

## **Submission from the Children in Care Collective on the draft Terms of Reference for the IPART Review of Out of Home Care cost and pricing.**

### **About the Children in Care Collective (the Collective)**

The Children in Care Collective was formed in 2016 by a group of out-of-home care service providers and leading experts in working with children with complex needs in out-of-home care.

The aim of the Collective is to share experience, discuss best practice informed by research, provide advocacy and learn from policy and practitioner experts in out-of-home care. The Collective seeks to address solutions to difficult systemic practice issues faced by the sector and to improve outcomes for children and young people with complex needs living in out-of-home care. The Collective's website is at <http://childrenincarecollective.com.au/>.

Members of the Collective that are designated agencies and adoption service providers are: Allambi Care; Anglicare NSW South, NSW West and ACT; Anglicare Sydney; CareSouth; Key Assets Australia; Life Without Barriers; Lifestyle Solutions; Mackillop Family Services; Marist180; Pathfinders; Settlement Services International; and Uniting NSW/ACT. Several of these member agencies operate nationally and all provide out-of-home care services within the Permanency Support Program in New South Wales. Some agencies may have submitted separate individual responses, which provide detailed input drawing from particular experience. This submission does not replace those individual responses but rather reflects the consensus of the Collective in relation to the Terms of Reference of the review.

### **The Terms of Reference of the IPART Review**

The Collective respectfully suggests that the review would benefit from the terms of reference being broadened to ensure it considers the full costs of providing out-of-home care services that deliver positive outcomes for children and young people growing up in care in New South Wales.

It is valuable at the outset to note that the Permanency Support Program is wider in scope than the provision of out-of-home care services with its goals being:

- fewer entries into care,
- shorter time in care either through restoration or finding other permanent homes, and
- a better care experience by supporting children's individual needs and their recovery from trauma.

Additional elements of the cost of providing services which are suggested for consideration in settling the terms of reference are highlighted in red below. In some instances, these set out more detailed items that warrant consideration in the true estimate of the cost of providing high quality out-of-home care services.

## The tasks

IPART is requested to:

1) Investigate and report on the efficient costs for DCJ and non-government providers, of providing out-of-home care, including the costs of:

- a) Facilitating and administering the Permanency Support Program
- b) Casework, including responding to child protection reports, assessing safety, case planning for permanency, placement monitoring and supporting children and carers
- c) Administration and corporate overheads
- d) Additional casework and legal support required by service providers to support court work when children are on interim court orders
- e) Any other activities relevant to providing out-of-home care
- f) Recruiting, training and retaining an appropriately skilled and trained workforce that meets regulatory and legislative requirements. This should also include the costs of utilising agency staff and overtime as is necessary due to sector-wide workforce shortages
- g) Increasingly high costs of recruiting carers in the context of well publicised carer shortages
- h) Maintaining compliance with industrial instruments
- i) Ensuring compliance with the accreditation requirements, Child Safe Standards and Reportable Conduct Scheme set and administered by the Office of the Children's Guardian
- j) Providing quality services through:
  - Clinical governance
  - Implementing Safeguarding and Restrictive Practice Frameworks
  - Quality Assurance processes
  - Evaluation of services
  - Tailored programs to support the complexity of children's need
- k) Costs of insurance and risk mitigation including:
  - Physical and Sexual Abuse (PSA) insurance
  - Cost of property insurance and restitution of property damage
  - WHS risks. Workers Compensation premiums and SafeWork compliance.

2) Develop benchmark costs for DCJ and non-government organisations (not-for-profit and for-profit providers) associated with high quality placement, care and support for a child or young person in out of home care or who is transitioning to independence:

- a) In relative and kinship care
- b) In foster care, including the more intensive models of home-based care
- c) Living independently
- d) In residential care through Intensive Therapeutic Care service types based on varying levels of intensity

- e) In **High-Cost Emergency Arrangements including** Emergency Placement options (Short Term Emergency Placements (STEP, Individual Placement Arrangements (IPAs) and Interim Care Model (ICM)
- f) **Where agencies retain aftercare obligations without ongoing funding**
- g) **Where young people are supported in unauthorized or community placements via limited case coordination funding.**

The Collective submits that it is essential that the IPART review focuses on the need for out-of-home care services to be not only efficiently costed but also of a high quality that ensures the effectiveness of support and services provided to children and young people.

The Collective submits that it is essential that the review differentiates non-government organisations as for-profit entities and not-for-profit entities to ensure that the pricing review fairly considers the investment that is made by the not-for-profit sector through the training of staff, research, practice development and improvement, policy development and advocacy for vulnerable children, young people, their families and communities.

3) Make recommendations on:

- a) Appropriate pricing structures and levels to incentivise outcomes and delivery of services by contracted providers
- b) A methodology for adjusting prices paid to non-government providers going forward
- c) Care allowances for providing care and support to children and young people in out-of-home care, **including taking into account cost of living increases and impacts**
- d) **Further tax concessions and other economic benefits to attract and retain foster carers.**

### **Relevant considerations**

In undertaking these tasks, the Tribunal should consider:

- The roles and responsibilities of government as steward and funding provider, and non-government and government as service providers
- Differences in levels of need, case complexity and casework requirements driving the amount of casework required to conduct permanency planning, and to support children, young people, carers and families. **This should include:**
  - **the additional costs of providing services in regional areas**
  - **family finding and supporting court ordered family time**
  - **the difficulties in accessing specialist health service providers, long wait lists and in some cases, a lack of suitable services, all of which lead to increased expenditure on casework and support**
  - **the need for ongoing cultural care support for CALD children as well as First Nations children.**
- Whether there are additional costs for Aboriginal Community Controlled Organisation (ACCOs) PSP providers, **noting the need for ACCOs to quickly become accredited as well as recruit and retain staff with sufficient training and skills and the costs incurred by not-for-**

profit agencies in partnering with ACCOs and supporting capacity building to ensure the successful transition of First Nations children to ACCOs.

- The current contracting arrangements to ensure quality care is provided
- Simplifying funding and acquittal arrangements, including reviewing the baseline packages across each Child Assessment Tool (CAT) level and the whole Complex Needs and Additional Carer Support Payment mechanisms.
- Any other matter the Tribunal considers relevant which could include avoidance of costs to other sectors including early childhood, education, health, justice and policing.

### **In conclusion**

The Collective submits that IPART could actively seek to consult with children and young people with experience of out-of-home care, parents and carers as well as service providers. The views of those with lived experience of the out-of-home care system would be particularly valuable for establishing what an adequate system and suite of services would look like.

In addition, the Collective would highly recommend that IPART take into consideration the findings of reviews and reports already conducted, including most recently:

- *Independent Review of out-of-home care in New South Wales* by David Tune AO PSM, 2018
- *Evaluation of the Permanency Support Program: Final Report*, Centre for Evidence and Implementation, 2023

The Collective is glad for the opportunity to make a submission on the Terms of Reference of the review and confirms its willingness to continue to assist with the review.

Should you have any queries arising from this submission, please direct them to me by emailing [REDACTED] or by telephone on [REDACTED]

Yours sincerely

[REDACTED]

Lisa Giacomelli  
Chair  
Children in Care Collective

7 March 2024

*On behalf of the Children in Care Collective:*

Allambi Care; Anglicare NSW South | NSW West | ACT; Anglicare Sydney; CareSouth; Key Assets Australia; Life Without Barriers; Lifestyle Solutions: Mackillop Family Services; Marist180; Pathfinders; Settlement Services International; Uniting NSW/ACT; Institute of Child Protection Studies - Australian Catholic University; Australian Centre for Child Protection - University of South Australia; Research Centre for Children and Families– University of Sydney