



**Family &
Community
Services**



Health

STATEMENT OF INTENT

**SECRETARY
NSW DEPARTMENT OF FAMILY
& COMMUNITY SERVICES**

and

**COMMISSIONER
NSW POLICE FORCE**

and

**SECRETARY
NSW MINISTRY OF HEALTH**

concerning the

**JOINT CHILD PROTECTION RESPONSE
PROGRAM**

This Statement of Intent (Statement) reflects an agreement between the Secretary of the Department of Family and Community Services (FACS), the Commissioner of the NSW Police Force (NSWPF) and the Secretary of NSW Health (Health) to foster cooperation between the three agencies and provide the best outcomes for children, young people, their families, carers and the community via the Joint Child Protection Response Program (Program). This Statement can only be varied or modified with the consent of the agency heads who will ensure that it is reviewed and updated as required.

Principles of the Joint Child Protection Response Program

- the safety, welfare and wellbeing of children and young people is paramount
- staff and agencies are responsible for ensuring children and young people remain the central focus of procedures and decisions
- children and young people receive protective, therapeutic and other support services when they need them
- children and young people are protected from further trauma, including repeat¹ interviews
- children and young people in out of home care are entitled to and provided with special assistance and protection from the State²
- intervention is sensitive to issues of age, gender, culture, language, religion, disability, sexuality, socio-economic status and location
- significant policy changes involve full consultation and joint communication prior to implementation
- mutual respect for the statutory and other responsibilities of FACS, NSWPF and Health is essential to the effective functioning of the Program

Objectives of the Joint Child Protection Response Program

Children, young people and the community are protected from further harm and achieve safety, justice and recovery by:

- entry to the Program occurring via tri-agency assessment of Risk of Significant Harm (ROSH) reports containing allegations that may constitute a criminal offence, consideration of information held by each agency and agreement the threshold has been met³
- agencies exchanging information relevant to the safety, welfare and wellbeing of a child or young person in a timely and effective manner throughout the Local Planning and Response (LPR) process⁴, including real time access to victim interviews to inform safety and risk assessments
- the NSWPF taking the lead on and coordinating the response to allegations of child abuse where it determines that there are sufficient grounds for the likely commencement of criminal proceedings⁵
- staff ensuring that the processes surrounding care and protection, health and wellbeing, and criminal investigation assessments and responses are as seamless as possible

1 Repeat interviews can cause further trauma because they require the child or young person to relay the same information for different purposes i.e. to inform care and protection, clinical and criminal investigation decision-making. Agencies will coordinate their responses in a manner that allows for the holistic collection of information negating, wherever possible, the need for children and young people to repeat their account.

2 For children and young people for whom the Minister has parental responsibility, FACS is mandated to provide the parental responsibilities that would otherwise be exercised by protective parents or guardians.

3 These functions are performed at the Joint Referral Unit (JRU). While not all matters accepted into the program will necessarily require a concurrent tri-agency response, local joint planning is essential to ensure clarity.

4 Information exchanged as part of the Program, including pursuant to *Chapter 16A of the Children and Young Persons (Care and Protection) Act 1998*, is owned by FACS, NSWPF and Health and is not to be released to any other party without lawful reason. In the event a report, document, file or electronic record in which the information is held is subject to a subpoena, GIPA request or other notice to produce, the agency in receipt of the request must inform the Commander/Director of the agency from which it was originally sourced in writing prior to its release.

5 In assuming the lead role, the NSWPF is responsible for ensuring that the LPR process specifically addresses the child or young person's safety and wellbeing.

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- staff and wherever possible children, young people and families, being clear on what action, further to the interview and/or initial field response, each agency intends to take
- staff being responsible for ensuring that children and young people in out of home care, whether victims and/or persons of interest are provided with emotional and/or legal support throughout the process
- agencies, which provide an immediate or after hours response to a report outside of tri-agency assessment and decision making at the JRU, notifying the other agencies and initiating the LPR process at the earliest possible opportunity⁶
- agency leaders collectively modelling a culture of continuous practice improvement and jointly undertaking systemic case reviews
- agencies implementing policies and practices which ensure staff are appropriately screened, qualified, trained and supervised to support best practice⁷
- Responsibility for monitoring performance, compliance and the health of the Program rests with the Deputies' Group comprising the Deputy Secretaries and Deputy Commissioner (or delegate) of each agency. The Group will meet quarterly, either independently or with the SMG. The Deputies' Group supports the Secretaries/ Commissioner Group.
- The Secretaries and Commissioner will meet bi-annually, or as required, to review the Program's performance, direct and oversee responses to external inquiries and reports, and ensure the Program's unique functions are appropriately reflected in each agency's policies, priorities and resourcing.

Training

- Joint training is fundamental to staff understanding the operational requirements of each agency under this Statement.
- The content and nature of joint training is developed by the Joint Training Committee (JTC) which reports to the SMG.
- Membership of the JTC comprises senior officers, specialist agency trainers, agency legal representatives and external experts as needed.
- In addition to joint training, the agencies will share or present the content of internal training where relevant.

Governance

- Local operations are overseen by Local Management Groups (LMGs) comprising Managers and Team Leaders from each of the agencies. Meetings may occur as often as deemed necessary by each LMG and no less frequently than stipulated by the Statewide Management Group (SMG).
- Responsibility for the overall management of the Program rests with the SMG comprising executives, directors and senior advisors from the three agencies.

⁶ Decisions to provide an immediate or after-hours response to a report, prior to tri-agency assessment and decision making at the JRU, should be made in accordance with this Statement of Intent.

⁷ Staff remain attached to, and operate in compliance with the respective legislative obligations, policies and procedures of their agency.

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Accommodation

- Effective coordination of accommodation requirements impacts the operations of the Program.
- Accommodation is coordinated via the Joint Property Committee (JPC) which reports to the SMG.
- Accommodation will continue to be designed to provide the child, young person and families/carers with a cohesive experience, while maintaining the integrity of each agency's operations.

Dispute Resolution⁸

- Effective interagency collaboration requires commitment to working together, and being open to feedback designed to improve both the Program and individual agency service delivery.
- Disagreements are inevitable when working in a highly complex tri-agency context and, when managed appropriately, may inform improvements to the Program.

- Disputes concerning the operation or management of the Program will be promptly resolved locally wherever possible, and only escalated via agency reporting structures where appropriate⁹.
- External complaints¹⁰ regarding the Program should be referred to the Executive members of the SMG for consideration at the earliest possible opportunity.

Performance Framework

- The agencies commit to reporting annually to the Secretaries and Commissioner on the performance of the Program, including with respect to agreed child protection, criminal justice and health outcomes.

- 8 Complaints related to action or inaction of an agency or its staff will, unless otherwise required by law, be dealt with individually by the agency concerned in line with its own internal complaint and/or grievance handling procedures. Where a complaint concerns more than one agency, each agency will again, unless otherwise required by law, only address those aspects that relate to its own staff, operations or organisation.
- 9 As outlined under Dispute Resolution in the LPR Guidelines.
- 10 From children, young people, families or their advocates, as well as oversight bodies such as the NSW Ombudsman.



Michael Coutts-Trotter
Secretary
Family and Community Services



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Commissioner
NSW Police Force



Elizabeth Koff
Secretary
NSW Health

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