

YOUTH PROTOCOL

An agreement concerning referral, assessment, case management and support for homeless and unsupported young people

Victoria

November 2003

Parties to the Agreement

- **Centrelink**
- **Commonwealth Department of Family and Community Services**
- **Commonwealth Department of Education, Science and Training**
- **Department of Human Services Victoria**

1 Introduction

1.1 Overview

This Protocol outlines agreements between the Commonwealth and state and territory governments in relation to responsibilities for and case management of unsupported young people who are homeless or at risk.

The National Framework is common to all states and territories and the operating guidelines have been determined locally to ensure their fit with each state and territory's legislation and operating arrangements for care and protection of children and young people.

The National Framework covers:

- Purpose, objectives and outcomes
- Target group and definitions of at risk, homeless and unsupported
- Roles and responsibilities under the Protocol
- Structures and strategies to support implementation

The operating guidelines set out the agreed referral, assessment and case management processes between Centrelink and the relevant state or territory agency with responsibility for children and young people at risk. They also outline the nature of support that may be provided by Centrelink and the state and territory agencies. As far as possible the guidelines signal the roles played by non-government service providers and other state/territory government agencies.

The Attachments include:

- Principles for good practice
- An overview of Centrelink payments for young people and related family payments
- Further details of the state/territory care and protection system and related services for young people.

1.2 Background

The Protocol for Case Management of Unsupported Young People (Youth Protocol) was first introduced in 1994 to clarify responsibilities of Commonwealth and state and territory welfare agencies in relation to young homeless people seeking income support. At this time there was concern that young people, particularly those under 15, were being given inappropriate access to income support and that this might be contributing to early home leaving. The Protocol was also intended to improve case management and integration of the services needed by unsupported young people. A re-examination of the Protocol in 2001 confirmed the need for its continued operation, with some modifications to improve its effectiveness in achieving positive outcomes for young people.

2 National framework

2.1 Purpose

The partners in the Protocol share a commitment to ensure that unsupported young people who are homeless or at risk have access to the services they need and that they are provided in a coordinated manner by the State, Territory, and Commonwealth agencies that have responsibility for them.

The purpose of the Youth Protocol is to ensure that:

- unsupported, homeless and at risk young people have access to appropriate assessment and assistance that provides for their immediate safety and well-being, and
- service providers engage with these young people in a way that results in a planned and appropriate response to their longer-term needs.

2.2 Objectives

The objectives of the Youth Protocol are to:

- clarify responsibilities between Centrelink and state/territory community service departments
- establish a basis for shared casework responsibility as well as delineating the specific roles and responsibilities that each agency has
- articulate and recognise the role and involvement of non-government and other government service providers in the initial referral, assessment and service response and in ongoing case management
- establish an agreed view about what support, financial and other, can be provided by Centrelink, state agencies and community service providers, and
- establish principles for good practice in work with young people.

2.3 Outcomes

The Protocol is directed to achieving the following outcomes for young people.

Young people referred under the Protocol:

- are provided with safety, adequate care and links to support services
- are supported (where possible) to reconcile with family and retain important connections and relationships in their lives
- are assisted in the process of making a successful transition to adult life.

The Protocol is also intended to impact on the way organisations work together in order to achieve these outcomes. Organisations working with the Protocol:

- work collaboratively to provide flexible service approaches that result in positive outcomes for young people
- embrace opportunities for continuous learning and development in work with unsupported young people.

2.5 Target Group

The Protocol is targeted to young people aged 17 years and under who fall into one of the following three categories:

- Young people under 15 years of age who are homeless or unsupported.¹
- Young people who are aged 15 to 17 years (inclusive) who are considered to be at risk of abuse, serious harm or violence
- Young people who are subject to care and protection orders.

2.6 Definition of key terms

At risk²

A young person is considered to be “at risk” if current concerns exist for the safety or well-being of the child or young person because of the presence of any one or more of the following circumstances:

- a) the child or young person’s basic physical or psychological needs are not being met or are at risk of not being met
- b) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care
- c) the child or young person has been or is at risk of being physically or sexually abused or ill-treated
- d) the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm
- e) a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm
- f) the child or young person has been at risk of self harm or harm to others.

¹ For the purpose of this Protocol, all young people under 15 years who are homeless or unsupported are considered to be at risk and will be referred to the state and territory community service department.

² State/territory community service departments each operate under specific legislation and policies that determine the circumstances in which the state undertakes child protection investigations and provides a protective response. The generic definition of ‘at risk’ included in the national framework is intended to guide the Protocol referral process and is considered compatible with practice in all jurisdictions.

Unsupported

For the purposes of this Protocol, unsupported refers mainly to being without adequate and ongoing financial support and includes:

- Young people who are 17 years and under and are not living with their families nor receiving ongoing financial support by their families, or
- Young people who are in formal out-of-home care placements³ and are not accessing ongoing financial assistance provided by state/territory governments or the Commonwealth.

Homelessness

Under the Supported Accommodation Assistance Act (1994), a person is homeless if he or she has inadequate access to safe and secure housing. This includes housing that:

- damages, or is likely to damage, the person's health, or
- threatens the person's safety, or
- fails to provide access to:
 - adequate personal amenities, and/or
 - the economic and social support that a home normally affords; or
- places the person in circumstances that threaten or adversely affect the adequacy, safety, security and affordability of that housing.

For the purposes of the Protocol, young people under 15 who are homeless will be considered to be at risk and be referred by Centrelink for assessment by the state or territory community services department. For young people 15-17 years, homelessness in itself would not be grounds for referral for a protective assessment. There needs to be evidence that the young person is at risk of abuse, serious harm or violence. (See Operating Guidelines for further detail on this.)

2.7 Roles and responsibilities under the Protocol

The Protocol seeks to achieve clear delineation of statutory responsibilities. While this is an important basis for the Protocol to be effective, there is equal need for approaches to assessment and casework to be built on “shared responsibility” for achieving better outcomes for young people. (See Principles of Good Practice)

Commonwealth agencies

Centrelink

Centrelink is the Commonwealth agency responsible for the administration and provision of income support payments. Centrelink makes payments on behalf of the Department of Family and Community Services (FaCS) and the Department of Education Science and Training (DEST), which retain the policy responsibility for Youth Allowance and ABSTUDY respectively.

Under this Protocol Centrelink:

³ Formal out-of- home placements refer to placements arranged by the state or territory community services department and include foster care, relative or kinship placements, other community placements and facility based care.

- provides income support and related services to homeless and unsupported young people in accordance with current legislation, policy guidelines and service level agreements
- makes referrals of homeless, unsupported and at risk young people to the state or territory community services department for assessment
- participates in joint case discussions and assessments as appropriate
- collects relevant data for reporting purposes.

Centrelink staff are not mandated to report abuse and neglect but have a duty of care to do so where concerns are identified or disclosed. Centrelink staff are required to operate within the provisions of the *Privacy Act 1988* that allows for the release of information in the public interest.

Where, in discussion with a young person, Centrelink staff have a concern about siblings being at risk they will exercise their duty of care to notify the state or territory community service department.

Centrelink only considers income support payments to young people aged less than 15 years in exceptional circumstances. Centrelink retains the discretion to consider providing income support to young people under 15 in exceptional circumstances, and only after it has been established that;

- there are no other viable alternatives, and
- the young person is capable of living independently.

A list of relevant Centrelink payments is included at Attachment 3.

Department of Family and Community Services (FaCS)

FaCS has the following responsibilities in relation to the Youth Protocol:

- overall policy coordination for youth affairs at a national level
- policy relating to income support for unsupported young people
- liaison with Centrelink at the national level regarding implementation and review of the Protocol
- overall coordination of reporting to the Community Services Ministers' Advisory Council
- coordinating planning, implementation and monitoring of the Protocol in each state and territory and convening Protocol Working Groups.

Department of Education, Science and Training (DEST)

DEST has policy responsibility for ABSTUDY and students claiming the ABSTUDY Student Homeless Rate (SHR) fall within the target group for the Protocol.

State and territory governments

State and territory governments are responsible for ensuring the care and protection of children and young people in accordance with state and territory legislation.

States and territories consequently have responsibility for providing care, protection and associated support services to young people who are assessed as being at risk and are homeless, and who are 16 years of age and younger in Victoria, or 17 years and younger in NSW, Queensland, South Australia, Western Australia, Tasmania, the Australian Capital Territory and the Northern Territory.

Under the Protocol states and territories have the following specific responsibilities:

- Assessment and support (including financial support) of homeless and unsupported young people under 15 years of age
- Assessment of young people 15-17 years (inclusive) of age who are at risk of abuse, serious harm or violence
- Providing assessment reports to Centrelink
- Collecting relevant data for reporting purposes.

Other state and territory government agencies

Other state/territory government service providers outside of the care and protection agencies, such as schools and mental health, play an important part in ensuring that young people achieve the outcomes intended within the Protocol. They are often first to know agencies in referral, can be involved in assessment processes, provide mainstream and specialist services and are critical partners for effective joint casework.

Non-government service providers

Both the Commonwealth and state/territory governments fund a range of non-government service providers to deliver support services to young people within the target group. Non-government service providers play an important part in ensuring that young people achieve the outcomes intended within the Protocol. They are often first point of contact agencies in referral, can be involved in assessment processes, and are critical partners for effective joint casework and in the delivery of support.

2.8 Monitoring and review of the Protocol

The Youth Protocol will not achieve the desired outcomes for young people or the agencies involved unless there is an active process of planning and monitoring and evaluating effectiveness. At the state/territory and local levels there will need to be specific undertakings from workers in the key agencies to put the spirit and guidelines of the Protocol to work. This section details the broad responsibilities and strategies relating to implementation.

Commonwealth level responsibilities

The Community Services Ministers' Advisory Council (CSMAC) has overall responsibility for monitoring of the Protocol.

State level Protocol Working Groups

A Protocol Working Group, convened by FaCS⁴, operates in each state and territory to advise, monitor and liaise on the operation and policy parameters of the Protocol. Membership of this group includes at a minimum: the state or territory community services department, FaCS state office, Centrelink and a non-government youth sector representative. Other organisations may be invited to participate for their specialist knowledge or to provide their perspective to discussions that take place.

The role of Protocol Working Groups is to:

- steer the implementation of the Protocol and monitor its operation and effectiveness
- improve links between Commonwealth and state/territory government and non-government services for young people covered by the Protocol
- share information and promote a clearer state/territory-wide overview of issues affecting at risk young people to enable coordinated responses
- provide an opportunity for consultation with and input from the youth sector and young people on the Youth Protocol
- monitor and support training on the Youth Protocol for relevant government and non-government staff working with young people in the target group
- provide input to the Community Services Ministers Advisory Council about ongoing operation of the Protocol.

The Working Groups will not address individual client cases unless they relate to a broader service delivery or policy issue. For example, the working group should monitor information arising from grievances and complaints in order to identify and understand systemic issues and develop solutions to overcome them.

Implementation strategies

Each state and territory Protocol Working Group should develop an annual implementation plan that sets out activities to support the effectiveness of the Protocol in that state. Previous experience and consultations on the Protocol suggest the following activities should be considered a priority.

Training

Information about the Protocol should be included in standard induction training and policy manuals of Centrelink and the state or territory community services department.

⁴ Unless otherwise agreed by the Protocol Working Group

Joint training involving staff of Centrelink and the state or territory community services department is a highly effective strategy for promoting better understanding and relationships and ensuring the Protocol is working effectively at the local level. Non-government agencies and school counsellors should also be included in this training to promote better cross-sectoral understandings and to ensure they have good awareness of the Protocol.

More broadly based joint training or forums on working with young people should also be considered. Such forums conducted at an area level, and involving the range of local agencies working with young people and families, can do much to increase understandings about good practice and agency operating frameworks. Training on the Protocol can be included as an important component of such training.

Communication

The implementation plan should also include strategies for regular internal dissemination of information on the Protocol to staff in Centrelink and the state or territory community services department. Past experience has shown that staff turnover impacts on the visibility and effectiveness of the Protocol.

Ongoing communication with non-government service providers about the operation of the Protocol and issues impacting on their role in work with the target group is also important.

Fostering local networks for good practice in work with young people

The effectiveness of the Protocol is contingent on building and maintaining good local working relationships between relevant players. While strategies to this end may be broader in focus than the Protocol, they are an essential part of ensuring positive outcomes for young people.

Data collection and monitoring and evaluation

(To be completed based on discussions of CSMAC Youth Working Group sub-committee.)

Evaluation and changes to the Protocol

CSMAC YWG will instigate a review of this Protocol no later than five years from its acceptance. This review should focus on data relating to usage of the Protocol, the extent to which processes and arrangements are being observed by key agencies and the outcomes for young people referred. Any such evaluation will seek input from Protocol Working Groups in each state and territory and from FaCS, DEST and Centrelink at national level.

Within this period the state and territory Operating Guidelines may be updated or revised to reflect changes in legislation or policy as required, providing that these changes are consistent with the National Framework and have been agreed to by Chief Executive Officers (or their delegate) from FaCS, state/territory community services department and Centrelink.

Changes to the National Framework must be endorsed by the CSMAC.

3 Operating guidelines

The guidelines set out the processes for referral, assessment and case management that apply in Victoria. It presents these processes for each of the two age categories in the Protocol target group – those under 15 and those aged 15 – 17 years inclusive.

3.1 Young people who are under 15 years

Guiding premises

- 3.1.1 All homeless and unsupported young people under 15 years of age who present to Centrelink will be referred to the Department of Human Services (DHS) for assessment.
- 3.1.2 Experience with young homeless people suggests timely intervention is important to ensure safety and prevent a worsening of the crisis that they may be experiencing. Workers from all agencies involved in the YP should ensure that responses and provision of interim support arrangements are implemented in a timely manner.
- 3.1.3 It is anticipated that most young people under 15 will be returned to his or her family (including extended family) or be placed in an approved voluntary placement. There is general consensus that court action and care orders are an option of last resort for young people and all other options for protection, care and support should be explored first.
- 3.1.4 In the majority of cases for young people under 15 years, once an assessment is made, DHS will take responsibility for planning and coordinating further care and protection services, or referring the young person to non-government and other government services.
- 3.1.5 For this age group, funding to meet the young person's care and support needs will be the responsibility of DHS.
- 3.1.6 Assessments and provision of support for Indigenous young people will take into account their specific needs and cultural issues.

Process for initial contact and referral

- 3.1.7 Where a young person under 15 years applies to Centrelink for income support they will be interviewed by a social worker.
- 3.1.8 The social worker will clarify the circumstances that have led to the young person presenting for income support. In cases where the young person is referred to Centrelink by another service provider, the Centrelink social worker will get details of the agency's involvement and, as far as possible, information on other services the young person is in touch with.

3.1.9 Where the young person is considered to be homeless, unsupported or at risk, the social worker will seek the young person's consent to make a referral to DHS for a protective assessment.

3.1.10 Where the young person consents to the referral, the social worker will make phone contact with the nominated regional intake worker in DHS to advise that a referral is being made and to initiate a process to jointly consider how immediate needs for accommodation, safety and financial support will be addressed. This process may occur by way of a joint telephone discussion or through a face-to-face meeting, on the day of the referral, if this can be arranged.

Consideration should be given to involving non-government service providers that are already involved with the young person in the initial assessment process to determine how immediate needs will be addressed and as part of the interim support arrangement.

3.1.11 Where the young person does not provide consent to being referred to DHS, Centrelink may decide nevertheless to make a referral if satisfied that the young person's circumstances justify it, releasing information in the public interest in accordance with the Privacy Act (Cwth.) 1988 and Centrelink procedures. This requirement and the process of making the referral will be explained to the young person at the time of the initial interview.

3.1.12 The referral form (SU226) will be faxed to the nominated intake worker in DHS within 24 hours so that the process of risk assessment can commence.

3.1.13 The intent of these initial steps is to put in place some interim care and support arrangements, being the responsibility of DHS while it undertakes the assessment and determines what action and supports are required.

Process for assessment

3.1.14 DHS will treat the referral of young people at risk as a notification.

3.1.15 DHS will undertake an assessment or commence a protective investigation of the young person's situation and arrange appropriate accommodation and support where necessary.

3.1.16 The priority and timing of the child protection investigation will be determined by DHS in line with their risk assessment framework. (See Attachment 4 for an overview of the Victorian Risk Assessment Framework.)

3.1.17 In urgent cases assessments or investigations commence within 48 hours. Other cases are prioritised by the intake team based on their relative urgency after the risk analysis. All cases would be commenced within 14 days and completed within 28 days after commencement.

- 3.1.18 If as a result of initial screening, the situation is judged as not requiring a direct child protection investigation or assessment, the intake officer should advise the Centrelink social worker by phone within 48 hours. At this time, joint consideration should be given to what other support or action is indicated. In any cases where a protective assessment is not undertaken, DHS should consider referring the young person to other services where support is indicated.
- 3.1.19 When an Indigenous young person is referred to DHS for an assessment DHS will carry out the assessment in conjunction with staff from an Aboriginal Child Specialist and Support Service (ACSASS) who will provide an Indigenous perspective on risk to the young person.
- 3.1.20 Assessment will occur irrespective of whether a young person may have absconded from a state welfare authority or moved temporarily from another state.
- 3.1.21 Within 24 hours of the assessment or investigation being completed the nominated caseworker in DHS should communicate the outcomes of the process to Centrelink social worker by phone. This communication will include advice to Centrelink on what support DHS is proposing to provide or arrange for the young person.
- 3.1.22 The Advice to Centrelink report (SU227) will be forwarded within two days of completion of the assessment.

Processes for case management and support

3.1.23 *Young people return home*

In many cases, after the investigation, the young person will be returned to his/her family. DHS may refer the young person or family to other community supports. Centrelink will not be responsible for income support in these cases.

3.1.24 *Young people assessed as being in need of care and protection*

If the young person under 15 is assessed as being in need of care and protection, DHS will follow its normal processes to determine what action will be taken, including court action, voluntary placements and other support. A range of outcomes are possible in terms of the responsibilities of DHS and non-government agencies:

- Risk is substantiated and placement of the young person is in an approved voluntary placement. DHS would pay a care giver's allowance and case management would be assumed by DHS or contracted to a non-government agency. Centrelink would not be responsible for income support in these cases.
- Court action is initiated leading to a Protection Order. DHS is responsible for all aspects of the young person's wellbeing, including financial support regardless of placement. Placements and case management are normally

delegated to non-government agencies. Centrelink would not be responsible for income support in these cases.

3.1.25 *Young people who are already under a care order*

If the young person under 15 is under a protection order, DHS will be responsible for reviewing the young person's situation and putting in place a response to address any issues.

- DHS will be responsible for funding the care and support arrangements and providing financial support as needed to address other needs.

3.1.26 *Young people in need of support*

If abuse or harm is not substantiated and/or protective intervention is not required, the young person and/or their family may still be in need of support. Where the young person is already receiving case managed support, the existing DHS or NGO case manager should decide what action is needed. Where there is no case manager, DHS will consider the following possible action:

- directly providing family support or arranging support for the young person and or their family
- referring the young person to community agencies
- proposing a joint case conference involving the young person, family (if appropriate), Centrelink and other services that are involved with the young person (school counsellor, Reconnect, SAAP etc) to develop a support plan and decide casework responsibilities.

Centrelink retains the discretion to consider providing income support to young people under 15. This will only be considered for this target group in exceptional circumstances, and only after it has been established that;

- * there are no other viable alternatives, and
- * the young person is capable of living independently.

A joint case conference may assist in Centrelink's consideration.

In exceptional circumstances, where income support is indicated as part of this case plan, the Centrelink social worker will prepare a report for assessment of a claim for income support. All such claims are approved by the Social Work Business Manager.

In the event of the claim being rejected through the Centrelink procedure, DHS and other service providers involved in the case conference will be advised. At this point there may be a need to reconvene a case conference to resolve what support will be provided and by whom.

Where income support is granted, payment will be reviewed after a period determined at the discretion of Centrelink social worker. Ideally, review of the claim for income support should occur as part of a case review involving the key agencies working with the young person.

3.1.27 Providing support to Indigenous young people

In any case involving an Indigenous young person, every attempt should be made to ensure that a family member (including extended family) and/or an Indigenous worker (from within one of the Government agencies or from a non-government organisation) or an appropriate Indigenous community member is included in the case planning process. If no such person is available a worker with knowledge of and sensitivity to the specific needs and cultural issues faced by Indigenous young people and communities should be involved.

DHS and Centrelink assessment resolution process for under 15s

3.1.28 Where a DHS placement is not appropriate or accepted by the young person and a Protection Order is not being sought, and DHS decides they will have no ongoing involvement with the young person, Centrelink will be advised within 48 hours.

3.1.29 After the DHS assessment report is completed if the:

- young person is unable to live at home; and
 - no order is taken because the family is providing support and assistance to the young person and/or a change of guardianship is not considered to be appropriate, or in the best interests of the young person; and
 - accommodation and support for the young person remains unresolved,
- (i) a case consultation will occur between the Centrelink senior social worker and the DHS team leader to discuss the situation (this can be a phone contact). The case consultation will take place within 5 working days of the completion of the DHS assessment report.
- (ii) The case consultation will be included as part of the Centrelink assessment of the young person's claim for income support. Outcomes of the consultation will be recorded by Centrelink and all parties will be advised.

3.1.30 If there are still unresolved issues the case should be referred for higher-level discussions within each respective agency. Initially these may involve the Regional Child Protection Manager and Centrelink Business Manager Social Work. If issues remain unresolved, they will be referred to the DHS Regional Director and Centrelink Business Manager Social Work who will determine the outcome conclusively.

3.2 Young people aged 15 to 17 years inclusive

Guiding premises

- 3.2.1 Although homelessness in itself does not constitute grounds for being legally at risk for 15-16 year olds, Centrelink has a duty of care to raise concerns regarding at risk 15 to 16 year olds.⁵
- 3.2.2 The Centrelink social worker will refer a homeless or unsupported young person aged 15-16 years to DHS in the following circumstances:
- There are reasonable grounds for believing that disclosure of information is necessary to prevent or lessen a serious and imminent threat to the life or health of the homeless young person.
 - Where there are other reasonable grounds for suspecting that the young person is at risk of abuse, serious harm or violence.
- Young people aged 15-17 years will be referred if they are the subject of a Protection Order, or the equivalent from another State.
- 3.2.3 If the Centrelink social worker receives information that there is a serious and imminent threat to another family member under 17 years, the social worker will ensure that the information is relayed to DHS. The social worker will seek the young person's consent where possible before doing so. Where consent is not provided, Centrelink may nevertheless inform DHS if the situation justifies it, releasing information in the public interest in accordance with the Privacy Act (Cwth.) 1988 and Centrelink procedures.
- 3.2.4 In cases where young people in this age group are in need of support and there are not concerns about them being at risk, Centrelink will assess claims for income support and make referrals for accommodation and other support based on the young person's needs.

Process for initial contact and referral

- 3.2.5 Where a young homeless person aged 15-16 years (inclusive) applies to Centrelink for income support, the young person will be interviewed by a social worker. If eligible under the social security legislation, income support will be approved. The social worker may also refer the young person to other services to address presenting issues.
- 3.2.6 Referral procedures will be the same as for the younger age group, including procedures relating to gaining consent. Referrals to the DHS may be made at the new claim stage, or at a later stage, where the referral is necessary to ensure the

⁵ Victorian legislation only covers child protection notifications and investigations of young people up to and including 16 years.

safety of the young person. If the young person discloses past abuse or violence the social worker may consult with the DHS intake team to assist in making a decision whether to refer.

- 3.2.7 In the case of young people aged 15-16 years referred under the Protocol, the social worker and the nominated DHS representative will hold joint discussions at the time of the referral to put in place arrangements to provide for the young person's immediate safety and protection.

The following options for interim support may be considered:

- referral to SAAP service or other community placement
- referral to Reconnect or specialist counselling services
- test eligibility for payment of the dependent rate of Youth Allowance for young people aged 16-17 years (inclusive) on an interim basis, including to a nominee where appropriate.
- payment of Family Tax Benefit to a carer assessed as appropriate, to assist in supporting the needs of the young person.

Such arrangements would be considered interim while the outcome of the protective assessment is determined.

Process for assessment

- 3.2.8 The DHS regional intake team will treat the referral of young people at risk as a notification.
- 3.2.9 The priority and timing of the child protection investigation will be determined by DHS in line with their risk assessment framework. (See Attachment 4 for an overview of the Victorian Risk Assessment Framework.)
- 3.2.10 In urgent cases assessments or investigations commence within 48 hours. Other cases are prioritised by the intake team based on their relative urgency after the risk analysis. All cases would be commenced within 14 days and completed within 28 days after commencement.
- 3.2.11 DHS will provide advice to the Centrelink social worker within 5 days of the referral, whether an assessment or investigation will be undertaken and what services will be provided or arranged, using the Advice to Centrelink report (SU227).
- 3.2.12 At this time, joint consideration should be given to whether a case discussion is required to assess the support needed and develop a support plan for the young person and their family (where appropriate). As a minimum DHS and Centrelink should discuss what further financial and other support can be arranged and who will be responsible for following this up.

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- 3.2.13 In the event that an investigation is undertaken, and the young person's situation warrants a child protection response, appropriate support and services will be arranged by DHS. For this older group, it is unlikely that court action or care orders will be pursued, therefore a joint casework approach is indicated. DHS will play an initial role of calling a case conference of the young person, significant family members or other supportive adults, Centrelink and non-government organisations working with the young person. This case conference should occur even if the young person is unwilling to be present.

The Advice to Centrelink Form would be completed ahead of any such case conference so the claim for income support can be activated where appropriate.

- 3.2.14 When an Indigenous young person is referred to DHS for an assessment DHS will carry out the assessment in conjunction with staff from an Aboriginal Child Specialist and Support Service (ACSASS) who will provide an Indigenous perspective on risk to the young people.

Processes for case management and support

- 3.2.15 *Where investigation finds that a young person has been subjected to abuse or neglect and they can't return home*

A joint casework approach should be adopted in most cases as it is unlikely that court action or care orders will be pursued: This will normally involve:

- DHS calling an initial case conference to develop a support plan and decide who will be responsible for ongoing coordination and different support (involving young person, family, Centrelink, NGO and DHS)
- Ongoing case coordination would normally be delegated to a non-government agency
- Centrelink would be responsible for assessing entitlement to income support

- 3.2.16 *Young person is subject to a care order and in out-of-home care placement*

- Ongoing case coordination responsibility rests with DHS or a non-government organisation (if delegated)
- DHS is responsible for funding care and support arrangements, including financial support to address other needs.
- Young people on care orders in this age group may also be eligible for income support.

- 3.2.17 *Young person is assessed to be in need of support but it is not judged to be a care and protection case*

- In most cases Centrelink may make direct referrals to relevant service providers in addition to processing the claim for income support.

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- In other cases DHS, the Centrelink social worker and key non-government providers involved should decide whether a joint case conference is necessary to develop a support plan.
 - At a minimum DHS and Centrelink should discuss what further financial and other support can be arranged and agree on who will be responsible for following this up. The young person should be involved in deciding where case coordination responsibility is located.

DHS and Centrelink assessment resolution process for 15 –17 year olds

3.2.18 In instances where:

- the young person is unwilling to be involved with DHS; or
 - a decision is made by DHS not to proceed with assessment; and
 - DHS and/or Centrelink still have concerns related to the safety, level of risk, and unmet support needs of the young person due to their living arrangements,
- (i) a consultation will occur between the Centrelink senior social worker and DHS Team Leader. The consultation will take place within 5 working days of the decision not to undertake a full assessment.
- (ii) Outcomes of the consultation will be recorded by Centrelink and all parties will be advised.

3.2.19 If there are still unresolved issues, the case should be referred for higher-level discussions within each respective agency. Initially these may involve the Regional Child Protection Manager and Centrelink Business Manager Social Work. If issues remain unresolved, they will be referred to the DHS Regional Director and Centrelink Business Manager Social Work who will determine the outcome conclusively.

3.2.20 Data Management

Data collection from Centrelink and DHS will enable reporting to CSMAC and other national stakeholders.

This data will be reported quarterly and will identify the number of cases referred under the protocol in Victoria for each of the target groups and will provide information on turn around times for referrals, assessments and outcomes/decisions.

The ongoing monitoring of the effectiveness of the Youth Protocol will be managed at the state level and will be the responsibility of the Victorian Youth Protocol Working Group.

EXECUTED for and on behalf of the COMMONWEALTH OF AUSTRALIA,
represented by the Department of Family and Community Services
(ABN 36 342 015 855) on this day of 2003 by:

Delegate

Witness

Name Delegate (BLOCK LETTERS)

Name of Witness (BLOCK LETTERS)

EXECUTED for and on behalf of VICTORIA, represented by the Department of Human
Services (ABN) on this day of 2003 by:

Delegate

Witness

Name Delegate (BLOCK LETTERS)

Name of Witness (BLOCK LETTERS)

EXECUTED for and on behalf of the DEPARTMENT OF EDUCATION, SCIENCE
AND TRAINING (ABN) on this day of 2004
by:

Delegate

Witness

Name Delegate (BLOCK LETTERS)

Name of Witness (BLOCK LETTERS)

EXECUTED for and on behalf of CENTRELINK, (ABN) on
this day of 2004 by:

Delegate

Witness

Name Delegate (BLOCK LETTERS)

Name of Witness (BLOCK LETTERS)

Attachment 1 State Authorisation

Children and Young Persons Act 1989

Authorisation under section 66(4)(e)

I, GILL CALLISTER, being an officer who is delegated under section 7(1) of the Children and Young Persons Act 1989 to exercise the Secretary to the Department of Human Services' powers and functions under section 66(4)(e) of the Children and Young Persons Act 1989, authorise the following class of persons to have access to information arising from the investigation under section 66(2)(b) of the Children and Young Persons Act 1989 and to the record of the investigation made under section 66(3) of the Children and Young Persons Act 1989:

”All employees of Centrelink to the extent necessary to carry out the functions described in the “YOUTH PROTOCOL: An agreement concerning referral, assessment, case management and support for homeless and unsupported young people”

signed _____
Gill Callister
Director, Child Protection and Juvenile Justice

_____ 2003

Attachment 2 Good Practice Principles

Parties to the Protocol recognise the following principles as a sound basis for case management for homeless and unsupported young people.

Outcomes focus - Service delivery practice, working relationships between agencies and planning and evaluation of the service system have the achievement of positive outcomes for young people, their families and communities as their primary focus.

Client-driven service delivery - Young people are active partners in the service delivery process. Support is designed around their goals, with a high level of flexibility to suit their specific life situations and needs.

Participation of young people - Young people are actively involved in decisions that impact on them, including in the assessment and case planning processes and in relation to specific support options provided to them.

Shared responsibility for outcomes - Government agencies that are parties to the Protocol understand that they have a shared responsibility to mobilise an early response to young people under the Protocol and for the outcomes the Protocol is directed to. Assessment and casework processes involve other relevant service providers who provide support to the young person.

Timely response to immediate needs - The service system has the capacity to respond immediately to young people identified as at risk to ensure that they are living in a safe environment with appropriate boundaries in which they can address issues and develop.

Holistic approaches to service delivery - Services work from an understanding that immediate problems are not isolated from other aspects of the lives of young people so that the context of employment, education, family connections and community participation are also considered in longer-term casework.

Culturally and contextually appropriate service delivery - Assessment of needs and issues and provision of support is sensitive to cultural and contextual differences in relation to young people and their families.

Joined-up responses and working collaboratively - Agencies within the service system work together at key points and try to avoid passing the young person from agency to agency for different types of assessment and assistance.

Ongoing review and evaluation - The service system has built in mechanisms for ongoing review and evaluation in order to ensure that the system and individual services are effective and responsive to the needs of clients.

Building sustainability - The importance of ensuring continuity of support for individuals and families is recognised. It also means working in a way that empowers individuals and communities by developing their understandings and skills so they can sustain their own change processes.

Attachment 3 Examples of Commonwealth funded services and programs for young people

Income Support Services

The Commonwealth government provides a range of income support and related services to young people identified as target groups under the Youth protocol.

All income support payments are delivered through Centrelink. All income support applications for homeless young people are assessed by Centrelink Social Workers.

Youth Allowance:

Minimum age criteria

The minimum age for YA is 16 years.

Exception: Where the young person is above school leaving age in their state or territory, and is considered independent, then the minimum age for YA is 15 years. A 15 year old can be considered independent if:

- they have, or have had a dependent child,
- they are married, or have been in a de facto relationship for at least 12 months,
- their parents cannot exercise their responsibilities,
- they are a refugee or orphan,
- they are in state care, or
- it is unreasonable for them to live at home.

Special rules for under 18s

Young people aged under 18 years are considered NOT to have reached the minimum age for YA if they have not completed year 12 or equivalent. From 1 January 1999, these young people have ONLY qualified for YA if they:

- are in full-time study or training, OR
- are exempt from the requirement to be in full-time study or training, OR
- agree to enter a Preparing for Work Agreement

Family Tax Benefit

Family Tax Benefit is payable to an adult who has a child or young person in their care who meets the definition of an FTB child. In relation to the Youth Protocol target groups, this refers to children 18 years old or younger. To be considered as an FTB child, the following must apply;

- the child must be in the adult's care

- the child must be an Australian resident, or living with an adult who is an Australian resident

FTB is an income-tested payment and rates will vary according to the individual circumstances. FTB can also be paid to an Approved Care Organisation (ACO) who has an FTB child in their care.

ABSTUDY:

ABSTUDY is a suite of allowances including an income support payment for secondary and tertiary Indigenous students. It consists of a fortnightly living allowance as well as additional components to help with the costs associated with attending school, or accessing further education. ABSTUDY is paid at different rates depending on the student's circumstances.

Special Benefit:

Special Benefit is a discretionary payment which is only payable to people who cannot receive any other income support payment under social security legislation. Special Benefit can only be paid to full-time students under 18 years of age where all other eligibility criteria has been met and all avenues of support have been explored and exhausted. Full-time students under 16 years of age must also be homeless.

Payments to a Third Party:

In certain circumstances, it is possible to arrange for a person's income support payments to be made to a third party. Payment to another person should ONLY occur if:

- there is a group payment arrangement, OR
- another person has current power of attorney for a customer, OR
- the customer is incapable of managing their financial affairs AND there is EITHER:
 - a formal guardianship arrangement, OR
 - a suitable person willing to handle payments for the direct benefit of the customer, OR
- the delegate, the YA applicant (aged over 18 or independent) or the parent of a dependent young person has directed that the whole or part of a customer's payment be paid to a third party on behalf of the customer.

Other support provided by Centrelink

Services to Students

Centrelink offers a wide range of specific services and programs for young people who are studying or training.

Preparing for Work

Preparing for Work is a four-step program to help people back into the workplace. It includes assessment of a job seeker's situation and needs; an activity agreement on appropriate activities to improve their employment prospects; referral by Centrelink to available programs to increase their chances of finding work; and follow up, or regular review of their progress.

From the day they contact Centrelink to claim income support, activity tested job seekers will be asked to negotiate and sign a Preparing for Work Agreement (PFWA) with their One-to-One Service Officer. PFWA helps unemployed young people to focus on finding work immediately when they claim income support. The process will assist young people in identifying barriers to taking up work and developing strategies earlier to combat these barriers. Centrelink will take young person's special circumstances into consideration when developing PFWAs and has particular guidelines for PFWAs for under 18 years olds who are at risk.

Personal Support Program (PSP)

The PSP provides assistance to people with severe and multiple non-vocational barriers. Because of these barriers, these people cannot participate in employment-related activities and are unable to benefit from employment assistance programmes.

To be eligible for PSP a person must be:

- receiving an eligible income support payment or
- unemployed, registered with Centrelink as an eligible job seeker and aged 15 – 20 years (inclusive), but not receiving income support and not in full time study; and
- be identified by Centrelink as having multiple non-vocational barriers that prevent them from successfully participating in employment-related programs or activities and assessed by Centrelink as having a capacity to benefit from PSP.

Family Relationship Programs

Reconnect

Reconnect (formerly the Youth Homelessness Early Intervention Program) is designed to improve the level of engagement of homeless young people aged 12-18 or those at risk of homelessness, with their families, work, education, training and the community. Family focussed early intervention strategies will play a key role in helping participants to achieve family reconciliation, if this is practicable and appropriate. Support will be provided through counselling, adolescent mediation, and practical support.

Reconnect emphasises community development and providing cohesive and integrated service delivery. The importance of locally based networks, flexible service provision and collaboration between services within a community are the basis of the good practice principles underlying Reconnect.

Youth Activities Services Program

The Youth Activities Services Program consists of Youth Activities Services (YAS) and Family Liaison Workers (FLW).

The YAS Program aims to facilitate the access of young people and their families who are living in high-risk areas to a wide range of opportunities and support networks to:

- build self reliance;
- strengthen families; and
- encourage community involvement.

YAS provides activities, generally after school, to young people aged 11-16 years. The YAS program supports young people and their families through offering positive peer support and creative and challenging alternatives to activities that place young people at risk. The program helps to prevent young people from developing and continuing with patterns of behaviour that place them at risk of disconnecting from their families and community and which may have long term effects on their family relationships, schooling and labour force participation,

Transition Support Programs

Job Placement, Employment and Training (JPET)

The objective of JPET is to assist young people who are homeless or at risk of homelessness, or facing similar severe problems, in ways which not only help them with their income and personal support needs, but which also ensure they secure career paths and sustainable futures. JPET targets young people 15-21 years of age. Priority is given to 15-19 year olds and to homeless young people.

Specifically, the JPET client group covers disadvantaged young people who are:

- students who are homeless or at risk of homelessness;
- not in regular employment and homeless or at risk of homelessness;
- currently or formerly in care, who are not necessarily homeless;
- refugees, who are not necessarily homeless;
- ex-offenders, who are not necessarily homeless; or
- geographically isolated, but not necessarily homeless.

Job Pathways Program (JPP)

The Jobs Pathway Program (JPP) is designed to assist young people (aged between 15 and 19) in making the transition from school to work. JPP helps young people who have left school, or are thinking about leaving school, to find work, further education or training.

New Apprenticeships Access Programme (NAAP)

The New Apprenticeships Access Programme (NAAP) provides job seekers who experience barriers to skilled employment with pre-vocational training, support and assistance to obtain and maintain a New Apprenticeship. Alternatively, a job seeker may be supported into employment, further education or training. TO be eligible for NAAP, participants must meet a range of eligibility criteria indicating a particular area of disadvantage.

Career and Transition (CAT) Pilots

There are 23 Career and Transition (CAT) pilots operating across Australia for young people aged 13-19 years. The CAT Pilots projects, launched in March 2002, are working with existing transition programmes to initiative or develop networks that encourage communities to work together in order to develop transition support services. The CAT pilots use career and transition advisers; individual Learning Pathways Plans, methodologies for tracking young people for 18 months post school; and action learning principles in the ongoing evaluation on the pilots.

Partnership Outreach Education Model (POEM) Pilots

There are 21 Partnership Outreach Education Model (POEM) Pilots across metropolitan, regional, rural and remote Australia. The POEM Pilots, launched in March 2002, are testing new approaches for engaging young people aged 13-19 years who have become disconnected from mainstream education, and possibly their families and communities, in supported community based learning environments.

Transition to Independent Living Allowance

In recognition of the difficulties young people leaving care face when establishing independent living arrangements, the Commonwealth introduced the Transition to Independent Living Allowance (TILA) in the 2001-2002 Budget. TILA is a one-off payment designed to assist young people leaving care with costs associated with the transition to independent living. TILA is not subject to repayment. TILA will also reduce the reliance of these young people on later crisis intervention and other community services and help them avoid welfare dependency. The Commonwealth is currently negotiating service delivery arrangements for TILA.

The Mentor Marketplace

Mentor Marketplace aims to involve young people who need assistance to stay connected to family, education, training and the workplace.

The goal of Mentor Marketplace is to assist young people realise their full potential by:

- Connecting them to the working world and the concept of lifelong learning
- Stimulating a mentoring culture in business, schools and communities
- Kick-starting mentoring projects in higher-risk schools and communities, and
- Engaging them in skill-sharing and peer-mentoring opportunities.

The Mentor Marketplace will complement existing programs being run primarily by the community sector (often in cooperation with business and only sometimes with government funding). On a service delivery level, the Commonwealth will work with key non-government organisations to implement the program.

The implementation of the Mentor Market Place will commence in 2002-2003.

Attachment 4 Victorian legislation and approach to risk assessment

Legislative definition – children in need of protection

The Children and Young Persons Act 1989 defines when a child is in need of protection as follows.

S63. When is a child in need of protection?

For the purposes of this act, a child is in need of protection if any of the following grounds exist –

- a) the child has been abandoned by his or her parents and after reasonable inquiries –
 - (i) the parents cannot be found; and
 - (ii) no other suitable person can be found who is willing and able to care for the child;
- b) the child's parents are dead or incapacitated and there is no other suitable person willing and able to care for the child;
- c) the child has suffered, or is likely to suffer, significant harm as a result of physical injury and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- d) the child has suffered, or is likely to suffer, significant harm as a result of sexual abuse and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- e) the child has suffered, or is likely to suffer, emotional or psychological harm of such a kind that the child's emotional or intellectual development is, or is likely to be, significantly damaged and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- f) the child's physical development or health has been, or is likely to be, significantly harmed and the child's parents have not provided, arranged, or allowed the provision of, or are unlikely to provide, arrange or allow the provision of, basic care or effective medical, surgical or other remedial care.

RISK ASSESSMENT IN THE VICTORIAN YOUTH PROTOCOL FRAMEWORK

INFORMATION GATHERING

Child or Young Person

Age
Development
Functioning

Parents

Attitudes to harm and to child
Relationship with child
Functioning
Parenting capacity

Opportunity For Harm

Access of alleged perpetrator
Exposure to harm

Source of Harm

Incident/harm causing behaviour
Severity
History and pattern

Networks

Formal and Informal alternative careers and significant others

ANALYSIS

Severity

- Type and degree of harm

Vulnerability

- Characteristics of child or young person
- Opportunity

Likelihood

- Pattern and History
- Beliefs/Relationships
- Complicating Factors

Safety

- Strengths
- Protection

JUDGEMENT

Harm Consequence

- Extreme
- Serious
- Concerning

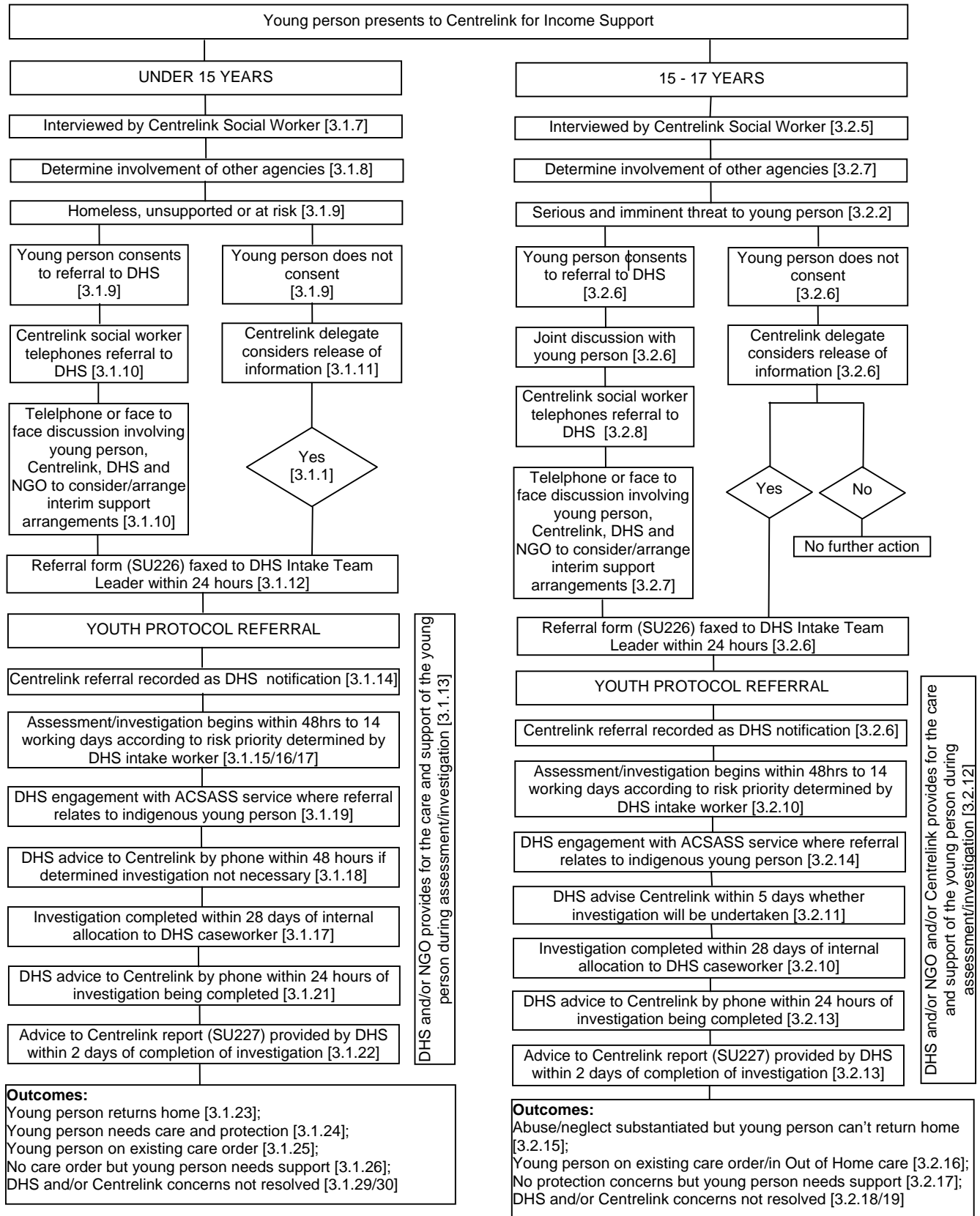
Harm Probability

- Highly likely
- Likely
- Unlikely

Risk

- Immediate safety
- Future risk

Attachment 5 Youth Protocol Assessment Process for Victoria



Attachment 6 Related support services in Victoria

In Victoria all out of home care services for young people on protection orders are provided by the non government sector. Caregivers are paid a caregiver payment that is based on the age of the young person. The payment is to meet the costs of accommodating and caring for the young person. Caregivers can also seek additional discretionary funds for extraordinary expenses, for example major dental or optical costs. Caregiver payments do not include any component of income for the young person. A referral from Centrelink to DHS of a young person on an existing order would reveal the young person's designated caseworker and out of home care agency, both of whom should be engaged in any discussion regarding a response to the immediate support needs of the young person.

There are a range of services that young people in the client group may come into contact with such as Innovative Health Services for Homeless Youth, Drug Treatment Services, the Youth Support Program and Child and Adolescent Mental Health Services.

In addition, the following services are potential supports for young people referred under the Protocol:

- SAAP/Transitional Housing Management (State delivered program)
- School Focused Youth Service (State funded program)

Details of each of these services are as follows:

Victorian Homelessness Services

Homelessness services in Victoria are principally provided via agencies funded under the Supported Accommodation Assistance Program (SAAP) and the Transitional Housing Management (THM) Program.

SAAP is a joint Commonwealth/State funded program which provides crisis supported accommodation, practical assistance such as meals and showers, and transitional support to homeless and 'at risk' Australians. In Victoria, over 330 community-based agencies are funded by SAAP, over 130 these are funded to provide an age based response to young people.

The SAAP Act 1994 clearly outlines the aim of the Program. These are

- To resolve crisis;
- To re-establish family links where appropriate;
- To re-establish the capacity of clients to live independently of SAAP.

The THM Program is coordinated with the Supported Accommodation Assistance Program (SAAP) and other support programs to provide an integrated approach to resolving the housing and support needs of individuals and families in crisis.

The broad aims of the THM program are to:

- Provide housing assistance to individuals and families in crisis as a result of homelessness or impending homelessness;
- Assist individuals and families in housing crisis to establish and/or maintain appropriate, secure and sustainable housing through the provision of transitional housing, information and referral services.

Agencies funded under the THM Program offer four main types of assistance including:

- Housing Information & Referral – provision of housing information and referral services and, where appropriate, housing advocacy to individuals and families in housing crisis.
- Transitional Housing – provision of medium-term accommodation in which residents enter into an occupancy agreement of a determined period and are generally subject to the provisions of the Residential Tenancies Act 1997 (RTA). Tenants are supported by external agencies including SAAP, where required.
- Housing Establishment Fund - provision of financial assistance to households in housing crisis, also administered by SAAP services.
- Public Housing Early Allocation Assessment - assessment of client eligibility for early allocation to public housing through the Segmented Waiting List, and providing timely and effective preparation of Segment one and three applications.

In order to ensure a coordinated housing and support response, referrals should be directed to the nearest youth SAAP service, however referrals may be directed to other SAAP services where required and appropriate. In instances where only housing information is required, referrals should be made directly to the local THM.

School Focused Youth Service (SFYS)

SFYS operates in 41 clusters across the state incorporating a SFYS coordinator, state, catholic and independent schools and service providers assisting youth at risk. The service facilitates collaborative work practices between schools and agencies to provide an improved service response for vulnerable young people both engaged and disengaged in the education system. The clusters also seek to identify service gaps locally and address the need through collaboration and / or the use of brokerage funds with the aim of assisting young people at risk and creating improvements in the service system.