

Background

In response to the CMC recommended child protection reforms and amendments to the *Child Protection Act 1999*, the Department of Housing has an increased level of involvement with the child protection system. This involvement includes sharing information under the *Child Protection Act 1999*, section 159M and section 159N, and responding (as a prescribed entity) to requests for housing assistance under the *Child Protection Act 1999*, section 159H.

The Department of Housing has developed a process for how they will accept referrals from the Department of Child Safety. Clients can only be referred through the agreed process, otherwise the Department of Housing will re-refer clients back to the Department of Child Safety.

The term 'client', for the purpose of this fact sheet, refers to a child and where relevant, their carer or parent.

The process of referral and developing a joint action plan has been agreed under Schedule Two of the 'Memorandum of Understanding between the Department of Housing and the Department of Child Safety'.

Why develop a specific process for Department of Child Safety clients?

The Department of Housing is committed to responding to requests for housing assistance from the Department of Child Safety. To ensure the Department of Housing offers a consistent, cost effective and appropriate service to children in need of protection, a range of policies and procedures have been developed.

Housing assistance can range from social housing to a financial assistance product such as a bond loan. More information on the types of assistance the Department of Housing can offer can be found on their website.

Who can be referred?

A referral should be made once it is assessed that:

1. A child is in need of protection and;

The child's current or planned housing circumstances significantly contribute (or are likely to contribute) to the child being harmed, or being at risk of harm; and alternative housing is likely to significantly reduce this harm or risk of harm; or

The child's current or planned housing circumstances significantly contribute (or are likely to contribute) to the child's care needs not being met and alternative housing will enable the care needs to be met; and/or

2. An unborn child is likely to be in need of protection after he or she is born and;

The unborn child's parent's housing circumstances significantly contribute to the risk of harm the unborn child is likely to experience after birth and alternative housing is likely to significantly reduce the risk of harm.

If there is no housing element linked to the child's needs a referral should not be made.

This is a major change from the previous policy, which provided prioritised social housing assistance to foster carers, and for parents when their child was returning from out-of-home care. The updated policies focus on the needs of the child or the needs an unborn child is likely to have after birth. It is not focused on the needs of the adults.

For example, a carer who would like to access social housing, but is suitably housed in private accommodation and with no housing issues that impact on the child, should not be referred.

A situation where a referral should be considered is for example, a kinship carer who has agreed to care for a child but is living in a caravan with one bedroom (or other unsuitable housing) and has no means to locate alternative accommodation. As this is the best out-of-home care option for the child, housing can be regarded as a significant factor impacting on the child's protective needs.

There is no set 'group' to be referred however there is an emphasis placed upon children in need of protection where housing exists as a risk factor. It can also include a young person transitioning from care in one or two years and to an individual prior to the birth of their child.

Overview of the referral process

There are **two parts** to the referral process, a written referral and the development of a joint action plan.

Written referral

A written referral is made by the Department of Child Safety via Part A of the Referral to Department of Housing form and then faxed to the relevant Department of Housing area office.

Once the written referral is made, the Department of Housing area office will return Part B of the referral form, accepting the referral and giving the name of a contact officer.

Joint action plan

Once Part B of the Referral to Department of Housing form is received, it is the responsibility of the Department of Child Safety to arrange a time to develop the joint action plan together with the contact officer nominated by the Department of Housing. If a face to face meeting cannot be arranged, a phone interview is acceptable. However, both agency representatives must sign the joint action plan.

The joint action plan serves two purposes – it is a written record of the housing needs of the child (and their carer or parent where appropriate) or a pregnant woman and promotes discussion between the two agencies, the outcome of which is more likely to best meet the needs of the child or unborn child after its birth. Both agencies keep a copy of the joint action plan on the relevant client file.

It may be appropriate to include the client in the joint action plan process but it is not essential.

Things to remember

It is important to make a referral as soon as it is known that there is a housing issue – **this is particularly important for young people transitioning from care who have a disability**. Making a referral does not mean the client will receive housing assistance immediately – in some areas priority housing can take months or even years.

The joint action plan may need to be updated if client circumstances change. Changes in timeframes or case plan objectives should be reflected in an updated joint action plan so the Department of Housing is aware of the Department of Child Safety's current thinking in relation to a mutual client.

The Department of Housing will no longer accept letters from the Department of Child Safety as a means of referral, verification of a client's circumstances or request for priority assistance. Verification of circumstances will occur through the joint action plan.

The referral for a service is not actually made under the *Child Protection Act* 1999, section 159H. The Department of Housing has committed to proactively meeting the intent of the legislation. The Department of Child Safety should carefully consider the appropriateness of each referral. Referrals that fail to meet the criteria do not enhance inter-department relations and may result in changes to the way services are provided.

Escalation processes have been developed for use if there are concerns about the Department of Housing not accepting a referral or if the type of assistance offered does not meet the realistic expectations of the Department of Child Safety.