

Checklist for school principals

Who can make decisions on behalf of students in statutory out of home care

A relatively small percentage of school age children and young people who cannot live at home are placed in statutory out of home care. This is where the Minister for Family and Community Services has parental responsibility for the child or young person by virtue of an order of the Children's Court. Most live with authorised carers, relative carers, or kinship carers. In some cases they live in residential care units such as group homes.

Out of home care placements and services are provided by Community Services (CS) and by non government organisations (NGOs) contracted by Community Services to provide these services. There are a number of NGO out of home care service providers. A list of these can be found on the NSW Children's Guardian website, www.kidsguardian.nsw.gov.au, under the Statutory Out-of-Home Care heading.

A non government organisation may be contracted to provide:

- a care placement only, or
- a care placement and casework where Community Services retains case management responsibility, or
- a care placement, casework and case management where Community Services transfers case management responsibility to the agency.

There are some decisions that only the agency with delegated **Parental Responsibility** (PR) can make for a child or young person in statutory out of home care.

This is most commonly the role of Community Services but in some limited circumstances it may be a non-government organisation.

However, a number of decisions can be made by the agency that has **case management** responsibility for the child or young person.

Case management is the process of assessment, planning, implementation, monitoring and review. Case management aims to strengthen outcomes for both families and children and young people through integrated and coordinated service delivery. It will incorporate any education plan developed for the child or young person.

The school will be informed by the NGO when case management responsibility for a child or young person has been transferred to the agency.

If Community Services retains case management responsibility, then Community Services is responsible for making all decisions that the carer cannot, even though an NGO may provide casework.

The aim of this checklist is to help school principals identify who is responsible for making decisions that may be relevant to a child or young person's schooling.

If you are unsure about who can make a decision in a particular situation, contact the NGO or your local Community Services Centre.

Decision / Responsibility	Authorised Carer	Agency responsible for Case Management (NGO or CS)	CS (or NGO with delegated PR)
Apprenticeships and traineeships – decisions around entering an apprenticeship or traineeship.		✓	
After school activities – permission to attend after school activities including work experience and volunteer activities organised by school.	✓		

Decision / Responsibility	Authorised Carer	Agency responsible for Case Management (NGO or CS)	CS (or NGO with delegated PR)
Assessment <ul style="list-style-type: none"> Regularly assess the needs of a child or young person in care. Coordinate assessment of health, medical and dental needs. Make every reasonable effort, within available resources, to respond to a request from the school for an authorised carer, or if required, the NGO caseworker to participate in the planning and decision-making concerning the health/learning/behavioural needs of a child or young person. Make every reasonable effort, within available resources, to respond to a request from the school for copies of relevant assessments, including those ordered by the court, which will assist in the planning and decision-making concerning the education needs of a child or young person. Make every reasonable effort, within available resources, to respond to a request from the school for a mental health, physical or sensory assessment of a child or young person. 		✓	
Before and after school care – unplanned or infrequent arrangements.	✓		
Before and after school care – any planned or frequent arrangements.		✓	
Behaviour management plan (agency) – develop plan, if required, and assist authorised carers manage the behaviour of the child or young person. Discuss with, and/or provide a copy of the plan to, the school.		✓	
Behaviour management plan (agency) – approve a behaviour management plan involving the use of psychotropic medications for the purpose of controlling behaviour.			✓
Camps – less than one week duration.	✓		
Camps – one week or more duration.		✓	
Case management of child or young person in out of home care. <ul style="list-style-type: none"> Inform the Department of Education and Communities regional out of home coordinator when a child or young person attending a NSW government school enters care. Inform school about who is responsible for making decisions that may be relevant to a child or young person's schooling. 		✓ ✓	
Case plan – develop and review the case plan to meet the safety, welfare and wellbeing needs of the child or young person in consultation with the child or young person, their carers, parents, other relevant professionals and significant others.		✓	



Decision / Responsibility	Authorised Carer	Agency responsible for Case Management (NGO or CS)	CS (or NGO with delegated PR)
Change of school – make decisions regarding change of school when care placement changes.		✓	
Day-to-day care of child or young person – make decisions in regard to their day-to-day care.	✓		
Education plans <ul style="list-style-type: none"> Participate in the educational planning process. Participate in the development of education plans for students entering out of home care. Participate in the review and monitoring of education plans. 	✓	✓	
Enrolment or transfer to a new school <ul style="list-style-type: none"> Make decisions regarding school enrolment, education and training. Inform the Department of Education and Communities regional out of home coordinator or the principal (of old and new school) of the intention to enrol a child or young person in a new school. Provide school with information about the child or young person's history (where appropriate) and care arrangements including current schooling arrangements and supports and care arrangements for siblings, if different. Explore strategies with carers and the child or young person to maintain contacts with friends and significant others. Make every reasonable effort, within available resources, to respond to requests from the school to participate, with an authorised carer, in case planning around student welfare, learning and behaviour management strategies, including the development of a transition plan, where required. Provide school with relevant and necessary information pertinent to Work Health and Safety legislation which might impact upon the enrolment, including enabling the caseworker to participate in the risk assessment process where necessary. 		✓	
Expenses – payment of school related expenses such as uniforms, books, travel and excursion costs etc.	✓		
Expenses – approval for payment and carer reimbursement of additional school related expenses not covered by the carer allowance e.g. tutoring.		✓	
Expulsion – where expulsion is being considered, school to contact authorised carer and agency to discuss the issues and plan a way forward which is in the best interests of the child or young person, including the school finding an alternate educational placement following expulsion. (Also see Suspension.)	✓	✓	



Decision / Responsibility	Authorised Carer	Agency responsible for Case Management (NGO or CS)	CS (or NGO with delegated PR)
High risk activities – organised by school such as rock climbing or surfing.		✓	
Immunisations – conducted at school.	✓		
Individual Health Care plans at school <ul style="list-style-type: none"> Consult with the child's/young person's medical practitioner about the implications of the child's health condition for their schooling Convey all relevant information from the medical practitioner to the school to assist school in planning for support and for the development of an individual health care plan as appropriate. 	✓		
Information provision <ul style="list-style-type: none"> Ensure carers are fully informed of their responsibilities relating to the education and training of children and young people in their care. Provide information to parents on the whereabouts of a child. Share relevant information about a child or young person with the school on an ongoing basis, as appropriate. Share information on agency programs and services, access and eligibility. 	✓	✓ ✓ ✓ ✓	
Media, public appearances and participation in research – give permission where the out of home care status and identity of a child is not revealed.	✓		
Media, public appearances and participation in research – give permission where the out of home care status and identity of a child is revealed. Carer is notified and contacts NGO or Family and Community Services.			✓
Medical emergency at school – first point of contact. If life threatening, carer to inform Family and Community Services.	✓		
Medical/dental <ul style="list-style-type: none"> Consent to health assessments where concerns are raised by the child/young person, carer, teacher, health care provider or other person about an aspect of a child or young person's health, development or disability (eg hearing, vision), This includes where health assessments are conducted at school. Consent to general medical and dental treatment or checkups not requiring surgery or specialist treatment which has been identified in the child or young person's case plan – e.g. treatment for asthma or diabetes. Consent to medical and dental treatment in emergency situations where the medical officer deems it necessary to save the life of a child or young person. 	✓ ✓ ✓		



Decision / Responsibility	Authorised Carer	Agency responsible for Case Management (NGO or CS)	CS (or NGO with delegated PR)
Medical/dental (cont) <ul style="list-style-type: none"> Administration of medication prescribed by a medical practitioner as well as some 'over the counter' medicines. Inform school of any allergies. Communicate with school about relevant aspects of a child or young person's health, development or disability Consent to medical and dental treatment involving surgery, other than urgent treatment. Approval of psychotropic medication for the purpose of controlling, managing or changing behaviour – only if part of an approved behaviour management plan and prescribed by a doctor. 	✓ ✓ ✓		✓ ✓ ✓
Parent Teacher Interviews/meetings –, academic progress, behaviour and other issues.	✓		
Religious instruction – as per agreed case plan. (Responsibility for this decision, including a child's participation in religious activities, rests with the agency in developing the child's case plan. The carer is responsible for making sure the child receives the type of religious instruction agreed to. Therefore the carer will advise the school.)	✓		
Child or young person's school reports– where to send.	✓	✓	
School attendance – ensure child or young person is attending school on a day-to-day basis.	✓		
School attendance – first point of contact for the school when attendance is identified as a problem.	✓		
School attendance <ul style="list-style-type: none"> Second point of contact where attendance is an ongoing issue. Make every reasonable effort, within reasonable resources, to respond to a request from the school or an authorised carer to help develop strategies to support the school attendance of a child or young person. 		✓	
School excursions where the child or young person does not have an individual health care plan. <ul style="list-style-type: none"> Day trip. Less than one week duration within NSW 	✓		
School excursions – one week or more duration within NSW or where the child or young person has an individual health care plan.		✓	



Decision / Responsibility	Authorised Carer	Agency responsible for Case Management (NGO or CS)	CS (or NGO with delegated PR)
School excursions – interstate or overseas for any length of time.			✓
Suspension (short) – school to inform authorised carer. After two short suspensions the school should inform authorised carer and agency.	✓	✓	
Suspension (long) – school to inform authorised carer and agency.	✓	✓	
Suspension (return to school strategy) - agency, school and authorised carers to collaboratively identify and case manage appropriate return to school strategies.	✓	✓	
Swimming lessons - organised by school.	✓		