

# Keep Them Safe

## A shared approach to child wellbeing

Keep Them Safe Factsheet No. 11

## Keep Them Safe Referral Pathways

**Keep Them Safe: A shared approach to child wellbeing** is the NSW Government's response to the Report of the Special Commission of Inquiry into Child Protection Services in NSW, led by the Honourable James Wood, AO, QC, released in November 2008. Keep Them Safe recognises the importance of the wellbeing of all children and young people, with the aim of providing appropriate support to families earlier, to prevent children and young people requiring statutory child protection intervention. To achieve this, Keep Them Safe encourages families, communities, government agencies and non-government organisations to work together to support children, young people and families.

### What happens if concerns for a child or young person do not meet the threshold of risk of significant harm?

Where a mandatory reporter uses the *Mandatory Reporter Guide* and the child or young person is below the risk of significant harm threshold, but they would benefit from support, they can be referred to appropriate services in their local area. The child or young person may benefit directly by referral, or indirectly by referral of family member(s) to a support service.

As Keep Them Safe is a five-year plan, interagency collaboration and referral pathways are still developing. This factsheet will be updated to reflect these changes as they occur.

### What support services/referral pathways are currently available?

Mandatory reporters should consider the most appropriate response. This may include one or more of the following:


- providing a service through their own organisation (where appropriate)
- talking with parents/carers about support services that can assist in meeting their child's needs (e.g. specialist counselling) and how to contact these services
- talking with parents/carers about support services that may assist in meeting their own needs (e.g. Domestic Violence Line, Salvation Army) and how to contact these services
- using their own local contacts to make appropriate referrals (including family support services, early intervention services or other government and non-government services)

- using the Family Referral Service (FRS), where these have been established, to help link families to appropriate services in their area
- using the Human Services Network database HSNet to find details of local community services
- mandatory reporters who work in an agency with a Child Wellbeing Unit (CWU) can contact their CWU for referral advice and ways to engage with families
- mandatory reporters in NGOs can contact the temporary KTS Support Line for information, support and guidance on 1800 772 479, 8am to 5pm, Monday to Friday (excluding public holidays). The KTS Support Line is a transitional support service to assist in the early stages of the implementation of the new child protection system. It will be reviewed in mid-2010 to determine whether there is a need to continue it.

### What changes to referrals have resulted from Keep Them Safe?

Service providers may now receive referrals from new sources as a result of Keep Them Safe. These referral sources include the Child Wellbeing Units, which have been established state-wide in NSW Police Force, Department of Education and Training, NSW Health, and Department of Human Services, and Family Referral Services, which will be trialled in Dubbo, Mt Druitt and Newcastle from 2010–11 before state-wide implementation. In addition, mandatory reporters who may not have actively referred children, young people and families in the past to services may now take on this role as part of the new shared approach to child wellbeing.

CWU Directors are working with NGO peak organisations and Family Referral Services to ensure that



sufficient and accurate information is given to service providers to enable them to make informed decisions about referrals.

### **How does the new legislation on information exchange affect referrals?**

Changes to the legislation mean that prescribed bodies can now more freely exchange information with other non-government and government prescribed bodies who are concerned about the safety, welfare or wellbeing of children and young people. This information exchange is a critical component of the referral process. (For more information, see Keep Them Safe Factsheet no. 5: Information Exchange.)

Under Chapter 16A of the Children and Young Persons (Care and Protection) Act 1998, prescribed bodies no longer require the consent of parents, carers, children or young people to exchange information about the safety, welfare or wellbeing of a child or young person. (For more information, see the Child Wellbeing & Child Protection - NSW Interagency Guidelines, available on the Keep Them Safe website).

However, it is considered good practice to inform families that their personal information may be or is being provided to other agencies/organisations and the reasons why this is being done. This not only respects the rights of clients but reduces confusion and increases the possibility of a referral being accepted.

### **Is consent required before making a referral?**

No. However, although client consent is not required to exchange information under Chapter 16A, making a referral without client consent risks the family declining the service. Agencies and services also need to consider their own policies and procedures in relation to openness and the seeking of consent.

Service providers may also have policies that they will not

“cold-call” and require a family’s consent before accepting a referral. This is often required to protect staff and clients from harm (e.g. in domestic violence situations). This is why it is essential that the referring mandatory reporter is very clear with the service provider as to whether the family is aware that a referral is being made.

If a service provider declines a referral, the reason for that decision should be explained to the referring mandatory reporter and options considered. For example, a service provider that does not accept “cold referrals” may be able to give the mandatory reporter literature about their service which can then be given to the family to encourage them to contact the service.


Some service providers are currently working with CWUs and FRS sites to reach agreement on new procedures such as mandatory reporters indicating to clients that a service provider may be in contact.

### **On what grounds can service providers decline referrals?**

Service providers can decline referrals for a variety of reasons, including lack of capacity, lack of consent from the family/caregiver(s), or failure to meet established referral criteria. When declining a referral, service providers should inform the mandatory reporter of the refusal and the reason(s) so that the mandatory reporter can seek alternative services. If the service provider is able to place the referral on a waiting list, the mandatory reporter should be informed. Service providers should also keep adequate records of the referral, in-line with their organisation’s policies and procedures, recording the reasons for declining referrals. This will assist in determining service gaps around the State.

### **Can families refuse services offered to them?**

Yes. Where concerns about families are below the risk of significant harm threshold, services are offered on a voluntary basis, and therefore, the families are under no



obligation to engage with the service. It is important to keep good records about a family's response to an offer of assistance because if a family refuses support, this may increase the risk of harm to the children. The *Mandatory Reporter Guide* includes questions about whether the family has refused assistance in the past. If the concerns persist or future concerns arise, the *Mandatory Reporter Guide* should be reapplied and the concerns may then meet the statutory reporting threshold.

### **What are Family Referral Services and how will they assist with referrals?**

Family Referral Services (FRS) are intended to link vulnerable children, young people and families with appropriate available support services in their local area. Government agencies, non-government organisations and the private sector (e.g. General Practitioners, childcare workers) can refer families to FRS where circumstances do not warrant statutory intervention. Families can also self-refer to these services.

Family Referral Services will identify the needs of children, young people and families and make referrals to appropriate services; drive improved links between government and non-government services; and provide advice to agencies to support better coordination of local services. (For more information, see Keep Them Safe Factsheet no. 9a: Family Referral Services.)

### **HSNet**

Agencies and professionals should continue to use current referral pathways and provide services to children, young people and families as they have done in the past. Where agencies are unsure of what services are available, databases such as the Human Services Network (HSNet) ServiceLink will be available to provide details of the services within your local community. HSNet training is available. Contact ServiceLink by telephone on 02 9228 4200, or email [hsnet@hsnet.nsw.gov.au](mailto:hsnet@hsnet.nsw.gov.au).

### **Will further referral pathways be developed?**

Mandatory reporters are encouraged to continue to work with non-government organisations and government agencies to develop referral pathways and identify system improvements as an ongoing process. Keep Them Safe has provisions for early intervention and prevention services to assist families, provide support services, and intervene before statutory intervention becomes necessary.

### **For more information**

- Non-government organisations can contact the KTS Support Line: 1800 772 479
- Mandatory reporters in an agency with a Child Wellbeing Unit can contact the CWU
- Contact your supervisor or manager
- Consult your legal services branch (if applicable) for guidance on information exchange
- Keep Them Safe: [www.keepthemsafe.nsw.gov.au](http://www.keepthemsafe.nsw.gov.au)
- HSNet ServiceLink: [www.hsnet.nsw.gov.au](http://www.hsnet.nsw.gov.au)
- Aboriginal Child, Family and Community Care State Secretariat (NSW): [www.absec.org.au](http://www.absec.org.au)
- Association of Children's Welfare Agencies: [www.acwa.asn.au](http://www.acwa.asn.au)
- Community Child Care Co-operative (Ltd) NSW: [www.ccccnsw.org.au](http://www.ccccnsw.org.au)
- Council of Social Service of New South Wales: [www.ncoss.org.au/](http://www.ncoss.org.au/)
- Local Community Services Association: [www.lcsa.org.au](http://www.lcsa.org.au)
- NSW Family Services Inc: [www.nswfamilyservices.asn.au](http://www.nswfamilyservices.asn.au)
- Youth Action and Policy Association: [www.yapa.org.au](http://www.yapa.org.au)