



Children in Out of Home Care

Information for Long Day Care Centres



What is Out of Home Care?

Out-of-Home Care (OoHC) is the term used in Victoria to describe the living arrangement of a child who is placed in care away from their parents. It includes placement in kinship care, foster care and residential care. Children are placed in OoHC for a range of reasons often related to abuse or neglect and are usually subject to a protection order under the Children Youth and Families Act 2005. The Secretary, Department of Health and Human Services (DHHS) has parental responsibility for these children. As at 30 June 2015, there were 8,567 children in OoHC in Victoria. Aboriginal and Torres Strait Islander children are approximately twelve times more likely to be in OoHC, in Victoria than non-indigenous children (Report on Government Services, 2016).



Who is responsible for children in Out of Home Care?

Each child in Out of Home Care has a team of people who work together to support them including:

- A **foster, kinship or residential carer** who they live with and who has day to day responsibility for their wellbeing. The term carer used in this Resource Sheet refers to all of these carer categories.
- A **DHHS child protection case manager or a contracted case manager from a community service organisation**, who is responsible for developing and implementing a case plan for a child in out-of-home care. Long day care centres will have regular contact with the carer and will be also given the contact details for the case manager. Case managers are expected to include participation in quality early childhood services in the case plan, and the case plan for all Aboriginal children in OoHC must address the cultural support needs of the child and encourage connection to their Aboriginal community and culture.



Who can make decisions for children in Out of Home Care?

Case Managers can make decisions for children in OoHC. Carers are provided with an **authorisation instrument** by the child's case manager which sets out what decisions the carer can make. They will give a copy of this to the long day care centre.

For the purposes of long day care, the child's carer will make most care decisions about their day to day needs and wellbeing e.g. clothing, diet and routines. They are also likely to be authorised to make short term decisions for a child such as consenting to child care activities and excursions and routine medical care.

Services can contact the child's case manager for more information about carer authorisations.



Who is responsible for enrolling the child in long day care and for payment of the fees?

Depending on the order in place, enrolment of children in OoHC may be completed by the child's case manager, a carer or a parent or jointly by a combination of these parties. Payment of fees is determined on a case by case basis. It is important that who is responsible for paying the fees is clarified at enrolment. Noting, this will affect eligibility for Australian Government assistance. Services should contact the child's case manager for advice and confirmation of arrangements.



What obligations do long day care centres have towards children in Out of Home Care?

Priority of Access

Long day care centres have an obligation to provide priority of access to children in OoHC. The Australian Government Priority of Access Guidelines, as outlined in the *Child Care Service Handbook* requires that centres offer any vacant places first to children at risk of abuse or neglect. Centres in receipt of kindergarten funding by the Victorian Government are required to prioritise children at risk of abuse or neglect, including children in OoHC.

Early Childhood Agreement for Children in Out of Home Care

Under the *Early Childhood Agreement for Children in Out of Home Care* (Agreement) there is an expectation that long day care services will support the well-being and development of children in OoHC and that they will take all reasonable steps to make places available for children in OoHC.

The Agreement is a shared commitment between Department of Education and Early Childhood Development (now the Department of Education & Training), Department of Human Services (now the Department of Health and Human Services), Municipal Association of Victoria and Early Learning Association Australia. It aims to increase the participation and engagement of children in OoHC in high quality early childhood services and to improve coordination between services and agencies working with the child.

The Agreement outlines the requirements and responsibilities of all parties to collaborate to ensure that these children have access to high quality early childhood education and care experiences that support their development and wellbeing. While the Agreement focuses on Maternal and Child Health services and kindergarten programs, it recognises the important role that all long day care centres can play. The roles and responsibilities set out in the Agreement for all early childhood education and care centres are in line with the National Quality Framework and with practices required by centres as outlined in the National Quality Standards.



Refer to the Early Childhood Agreement for more information.

Information Sharing

- Services must comply with *The Protecting the Safety of Wellbeing and Young People Protocol* and other relevant privacy legislation.
- Services are required to regularly share information with the child's carer and case worker.
- Information about individual children in OoHC may be shared between services, when in the best interests of the child, and must be treated sensitively and confidentially.



How can long day care centre's support children in Out of Home Care?

- Do everything possible to make a place available, even where usual enrolment processes cannot be followed
- If a child in out of home care leaves your service and later returns to the area, do everything possible to make a place available again
- Provide inclusive and culturally appropriate environments and practices, responsive to each child's needs
- Work in partnership with carers
 - Make them feel welcome, listen, and take a flexible and compassionate approach to supporting them and the child
 - Remember the child and family are likely to be going through a stressful time and it may not always be straight forward for them to meet service requirements
 - Communicate about the child's learning and development
 - Provide resources and information that promote stimulating home learning environments
- Support effective transitions for children across other early childhood services and to school
- Actively communicate and collaborate with the child's case worker and other agencies that are working with the child to support their enrolment and ongoing participation in your service. This includes your local council who will have a designated OoHC contact and the local government Maternal and Child Health nurse who may be involved in the planning for a child in OoHC, where appropriate.



What are the immunisation requirements for children in Out of Home Care attending long day care centres?

Victorian *No Jab No Play* legislation requires services to obtain evidence before enrolling a child that the child is:

- fully immunised for their age, or
- on a vaccination catch-up program if they have fallen behind with their vaccinations, or
- unable to be fully immunised for medical reasons.

For children known to child protection, including children in out-of-home care, a 16 week grace period applies. During this time the child can attend and services are required to take reasonable steps to obtain the required documentation. This may mean providing information to the child's carer about immunisation services or liaising with the child's case manager. If the grace period has expired and the centre has been unable to obtain acceptable documentation, the child can continue to attend, except in the circumstance of an outbreak of an infectious disease, and the service should continue to work with the carer to address this issue.



Refer to the *DHHS Immunisation Enrolment Toolkit* for more detailed information and requirements.

Under Australian Government *No Jab No Pay*, financial assistance with the costs of child care including Child Care Benefit is conditional on children meeting immunisation requirements. In Victoria, depending on their own internal policies, services can still allow children who are not eligible for Child Care Benefit because they do not meet immunisation requirements to attend. In this instance the service will need to immediately liaise with the child's carer and case manager, to make a plan about payment of full child care fees.



What fee assistance or funding is available for children in Out of Home Care?

The Australian Government provides a range of fee assistance to support the participation of children in approved child care, such as long day care centres, including Child Care Benefit (CCB), Child Care Rebate (CCR), Grandparent Child Care Benefit (GCCB) and Special Child Care Benefit (SCCB). Eligibility for these forms of assistance will depend on the parent or carer's particular circumstances.

SCCB can cover up to the full cost of child care and is available to assist children at risk of serious abuse or neglect or families in temporary financial hardship, if the cost of care is a barrier to their participation in CCB approved child care. It can be used to help a child at risk or in a hardship situation enter CCB approved child care or to maintain or increase attendance.



Refer to the *Child Care Service Handbook* for more information.

The Victorian Government's Department of Education and Training (DET) provides a range of funding that supports children in OoHC to participate in kindergarten programs in long day care centres. This includes kindergarten per capita grants for children attending a funded kindergarten program in the year before school, and Early Start Kindergarten (ESK) grants. ESK grants support the participation of children known to child protection, including children in OoHC, who are 3 years old (by 30 April in the year in which they are enrolled to attend) in kindergarten programs and can include an ESK extension grant in their following year before school program. See the companion Resource Sheet *Early Start Kindergarten Grants – How they work in long day care centres* and the *Kindergarten Guide* for more details about these and other programs that long day care centres may be able to access.



Companion Resource Sheet:

Early Start Kindergarten Grants: How they work in long day care centres

More Information

- › **Child Care Service Handbook**
Department of Education and Training
www.education.gov.au/child-care-service-handbook
- › **Early Childhood Agreement for Children in Out of Home Care**
Department of Education and Early Childhood Development
www.education.vic.gov.au > Early Childhood > For Service Providers > Education and Care > Supporting Children in Out-of-Home Care
- › **Early Start Kindergarten: Information for Early Childhood Education and Care services**
Department of Education and Training
www.education.vic.gov.au > Early Childhood > For Service Providers > Kindergarten Communication Material > For Kindergartens
- › **Information sharing in OOHC**
Department of Health and Human Services,
www.cpmanual.vic.gov.au > Our Approach > Privacy > Information > Information sharing in OOHC
- › **Immunisation enrolment toolkit for early childhood education and care services**
Department of Health and Human Services
www2.health.vic.gov.au > public health > Immunisation > Vaccination – infants and children > No jab, no play
- › **The Kindergarten Funding Guide**
Department of Education and Training
www.education.vic.gov.au > Early Childhood > For Service Providers > Funding and Grants
- › **Protecting the safety and wellbeing of children and young people - A joint protocol of the Department of Human Services Child Protection, Department of Education and Early Childhood Development, Licensed Children's Services and Victorian Schools**
Department of Education and Early Childhood Development and Department of Human Services
www.education.vic.gov.au > Early Childhood > For Service Providers > Regulation and Quality Assessment > Child Protection Protocol
- › **Report on Government Services 2016**
SCRGSP (Steering Committee for the Review of Government Service Provision)
www.pc.gov.au > Research > Ongoing Reporting > Report on Government Services > Report on Government Services 2016 > Community services > Child protection

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