

## **PROTOCOLS BETWEEN NT FAMILY AND CHILDREN'S SERVICES (FACS) AND CENTRAL AUSTRALIAN COMMUNITY ORGANISATIONS**

### **Preamble**

This protocol reflects our commitment to work together to promote the wellbeing of children and young people in our community.

It is acknowledged that the best place for children and young people is with their family, and we will work as a priority to support families in providing care and protection for their children. However, in some circumstances it is not possible for a child or young person to live safely with their family.

It is recognised that in order to ensure that safety is provided for all children and young people, strong community partnerships and inter-agency collaboration are essential.

We undertake to ensure that our policies, practices and procedures are culturally safe.

The aim of this protocol is to clarify roles of signatory organisations and to improve existing and future service delivery.

- 1 In the NT, the Community Welfare Act (1983) is enacted to ensure children and young people under the age of 18 years are protected from physical, sexual and emotional abuse, and neglect. The welfare and interests of children and young people are the paramount consideration.
- 2 Family and Children's Services, FACS, have statutory responsibility to investigate the maltreatment of children and young people, and to provide care and protection to children and young people who are at risk of abuse or neglect.
- 3 All members of the community are required to notify FACS if they believe on reasonable grounds that a child has suffered, or is at risk of suffering, abuse or neglect (s14(1)).
- 4 Community Organisations acknowledge their role in the ongoing protection of children and young people in our community.

This protocol provides guidelines to promote best practice in supporting the health and well being of children and young people, their families and community.

The underlying principles of the signatories to this protocol are:

- a) to involve family and extended family; and
- b) to insure the rights of the child are protected.

## **1 Protocol for Report**

### **Community Organisations will:**

- a) Ensure relevant workers are trained in mandatory notification procedures and requirements by notifying FACS regarding training needs. Where possible this should be provided during induction of relevant staff.
- b) Have internal notification procedures.
- c) Provide all relevant information to FACS as per child concern report form.
- d) Inform the child or young person and caregiver(s) prior to making a report to FACS, where possible and appropriate.
- e) Develop a procedure to consult with FACS if there is uncertainty about a notification.

### **FACS will:**

- f) Provide ongoing mandatory notification training for Community Organisation workers as required.
- g) Identify specific workers who are available to assist Community Organisations with their decision to notify or not.

## **2 Protocol for Intake**

### **FACS will:**

- a) Ensure that all staff are trained in the intake procedures as agreed within the protocol.
- b) Provide feedback to reporting agencies:
  - at point of report , or as soon as possible, about the decision to investigate
  - regarding progress of the investigation
- c) Consult with reporting agencies about any actions to be taken.
- d) Identify other relevant agencies clients are involved with, therefore determining service provider/agencies to be involved.
- e) Involve relevant agencies in case planning and management.

### **3 Protocol for Investigation**

#### **FACS will:**

- a) Draw upon the experience and expertise of reporting agencies and relevant service providers for:
  - Family histories
  - Client background
  - Appropriate family and community contact points
  - Current situation and agency involvement
  - Interviews / investigation
- b) Accept the value and need of an independent child advocate and, where practicable, ask the child/young person or carer if they want an advocate from a relevant Community Organisation in the interview.

#### **Community Organisations will:**

- c) Accept the wishes of the child/young person or carer in relation to advocacy.
- d) Clarify their role prior to the interview when a representative is acting as an advocate, and ensure that advocates who are present in child protection interviews are aware that they may be required to give evidence or produce documents in legal proceedings at a later date.
- e) Provide relevant information to FACS for the purpose of child protection investigations.

### **4 Protocol for FACS Referral to other Agencies**

#### **FACS acknowledges the needed value of referring to other agencies and will:**

- a) Indicate at the time of referral whether there is to be:
  - no ongoing FACS involvement; or
  - ongoing FACS involvement
- b) Provide all relevant information when there is a referral for involvement of a Community Organisation,.
- c) Explain the reason for the referral and seek agreement from the child or young person and caregiver(s) where possible and appropriate prior to making a referral to Community Organisations..

## **5 Protocol for Case Management**

### **FACS will:**

- a) Be committed to joint case planning with relevant Community Organisations.
- b) Coordinate a case planning meeting with relevant Community Organisations upon identifying a child or young person as at ongoing risk of abuse and neglect, including an initial case conference where a case manager is appointed.
- c) Act as the case manager for a child or young person where the child or young person is in the care of the Minister.

### **Community Organisations will:**

- d) Be committed to joint case planning with FACS.
- e) Involve FACS in case planning when Community Organisations are acting as case managers for a child or young person who has been identified at risk by FACS

## **6 Confidentiality**

### **FACS and Community Organisations:**

- a) FACS and Community Organisation employees are subject to the confidentiality provisions of the Community Welfare Act (1983) (Section 97(5)).

### **FACS:**

- b) Confidentiality provisions of the Community Welfare Act do not prohibit FACS disclosure of information to Community Organisations as necessary for the purpose of protecting children and young people, and for the implementation of this protocol.

### **Community Organisations:**

- c) Community Organisations confidentiality policies will not prohibit the disclosure of information necessary for the implementation of this protocol.
- d) Community Organisations will keep FACS informed of the appropriate contact person for the release of information regarding existing clients for the purpose of child protection.
- e) Community Organisations will develop internal confidentiality policies and procedures in relation to child protection.

## **7 Grievance Procedures**

In the interest of the protection of children, all parties to this agreement have an obligation to raise concerns they may have about the service provided by other parties. These issues should be negotiated first between the appropriate caseworkers in FACS and the Community Organisation and recorded in case files. If not satisfied the following grievance procedure should be followed:

- a) Concerns should be raised with the workers' immediate supervisors who will meet to resolve the issue. Outcomes of this meeting will be put in writing and signed by both parties.
- b) If the concern is unresolved, then a report in writing will be provided by the supervisors to the relevant senior person in each organisation, who will meet to resolve the issue. Outcomes of this meeting will be put in writing and signed by both parties.
- c) Any necessary changes to the protocol, as a result of disputes will go to the 'Review of Protocol' procedure.

## **8 Review Of Protocol**

- a) This protocol will be reviewed after six months at a Reference Group Meeting, and thereafter annually. Where a signatory organisation raises concerns with the application of the protocol a Reference Group Meeting will be convened.
- b) Reviews are to assess ongoing validity of the protocol document and accommodate any necessary revision.
- c) Revisions deemed necessary, must be the result of consultation and agreement between signatory organisations and will be placed in writing and provided to the Community Organisations and FACS.
- d) Responsibility to convene the annual reviews will lie with the Program Manager, FACS, Alice Springs.
- e) Other signatories may be added through the review process.

**Signatures**

This protocol has been approved and accepted by the governing body of the following organisations.

Signed for and on behalf of:

**Community Organisations**

<b>Organisation</b>	<b>Signature &amp; Position Held</b>	<b>Date</b>
Alice Springs Youth Accommodation Support Service		
Central Australian Aboriginal Congress		
Central Australian Stolen Generations and Families Aboriginal Corporation		
Gap Youth Centre Corporation		
Ngaanyatjarra, Pitjantjatjara, Yankunytjatjara Women's Council		
Tangentyere Council		

**Family & Children's Services**

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