

Group Review: Reviewing the circumstances of children absent from OOHC

What is the purpose of the review?

Under Section 13 of the [Community Services \(Complaints, Reviews and Monitoring\) Act 1993 \(CS CRAMA\)](#), we can conduct a review of the circumstances, welfare, status, and progress of an individual child or group of children in out-of-home care. Under CS CRAMA, a child includes any person under the age of 18.

We have decided to conduct a review of a group of children away¹ from their authorised Intensive Therapeutic Care (ITC) and residential care placements.

The group review seeks to identify:

- **factors** that contribute to children being away from their authorised placement and
- the **impact** this has on their safety, risk and wellbeing

Why did we decide to do the review?

We have identified issues about the safety, and wellbeing of children who have been away from their authorised OOHC placement in various Ombudsman functions, including child death reviews, complaints and community services monitoring.

Concerns about children away from placements have also been raised in other reports.²

What will happen in the review?

As part of the review we will:

- analyse data from the Department of Communities and Justice (DCJ) for children away from all types of placements
- choose a small representative group of children who have been away from ITC and residential care and gather specific information from DCJ and service providers

- identify key observations about the individual circumstances of these children and
- make systemic recommendations to improve the circumstances for children away from their placement.

Service providers may receive a notice to produce information

We will send notices to DCJ and service providers requiring copies of particular records for children chosen for this review.

The notices will also require a written response about:

- factors that contributed to the child being away from their placement
- experiences while away
- casework practice when the child has been away from their placement
- experiences on return to placement
- barriers faced by casework teams

We will contact each service provider before we send the notice. Service providers will be encouraged to contact us if they wish to discuss the notice and will be provided with a contact for any queries.

Will we speak with the children?

We will consult with the child's service provider to find out if they are aware of the child's location and if so, whether and how to communicate with the child. This will include canvassing the child's choices about having a support person present, and the level and type of engagement.

We will give age appropriate resources to service providers to explain the review to the child and ask them if they wish to communicate with us.

1. The term 'away' has been chosen after consultation with young people and young adults who have had a care experience.

2. [Children Youth Missing From OOHC \(002\).pdf](#) 2021; Out of Sight inquiry Victoria 2021 available at [Out-of-sight-inquiry-report-Web.pdf \(ccyp.vic.gov.au\)](#); OCG report Review of Residential Care 2017 available at Review of Residential Care (nsw.gov.au)

If the child wishes to communicate with us, we will:

- explain the process to them
- obtain their consent
- talk to them about factors that led them to be absent, their experiences while absent, and their experiences on return
- answer their questions

Children can withdraw their consent at any time.

Will service providers have an opportunity to meet with us?

We can meet with or receive submissions from any person, including any child whose situation is being reviewed.

We will offer to meet service providers who case manage children chosen for this review to share our observations, obtain feedback and discuss actions to improve the child's circumstances.

We may also contact other relevant people in a child's life to invite them to meet with us or provide a submission.

Cultural Considerations

We will be gathering information about Aboriginal children who have been away from their placement to understand their absences. We have engaged in cultural collaboration with Aboriginal staff members at the NSW Ombudsman to:

- improve cultural safety in how we talk to children, how we consult with family and kin, and how we obtain consent
- provide cultural perspectives throughout the life of the review process
- support culturally responsive thematic analysis and reports

Aboriginal staff are involved in the review.

Which children will be included?

This review will use approved whereabouts records to identify children who have³ been:

- absent for more than 24 hrs location unknown
- self-placed with others
- self-placed independently
- self-placed with parents

3. Between 1 July 2022 and 31 December 2024

This will include children who have been away from placement and/or not in placement as defined in the [PSP Away from Placement Policy](#).

Whereabouts records that relate to boarding school, camp, hospital or incarceration will be excluded.

What types of care are included in ITC and residential care?

Intensive Therapeutic Care Homes (ITCH), Intensive Therapeutic Transitional Care (ITTC), Intensive Therapeutic Care – Significant Disability (ITC-SD), legacy residential care and legacy intensive residential care are included.

Short term emergency placement (STEP), Interim care model (ICM), Special care, Individual Placement Arrangements' (IPA's), Alternative Care Arrangements (ACA's), Therapeutic home based care (THBC), Supported independent living (SIL), Therapeutic supported independent living (TSIL), kinship care and foster care are not included.

We will produce a report for the Minister and service providers

At the end of the group review, we must write a report about the outcomes of the review and advise whether any changed circumstances would promote the welfare and interests of children away from ITC and residential care placements.

Before finalising the report, we will give service providers an opportunity to comment. We may also seek submissions from other stakeholders. We will assess any comments we receive and then prepare a final report.

We will send the final report to service providers and ask them to respond to our advice about suggested changes with details of any action they agree to take, and if no action is to be taken, the reasons for this.

We must provide a copy of the final report to the relevant Minister and service providers concerned.

We may also provide a copy of the report or part of the report to any other person or body. We will produce a child friendly version of the report.

We will also produce a public report

We will table a public report in Parliament and make it available on our website. The public report will seek to protect the privacy and identity of every child included in the review. We also generally do not identify individuals involved in a review.

Please see our website for further information about NSW Ombudsman in care reviews:
[In-Care Reviews factsheet](#)



Scan the QR code to find out more on our website.

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