

Schedule 1 – Family Preservation Program – Service Requirements

Service Provider Name	«Provider_name»
PLA ID	«PSP_PLA_ID»
Program	Family Preservation Program

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1. Purpose

- (a) The purpose of this Schedule is to set out in detail the Service Provider's obligations in respect of the Service Requirements. The roles and responsibilities of the Department of Communities and Justice (DCJ), in supporting Service Providers to deliver against these requirements, are detailed in the Permanency Support Program Description as set out in <https://www.facs.nsw.gov.au/providers/children-families/deliver-ppsp/about> (the terms of which are deemed to be incorporated by reference herein) .
- (b) The following table correlates Services with sections of this Schedule 1.

Section	Description	Applicable Service Provider
1	Purpose This section outlines the purpose of this Schedule.	All Service Providers
2	Definitions This section defines terms and acronyms used throughout this Schedule	
3	Permanency Support Program This section defines the client group and key objectives of the Family Preservation component of the Permanency Support Program; and details the Service Requirements that are applicable to the Services. The obligations under this section 3 must be adhered to by all Service Providers.	
4	Family Preservation This section defines the client group, key objectives and Service Requirements for the Family Preservation Services.	

2. Definitions

For the purposes of this Schedule, the definitions in the Program Level Agreement will apply as supplemented by the following definitions:

Aboriginal and Torres Strait Islander Child Placement Principles means Principles outlined in Part Two (sections 11-14) of the Care Act. Section 13 of the Care Act outlines the order for placement for Aboriginal or Torres Strait Islander Children and Young People. Preservation, Restoration and Relative and Kinship care the most preferred support directions for Aboriginal and Torres Strait Islander Children and Young People.

Aboriginal Care means Permanency Support Program Services provided to Aboriginal Children and Young People by Aboriginal Organisations and non-Aboriginal Organisations.

Aboriginal Children and Young People means a Child or Young Person descended from an Aboriginal Person and includes a Child or Young Person who is the subject of a determination under section 5 subsection 2 of Care Act.

Aboriginal Organisation means Aboriginal Organisations specified in legislation including:

- (a) Aboriginal Land Councils, within the meaning of the *Aboriginal Land Rights Act 1983*, and 'eligible organisations' under s26 of the *Aboriginal Housing Act 1998*
- (b) Aboriginal Community Controlled Health Services
- (c) organisations identified as Aboriginal under the NSW Prequalification Scheme

in addition, DCJ provides a process for accepting organisations that are controlled or owned by Aboriginal People providing services to Aboriginal People.

Best Practice in trauma-informed practice means, at a minimum, that Service Provision is based on:

- (a) research evidence including the impact of early Childhood trauma on brain development
- (b) relevant trauma and attachment theories
- (c) an understanding:
 - i. that trauma can occur not only in a Child or Young Person's relationship with an individual or individuals, but in his or her relationship with society
 - ii. of the impact of shame and the nature of resistance
 - iii. of the imbalance of power and privilege in our work with families and the importance of implementing and promoting participation and rights of Children and Young People
 - iv. that consistency, reliability and predictability in casework is crucial to working with People with experiences of complex trauma
 - v. that positive, safe and healing relationships and experiences are key to trauma-informed practice.

Care Act means the *Children and Young Persons (Care and Protection) Act 1998*.

Case Coordination means coordinating the provision of Services to a Child, Young Person and family who have a Case Plan Goal Package of Family Preservation.

Case Plan means the document that identifies required goals, objectives and tasks to protect and support Children, Young People and their families.

Case Planning means the participatory process that identifies required goals, objectives and tasks to protect and support Children, Young People and their families.

Case Plan Goal Package means each Child or Young Person will have a determined permanency goal that is supported by a Case Plan Goal Package. This package includes costs based on Services required to achieve the Case Plan Goal. In the first release of ChildStory, this will be expressed as Initial Case Plan Goal Package. At this time Family Preservation is not included in ChildStory and data collection remains outside the system.

Children and Young People has the meaning defined in the Care Act, where **Child** is “a Person who is under the age of 16 years” and **Young Person** is “a Person who is aged 16 years or above but who is under the age of 18 years”. ‘Children and Young People’, ‘Child’, ‘Children’ are sometimes used interchangeably in this document.

ChildStory means the Child protection IT system being developed by DCJ that places the Child at the centre of the story and builds a network of family, carers, caseworkers and Service Providers around them. ChildStory will include a Partner Community that allows Service Providers to view information and interact with DCJ in real-time about the Children and families they are working with.

Culturally and Linguistically Diverse (CALD) Children and Young People means a Child or Young Person who identifies with particular groups based on their birthplace, ethnicity, language, values, beliefs or world views.

Family is a household group where a child and their siblings are living with and being cared for by one or both birth parents; one or more children, who may or may not be related, are living with and being cared for by one of their birth parents and that parent’s partner; a child is living with and being cared for by, one or both adoptive parents; or A child is living with a relative or kin under an informal arrangement which the birth parents have agreed to.

Family Group Conferencing (FGC) means a voluntary process in which family members and other significant People in a Child's life meet with caseworkers to jointly discuss and plan strategies to address Child protection concerns. The process is intended to be a family-centred, strength-based, culturally-sensitive approach, which empowers families to support their Children by deciding issues as placement, support, contact, restoration and treatment interventions and, in turn, prevent the need for Children's Court proceedings.

Family Preservation means Services provided to support the Child and birth family at home in which a Child is at imminent risk of entering out of home care.

Organisation-Wide means that practice is:

- (a) clearly articulated in program guidance materials (e.g. policies, procedures and staff position descriptions)
- (b) present in organisation-wide approaches (e.g. Child and family assessment protocols)
- (c) required in casework and reflected in caseworker training and support.

NDIA means the National Disability Insurance Agency.

NDIS means the National Disability Insurance Scheme

Permanency means suitable permanency outcomes for Children and Young People.

Permanency outcome means, as applicable, a suitable permanency outcome, which is

considered to be any of the following:

- (a) maintaining Children and Young People with their family;
- (b) restoring Children and Young People to their family;
- (c) Guardianship to a relative/kin;
- (d) Open Adoption (this is not the preferred option for Aboriginal Children and Young People); and
- (e) Parental responsibility to the Minister until 18 years is not considered a suitable permanency outcome and is not the intent of the Permanency Support Program.

Physical environment means a key care element that goes beyond the nature of the facility to encompass how Young People 'experience' their day to day living space.

Preservation means package provided to support the Child and family at home or with relative and kin where a Child is at imminent risk of entering or re-entering OOHC.

Reportable conduct means:

- (a) any sexual offence or sexual misconduct committed against, with, or in the presence of a Child including a Child pornography offence or an offence involving Child abuse material
- (b) any assault, ill-treatment or neglect of a Child
- (c) any behaviour that causes psychological harm to a Child whether or not with the consent of the Child

Service or **Service Type** means the service to be delivered by the Service Provider under this Program Level Agreement as set out in the Contract Particulars and this Schedule 1.

Service Requirements means the various obligations given that name as set out in this Schedule 1.

3. Permanency Support Program

3.1 Client Group

All Children and Young People entering the Permanency Support Program. As such, all Service Providers must adhere to the Service Requirements detailed in this section 3 of Schedule 1 in so far as it applies to Family Preservation Services.

3.2 Key objectives

The Permanency Support Program aims to:

- (a) maintain more Children and Young People at home safely with their birth parents, minimising entries and re-entries into care;
- (b) find permanent homes for Children and Young People currently in care by increasing the number of Children and Young People either being restored to their family, moving into guardianship, or adopted within two years of placement;
- (c) invest in higher quality support for Children and Young People in care, with their safety and wellbeing being the paramount objectives;
- (d) provide support to diverse client groups to address and meet specific needs through targeted services addressing individual needs; and
- (e) address the over representation of Aboriginal Children and Young People in care.

3.3 Service Requirements

3.3.1 Permanency Goals

The Service Provider must:

- (a) achieve permanency outcomes for Children and Young People as soon as possible, within two years of entering care, including:
 - i. provide flexible intensive wrap around supports to Children and Young People and their families]
 - ii. develop positive working relationships with Children and Young People's birth parents and families
 - iii. use evidence based programs to support families and help them stay together
- (b) support and implement the permanency planning principles
- (c) decrease the time Children and Young People spend in the Permanency Support Program
- (d) achieve lasting permanency outcomes for Children and Young People to decrease re-entries into the Permanency Support Program
- (e) deliver a holistic approach across the care continuum integrating: assessment of need, early risk identification, intervention and preservation services.

3.3.2 Participation and Rights of Children and Young People

The Service Provider must:

- (a) inform Children, Young People and their families of their rights (in a manner that is appropriate to their age, developmental capacity and cultural and linguistic background). This includes information about their rights under the United Nations Convention on the Rights of the Child (Article 12), the Care Act and information about complaint and appeals processes
- (b) ensure that the privacy of Children and Young People and their families is respected and adhered to in accordance with relevant legislation
- (c) ensure that confidentiality is maintained and information is collected and exchanged in accordance with the Care Act
- (d) have policies and procedures in place to appropriately process complaints and appeals by Children, Young People and their families within clearly stated timeframes
- (e) conduct genuine, ongoing consultation and facilitate participation of Children, Young People and their families in the making of decisions that affect them, consistent with any applicable court orders
- (f) provide Children, Young People and their families with information (in a manner and language that they can understand) which facilitates their participation
- (g) promote and record feedback from Children and Young People
- (h) advise Children and Young People how their feedback has been taken into account

3.3.3 Case Management and Casework

The Service Provider must:

- (a) comply with case management requirements as outlined and detailed in the Permanency Support Program Description and should refer to DCJ's Permanency Case Management Policy (available at <https://www.facs.nsw.gov.au/families/permanency-support-program/permanency-case-management-policy>) and Permanency Support Case Management Rules and Practice Guidance (available at <https://www.facs.nsw.gov.au/families/permanency-support-program/permanency-case-management-policy/rules-and-practice-guidance/psp-pcmp-rules-and-practice-guidance>) for additional guidance on the roles and responsibilities of DCJ and the Service Provider. Such policies are deemed incorporated by reference into the terms of this Agreement.
- (b) engage in thorough Family Action Plan for Change (FAPFC) planning. The FAPFC must be reviewed as part of the Permanency Goal Review which should occur every three months along with the risk re-assessment which will be conducted by the referring DCJ Community Service Centre.
- (c) provide initial support and referral to a Child or Young Person who may be a victim of crime, including a referral to and supporting the Child or Young Person in interaction with NSW Victims Services and Support if applicable
- (d) focus on strengths-based and family-centred practice, including the active

involvement and participation of Children and Young People and their Authorised Carers (if applicable), and families

- (e) ensure case management is responsive to the cultural beliefs and immediate needs of the Child or Young Person and their family and the community they belong to, especially for Aboriginal and CALD Children and Young People
- (f) apply the Aboriginal and Torres Strait Islander Child Placement Principles and its intended result areas for Aboriginal Children and Young People, including greater self-determination, participation, preservation and cultural planning.
- (g) as part of the Case Plan, develop and implement cultural support plan, strategies and practices to support Aboriginal and CALD Children and Young People to maintain their culture and identity, including opportunities to participate in relevant activities and experiences that meaningfully build or maintain a sense of belonging and identity with support provided by community controlled organisations to ensure cultural connections. The Plan should contain all the information that is known about the Child's culture and must be developed in consultation with relatives, kin and communities and must be reviewed as appropriate, but as a minimum as part of regular Case Plan reviews.
- (h) record and monitor goals, objectives and tasks to ensure their continued relevance to each individual Child or Young Person
- (i) provide or coordinate, where the Child needs indicate, access to evidence based-trauma treatment programs such as Multisystemic Therapy for Child Abuse and Neglect (MST-CAN) and Functional Family Therapy – Child Welfare (FFT-CW)
- (j) provide timely and accurate reporting on all Case Planning required by DCJ in accordance with Schedule 2 (Performance and Outcomes Data Reporting)
 - conduct regular Case Plan reviews, which include an assessment of the Child or Young Person's changing needs and Case Plan Goals. The regularity of reviews change according to Case Plan Goal and support package type. Minimum review periods are 3 monthly
 - in response to changes in the Child or Young Person's circumstances including but not limited to:
 - 1) entry into care;
 - 2) to determine health, education and other needs, especially if there is a change in needs such as a significant medical diagnosis;
 - 3) to ensure cultural needs are being met;
 - 4) to determine placement support needs;
 - 5) identify risks to the Child or Young Person and the attainment of their Case Plan Goals;
 - 6) critical life transition points, e.g. transition to high school, transitioning to independence and after care
- (k) address the needs of the individual Child or Young Person and support their ongoing development to build toward their long term goals and aspirations and after care futures

- (l) achieve continuity of support, carers and caseworkers through appropriate referral, transition and follow up
- (m) comply with casework requirements as outlined and detailed in the relevant DCJ policies and procedures in Schedule 4

3.3.4 Safety and Physical Environment

The Service Provider must:

- (a) ensure safe and protective environments for all Children and Young People
- (b) support carers to ensure Children and Young People are provided with a nurturing, predictable, home like environment that promotes a sense of normality and fosters a sense of safety for Children and Young People
- (c) promote and provide Children and Young People the opportunity to provide feedback about their physical environment and sense of safety

3.3.5 Health and Education

The Service Provider must:

- (a) improve health, education, wellbeing and quality of life outcomes for Children and Young People
- (b) work with families to ensure all Children are enrolled in and attend a quality preschool program for 15 hours / two days per week in the two years prior to starting school, in line with the National Partnership Agreement on Universal Access to Early Childhood Education
- (c) ensure families are able to access appropriate medical care for their Children and Young People.

3.3.6 Trauma Related Services

The Service Provider must:

- (a) provide holistic, individualised, team-based approaches to address the complex impacts of trauma, abuse, neglect, separation from families and significant others; and other forms of severe adversity
- (b) provide support and referral to a Child or Young Person who may be a victim of crime
- (c) deliver trauma-informed casework and care as identified for each Child and Young Person
- (d) train all carers and staff who work with Children and Young People in evidence- based trauma-informed practice – specific requirements regarding the appropriate level and type of training will be specified through future DCJ policies
- (e) demonstrate Organisation-Wide commitment to Best Practice in trauma-informed casework and care

3.3.7 Disability Related Services

The Service Provider must:

- (a) embed consideration of support needs for Children or Young Person with a disability into casework practice and everyday engagement with Children, Young People and carers.
- (b) actively monitor NDIS plans to identify when the level of disability support may not be meeting the Child or Young Person's needs, to help avoid breakdown of placement
- (c) where case management has been transferred to the Service Provider, act as the Child's Representative for the purposes of the NDIS including undertaking pre-planning, planning and monitoring and review process which are described in the Operational Guidelines of the National Disability Insurance Agency
- (d) support parents to ensure active participation by the Child or Young Person in all discussions and decisions relating to the NDIS
- (e) support parents to ensure that they and the Child or Young Person are involved at all stages of the NDIS planning lifecycle
- (f) comply with requirements relating to services for Children and Young People with disabilities as outlined and detailed in the relevant DCJ policies and procedures in Schedule 4.

3.3.8 Children's Court

Service Providers must support Children's Court proceedings, specifically:

- (a) provide affidavits or reports on the placement and other information on the Child or Young Person as required
- (b) arrange for affidavit/report authors to give evidence in the Children's Court if required
- (c) implement a decision regarding drug and alcohol or DNA testing of birth parents
- (d) comply with any Children's Court orders that may be in place comply with all other requirements for designated agencies as outlined in the Care Act .

3.3.9 Service Partnerships

The Service Provider must:

- (a) promote and reinforce integrated service delivery with both mainstream and specialist agencies by establishing and maintaining service delivery partnerships or access pathways. Critical partnerships include:
 - i. Health
 - ii. Mental Health
 - iii. Education
 - iv. Restoration services
 - v. Disability Service Providers
 - vi. Drug and alcohol support providers
 - vii. Police

3.3.10 Culturally Appropriate Care

The Service Provider must:

- (a) provide culturally competent care for Aboriginal and CALD Children and Young People
- (b) provide access to interpreter or language services
- (c) ensure Children and Young People are immersed in their culture through connection and meaningful relationships to family/kin (where appropriate), community and Country and that this be embedded in meaningful Cultural Plans
- (d) include a Cultural Plan in the Child or Young Person's Care Plan in accordance with Section 3.3.3(g)
- (e) develop strategic relationships with Aboriginal and CALD organisations for support across the continuum of services
- (f) ensure staff receive cultural sensitivity and competency training
- (g) actively recruit authorised caseworkers and applicable staff from Aboriginal/CALD backgrounds
- (h) ensure their organisational characteristics (including strategic frameworks, policies and procedures) underpin the consistent delivery of culturally competent care to Children and Young People from Aboriginal and CALD backgrounds
- (i) comply with requirements relating to culturally appropriate care as outlined and detailed in the relevant DCJ policies and procedures in Schedule 4.

3.3.11 Working with Aboriginal Children and Young People

The Service Provider must:

- (a) ensure every Aboriginal Child and Young Person entering or in the Permanency Support Program in so far as it relates to Family Preservation:
 - i. is supported to exit the program within two years
 - ii. receives active efforts towards preservation with their family as a priority, with appropriate step down supports
 - iii. receives tailored, Child and family-centred, holistic support as needed to achieve improved lifelong wellbeing outcomes (cognitive functioning, physical health and development, mental health, social functioning and cultural and spiritual identity). Including meaningful connections to their Aboriginal community(ies)
- (b) ensure Aboriginal Children and families have access to culturally appropriate services.
- (c) explore support environments for Aboriginal Children and Young People, in

following order:

- i. exploration of support with a member of the Child or Young Persons' extended family or kinship group
 - ii. exploration of support within the Aboriginal community
 - iii. exploration of a member of some other Aboriginal family residing in the vicinity of the Child or Young Person's usual place of residence
- (d) form a professional working relationship with an Aboriginal Service Provider or organisation able to provide specific services to Aboriginal Children and Young People (applicable to non-Aboriginal Service Providers).
- (e) provide the tools, training and support required to implement culturally safe services delivery for staff working with Aboriginal Children and Young People
- (f) ensure their services comply with requirements relating to Aboriginal Services as outlined and detailed in the relevant DCJ policies and procedures in Schedule 4.

3.3.12 Information exchange

- (a) In relation to record keeping, the Service Provider must:
- i. have a secure record management system
 - ii. exchange data about Children and Young People electronically through ChildStory and/or other relevant systems agreed between DCJ and the Service Provider or otherwise as determined by DCJ
 - iii. maintain accurate and comprehensive Person-centred records for each Child or Young Person including their social and medical history, development and identity and all Case Planning decisions
 - iv. retain a Child or Young Person's records for seven years after the service has finished, after this period, records should be sent to DCJ via the DCJ Information and Communication Technology (ICT) Unit.
 - v. provide Children and Young People supported access to their records, when requested
 - vi. comply with relevant legislation and policies related to electronic and paper record keeping for Children and Young People, including any requirements in Schedule 4.
- (b) An organisation funded by DCJ that ceases operations or no longer continues to be funded by DCJ, must liaise with DCJ to ensure the client records are maintained in keeping with legislation. Records sent to DCJ following the closure of a funded organisation will become the management responsibility of DCJ. The organisation must identify which paper files relate to clients:
- i. that are closed because they no longer receive a service
 - ii. that are to remain open because they receive ongoing case management support that are open and under review.

3.3.13 Reportable Conduct

3.3.13.1 Roles and responsibilities of a Principal Officer

Principal Officers must comply with the legal requirements of the Care Act and the *Children and Young Persons (Care and Protection) Regulation 2012*.

3.3.13.2 Allegations of reportable conduct

The Service Provider must comply with the legal requirements of the *Ombudsman Act 1974*.

3.3.13.3 Allegations of sexual misconduct or serious physical assault

The Service Provider must:

- (a) inform the Child Protection Helpline of all serious incidents of abuse and/or neglect of Children and Young People in line with the Mandatory Reporters Guide (MRG) (available at <https://reporter.childstory.nsw.gov.au/s/mrg>)
- (b) inform their DCJ contract manager of all serious incidents of abuse and /or neglect of Children and Young People.
- (c) notify their DCJ contract manager of any incidents involving the media, police or adverse outcomes for Children and Young People receiving their Services within 5 business days of the incident occurring.

DCJ may work with the Service Provider to undertake a joint investigation or may seek information about how the Service Provider has responded to the incident or event.

3.3.13.4 Child deaths

The Service Provider must:

- (a) comply with the legal requirements of section 83 of the *Children's Guardian Act 2019* , if a Child or Young Person dies while in the service
- (b) notify the relevant DCJ Executive District Director, the Child Protection Helpline and the Serious Case Review Unit in the DCJ Office of the Senior Practitioner immediately of the Child or Young Person's death and whether there are any other Children or Young People living in the household and their legal status
- (c) provide a report on the circumstances of the Child or Young Person's death within 48 hours
- (d) cooperate with any request from DCJ for further information or participate in a joint review of the circumstances surrounding the death, including the relevant DCJ Executive District Director or the Serious Case Review Unit in the DCJ Office of the Senior Practitioner.

4. Family Preservation

4.1 Client Group

All Children and Young People who are referred by DCJ and are at risk of entering out of home care.

Family Preservation Case Plan Goal Packages are not placements but more 'wrap around supports' to sustain a Child or Young Person in their home environment and to avoid the need for them to be removed from their family.

As each family situation is different, Service Providers have the flexibility to determine the types of services they offer Children and their families/kin to meet their individual and

specific needs. Service providers must, however, address the core components outlined in the PSP Family Preservation Package Program Framework.

4.2 Key objectives

Family Preservation services are aimed to do everything possible to prevent Children and Young People from entering and re-entering care and to support individuals to find a safe and permanent home.

4.3 Preservation Service Requirements

The Service Provider must, as a minimum:

- (a) provide a Case Coordination package to sustain or prevent the breakdown of permanent homes for Children and Young People, and help Service Providers wrap supports and services around the Child or Young Person and their parent/s in their environment to ensure longer term sustainability
- (b) consult with Children and their family/kin
- (c) address the needs of Children and their family/kin's culture and community
- (d) develop and implement the Case Plan
- (e) draw on and build the family/kin's strengths, available resources and social supports to increase the Children's safety and enhance parenting capacity
- (f) provide intensive wrap around supports, particularly in relation to health and wellbeing, parenting, household management (including budgeting), practical support and social integration
- (g) promote the rights of Children and their family/kin
- (h) respect the privacy of Children and their family
- (i) meet reporting and record keeping requirements
- (j) use DCJ-mandated tools where required by DCJ policies
- (k) use competent and suitably trained staff with the appropriate qualifications, skills and knowledge required to deliver these packages
- (l) deliver services using evidence-informed practice
- (m) inform DCJ about achievement of Case Plan Goals and current or upcoming vacancies, either on a fortnightly basis or at agreed times
- (n) report to DCJ about whether the family is on track to meet the Case Plan's goals every three months.

5. Service Provider Declaration

I have read, understood and agree with the Schedule 1 – Service Requirements as it relates to the Program Level Agreement.

Service Provider: «Provider_name»
Delegated Signatory

Name: _____
Position in Organisation: _____
Date: _____
Signature: _____

NSW Department of Communities and Justice:
Delegated Signatory

Name: _____
Position in Organisation: _____
Date: _____
Signature: _____