal link between substance, particularly alcohol, consumption in Aboriginal and Torres Strait Islander communities and the abuse and neglect of children.

Domestic and family violence

There has been a growing body of evidence to suggest that different types of violence may occur simultaneously in the same family, and that the presence of one form of violence may be a strong predictor of the other. A number of Australian studies have investigated the relationship between child abuse and domestic violence. While not all children in families affected by domestic violence suffer the violence directly, it is noted that the experience of witnessing violence can also be extremely traumatic for children. Children who witness domestic violence may learn destructive patterns for relating and resolving problems.⁶

Mental health

A number of large scale case reviews from various jurisdictions suggest that parents with a mental illness are heavily represented among families in contact with the child protection system.⁷ While the causal links between mental illness and abuse or neglect are unclear, it has been suggested that the illness can contribute to social isolation, limited access to or a failure to utilise social supports, and an inability to cope with stress, including the stress associated with parenting.

Family mobility and isolation

There is a high level of mobility among families in Australia, driven by factors such as housing costs, employment opportunities, rural decline and climate. According to the Australian Bureau Statistics, between 1996 and 2001, 6.8 million people aged 5 years and (over 42.4%) changed their place of residence in Australia. Of those moving interstate (11% of relocations), the largest share moved to Queensland, with 92,200 new

2 The Child Protection System includes universal service systems that work with all children, young people and families through to statutory child protection intervention and placement of children and young people in alternative care. Foster care is one part of the alternative care sub system.

3 Department of Human Services (DHS), An Integrated Strategy for Child Protection and Placement Services, Victoria, 2002; Layton R., Our Best Investment: A State Plan to Protect and Advance the Interest of Children, Government of South Australia Child Protection Review, Adelaide, 2003.

4 New South Wales Department of Community Services, "Submission to NSW Parliament Legislative Council Standing Committee on Social Issues Inquiry into Child Protection Services," 2003.

5 Department of Human Services, An Integrated Strategy for Child Protection and Placement Services, Victoria, 2002.

6 Ray L., Raising the Roof: Issues and Opportunities in Responding to Child Witnesses of Domestic Violence, Talera Centre, Brisbane, 1994.

7 Tomison A.M., Child Maltreatment and Mental Disorder, Discussion Paper Number 3, Australian Institute of Family Studies, 1996.

interstate migrants in this period. From a child protection service delivery perspective, it is noted that movement away from family networks increases the difficulties involved in finding relative carers, should a period of alternative care be required.

At risk families

The factors described above have a significant impact on some segments of the Queensland population including single parent families and those from Aboriginal and Torres Strait Islander background. These groups are more highly represented in the child protection system and in foster care.

An increasing proportion of families are headed by a single adult. In the 2001 census, there were 149,900 single parent families in Queensland, representing 16% of all families, while in 1991 there were 94,100, or 12.7% of all families. Families headed by single parents are at significantly greater risk of poverty than other families. According to the 1996 census, single parent households generally had less disposable income. Over half (55.6%) of single parent families had a weekly family income less than \$500 compared with only 14.0% of couple families with children. The number of single parent families in which the parent is not employed nor attending an educational institution is assumed to be an indicator of economic stress.

Aboriginal and Torres Strait Islander children and families are over-represented at every stage of the child protection intervention process, with the level of representation increasing as interventions address more severe and complex problems. Aboriginal and Torres Strait Islander people occupy a significantly disadvantaged position in terms of key social, economic and health indicators.

The vulnerability of Aboriginal and Torres Strait Islander children and young people to substance abuse, exploitation and violence is compounded by the ongoing intergenerational effects on Aboriginal and Torres Strait Islander communities. This is due to various factors including: displacement from traditional lands and communities; systematic break up of families and attachment relationships between children and parents; and rapid social change.⁸

Factors Influencing Service Delivery

Like other Australian jurisdictions, Queensland is facing the challenge of delivering responsive services to children and families at risk. Demographic changes are a factor and are impacting on States and Territories. In addition, there are particular trends impacting and geographic factors impacting on Queensland.

Queensland has the fastest growth rate for any State or Territory, at 2.4% per annum and is the most decentralised State in mainland Australia. There is also a declining population of many rural and remote areas, coupled with rapidly increasing intra and interstate migration of people to the southeast corner of the State. Another challenge faced by the Government is the provision of coordinated services to remote Aboriginal and Torres Strait Islander communities which meets people's needs.

All States and Territories are reporting increasing difficulties in recruiting and retaining foster carers, and the growing number of couple families in which both adults work suggests that this trend may continue. The impact of the ageing population on the availability of foster care is, as yet, unclear. However, governments will need to closely track changes in the supply of foster carers, and be able to provide a range of models of alternative care to compensate for possible declining numbers of carers.

The Queensland Government has already made significant financial commitments to ensure a robust safety net is in place for vulnerable Queenslanders. In recent years, the Government's investment in human services has been improved through a series of reform agendas. The service system will need to continue to evolve to respond to the changing social circumstances of families and communities

The Queensland Government has increased its investment in targeted prevention and early intervention activities to identify and respond to those families at greatest risk of falling into crisis. A sustained commitment to prevention and early intervention will not only ensure that increases in demand on the child protection system are manageable, but will also prevent families from becoming enmeshed in the system where this is unnecessary.

⁸ Queensland Health, Queensland Health Policy and Guidelines on the Management of Abuse and Neglect of Children and Young People, Consultation Draft, August 2002.

ATTACHMENT 2 - The Child Protection System

Introduction

The purpose of this section is to provide a detailed description of how the Department of Families delivers child protection services and to outline the measures that are in place, or planned, to prevent, detect, respond to and deal with child abuse or suspected child abuse.

Queensland's child protection system is similar to other States and Territories. Broadly, child protection processes in place across all Australian jurisdictions involve investigation and assessment of notifications and allegations of harm or neglect by the relevant department to determine whether the notification is substantiated. These processes also involve the provision of appropriate interventions, including seeking an order or placing the child in alternative care.

Queensland Child Protection System

Department of Families

Child Protection is a core area of work of the Department of Families. The Department's organisational structure, vision, key priorities and programs is detailed in Future Directions and its Strategic Plan 2003-2008.

As at June 2003, the Department employs approximately 701 staff to provide child protection services, of whom 574 are Family Services Officers, 118 Team Leaders and 9 Senior Practitioners. In addition, 135 staff provide administrative services. All Family Services Officers and Team Leaders are required to possess a degree in the social or behavioural sciences. Similar to other jurisdictions, the Department is experiencing challenges in recruiting and retaining staff for the complex and demanding role of child protection work.

Number of Child Protection Notifications

*Child Protection Australia 2001-02*⁹ reported that for 2000-01 and 2001-02, the number of child protection notifications and the number of substantiations increased across Australia. There was also a continuing upward trend Australia-wide in the numbers of children under orders and in alternative care. It was also reported that Aboriginal and Torres Strait Islander children continued to be over-represented in child protection systems and that the rate of Aboriginal and Torres Strait Islander children subject to substantiations and to orders was far greater than for non-Aboriginal and Torres Strait Islander children.

Table 6 provides a summary of the total number of child protection notifications since 1997-98. The table indicates a steady growth in the number of notifications made in Queensland and that the number of children has increased at all significant decision making points in the child protection system – notification, initial assessment, substantiation, admission to orders and placement in foster care.

Table 7: Contact with the Queensland child protection system

	1997/98	1998/99	1999/00	2000/01	2001/02	2002/03
Cases notified	17,233	18,721	19,057	22,069	27,592	31,068
Distinct children notified	12,972	14,119	14,500	16,314	19,575	22,027
Initial assessments	15,245	15,889	16,177	18,925	24,103	27,218
Substantiated notifications include substantiated risk	6,323	6,373	6,919	8,395	10,036	12,203
Physical	1,709	1,694	2,019	1,995	2,217	2,806
Emotional	1,470	1,555	1,743	2,385	3,206	4,135
Sexual	500	431	398	492	536	610
Neglect	2,644	2,693	2,759	3,523	4,077	4,652
Not substantiated	5,405	4,465	3,985	3,952	4,602	5,339
Children admitted to orders	543	629	834	1,147	1,724	1,682

Source: Department of Families

Measures to prevent, detect, respond and deal with the suspected abuse of children

Legislative architecture

The purpose of the *Child Protection Act 1999* is to provide for the protection of children. This involves responding to allegations of harm, providing support services to strengthen and support families to reduce the incidence of harm, and providing services to families to protect their children if a risk has been identified.

⁹ Australian Institute of Health and Welfare, *Child Protection Australia 2001-02*, Canberra, p.xiii

The *Child Protection Act 1999* (the Act) was proclaimed on 23 March 2000. Two fundamental principles underpin the legislation.

Best interest

The “best interest” principle must guide every decision and action taken under the Act, from the point of intake to planning transition from care. By its very nature, it is an area of contention and difference, with each party bringing a different and valid point of view about what is in a child or young person’s best interest.

The Act sets out the range of considerations to assist in making decisions or taking actions to protect children and young people and to promote their best interests. This includes a set of principles, matters to be considered and a statement of the rights of children and young people in care. The welfare and best interests of a child include all factors that will affect the future of the child, including the immediate safety and well being of the child and matters relevant to the child’s healthy development.

Least intrusive

Section 59(1) of the Act provides that the Children’s Court may only make a child protection order if it is satisfied of a number of matters, including:

(e) the protection sought to be achieved by the order is unlikely to be achieved by an order under this part on less intrusive terms.

Section 5(f) of the Act requires the Act to be administered under the principle that “if a child does not have a parent able and willing to protect the child, the State has a responsibility to protect the child, but in protecting the child the State must not take action that is unwarranted in the circumstances”.

Relevant sections

The following sections of the Act highlight the provisions in relation to taking a child into care:

- Section 5 identifies the principles under which the Act is to be administered.
- Section 74 sets out a charter of rights for a child in care in recognition of the responsibilities of the State to a child in the custody or guardianship of the chief executive. Under the Act, the Department must ensure that each child or young person is informed about the charter of rights and provided with written material about the charter unless the child is unable to understand the information due to their developmental level.
- Section 6 contains specific provisions to be implemented when making decisions regarding the safety and placement of Aboriginal and Torres Strait Islander children. Section 83 outlines the responsibility of the Department to consult with a recognised Aboriginal or Torres Strait Islander agency for a child or young person before a decision is made as to where the child or young person is to be placed if they are unable to live with their parents.
- Chapter four prescribes a framework for licensing services and approving individuals to provide care for children and young people to enable the chief executive to ensure the care of children under custody or guardianship orders meets an acceptable standard. A central component of this framework is the statement of standards outlined in section 122 of the Act.
- Part six of the Act contains the confidentiality provisions of the Act. Both confidentiality in relation to administration of the Act (s187 and 188) and confidentiality in relation to proceedings are addressed (sections 190 to 193).
- Section 186 protects the confidentiality of persons who notify the Department of their concerns about a particular child or young person. This protection is fundamental to ensuring community confidence in reporting suspected harm to children.
- Section 189 provides for protection of the identity of children who have been harmed within their families and children who have been subject to statutory intervention. This provision has received criticism from the media as impeding its role of reporting on child abuse and neglect.

Implementation of the Child Protection Act 1999

The Act is relatively new legislation and has not been subject to a formal review process. As such it is difficult to accurately assess its impact against the stated objectives. However, the Department of Families has identified a number of consequences following the introduction of the legislation which are presenting challenges in the Act’s implementation.

For example, it was anticipated that the Act would positively impact upon child protection workloads and facilitate a stronger child focus in relation to Children’s Court matters. It was intended that provisions for time limited orders would increase the number of re-applications before the Children’s Court while at the same time the use of assessment orders would decrease the numbers of applications for Child Protection Orders. However, an analysis of the data recorded by the Department with respect to court appearances indicates a dramatic increase in the number of court appearances by departmental officers and involvement in court ordered conferences. For example, the number of hearings held during 1999/2000 numbered 24 compared with 139 during 2002/2003.

The number of court ordered conferences held during 1999/2000 was 195, compared with 327 during 2002/2003.

An analysis of the nature of the orders being applied for by departmental officers indicates a greater than anticipated use of short term orders and Temporary Assessment Orders which have a duration of only three days. Therefore, departmental officers are spending more time preparing for, and appearing at, court or in court ordered conferences.

The introduction of a range of orders was intended to provide greater flexibility in the application of statutory authority that was better matched with the protective needs of the child. Under the previous legislation, departmental officers were restricted to applying for a care and protection order that granted guardianship to the Chief Executive until the child reached 18 years, unless the order was subject to an administrative release process. However, in identifying the significant increase in the level of court activity by departmental officers and the seemingly over emphasis on the use of assessment and short term orders, it is not unreasonable to suggest that the nature of the work undertaken with families by the Department has adopted a more adversarial nature. As a result workers tend, at times, to focus on evidence gathering and forensic investigation rather than engaging with clients and adopting a holistic assessment of risk and need.

This situation is compounded by the steady increase in the number of child protection notifications and the subsequent rise in the number of initial assessments undertaken by departmental officers. This may, in part, be associated with the wider provisions of the Child Protection Act and the ongoing strategies to raise community awareness of child protection issues.

Risk Assessment Framework

Risk assessment is a critical component of the child protection system. It underpins the work that is undertaken every day by child protection workers and risk assessment is applied across the child protection continuum on a continual basis. It is the central tool used to detect and respond to harm and risk of harm. The assessment of harm and likely harm relies upon the application of professional judgement in line with departmental policy and is always specific to individual children, young people and their family. In order to implement the Risk Assessment Framework, the Department has formulated *A practice guide: For the assessment of harm and likely harm*. The practice guide was developed to promote greater consistency in decision making in relation to risk assessment.

The departmental risk assessment framework includes the following components:

- information gathering;
- identification of risk factors;
- identification of protective factors; and
- decisions about intervention.

In April this year, the Department of Families commenced a trial of a range of 'differential responses' which provides child protection staff with options to respond to notifications. The aim of the trial is to ensure better outcomes for families and children, including early assistance, intervention and diversion from the statutory system through: more flexible initial responses; tailored interventions; and better engagement with families in assessment and intervention activities.

In conjunction with the differential response trials, a new rating and response system is being trialled in four Area Offices to implement a more flexible set of interventions tailored to the level of risk identified. Four rating levels are being trialled: immediate investigation and assessment; investigation and assessment; other action – family support; and other action – advice and referral.

The success of the differential responses trials is reliant, in part, on the establishment of an effective non government sector that is responsive to, and able to meet the support needs of vulnerable families, especially in the area of family support. This is imperative if the child protection system in its broadest sense is to be effective in preventing families from falling into crisis and to divert families from becoming entrenched in the statutory child protection system.

The challenge is to continue to enhance an early intervention system but at the same time meet the needs of those families with chronic and complex needs who are not currently requiring a statutory child protection response, but will do so if their needs are not responded to. In the long term the benefits of having an early intervention service system will be realised by a reduction in the number of families presenting closer to the "sharp end".

The Case Management Framework

Case management provides a framework for service delivery in a wide range of human service contexts. It enables the provision and effective coordination of needed services to a client. The Department of Families

implemented the current case management framework in 1992. It is based upon the standard elements of assessment, planning, implementation and review, with mandatory policy and procedural requirements in relation to planning meetings and associated documentation. The framework applies to every child protection case where a decision is made that ongoing departmental intervention is necessary to ensure the child's safety. Three mechanisms form the basis of the case management framework:

- Case discussion meetings involving Family Services Officer with case responsibility; Team Leader; Senior departmental officers; professionals from the community sector; professionals from other government departments; and representatives from the recognised Indigenous agency (if applicable);
- Family meetings; and
- Placement meetings.

There is no limit to the number of times these meetings are held in order for effective case planning and case management to occur. However, in order to comply with section 88 of the Act, reviews must take place once every six months.

Protocols

The Department of Families has protocols with its service provider partners and other key stakeholders to ensure that the needs of children who have been harmed or are at risk of harm are addressed efficiently and effectively.

The protocols seek to ensure that service responses are coordinated and accountable, so that all available resources and systems can be utilised to meet the pressing and extreme needs of the target group.

Information Management

The Department of Families currently collects data and maintains information systems (both manual and computerised) on all aspects of child protection and youth justice business activities. There are currently three enterprise information systems that support child protection and youth justice, namely the Child Protection Information System (CPIS), Families and Youth Justice Information System (FamYJ) and Carer Payment System (Carepay).

These systems store current and historical information pertaining to a child's: demographic information; child protection and/or youth justice orders and history; current and historical placement information; current and historical case management and case work information; approved Foster Carer and payment information.

The Department operates several other disparate information systems that also support child protection and youth justice business processes, but these are localised to specific business areas within the department. For some processes, only manual or local spreadsheets are maintained. The Department of Families has allocated funds for the development of a new integrated client management system (ICMS) to respond to the inadequacies of the existing system.

Monitoring Processes

External Review Mechanisms

Service delivery by the Department of Families is subject to a number of external and internal accountability mechanisms, aimed at monitoring the quality of service provision to ensure that the department prevents, detects, responds to and deals with suspected incidents of abuse.

The external accountability structures provide an avenue for people involved in the child protection system to seek reviews of decisions, make complaints about the service they receive or lodge allegations of official misconduct. They also play a role in ensuring the quality of care and intervention provided by the Department, or non-government agencies meets legislated standards. These include:

- The Commission for Children and Young People
- The Children Services Tribunal
- The Ombudsman
- The Crime and Misconduct Commission

These various bodies and processes ensure an appropriate level of external scrutiny of the work of the Department of Families. The protections they offer exceed those provided in respect of other areas of government business, as is appropriate given the importance of the issue and the vulnerability of children and young people.

Internal Review Mechanisms

The Department of Families operates a variety of internal mechanisms for monitoring and reviewing practice including:

- Complaints System Policy
- Review following the Death of a Child
- Multiple Notification Reviews
- Review of Significant Incidents Committee
- Review and Evaluation Branch
- Quality Performance Statement for Area Offices
- Internal Audit Branch

Learning and Development Framework

The Department of Families has made a commitment to improving organisational effectiveness by implementing a learning organisation framework which commenced in mid 2001.¹⁰

Learning and development priorities for 2003 and 2004 include:

- development and delivery of a Leadership for Future Directions Strategy to develop and enhance leadership and management capability to lead change and improvement within the organisation;
- extension of the current induction / learning programs to orient new and existing employees to the Department's strategic goals and values, partnerships with Universities to enhance options for pre-recruitment and accredited courses for employees, and a professional practice learning strategy; and
- supporting Action Learning Teams involved in Future Directions trials and the development of learning infrastructure, through the appointment of Learning Facilitators and Learning Coaches.

¹⁰ Senge P., The Fifth Discipline, 1992.

ATTACHMENT 3 - Department of Families: Number of Child Placements

Children exiting alternative care (AC) during the year: year by length of time by number of placements in continuous alternative care, 1997/98 to 2002/03.

Length of time in AC (months)	Number of placements						Total
1997-98							
	1	2	3	4	5	6+	
1-6	237	58	26	1	1	2	325
6-12	43	37	12	4			96
12-24	46	31	13	3	4	6	103
24-60	48	27	17	7	14	26	139
60+	40	14	12	11	9	17	103
Total	414	167	80	26	28	51	766
1998-99							
	1	2	3	4	5	6+	
1-6	225	43	21	4	1	1	295
6-12	52	34	19	10	4	4	123
12-24	41	15	17	7	3	5	88
24-60	33	17	14	14	9	24	111
60+	45	13	5	8	10	13	94
Total	396	122	76	43	27	47	711
1999-2000							
	1	2	3	4	5	6+	
1-6	219	68	15	3	2		307
6-12	61	33	14	3	3	1	115
12-24	40	21	9	6	3	11	90
24-60	21	21	8	14	3	21	88
60+	39	14	14	7	7	20	101
Total	380	157	60	33	18	53	701
2000-01							
	1	2	3	4	5	6+	
1-6	191	62	17	3	3		276
6-12	60	19	19	4	5	3	110
12-24	69	39	17	9	5	9	148
24-60	41	40	27	8	10	18	144
60+	46	21	18	9	7	15	116
Total	407	181	98	33	30	45	794
2001-02							
	1	2	3	4	5	6+	
1-6	299	136	30	9	5	2	481
6-12	55	38	14	11	5	5	128
12-24	56	33	17	13	3	7	129
24-60	51	38	18	12	11	17	147
60+	47	21	10	6	6	14	104
Total	508	266	89	51	30	45	989
2002-03							
	1	2	3	4	5	6+	
1-6	386	129	28	8	3	1	555
6-12	79	37	24	19	10	6	175
12-24	49	36	11	9	14	9	128
24-60	42	33	19	11	10	30	145
60+	28	31	9	10	12	26	116
Total	584	266	91	57	49	72	1,119

Source: Department of Families, September 2003

ATTACHMENT 4 - Roles and Responsibilities Relating to Child Protection, including Foster Care

Protecting children from harm is a responsibility for parents and carers, families, governments, businesses, neighbours and friends. It is increasingly recognised that the safety, well being and development of children and young people is not only a community concern but a whole of community responsibility. The complexity of issues surrounding child protection and alternative care options, including foster care, demand collaboration. This needs to occur across all levels of government and between the government, community and the non-government sector.

Parents, Families and Communities

Parents have the primary responsibility for caring for children and meeting their physical, social, cultural and emotional needs. The overwhelming majority of families perform this role with little or no contact with the child protection or family support service systems. However, many families experience crises or pressures which, if unresolved, result in harm to children. The provision of the right responses, at the right time, can assist in building a family's resilience and improving the quality of family relationships. The Queensland Government believes that prevention and early intervention can be instrumental in preventing families from falling into crisis.

Families generally do not live in isolation from their surrounding communities. A safe and supportive community can have a positive impact on family stability. Social support plays an important role in developing self-esteem and interpersonal skills, acting as a buffer against stress and fostering a sense of security. Data collected through a Queensland Government survey in 2000 as part of the Putting Families First initiative, found that when people required assistance with a family issue, they most commonly relied on informal networks such as family (25%) or friends (12%). These informal arrangements were identified by respondents as a more important source of support than government agencies (13%), doctors or other health professionals (8%), churches (7%) or non-government agencies (5%).¹¹

Individual community members also share the responsibility for providing support and practical assistance to individuals and families in time of stress, and for being aware of situations of potential harm to children. In some instances, this may require the reporting of concerns about abuse or neglect. The Queensland Government supports community members in this role by promoting awareness of child abuse and providing resources to assist them to respond appropriately. For example, the Queensland Government has recently launched a range of community awareness materials in response to *Project Axis*, a joint inquiry by the Queensland Police Service and the Crime and Misconduct Commission into child sex offending in Queensland.

Non Government Organisations

Non-government organisations play a vital role in reducing the risk of child abuse and neglect by supporting families to care for their children, delivering alternative care services, and providing advocacy services for children in care and for families more generally.

The Government's commitment to building a strong and sustainable system of non-government services that are accessible, efficient, effective, accountable and responsive to client need is evident in its policy statement Queensland Families: Future Directions.

The following table shows the change between 1997/98 and 2002/03 in the Department of Families' expenditure on indirectly provided services through funded agencies.

Table 8: Grants through the Department of Families for child protection and family support services provided by non-government organisations

	1997/98	2002/03
Number of funded organisations	126	159
Number of funded services	204	262
Total grant expenditure	\$21.73M	\$35.247M
Grants to Aboriginal and Torres Strait Islander organisations	\$0.478M	\$4.155M
Grants to Aboriginal and Torres Strait Islander organisations as a percentage of total grants	2.2%	11.8%
Grants by type of service provided (approximate): Early intervention and family support	\$5.67M	\$9.17M
Intervention services	\$6.1M	\$7.33M
Residential care services	\$5.97M	\$5.7M
Shared Family Care services	\$3.58M	\$6.87M

Source: Department of Families

¹¹ Queensland Government Department of Families, Putting Families First: Listening to Queenslanders, Brisbane, 2000, p.9.

There are complementary roles and relationships between government and the non-government sector. The Government maintains the statutory role for intervention with families where there are care and protection concerns. Non-government organisations also provide statutory services on a contractual basis on behalf of the Government. This is in addition to their role in providing services where the parent is willing and able to accept a referral to a service, the family acknowledges their need for support and the child's protective needs are able to be met through a particular agency. These services include crisis intervention, family support, mediation and other therapeutic responses, as well as placement services including shared family care and residential care services.

Across the broader non-government service system, the viability and long-term sustainability of organisations and service models is an issue. The Queensland Government has made investments in the sustainability of the sector over recent years. For example, funds were allocated in 1998/99 to supplement community organisations' implementation of the Social and Community Services (SACS) Award. The Future Directions package included \$33 million over four years in funding for non-government organisations to offset increases in the costs of service delivery. The Government will continue to work with the non-government sector to ensure effective partnerships in the delivery of services to children, young people and families.

Commonwealth Government

The Commonwealth Government is responsible for a range of policy areas and programs that have a significant impact on families' capacity to provide a stable and nurturing environment for children and young people. These include income support and funding for child care, education, housing, health and family relationship services. The Commonwealth has the ability to significantly influence outcomes for vulnerable families by changing its policy and program settings. For example, equitable access to child care can provide secure and stable respite for parents or carers while offering developmentally appropriate experiences to children in a normalised environment. Conversely, the loss of an affordable and secure housing option can place intolerable financial stress on families and exacerbate the risk of harm to children.

The Queensland Government continues to actively engage with the Commonwealth Government in relation to the impact of its policies and programs on vulnerable families. The outcomes of recent negotiations regarding public hospital funding reflect a diminished Commonwealth commitment to the provision of the basic infrastructure that supports families, particularly those on low incomes, on a day to day basis. The Queensland Government will continue to argue that the provision of equitable access to services is not only socially responsible, but also delivers economic benefits by avoiding the long term costs associated with low educational attainment, poor health, homelessness, unemployment, substance abuse and crime.

While tensions regarding these policy issues continue, it is acknowledged that the Commonwealth Government has shown greater interest in supporting families over recent years, and new opportunities for partnership with the States have emerged. The issue of child abuse intersects strongly with several Commonwealth Government initiatives, including the *Stronger Families and Communities Strategy* and the *Early Childhood Agenda*. The Commonwealth has been seeking an active role in the area of child protection, with the introduction of a range of initiatives such as the Transition to Independent Living Allowance for young people leaving State care and the Child Abuse Prevention Program.

The Commonwealth Government has also negotiated with State and Territory Ministers regarding the development of a *National Plan for Foster Children and Carers*, to focus on improved training, uniform data collection, research and improved support for children and their carers. These ventures have the potential to complement the Queensland child protection system, and the Commonwealth's interest in this area has been welcomed.

The Commonwealth has collaborated with the States in relation to Aboriginal and Torres Strait Islander family violence and harm to children. For many years, the Commonwealth Department of Family and Community Services has jointly funded some of the Aboriginal and Islander Child Care Agencies (AICCA's), with \$1.75M currently allocated to ten services in Queensland.

Recently, the Council of Australian Governments agreed there should be an increased national focus on Aboriginal and Torres Strait Islander child protection issues to complement the Council's reconciliation framework. These efforts are particularly focusing on outcomes that could not be achieved without joint action between levels of government. For Queensland this initiative offers the prospect of improved coordination of strategies linked to Meeting Challenges, Making Choices, the Government's response to the Cape York Justice Study.

In addition, the Family Court, Department of Families and Legal Aid Queensland have collaborated to improved the coordination of cases in situations which involve:

- Family Court disputes between parents over residence and contact where allegations of child abuse have been made;
- child protection cases where the ability of a parent to secure a residence order or vary an existing contact order in the Family Court would ensure the protection of a child; and
- instances where the granting of guardianship/custody/residence to a relative or other person would secure the protection of a child.

Further, the Department of Families will work with Legal Aid Queensland and the Family Court to finalise a protocol regarding the sharing of information and greater cooperation in case management. In keeping with the recommendation of the Family Law Council in its report *Family Law and Child Protection* released in 2002, the protocol will address the need to avoid duplication between State and Federal systems in relation to child protection matters. The 'one court principle' proposed by the Family Law Council supports a decision being made at the earliest possible point about whether a matter should proceed under the Family Law Act or under State child welfare law.

Queensland Government

The Queensland Government has specific responsibility for ensuring the safety, wellbeing and development of children who have experienced significant harm, or are at risk of harm, and do not have a parent able and willing to protect them. This responsibility is mandated under the *Child Protection Act 1999*, and clearly reflects the community's expectations of government.

Children, young people and families coming into contact with the child protection system, including placement in foster care, generally have complex needs which require a high degree of collaboration across the human services system. At times, the systems established to support families in protecting and caring for children are not enough. For some children, the family is not a safe place. Where extended family cannot provide support and nurturing is required, the State must intervene to ensure the safety and well being of children, assuming the responsibilities usually fulfilled by the family.

Agencies with responsibilities in the child protection system have been working collaboratively to improve the coordination of service responses, providing a foundation for the development of the Queensland Government Strategic Framework for Child Protection, endorsed in 2003. The framework articulates a formal commitment by Government agencies to achieve better outcomes for children and young people who have experienced significant harm, or are at risk of harm, and their families.

The roles and responsibilities of the key State Government agencies are outlined in the *Queensland Government Strategic Framework for Child Protection 2003-2006*.

ATTACHMENT 5 - Child Protection External Review Mechanisms

The Commission for Children and Young People

The Commission for Children and Young People was created under the Commission for *Children and Young People Act 2000*, with the mandated role of promoting and protecting the rights, interests and wellbeing of children in Queensland.

The Commission operates a Complaints and Investigations Unit to help children or young people with concerns or complaints about services they are receiving or are entitled to receive from government departments or other service providers. The Commission generally refers complaints regarding service delivery by a government or non-government agency, to the relevant department for response. According to the Commission's Annual Report 2001-02, 168 cases were referred to the Department of Families for follow-up, 55 to the Queensland Police Service, two to Disability Services Queensland, four to Queensland Health and four to Education Queensland. Of the responses received, 85% resulted in appropriate action that supported the interests of the child.¹²

The Commission also monitors, reviews and seeks to inform the development of laws, policies and practices to ensure that the rights, interests and wellbeing of children and young people are promoted and protected. In this capacity, it seeks to advocate for children and young people in general to ensure that the services they receive are responsive and of high quality.

The Children Services Tribunal

The Children Services Tribunal provides merit reviews of 'reviewable decisions' relating to the provision of services to children and young people. Its jurisdiction includes services provided under the *Adoption of Children Act 1964*, the *Child Protection Act 1999*, the *Child Care Act 2002* and the *Commission for Children and Young People Act 2000*. Since August 2001, the Children Services Tribunal has considered 102 matters related to decisions by the Department of Families. In five of those instances the decision has been varied, in 12 cases affirmed, in nine cases set aside and in 42 cases the requests for review of decisions have been set aside or withdrawn. The remaining cases were either outside the jurisdiction of the Tribunal or are still in progress.

The Ombudsman

Queensland Government agencies are also subject to review by the Ombudsman. The role of the Ombudsman is to investigate complaints about the actions and decisions of Queensland's state and local government agencies. The Ombudsman reviews whether decisions have been made for an improper purpose, made on irrelevant grounds, are illegal or contrary to law, unreasonable, unjust, improperly discriminatory, based on a mistake of law or fact, made without giving reasons, or wrong. The Ombudsman makes recommendations to the agencies involved to correct decisions if required. The Ombudsmen dealt with 113 complaints about the Department of Families in 2001-02, with the majority dealt with via a request for a response by the Department. The Ombudsman can also initiate formal investigations regarding serious issues.

The Crime and Misconduct Commission

The Crime and Misconduct Commission plays a role in investigating official misconduct by officers within public sector agencies. 'Official misconduct' refers to conduct which could, if proved, be either a criminal offence or a disciplinary breach providing reasonable grounds for terminating the person's employment. The Chief Executive Officers of Queensland public sector agencies have a duty to report complaints or matters they suspect may involve official misconduct.

¹² Queensland Commission for Children and Young People, Annual Report 20001-02, p.33.

ATTACHMENT 6 - Implementation of Queensland Families: Future Directions

The following is a summary of the range of initiatives being implemented through the *Future Directions* package.

Prevention and early intervention trials

Twenty-one prevention and early intervention trials have been conducted around the State. The trials include a variety of service models, ranging from centre-based counselling to flexible outreach services, from specialised therapeutic interventions to mixed models targeting discrete, highly vulnerable populations such as young, chronically homeless parents or families in caravan parks.

Funds have also been allocated for a trial of Family Support Centres for Aboriginal and Torres Strait Islander families. These centres were established to provide a range of support services including youth development programs, parenting support, playgroups, household management assistance, skills enhancement opportunities and cultural investment activities.

Fifteen new Aboriginal and Torres Strait Islander Family Support Worker positions were created within the Department to provide practical assistance to parents and extended family members of children who are at risk of entering the child protection or youth justice systems. The workers collaborate closely with Area Office staff and local agencies to ensure that responses to families are coordinated and delivered appropriately.

Funds of \$250,000 were allocated for First Years Prevention Projects to provide a coordinated response to children identified early in their school life as being at risk of poor educational, health and social outcomes.

Support to Foster and Relative Carers

In 2001-02 the Department increased the basic foster care allowance by 10%, which included the rolling of an enhanced outfitting allowance into the base payment for carers. Subsequently, *Future Directions* included a further 6% increase in fostering allowance for carers with young people aged over 11 years, in recognition of the significantly greater costs associated with caring for adolescents.

In addition, the proportion of carers looking after children with high needs who are able to access additional financial support has been doubled, at a cost of \$1.5 million. A further \$1.5 million has been allocated to funded packages for children and young people with extreme needs.

The Department has also introduced a Foster Carer Card that provides identification accepted by government departments and hospitals and gives access to a range of government concessions and business discounts. The Department has met with a number of State Government agencies to negotiate concessions for carers or discuss identification issues.

Three trials of planned respite services for carers have been funded in recognition of the sustained physical and emotional commitment required to care for children and young people, many of whom have extremely complex needs. The initiative is aimed at increasing placement stability and improving outcomes for children and young people in care. As far as possible, carers who have an existing relationship with the child or young person are being recruited to provide the respite care.

Thirty one additional positions for Foster and Relative Carer Support Workers, whose role is to coordinate services and information for carers, and undertake recruitment and training have been appointed. Their efforts have been supported by a statewide media campaign regarding the need for additional carers. A centralised Foster Care Information Line was established and new brochures developed for inclusion in a Foster Care Recruitment Kit. To date over 200 potential new carer households have been identified. In some regions the positions have been particularly focussed on the recruitment of relative carers and/or Aboriginal and Torres Strait Islander carers.

The positions have also played a critical role in providing learning opportunities and support to carers, through both individual placement meetings and group activities such as carers' morning teas or training workshops. The available evidence suggests that in some regions, the funding of the positions has created a 'critical mass' of expertise on alternative care that has led to much improved practice.

Five 'Responsive Placement Options' trials have been funded to work with young people aged 12 to 18 years who are subject to child protection statutory intervention and for whom family-based care is not a viable option because of their challenging behaviours and/or complex support needs.

Expanded services are also being trialled to prepare families for the return home of a child who has been in care. Nine 'Reconnect' workers have been employed in six locations to target children aged ten years and under for whom reconnection with family and/or community is a possibility.

Organisational Improvements

Learning and Development Agenda

The Department of Families has made a commitment to improving organisational effectiveness by implementing the learning organisation concepts articulated by Peter Senge.¹³ The alignment of learning and development activities and systems with the Department's strategic agenda and incorporation of the five learning disciplines forms the basis of its learning and development framework.

Individual learning and development activities remain an important aspect of a learning organisation, and the Department will continue to embed learning into 'real work in real time' through a variety of learning activities including mentoring, coaching, flexible learning methods, action learning projects, work exchanges, communities of practice and participation by staff in cross-functional project teams. Development and delivery of a *Leadership for Future Directions Strategy* will develop and enhance leadership and management capability to lead change and improvement within the organisation.

In addition, the Department has extended its 'Lighthouse Projects' initiative, making funds available to encourage new and better ways of working. Funds of \$301,000 have been allocated to 11 departmental projects, while \$369,000 has been directed to non-government organisations. These grants have supported a diverse range of projects that seek to develop new approaches or improved business systems.

Quality Assurance Processes

The Department of Families' reform agenda includes measures to address gaps in the current range of quality and accountability mechanisms. The Department has recently developed a Quality Performance Statement (QPS), a system of Collaborative Area Office Reviews and an enhanced monitoring and evaluation capacity to address these issues and promote greater transparency, consistency and accountability for decisions made by the Department about the lives of children, young people and families.

The QPS is being implemented in conjunction with a system of regular Collaborative Area Office Reviews. The Review process commenced in August 2003, driven by a new Quality Assurance Branch. The Government has recently announced the allocation of new funding of \$2.1M to double the size of the Branch and enable the employment of nine additional Senior Practitioners to assist in the implementation of Improvement Plans. The additional resources will make it possible for each Area Office to be subject to a review twice each year.

Ten Area Offices are trialling the Collaborative Area Office Review process between September and December 2003. These offices have been chosen through an expression of interest process.

In addition to the Collaborative Area Office Review process, the Department has reviewed the collection of Area Office client data linked to a set of performance measures, with comparative reports on the data compiled each month.

The measures are:

- rate of finalised initial assessments per child protection staff FTE;
- percentage of case plans that have been reviewed within six months;
- rate of child deaths and critical incidents where the Department of Families has been notified or the child is under five years of age;
- instances where the number of children placed by the Department with a foster carer is greater than four;
- re-substantiation within three, six and twelve months;
- average number of placements per child in out-of-home care in the last twelve months;
- percentage of child protection follow-up cases closed within six months of being opened;
- percentage of re-notification of significant harm or risk within three months of a differential response (letter or assisted referral) being provided;
- percentage of Aboriginal and Torres Strait Islander children on finalised protective orders placed in accordance with the Child Placement Principle for Aboriginal and Torres Strait Islander children; and
- open child protection follow-up cases as a proportion of distinct children on protective orders.

¹³ Senge P., *The Fifth Discipline*, 1992.

The data will be monitored over time to enable the identification of agreed targets for each office, so that changes in performance levels can be tracked. The establishment of these targets will make clear managers' accountabilities and performance expectations in driving and supporting change.

Responses to Critical Incidents

The Department is reviewing its policy regarding the reporting of critical incidents which involve children in care to ensure they are brought to the attention of senior management in a timely manner. Critical incidents include matters related to the death of, or serious harm to, children, carers, staff or members of the public (where a child, carer or staff member is allegedly involved). Where children and young people are involved, critical incidents include sexually transmitted diseases (STDs), pregnancy, sexual abuse and assault. Critical incidents also include escapes from secure custody, missing persons, major property damage or other critical matters associated with the Department's service delivery.

Particular measures have been established for responding to the death of a child. The Department reviews its involvement with a family following the death of a child who is known to the Department, or who has siblings known to the Department, where the circumstances of the death meet particular criteria. Generally, reviews are undertaken externally where the Department has had a high level of involvement with the child or family, while cases with less departmental involvement may be undertaken internally. The Department maintains a register of consultants able to be engaged to conduct reviews.

The reviewer usually examines all relevant departmental records, interviews relevant staff and other key stakeholders, refers to relevant legislation or policy and, where necessary, consults with the Misconduct Prevention Branch or the Coroner's Office to obtain autopsy reports. The Department's response to the review report is prepared by a 'Review of Significant Incidents Committee', and a non-identifying copy is provided to the Coordinating Committee on Child Abuse Child Deaths Subcommittee to promote learning regarding cross-agency collaboration.

Child related costs and Protocol with Disability Services Queensland

Child Related Costs (CRC) are contingency-based expenditures on individual children and young people, or their families or carers, in accordance with a case plan. The demand for CRC support from carers exceeds the budget allocations, resulting in assessed needs of children and young people not being met or being paid for by foster carers themselves, from their 'own pockets'.

A revised CRC policy was released in May 2003, with a strong focus on the case plan for the child or young person. In addition to the launch of the new policy, a number of distinct strategies have been implemented to manage CRC expenditure:

- negotiating cost-sharing arrangements with other government departments;
- reduced payment for services that are the responsibility of other government departments;
- implementation of the Placement and Support Packages (PASP) policy and process; and
- revised financial reporting processes.

These initiatives will also be supported by the enhanced payments to foster carers, including the increase in the proportion of carers looking after children with high needs able to access additional financial support. This package of measures will ensure that flexibility to respond to the needs of children and young people in care is maintained, while enabling the CRC budget to be administered in a responsible and transparent manner.

A particularly large share of CRC has been used in the past to support children and young people with a disability for whom no parental care is available. The Department of Families has recently negotiated a protocol with Disability Services Queensland to ensure that the provision of services to these young people is coordinated and accountable. It will enable the available resources and systems to be utilised to meet the pressing and urgent needs of this target group.

Differential Responses to Child Protection Notifications

As part of *Queensland Families: Future Directions* – Child Protection Reform, on 28 April 2003, 25 area offices commenced a six-month differential response trial which provides child protection staff with a range of options to respond to notifications. The aim of the trial is to ensure better outcomes for families and children, including early assistance, intervention and diversion from the statutory system through: more flexible initial responses; tailored interventions; and better engagement with families in assessment and intervention activities.

The new child protection rating and response system moves away from a 'one size fits all' response to children at risk, to a more flexible set of interventions tailored to the level of risk identified. Four rating levels are being trialled: immediate investigation and assessment; investigation and assessment; other action – family support; and other action – advice and referral. These replace the 3-tiered priority rating system.

Family Support Response

Decision-making regarding the new differential responses may result in an investigation of harm and an assessment the child's need for protection, or alternatively, the provision of support and/or early intervention services that aim to increase the capacity of families to care for and protect their children.

A 'family support' response is currently being trialed. It is designed as an inclusive planning process, where parents are invited to a meeting to discuss the alleged concerns and to problem-solve how the protective needs of the child and their own parenting and support needs, can both be met. In order for this response to be effective, the consent of the parents to participate in the 'family support meeting' is required. The resultant 'family support plan' is lodged with the Area Office Manager with clear timeframes for review. Due to the 'supportive/early intervention' focus of the 'family support' response, this response can be delivered by either departmental staff or staff from an appropriate community organisation.

Integrated Client Information Systems

The Department of Families recognises the strategic value of integrated information in delivering effective and improved services to the agency's clients. The need for timely access to information about a child or family's past and current contact with the child protection system is vital in order for the Department to prevent, detect, respond to and deal with allegations of harm and neglect.

The Government has invested significantly in the area of information management within the child protection and youth justice context. As part of the Future Directions commitment, funds were allocated for the development of a new integrated client management system (ICMS) to respond to the inadequacies of the existing system in terms of recording and accessing relevant data to support decision making.

The anticipated benefits of the new ICMS will be evidenced through greater efficiency, consistency and quality of service. The ICMS will enhance the Department's ability to minimise risk through improved decision making and provide an information framework to support quality performance management.

Risk assessment tool project

The Department of Families is working to develop and trial a risk assessment tool as a framework for practice and for incorporation into an ICMS. The tool will:

- provide support to FSOs at the threshold decision-making points, that is when information about concern for a child or young person is received, upon investigation and assessment of a notification and upon reviewing a case;
- integrate seamlessly into an ICMS;
- focus on collection of client information that is relevant and useable, both for immediate risk assessment decision-making and for planning and management decision-making;
- only require collection of relevant information appropriate at each stage of the contact/case management process;
- be adaptable to changing knowledge in relation to child protection risk factors; and
- be adaptable to the specific Queensland context, including demographic and cultural characteristics of the Department's client group, Queensland child protection legislation and policy and departmental business processes.

Staffing allocation model

The Department of Families has recently developed an equity-focussed approach to staff allocation, using information regarding the levels of need in particular areas. The proposed model allocates available resources taking into account factors such as population size and socio-economic status.

The model is being deployed to examine the distribution of new resources for those functions common to all Area Offices. Specific new initiatives such as Future Directions trials have used distinct targeting strategies based on a wider range of variables. The model provides a number of formulae for calculating the staffing requirements in each region for each of the key departmental functions: Youth Justice Services, Child Protection Services and Community Support Services (distinct formulae for Child Care and Community and Youth resourcing).

The use of the resource allocation model will contribute to an equitable distribution of staff across the State and ensure that resource constraints play a less significant role in determining the type of response that families receive from the Department.

Business processes and work practices

Fifteen Family Services Officer relief positions have been created to enable the trial of 'staff relief pools' in the Gold Coast, North Queensland, Toowoomba and South West and Ipswich and Logan. These positions are available to fill in while staff are on annual leave or at other peak times.