

Submission to the Review of Out of Home Care

July 2008

MacKillop Family Services Submission to the Out of Home Care Review July 2008

1. Introduction

MacKillop Family Services (MacKillop) welcomes the opportunity to provide comment on the review of Victoria's system of out of home care.

This review occurs at a time of great possibility and it is encouraging to see the attention being paid to vulnerable children, young people and their families at both a state and national level. Working with vulnerable children, young people and their families in times of crisis is not easy and it is not an area of practice that is amenable to simple, quick or generic fixes.

MacKillop affirms the reform principles which gave rise to the Children Youth & Families Act.

MacKillop Family Services believes the key theme going forward must be the concept of 'change':

- 'Change' to a system that is yet to fulfil the spirit and promise of the Children, Youth and Families Act.
- Developing a system of services and support to support vulnerable children, young people and their families to bring about positive and lasting 'change' in their lives.
- 'Change' which aims to structure and fund service models to respond to the needs of children young people and their families.

The responsible Department (DHS) has an excellent foundation in the legislative principles of **Safety, Stability, Cultural Relevance** and **Development** – what is needed is the commitment to operationalise these principles within the 'out of home care system', so as to place the child and their family at the centre of our thinking, processes services and systems. Achieving this goal 'on the ground' requires substantive and sustained systemic reform rather than adjustments and once off initiatives.

2. MacKillop Family Services

MacKillop Family Services is one of the largest providers of child and family services in Victoria. It was formed in July 1997 as a re-founding of seven child welfare organisations of the Sisters of Mercy, Christian Brothers and the Sisters of St Joseph. MacKillop aims to build community, to reconnect families as much as possible, and to empower them to take control of their decision-making.

Through its founding organisations, MacKillop has a long history in both the provision of out of home care and of change and development in response to the changing needs of children and families. Most of our current out of home care services can trace their history to the redevelopment of large state-wide institutions. A reform process of the import and scale which converted these

dated and counterproductive settings into creative community and child focused responses is again required.

Our current out of home care services include:

Residential Care

MacKillop currently operates 25 residential services which are part of the Placement and Support system. Of these:

- 12 are rostered adolescent units
- 7 are units for children and adolescents staffed on a 24 hour model
- 6 are lead tenant house for older adolescents.

Home based Care

MacKillop has approximately 160 Home based Care placements comprising:

- Complex
- Intensive
- General
- 'Circles program' (Therapeutic Foster Care)

These services operate across the North and West Region, Southern Metropolitan Region and Barwon South West, and Rice Education and Youth Services which has a state-wide intake.

MacKillop also provides a range of family services, including:

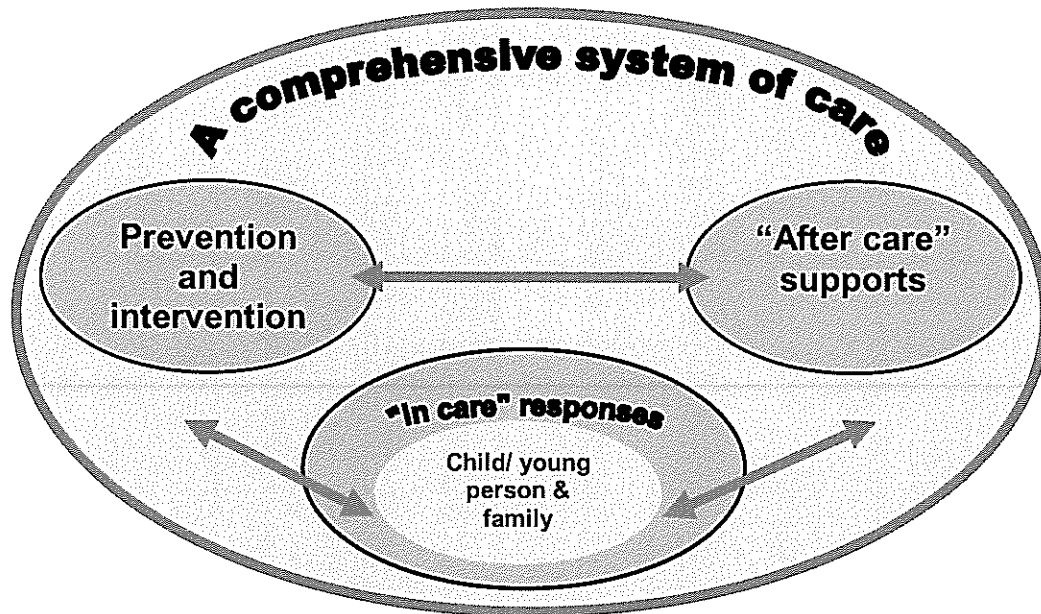
- Family support services
- ChildFirst
- Family Preservation services
- Support of families raising a child with a disability
- Respite & holiday services
- Educational support services
- Substance abuse family support services

3. A renewed vision for out of home care

Our vision for out of home care in Victoria is one where the needs of the child and family are at the centre of our services and systems. This requires a fundamental re-thinking of the systems of funding, decision making and service provision to make sure that the response to each child and their family will not only provide for their safety, but also for their healing and development. Every intervention needs to have at its core a careful consideration of each child and family and their needs and be seen as a continuum of care.

The reality of the needs of many of the vulnerable children and families we are in contact with is that, rather than an episodic need for intervention, there is more likely to be an ongoing need for support, with different services required at different points. Our system needs to reflect this.

We would see a comprehensive system of supports for children and families as encompassing -



4. *Barriers to Achieving Reform*

The implications of this approach are extensive. Our current system is based on mechanistic, rather than flexible, processes. As a result our responses to children and families are also mechanistic, and inevitably fit the child or family to what is available, rather than provide what they need.

We require a capacity to

- Make meaningful and holistic assessments of the best response to a family's situation, to ensure the child's safety, stability and development
- Direct resources flexibly to provide these responses
- Change our responses as the need of the child and their family changes.

Significant barriers to achieving these reforms are

- A demarcation of responsibilities which lacks clear responsibilities and accountabilities
- Dated and inflexible funding models, which in turn encourage inflexible responses to children and young people
- A lack of capacity in the system, so that staff, organisations and DHS are constantly working under pressure, and have little room to do anything more than place the child in the next available bed
- A workforce that is increasingly difficult to recruit and sustain and requiring more training and support to be equipped for the work.

5. *Key areas for reform*

From its experience in out of home care and family support, MacKillop has defined six key areas for reform during the current process

i. **Enhanced assessment of needs and responses**

Our system of care needs to do more to separate out crisis responses and approaches to longer term placements. The Child Youth and Families Act 2005 placed considerable emphasis on intervening earlier to support vulnerable children, young people and their families. The principle of intervening earlier is especially relevant for children and young people entering out of home care – to maximise the opportunities to meet safety, stability and developmental needs. Such a system relies heavily on early, clear and ongoing assessments that identify and track the needs of children and young people. As Bath (2008:13-14) and others have highlighted we need to move towards needs based models of care.

While clear and comprehensive assessments are important, they are of little value without a parallel system that provides accessible and responsive services to meet those needs.

We propose that organisations be resourced to develop comprehensive and holistic assessments of needs and responses for families needing substantial intervention and care.

ii. **Enhanced capacity for flexible response**

Consistent with the principle of keeping children and young people at the centre of the service system is maximising the flexibility services and supports to respond to their individual needs.

Reframing children and young people entering care as the point where the family needs significant intervention to ensure the safety and development of the child/ren. Such an approach presupposes access to a range of services beyond out of home care placement, including family support, respite, mental health and addiction services – service packages that reflect the assessed needs of the child and family.

There is a need for further exploration of funding models which cluster services, with a view to promoting flexibility of responses and breaking down programmatic boundaries between service types.

We propose that to facilitate flexible service responses

- Organisations be funded (as a 'block') to provide a continuum of services rather than specific placement types and targets.*
- Clear accountabilities be established to ensure flexible and responsive use of funding.*

iii. **Reconsideration of roles of DHS and community providers of placements and services**

The partnership between DHS and community providers of placements and services is fundamental to the operation of the out of home care and family support system in Victoria.

While significant progress has been made in the last five years to increase the level of cooperation between DHS and the community sector, there is a need for a realistic reconsideration of the respective roles of DHS and the community sector.

The current demarcation of responsibilities does not reflect the core capacities of DHS Child Protection and community providers of placements and supports. Forensic investigations and decision making rightly belong within government sphere, as do decisions about allocation of public money. However, the community sector is best placed (and has the substantive experience in) providing the care, continuity and relationships required to meet the developmental needs of children young people and families. Increasingly, it also has the capacity to provide treatment and therapeutic responses to specific needs.

We are currently in the position where decision making is often removed from the responsibility for the day to day care of children young people and families. Despite consultative processes, this often leads to bad decision making.

We propose that an effective model of decision making, service provision and accountability be achieved through

- an enhanced and specialised role for government (Child Protection) in the investigation and decision making regarding when families require intensive intervention to ensure safety and development of children*
- contracting of responsibilities for provision of care of children and young people and families to accredited community organisations, with appropriate decision making capacity and clear accountabilities*
- a broadened role for the Office of the Child Safety Commissioner to encompass the ongoing guardianship of children to investigate complaints and promote a 'community visitor' like schemes.*

iv. **Increased placement capacity**

The level of pressure currently experienced within the OOHC system is demonstrated in

- Poor (and often destructive) placement decisions, made on the basis of what bed is available
- A lack of capacity to 'match the needs of children and young people with appropriate service responses
- The diversion of available funds (and effort) into expensive contingency placements.

Unless overall system funding is linked to projected demand and a focus on quality, there is little likelihood that system reforms will be achieved.

We propose that system capacity be increased to a level linked to the demand for placements, and which allows flexibility and an appropriate focus on matching in making placement decisions.

v. Transfer of services to Aboriginal Controlled organisations

We strongly support positive moves to foster self-determination to address the disturbing proportion of Indigenous children and young people placed in out of home care. This requires both a greater investment in supports to prevent children and young people coming into care, and the transfer of resources to Aboriginal organisations so that the community is able to provide an appropriate range of out of home care services.

Aboriginal individuals and organisations taking responsibility for vulnerable children and young people are entitled to appropriate resources to ensure this process does not fail.

The goal of transferring services to Aboriginal organisations will take time. This review represents an excellent opportunity to build on partnerships between Aboriginal and non-Aboriginal organisations to develop a collaborative blueprint to achieve this goal.

We propose that a systematic transfer of services to Aboriginal controlled organisations be established and completed over the next decade, to a level commensurate to the expected demand for child & family services.

vi. Proper recognition of trauma & therapeutic engagement

While the current therapeutic pilots are an excellent initiative there is a need for this capacity to be part of the overall system, and inform all work with children and young people. Rather than further developing pilot programs the out of home care system should support a suite of care options that address the (often complex) therapeutic needs of children and young people coming into care.

For example, with Ainsworth (2008: 43), we share the view that all 'residential programs need to be living and learning environments where treatment, re-education and re-socialisation objectives are integral and vigorously pursued'.

We propose that all options of care are funded at a level which enables a therapeutic response to the needs of children and young people.