

CREATE's Submission for Implementing the Successor Plan to the National Framework for Protecting Australia's Children 2009-2020

Submission to the Department of Social Services

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CREATE Foundation

**A Level 1, 3 Gregory Terrace
Spring Hill QLD 4000**

T 07 3062 4860

E create@create.org.au



Introduction

CREATE Foundation appreciates the opportunity to respond to *Implementing the Successor Plan to the National Framework for Protecting Australia's Children 2009-2020* (the *Successor Plan*). It acknowledges the progress and achievements of the National Framework, and supports the need for further work in achieving enduring change to protect Australia's children and young people.

CREATE understands that the *Successor Plan* has a particular interest in early intervention and targeted support for priority groups which includes children and young people with a care experience, and those who are transitioning to adulthood. Within the child protection sector, early intervention is traditionally discussed in terms of preventative measures for entry into the care system. This includes better support systems for families and children to prevent or mitigate the circumstances that trigger children and young people coming into care. Whilst this is important, CREATE notes that the development and improvement of early intervention measures should not be at the expense of the 46,000 children and young people who live in out-of-home care across Australia (Australian Institute of Health and Welfare, 2021). For these and future children and young people who may come into care, this submission focusses on the areas for improvement and where systemic reforms would provide a better quality of life and the same life opportunities as are available for their non-care peers.

As the national peak body representing children and young people with a care experience, CREATE wants to highlight their voices derived from lived experience. Therefore, this submission's responses have been based on the experiences of those who have participated in CREATE's consultations and research reports.

Addressing the Over-representation of Indigenous Children in Child Protection Systems

Ending the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care is a systemic issue that requires change at all levels of the child protection system. This includes addressing the drivers of contact with Child Protection services with culturally safe prevention and early intervention support services across the nation (CREATE, 2014). In our recent submission to the SNAICC review, CREATE (2021a) advocated that the *Successor Plan* must have a stronger focus on prevention and early intervention through the leadership of Aboriginal Community-Controlled Organisations and services, and ensuring they are adequately supported and resourced.


Aboriginal and Torres Strait Islander leadership and service delivery is an essential element to include in the *Successor Plan*. CREATE's research with Aboriginal and Torres Strait Islander children and young people has consistently found that many express the need to have accessible, culturally safe supports and services, and their preference for Aboriginal and Torres Strait Islander organisations and workers:

Aboriginal people need Aboriginal staff. Kids would connect more to CSO's that are Indigenous. It's a spiritual connection. (Young person)

Have more Aboriginal and Torres Strait Islander run placements. The placements run by [Aboriginal and Torres Strait Islander] organisations understood the importance of keeping us connected as a family. We (siblings) could go over to each other's placements if we weren't living together. (Young person)

(CREATE, 2018a)

However, despite preferring Aboriginal and Torres Strait Islander-run services, many children and young people in out-of-home care are unable to access them. Of the Aboriginal and Torres Strait Islander participants in CREATE's post-care research (McDowall, 2020), 80% had not used any culturally aligned service during their time in out-of-home care. This evidence is consistent with that which other Indigenous young people have reported to CREATE:



I never really been able to go somewhere and say I'm Aboriginal and teach me. (Female, 17 years)

[It would help if caseworkers] connect you with Aboriginal services. I have been going to the [Aboriginal] health service in town since I became independent. (Female, 16 years)

(CREATE, 2019a)

Youth participation by Aboriginal and Torres Strait Islander young people is another key point that must be emphasised. Understanding children and young people's experiences with out-of-home care supports and systems provides an important opportunity to better plan and improve the delivery of services, and adjust the structures of the out-of-home care system to better suit the young people's needs (CREATE, 2019b). Embedding formal and informal youth participation principles, policy, and practice in the *Successor Plan* has the potential to transform Aboriginal and Torres Strait Islander children and young people's experience in out-of-home care and within the services that are tasked to help them. Thus, ongoing opportunities for young people to meaningfully participate and be involved in decision-making processes is vital.

A National Approach to Early Intervention and Targeted Support for Children and Families Experiencing Vulnerability or Disadvantage.

CREATE's research (McDowall, 2009; 2013; 2018; 2020) highlights the factors that both assist and prevent children and young people accessing support services both in care and after leaving care. Positive experiences have been reported to occur most when placements have been stable, and trusted carers and caseworkers are able to assist them. Experiences of participating and being involved in developing and reviewing their case/care/transition plans also assist young people to access support services. However, the opposite occurs when they are least supported and given fewer opportunities to have their say. Common barriers for accessing services include not knowing what supports are available, who to contact, or how to access them; not being able to access services due to a lack of transportation; not being able to afford services as they are too expensive; not having a case/care/transition plan; or being unable to contact or be supported by their caseworker (CREATE, 2019d; McDowall, 2018; 2020).


Saying they will get stuff done but don't, or [it] takes forever. It took nearly a year for birth certificate and 6 years for passport, and I have to constantly remind them of things I need like dentist which took 2 years to get a filling. (Male, 17 years)

(McDowall, 2018)

I have quite a few medical conditions, I find it really hard to be able to afford specialists costs as well, then medication not covered by the PBS. (Female, 24 years)

(McDowall, 2020)

CREATE supports the need for better planning and preparation for those leaving care; better targeting of existing services to young people with a care experience (including those who become young parents, are involved with the youth justice system, live with a disability, or identify as Indigenous, culturally and linguistically diverse or LGBTQI+); and stronger referral pathways to result in better outcomes. Greater access to services for children and young people in care can be facilitated by collaborative partnerships amongst all government, non-government, and other community services and implementing referral processes which streamline administrative processes that many children and young people find complicated. This can also be facilitated by strengthening the child and family workforce, which is detailed later in this submission.



I believe the reason my education experience was amazing because the school and department worked as joint parents together. The school would always know what was happening at home. I believe more schools and caseworkers need to work more together. (Male, 21 years)

(McDowall, 2020)

National Standards for Out-of-Home Care

The National Standards for Out-of-Home care (*National Standards*) were developed to drive improvements and consistency in the quality of care for children and young people who are unable to live with their birth families. These *National Standards* also provide a mechanism that enables the establishing and measuring of tangible objectives that should be consistently achieved across Australia (Department of Families, Housing, Community Services, and Indigenous Affairs, 2011). Given that the *National Standards for Out-of-Home Care* have been recognised as a major achievement from the previous National Framework (PwC Australia, 2020), CREATE strongly urges that the *National Standards* be embedded in the *Successor Plan* to assure their continuation and full implementation to maximise the consistency of support throughout Australia and provide measures of accountability. Implementation of standards would also require ongoing training for caseworkers and other workers in the out-of-home care sector to embed them in practice so that all young people in care across Australia are safe and experience positive life outcomes.

Participation

Youth participation plays an integral role in systemic change. Despite being a key principle within the *National Standards for Out-of-Home Care*, and supported by government commitments, in practice children and young people continue to be overlooked in decision-making processes that affect their lives. As the national peak body and systemic advocate representing the voices of children and young people in care, CREATE strongly believes the *Successor Plan* should embed children and young people's right to be consulted and provide their input into the design of services that they access and engage with.

CREATE's resources (2019b; 2020a) provide several ways to improve youth engagement and participation in important decision-making processes. These include:


- Training caseworkers and carers or other key decision-makers on the importance of participation, and using strategies that engage young people in meaningful ways. Examples include providing an informal space for discussions, utilising active listening skills, and ensuring children and young people are adequately prepared for meetings, and adapting strategies to match culture, capacity, and developmental level.
- Using technology or other engaging and accessible child-friendly formats.
- Providing feedback about decisions so that young people are informed about decision outcomes.

In the context of the *Successor Plan*, ongoing community forums with children and young people in care, similar to those that have been conducted with the National Children's Commissioner, are ideal. CREATE would also welcome future opportunities to facilitate targeted consultations with children and young people in care through our existing consultation avenues and Youth Advisory Groups. This approach is a useful complement to more extensive but longer-term research projects.

Strengthening Child and Family Sector Workforce Capability

The Role of Caseworkers

Caseworkers are responsible for ensuring children and young people in care have their needs met and are a key touch-point to recognise if a child in care needs further support before reaching a crisis stage.



However, the instability of caseworkers due to high staff turnover and burdensome caseloads and administrative tasks often means that children and young people are not receiving adequate contact time with their caseworker, despite their wishes to see their caseworkers more (McDowall, 2018). CREATE's National survey of 1275 care-experienced young people found that most had between three to six caseworkers while in care (McDowall, 2018). This has practice implications for establishing trust and rapport between a caseworker and a young person, which can only be achieved over time. This is necessary because young people are more likely to disclose or share information with a caseworker whom they trust and would do so at an earlier point in time. Additional consequences that high turnover can affect include conducting regular check-ins to see how a child or young person is doing, having important conversations about their safety or mental wellbeing, updating care plans or developing transition from care planning and supporting them with their needs.

My caseworker is amazing! She helps get funding for stuff. She's always checking on us to make sure we're happy and safe. I feel like I could talk to her about anything, and I love that we got the most awesome caseworker we could ask for! (Female, 12 years)

She's very supportive. She looked up all these things that I didn't have or didn't know about, like compo claims, free counselling. She looks into these things for me. She didn't have to, but she did it off her own back. She signed all my forms when I forgot. I was working at a café and she came and met with me – she came to me, not always at home. She didn't do it just as a check list, she actually came out and did it. (Male, 18 years)

(McDowall, 2018)

Attention must be given to address the instability of caseworkers so that children and young people in out-of-home care can develop positive relationships with caseworkers and are not further disadvantaged. This negatively affects the worker's ability to establish trust and positive relationships, and can potentially lead to re-traumatising children as they have to "re-tell their story" to a new caseworker (McDowall, 2018).

I never get to form a good relationship with my caseworkers because they are constantly changing. (Female, 16 years)


I've had three caseworkers in one year. I haven't seen my current caseworker once, even though she's been my caseworker for a few months. She doesn't talk to me. (Male, 15 years)

(McDowall, 2018)

All governments should be employing appropriate numbers of qualified staff to meet current and future demands of their respective child protection systems. Ensuring that sufficient resourcing be made available per state and territory so that caseworker loads do not impact the amount of time needed to support children and young people is imperative, as is the need to ensure that caseworkers receive ongoing training and support to do their job well and not succumb to burnout (CREATE, 2020c).

CREATE (2020c) believes that children and young people in out of home care should have access to qualified and trauma-informed caseworkers who are committed to child-safe practices and treat children and young people as individuals whose rights must be respected. Additional actions that organisations should undertake include:

- Provide ongoing staff training (e.g., trauma-informed training, compassion training, cultural training, and other skills training, including reflective practice).
- Consider matching young people with caseworkers to maximise the likelihood of positive relationships forming with professionals.
- Establish procedures for incoming and outgoing caseworkers (e.g., explain to the young person what is happening, why changes are occurring, organise introductions, and allowing time for



hand-overs and farewells) to ensure the smooth transition of service staff and continuation of support.

- Establish best-practice review processes to regularly monitor the outcomes and relationship factors with caseworkers. Children and young people’s input should be included in this process to provide feedback as to the effectiveness and responsiveness of services.
- Maintain regular (and positive) communication and contact, using age-appropriate and culturally sensitive language that shows respect for young people, particularly those who have disabilities and other diverse needs
- Interact with the young person’s broader relational and social networks (e.g., foster family, biological family, kin, and community). This connection is critical with Aboriginal and Torres Strait Island young people, and caseworkers must consider their role in providing Aboriginal and Torres Strait Island young people with opportunities to either establish or maintain connection to their extended familial and cultural networks.

(CREATE, 2020c)

Because children in care can have complex backgrounds, strengthening the workforce with trauma-informed training should also extend to those in positions that care for them, such as kinship, foster and residential carers. This would allow carers to better respond to a child or young person’s needs and benefits children and young people who are undergoing a difficult time with their mental or emotional health (CREATE, 2021b). Training programs should be incorporated within formal education and as a continuing development opportunity in workplace training. Adopting trauma-informed models within organisations and services, for example, the Sanctuary model used in residential care throughout Australia (MacKillop Family Services, 2021) can support positive changes in organisational cultures.

Train our carers to understand our conditions more. Even good carers can assume we don’t need help when we do. (Male, 17 years)

(CREATE, 2019d).


Children and Young People Experiencing or who have Experienced Abuse or Neglect

As the majority of children and young people who come into care have experienced past abuse and trauma, CREATE believes that additional specialised therapeutic supports should be made available, accessible and without cost. Young people have consistently voiced their concerns for mental health support, however accessing these services are often difficult due to a limited number of sessions with psychologists or counsellors, feeling as though their counsellor is not the right fit, and the associated financial costs involved (CREATE, 2019d; 2020d; 2021b; McDowall, 2020). CREATE believes there should be an unrestricted amount of counselling sessions or other identified therapeutic services available for those with a care experience, and that referrals should be streamlined to avoid challenges in navigating service systems.

Counselling (after using up the free sessions) it’s really expensive. Help to get a diagnosis (I don’t know the process and it’s really expensive). Feeling like you have no one to go to who won’t need you to tell your story over for them to understand you. (Female, 20 years)

(McDowall, 2020)

CREATE believes it is important for children and young people in care to be better supported to have access to their siblings and family, recreational opportunities such as sports or creative arts, and community services that maintain their sense of connection, belonging, and identity, as these act as protective factors that positively influence their sense of wellbeing (CREATE, 2021b). Additional initiatives that young people have voiced includes having access to a mentor (McDowall, 2020). Having a mentor that provides a role model figure and remains constant and consistent in a young person’s



life can be extremely beneficial because it offers a positive way for children and young people in care to receive guidance, heal, and recover from past trauma (Taussig & Weiler, 2017). It can also be a complementary service alongside other traditional mental health therapies. For example, a mentoring program in South Australia is available for children and young people in care; however, this service is limited to two years (Mission Australia, 2021). CREATE believes that these services should be made available to all young people in care in Australia with no time limitations as each individual grows and matures at their own pace and may require more or less mentoring depending on their individual needs and circumstances.

A nationally consistent service that provides specialised mental health services for children and young people in care also would be beneficial. Currently in Queensland, the Evolve Therapeutic Services provides specialist intensive trauma-informed mental health services for eligible children and young people in care aged 0-18 years (Queensland Government, 2021). To ensure that specialised trauma-informed services are accessible for all children and young people with a care experience, investments should be made to implement similar services modelled off the Evolve program across Australia. A nationally consistent service would provide continuity of care for those with a care experience without the added complexities of navigating mental health services on their own (CREATE, 2019d).

Mental health services must also be respectful of diversity, and be actively inclusive of children and young people who come from Aboriginal and Torres Strait Islander or culturally and linguistically diverse backgrounds, those living with a disability, and LGBTQI+ people.


Improved Support for Young People Leaving Out-of-Home Care and Transitioning to Adulthood

Transitioning from care is a critical and challenging transition point for young people. While most young adults in the community remain with family into their mid-to-late twenties, young people in out-of-home care often have to leave their placement at 18. This transition from care is often associated with difficulty accessing employment, education, and stable accommodation accompanied by a lack of a strong support network of people who can provide emotional, material, and professional assistance (CREATE, 2019c). While post-care services and supports currently exist in every state and territory, they are often discretionary, under-resourced, and access to them is dependent on the young person's knowledge of and capacity to engage with them (CREATE, 2018b).

CREATE strongly believes that young people with a care experience deserve the same life opportunities to thrive as their peers, and that homelessness and inappropriate housing are unacceptable (CREATE, 2020b). Sadly, research has shown that young people with a care experience are more vulnerable to experiencing homelessness once they exit state care. In CREATE's recent report, *Transitioning to Adulthood from out-of-home care: Independence or interdependence?* (McDowall, 2020), 36% of young people preparing to transition did not know where they would be living after leaving care, 49% left their care accommodation on turning 18, and 30% of young people experienced homelessness within the first year of leaving care. Reasons for these outcomes often include ineffective care planning; limited supply and diversity of appropriate housing; long waiting lists for social housing; a lack of financial, material, and emotional resources; relationship breakdowns; and emotional and mental health challenges (CREATE, 2020b; Muir et al., 2019).

I had a 12-month youth accommodation arranged where I rented a share house for 12 months with another teenager, and after that was up I found it extremely difficult to find other accommodation because no one wanted to lease accommodation to a teenager that had no parents to sign as a guarantor and especially a child in care that has come into the real estate with a support worker. It was always assumed that I would be wild and party, and trash the house. Which I never did at any stage. (Female, 23 years)

(McDowall, 2020)



As corporate parents, governments must make sure young people exiting the care system are supported to achieve positive life outcomes after their time in care. A slower, more gradual transition process that provides wraparound supports for young people who leave care has often been called for by care-experienced young people, and is a position for which CREATE strongly advocates. This process should be determined by the needs of the young person, such as their need for a safe and stable place to live (whether it is their decision to remain at, or return to their current placement, or move to supported accommodation); support to finish year 12 or seek further education or training; support in obtaining a job; and assistance in connecting with birth family, relatives, and where applicable, community and culture (McDowall, 2020).

Young people have also reported that a more gradual and supported transition would help them develop confidence, maturity and life skills necessary to thrive in adulthood (McDowall, 2021). CREATE argues that placement support should be extended to 21 years, to ensure young people transition to independence safely and with a minimum of stress, rather than being dictated by the arbitrary age of 18 (CREATE, 2018b). A socioeconomic cost-benefit analysis by Deloitte (2016) further supports this and found that investments into extending care by providing supported placements until 21 could see a return of investment of between \$1.40-\$2.69 for every dollar invested.

There have been times when I have been unsure. If it is supported I would worry less. I don't have the skills to live independently. (Male, 17 years)

I think it is really important for it to be changed to 21. Eighteen is not a good age for young people with leaving school and it is unreasonable to expect young people to find a job and live by themselves... Leaving the comfort of a household and roof over your head at 18 takes away young people's stability when they need it most. (Female, 17 years)

(CREATE, 2020d)

It would have been good to have been taught life skills whilst being in care. Stuff like how it is important to wash your uniform regularly for work, and cooking skills, basic car care, general driving information. (Female, 24 years)


There is no clear pathway to leave care. There is no possible way to plan a secure, safe exit from care [when] you have no idea where you're going until your birthday! I have not been eligible to apply for accommodation through [service], and when I finally was allowed the week before I turned 18, I had to sit through three hours of interviews at three different agencies saying the same stuff and then ended in a refuge. I want to go to university in a few weeks but now I'm homeless. (Female, 18 years)

(McDowall, 2020)

CREATE commends the progress to have the option of extending care to 21 years made across Australia so far with Victoria, Tasmania, South Australia, the ACT, Western Australia, and most recently the Northern Territory. However, more work must be done to build on these achievements to ensure all young people in care, in every State and Territory, consistently have the right to stay or return to a supported placement to age 21 regardless of where they live (CREATE, 2019c).

Meaningful Transition Planning

In addition to extending supported placements to 21, CREATE argues that having a clear and well-planned transition process that involves the young person in planning meetings, and supports them through the process is critical for increasing the likelihood of successfully leaving care, and also for longer-term positive outcomes. Developing transition plans with the involvement of young people who are in the process of leaving care is stated in Standard 13 of the *National Standards for Out-of-Home*



Care, and is important for ensuring that transition plans are meaningful and useful for the young person and tailored to their wishes for their life after care. However, in CREATE's recent post-care report, only 36% had a transition plan, and only 39% had been quite involved in its preparation (McDowall, 2020). Improvements to the transition from care planning process with young people is urgently needed to ensure that those who leave care are well-prepared and supported.

I felt that I knew a lot of the stuff that was on my plan and I was comfortable with the level of information I had. I knew what and when something was going to happen. (Male, 21 years)

(McDowall, 2020)

I emailed her and the team leader multiple times about my leaving care plan. I have not gotten any response yet, my caseworker told me my case isn't a priority. I am turning 18 this year in 9 months and I strongly feel like nothing is happening. (Female, 17 years)

(McDowall, 2018)

CREATE also believes that specialist positions in Child Safety Services (e.g., Transition Officers in various jurisdictions) that support young people's transitions may increase the likelihood of better outcomes for young people who exit care (CREATE, 2010). CREATE believes that these positions should be established across all Child Protection services in Australia and that legislations be amended to include these positions.

Accessing the Transition to Independent Living Allowance (TILA)

In CREATE's post-care report with 325 care leavers, 62% had heard of TILA (a one-off Transition-to-Independent-Living Allowance) but only 43% had applied for this support. Young people reported that their chances of receiving TILA was more successful when their caseworkers were involved in the application process (McDowall, 2020), again emphasising the key role caseworkers have in supporting young people in care to thrive. Better awareness of, and access to, TILA would also ensure this financial support is accessible to all young people who need it.

Reporting on the Successor Plan

CREATE believes monitoring and reporting on the outcomes for young people should be available in multiple modalities, including annual reports and online dashboards that are easily accessible online. Young people should be an essential source of evidence when assessing the effectiveness of the system. Updates, e-newsletters, or government communiques sharing the findings, could also be provided to a registered mailing list with relevant partners, organisations, community members, and children and young people to whom the *Successor Plan* applies. This will ensure that all key stakeholders can remain informed. Data should be user-friendly, well-explained and engaging to cater to younger audiences and those with different developmental needs.

Conclusion

The *Successor Plan* is a great opportunity to build on past achievements and better support vulnerable children and young people with a care experience for the next ten years. CREATE would like to highlight the following key actions to be included in the *Successor Plan*:

- Continue to embed the Implementation of the *National Standards for Out-of-Home Care*;
- Ensure children and young people with a care experience are given opportunities to participate in decision-making processes throughout their time in care (e.g., case/care/transition planning) and with services and organisations that interact with them;
- Develop and resource targeted support services for young people with a care experience and those that transition from care;

- Strengthen the capacity and training of caseworkers, carers, and other staff in the Child and Family Workforce


CREATE welcomes any opportunities to work with the Department of Social Services and other organisations to further the voice of children and young people with a care experience in future reforms.

Thank you again for the opportunity to respond to the *Successor Plan*. Should you have any questions or require further information, please do not hesitate to contact Rachael Donovan, CREATE's National Influencing Manager on 0412 955 437.

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About CREATE

CREATE Foundation is the national peak consumer body for children and young people with an out-of-home care experience. We represent the voices of over 45,000 children and young people currently in care, and those who have transitioned from care up to the age of 25. Our vision is that all children and young people with a care experience reach their full potential. Our mission is to create a better life for children and young people in care.

To do this we:

- **CONNECT** children and young people to each other, CREATE and their community to
- **EMPOWER** children and young people to build self-confidence, self-esteem, and skills that enable them to have a voice and be heard to
- **CHANGE** the care system, in consultation with children and young people, through advocacy to improve policies, practices and services and increase community awareness.

We achieve our mission by providing a variety of activities and programs for children and young people in care, and conducting research and developing policy to help us advocate for a better care system.