

In-Care Reviews

Who are we?

The NSW Ombudsman is an independent integrity agency that pursues fairness for the people of NSW.

Under the [Community Services \(Complaints, Reviews and Monitoring\) Act 1993 \(CS CRAMA\)](#), the NSW Ombudsman provides independent and impartial monitoring of community services and programs.

What is an in-care review?

Under Section 13 of 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.

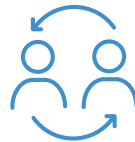
Before we start any review, we will decide on the scope of the individual or group review depending on the circumstances.



Service providers may receive a notice to produce information

Under our legislation, we can require service providers to produce information, documents, or other things by serving a notice setting out what is required to be produced and how.

The notice will provide a contact for any queries. We encourage you to contact us if you wish to discuss the notice.



Will you have an opportunity to speak with us?

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

You can contact us if you wish to contribute to the review and we may also contact relevant people and service providers in a child's life inviting them to meet with us or provide a submission.



Will we speak with the child?

We will consult with the child's service provider about whether and how to communicate with the child. This includes canvassing the child's choices about having a support person present, and the level and type of engagement.

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

- explain the review process and obtain their consent to be interviewed.
- explain that they can change their mind at any time.
- ask about their experiences and their views about what could improve their welfare.
- answer any questions and provide opportunities for further follow up and feedback.



How will you know that an officer is from the Ombudsman's office?

Our officers carry photo identity cards. If you wish to verify that a person is from the Ombudsman, contact us via our main switch on 9286 1000. It is an offence for a person to misrepresent that they are from the Ombudsman's office.

Are we qualified to work with children?

Our staff who may work with children when conducting in care reviews are qualified and experienced in engaging with children. They have undergone criminal history checks and have Working with Children Checks.

What do we do with the information we receive?

We will review and assess the information received, and the outcomes of any consultation. We may ask service providers for additional information or seek to meet with them about any issues we identify.



We will produce a report

At the end of the 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 the child or group of children.

Before finalising the report, we will give the service provider an opportunity to comment. Depending on the circumstances, we may do this by providing the service provider with a copy of some or all of our draft report. 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 the service provider 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.



Who will receive a copy of the report?

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

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

What about confidentiality?

The *Ombudsman Act* requires that we carry out our work in the absence of the public. This means unless the Ombudsman decides to table a report in Parliament, we do not make our reports public.

If the Ombudsman decides to table a public report about any issues identified in a review, the report will seek to protect the privacy and identity of any child. We also generally do not name individuals involved in a review.



What if you have concerns about your interactions with Ombudsman staff?

We encourage feedback about our services. If you have a complaint about us, our complaints policy sets out the process for making a complaint.



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

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Contact us

✉ CommunityServices@ombo.nsw.gov.au

☎ (02) 9286 1000

🌐 www.ombo.nsw.gov.au