



COMMISSION FOR CHILDREN AND YOUNG PEOPLE

21 March 2016  
CCYPD/16/182

Mr Lachlan Tan  
Acting Director  
Vulnerable Children's Branch  
Department of Education and Training  
Level 1, 33 St Andrews Place  
EAST MELBOURNE VIC 3002

Dear Mr Tan

Re: Response to LOOKOUT Education Support Centres Consultation Paper

The function of the Commission for Children and Young People (the Commission) includes the provision of advice to Ministers and Government departments about policy, practice and services relating to the safety and wellbeing of vulnerable children. In addition the Commission has a function to monitor services for children in out-of-home care, and to promote their active participation in policy, practice and services.

The Commission believes it can exercise its statutory obligation, as part of its functions, by providing advice and monitoring the educational outcomes for vulnerable children and young people. As such, we have provided a detailed response to the consultation paper, and we would welcome an opportunity to be involved, in an ongoing way, to monitor the progress and outcomes of this work.

The Commission has consistently noted and raised concerns about the educational status and outcomes for children in out-of-home care. The poor educational outcomes of children in out-of-home care have become an entrenched issue, with a long history of systemic flaws and a lack of accountability for outcomes. The Commission is therefore pleased to see a new approach developed, including, an agreed ongoing financial and governance commitment to its implementation and a joint approach between departments.

The Commission would like to congratulate the Department of Education and Training and Department of Health and Human Services, on taking a positive and targeted step to address a long standing issue that demands significant improvements are made, to address entrenched disadvantage for this group of children and young people.

Please do not hesitate to contact me at the Commission on 8601 5286 if you would like any clarification or discussion on the issues raised in the attached response.

Yours sincerely

Brenda Boland  
**Chief Executive Officer**

Att





### **Question 1:**

LOOKOUT Centres will need to prioritise students who receive additional supports. In Table 1 (p.8) have we identified the right characteristics and appropriate examples of supports /interventions for all, medium and high needs students?

#### *1. Priority access to support services*

The paper notes that LOOKOUT centres will be able to “make sure that students receive priority access to supports available” including access to psychology, speech pathology, social workers and multi-disciplinary teams.

It is important that priority access can be measured, for example, measuring not only referral, but waiting times and engagement with the services.

Currently, the threshold to receive some services, such as speech pathology or support from a teacher’s aide, is set so high that many students miss out, or experience lengthy delays. It is important that the LOOKOUT centres have the ability to influence decisions and advocate for services to be provided, due to the additional disadvantage and complex needs experienced by children in out-of-home care.

The Commission also notes that there may be a lack of clarity in relation to the proposal that for high needs students, the LOOKOUT Centre or the regional wellbeing staff representative, will be part of the Student Support Group (p.12 consultation paper). The Commission recommends one point of contact for clarity and accountability.

#### *2. Preventative Approach*

The Commission believe that the LOOKOUT centres should be able to demonstrate a shift over time to a focus on prevention – that is, if the LOOKOUT model is effective we would expect to see a reduced need for Tier three ‘High Need’ funding.

We note that initially a greater level of resources may be needed to resource children and young people in Tier 3 ‘High Need’. However we would encourage adequate resourcing of the first two tiers as a

preventative strategy to reduce the numbers of children requiring 'High Need' funding in the future, by building their resilience.

### 3. *Dual client cohorts*

The Commission recommends that children and young people who are dual clients –in out-of-home care, and also youth justice or disability services, be given access to the highest need tier, because of their complexities.

### 4. *Aboriginal children and young people*

The Commission believe that all Aboriginal students in out-of-home care should be tiered high need given the intergenerational nature of disadvantage. The Aboriginal target population in each area and the percentage of Aboriginal students for each centre should be considered in the development and resourcing of each centre. This could be reported in both reports on LOOKOUT and directly to key stakeholders through the Quarterly Aboriginal Children's Forums jointly chaired by the Minister for Children and Families and the CEO of an Aboriginal organisation.

Aboriginal students will require priority access to culturally responsive services and where available Aboriginal community controlled health services. Spiritual, Social and Emotional Wellbeing through a cultural lens is essential to addressing cumulative harm and intergenerational trauma. Regular health checks are necessary as well as responses to chronic health and developmental issues.

### 5. *Geographical considerations*

Each LOOKOUT centre will have approximately 1000-1300 students on its roll. There will be a variation in geographical areas in terms of size, distance, number of schools, number of Aboriginal children, concentration of disadvantage, number of CALD background and refugee children, availability of supports, such as flexible learning options and English Language Schools etc.

The Commission recommends that funding and resources, including for additional supports, should be allocated in a way that takes these matters into consideration. For example, each LOOKOUT centre

should be able to record, understand and shape their service based on:

- The percentage of medium and high need students linked to each centre and how this will impact on the capacity of each centre to provide their service.
- The number, size and distances between each school, that staff at each LOOKOUT centre will be expected to cover for each region. This will be important in understanding the impact on their ability to provide additional supports to high need students.

#### 6. *Interventions for residential care and alternative education settings*

The inclusion of all children who are in residential care into the highest need tier is welcomed by the Commission. However, the intervention examples listed in the table appear under-developed given the level of need. In particular the note that - "If a mainstream school is not the best option, refer to a suitable pathway and monitor attendance" does not suggest any real change to current practice.

As the prioritisation part of the model is developed in relation to alternative school settings, the Commission considers the following points will need to be addressed:

- A target should be set for reducing or ceasing the practice of streaming out of home care students, in particular Aboriginal children and young people, into 'alternative settings' and tailored programs.
- A description of how "not the best option", or a "suitable pathway" will be assessed and who will decide this.
- Measures will need to be developed that will consider for example: how the referral to a suitable alternative pathway will be assessed as effective and achieving improved outcomes (that goes beyond monitoring attendance); the ability to monitor improvements and levels of engagement.
- Similarly, responsibility for different aspects needs to be clearer, including who will provide necessary resources, for example who will be responsible for addressing non-attendance and re-engagement.
- A contingency plan will need to be developed for children and young people who fail to engage in alternative settings, given the compulsory school attendance age of 17. The compulsory school

age should be made explicit in relation to full engagement and attendance in alternative school settings.

### *7. Children on Permanent Care Orders*

The Commission has concerns that the footnote on page 7 of the consultation paper indicates that; LOOKOUT Centres are not expected to work with children and young people once they are placed on Permanent Care Orders. The Commission has concerns about this proposal, as it would seem likely to add another disincentive for conversion to a permanent care order being made.

It may be more appropriate to review the educational status of the child or young person and the tier that they have been assessed at, when a transition in placement type or order is being proposed. The LOOKOUT centre could provide continued support as needed, particularly to medium and high needs students, or to allow for re-enrolment in the LOOKOUT centre if required. While this may only be necessary for a small proportion of children and young people in this situation, it is likely to result in better outcomes for these vulnerable children and young people.

### *8. Extending the age for Leaving Care*

The importance of the Victorian Government attending to the implications of welfare decisions on a child or young persons' education (p4. consultation paper) underscores the need to extend the formal out-of-home care arrangements for young people beyond the age of 18 years and at least up to the age of 21 years. This issue was discussed in the special edition of Parity (February, 2016).

We know that there is a significant issue in relation to care leavers accessing higher education, despite some expressing a wish to do so (Cervini, 2015; Harvey, McNamara, Andrewartha and Luckman, 2015). The absence of continuing care arrangements further inhibits the incentive for young people to aspire to educational achievement whilst still at secondary school and beyond. Care leavers know they will be 'on their own' once they turn 18 and will not have the support that would normally be in place to help a young person aspire and transition to and maintain further education.

Therefore we would encourage the LOOKOUT centre model to consider these transition points and how they might influence and manage these transition points and perhaps add 'transition' as a factor for considering 'medium or high need' status.

### 9. *Gifted and Talented*

The paper notes that LOOKOUT centres will work with students "who are identified as gifted, talented and high achieving, and that they will receive the same resources, coaching and opportunities as their peers". The Commission is aware of some children in out-of-home care, including very high risk young people, who were identified in early primary school as 'possibly being gifted' or who were assessed as gifted, however no further action was taken for these students and they invariably left school. While the proportion of students who fall into this category may be small, it is a group that should be considered in the medium to high need tier.

How students will be identified and assessed in the first place needs to be developed, especially given the students in out-of-home care are less likely to have a parent or carer who will advocate for such an assessment.

The Commission notes the use of the words "the same resources" and would suggest that given the circumstances of these children, that they should be offered additional resources to overcome this disadvantage, to ensure that their talents are fully developed.

#### **Question 2:**

What critical information should be shared between DET, DHHHS and CSO's to ensure that the care and education status of children and young people can be monitored?

### 10. *Clarification of Roles and Responsibilities:*

Without detailed roles and responsibilities, issues that arise can become 'everyone and no-ones' responsibility. For example, the paper notes that LOOKOUT centre staff will 'intervene when educational arrangements or decisions aren't best for the student, when learning goals aren't met and when supports aren't provided'. These decisions need to have clear lines of accountability.

Similarly, the roles and responsibilities of case managers, Koorie Education Support Officers and Lookout staff in the child's case plan and cultural support plan need to be clear. This will ensure that plans are monitored and implemented and clear. It is also necessary for the case manager to ensure decisions are made with the family and other respected community members through the Aboriginal Family Led Decision Making (AFLDM) meetings.

### *11. Aboriginal Children and Young People*

For Aboriginal children and young people there must be alignment between the work of the LOOKOUT centres and the impending Koorie Education Strategy. This may include Individual Education Plans, Koorie Education Support Officers, mentors, tutoring, cultural connection for the child, cultural training for school staff and students and inclusive practices and policies by schools. Procedures need to be put in place to ensure that this occurs.

In relation to streaming students into alternative settings, the Commission believes that the Department of Education and Training should report on the current levels of streaming out of home care students, in particular Aboriginal children and young people, into 'alternative settings'. These reports should be regular and should be able to demonstrate the efforts to reduce the overall number of students streamed to alternative settings. The reports should be provided with a rationale to the Aboriginal Children's Forum.

### *12. Educational stability and placement changes*

The paper notes that case managers should give educational arrangements a priority when considering placement changes, given the disruption to all facets of a child's life. This is a particularly pertinent point for children living in regional areas where distances can be vast between available placements and their existing school.

To support a cross sector focus, systemic changes will need to be made to child protection practice to ensure a greater focus is placed on maintaining educational achievement and consistency, rather than placements primarily being determined by availability. The Commission suggests that this will require an authorising environment where children and young people, and the LOOKOUT centre staff have a genuine say in new placement locations.



Responsibility for educational stability will need to be made clearer if it is going to work in practice. For example, practical supports and additional resources will need to be made available, with clear responsibilities for who will provide the resources to maintain educational stability (even when placement change is necessary). The role of LOOKOUT centre staff in supporting smooth transition will need to be supported by the Department of Health and Human Services (DHHS), Department of Education and Training (DET) and community sector organisations (CSOs).

### *13. Disability and Mental Illness*

The Commission notes that there is no discussion in the consultation paper about access to disability specific supports, including mental illness, to assist children with education. While this may be inherent in the range of supports that are discussed, we are concerned there is no proposal to collect data on this or address it specifically. For example, for planning, it is important to understand the number of and which children in out-of-home care, are eligible for disability services. This is an opportunity to support these children through early intervention and intensive supports.

Although the data is now dated, the issues raised in the Victorian Equal Opportunity and Human Rights Commission's (VEOHRC) 2012 report, on the relinquishment of children with a disability into out-of-home care by their parents, provides insight into this issue. According to the 2012 report, at the time of publication 14 per cent of children in out-of-home care and 20 per cent of children in residential care had a disability. A report by Monash University on leaving care, estimated between 10 and 15 per cent of children in out-of-home care has a disability (Snow, Mendes and O'Donohue, 2014). In today's terms this would equate to around 900 students of school age with a disability in out-of-home care.

All children in out-of-home care face additional disadvantage, when a child also has a disability and is Aboriginal, the level of disadvantage is increased further. The Social Justice and Native Title Report 2015 (Australian Human Rights Commission) noted that programs and policies need to effectively address and evaluate the impact on reducing the additional disadvantage facing Aboriginal children and

young people with a disability. Therefore collecting and sharing information on Aboriginality and disability are necessary.

There is an over representation of the youth justice population with a diagnosed intellectual or learning disability who have been in out-of-home care. This further demonstrates the need for early identification and recording of risk factors, matched with services to address issues, to avoid the common trajectory into correctional services. (for example, see Snow and Powell 2012)

To ensure consistency in planning LOOKOUT centre staff should ensure that a mental health plan or disability support plan has been developed (possibly by a GP or specialist support), taken into consideration and understood by the school and other professionals.

#### *14. Other relevant information sharing*

There are often multiple plans and orders impacting on the care of children and young people in out-of-home care. Information Sharing between schools, departments, agencies and carers is essential to understand the issues and influences affecting their education. Some examples of these are:

- Court Orders and the relevant conditions: Child Protection, Youth Justice, Intervention Orders;
- Plans such as: Looking After Children (LAC) including medical and mental health information, Behavioural Intervention Plans (for problematic and challenging behaviours), Educational Needs Assessments, Individual Learning Plans, and case plans which may include reunification plans.

Similarly schools and services can be a wealth of untapped information that can benefit both case planning and educational planning. Sharing this information can ensure professionals and carers are more responsive to the circumstances that a child may be facing. For example, knowing about:

- People of concern in a child's life;
- Family and friendship networks;
- Placement issues / break downs;
- Access arrangements;
- Incidents (school based, care based and other); and the need for breakdowns
- Preparation and input into court matters.

**Question 3:**

What would be an ideal data monitoring system to support full implementation of the Partnering Agreement? How would it work in practice? How would it fit with your current day to day work flow and tasks?

*15. Impetus to change*

Measurement and incentives can provide an impetus to change. The Commission suggests that other matters need to be considered when monitoring the implementation of the Partnering Agreement. These include:

- Adequate incentives and deterrents, to shift performance in the education and human services' systems.
- Public monitoring and reporting, possibly a scoresheet or similar document that is readily available.

Examples of measurement and incentives could include:

- Data and information could be developed for carers, organisations and LOOKOUT staff to help them choose schools and pathways that give students, in out-of-home care, the best chance of achieving the student's goals.
- Incentives may need to be developed for a 'designated teacher' to take on the duties described in the consultation paper (p.11), given the significant additional work that is likely to be added to the teacher's duties.

The consultation paper notes that the cumbersome process for DHHS to notify schools that a child is in out-of-home care, or that a placement change has occurred, will be addressed. The Commission believes it is important to measure and report on the impact of the new process for how DHHS will notify schools in a timely manner and as often as changes occur. This will help to drive effective changes to the process.

*16. Out-Of-Home Care Education Commitment: A Partnering Agreement between the Department of Human Services, Department of Education and Early Childhood Development, the Catholic Education Commission of Victoria and Independent Schools Victoria (the Partnering Agreement)*

The Partnering Agreement between, sets out requirements to record and track information, attend meetings and communicate with one another. The intention of the agreement is sound, however, as the consultation paper notes, the effect of the agreement has been limited and inconsistent. The proposal to develop a clear base line on the consistency of implementation across regions and to monitor this over time is welcomed by the Commission.

The Commission recommends an initial base line on the implementation of the Partnering Agreement (or lack of) in the South Western Victoria Region be undertaken to ascertain compliance. Starting with this baseline will help to demonstrate improvement over time.

*17. Data monitoring systems including Key Performance Indicators*

In addition to other suggestions outlined in this response, any data monitoring system should consider having Key Performance Indicators (KPIs) that reflect the Partnering Agreement, and also monitor key transition points. Transition points are known to be particularly difficult and are likely points for students to drop out of school. Therefore we believe they should have targets set, which can be monitored as Key Performance Indicators that demonstrate change.

Examples could include:

- a 100 per cent enrolment rate;
- tracking attendance records;
- implementation of attendance guidelines;
- reduced School changes;
- retention rates during between transitional grade 6 - year 7;
- retention rate monitored after placement and school changes;
- a 100 per cent rate for individual education plans (including a quality assurance measure);
- the percentage of children and young people who attend their planning meetings;
- the percentage of children and young people having direct input into their plan including review points; and

- the percentage of young people transitioned to higher learning or employment post school.

**Question 4:**

What kind of professional development has proven most effective for schools, CCPP and CSO case managers and carers to promote awareness and understanding of the education needs and experiences of children and young people in out of home care?

*18. Distribution*

The distribution of which schools have students living in out-of-home care, across geographical regions, will be important for LOOKOUT centres to understand. If the number of students is distributed or concentrated this will impact on implementation of the model – for example in the best way to prioritise and deliver professional development.

*19. Lifting expectations of engagement and achievement*

The Commission would like to acknowledge the focus on lifting expectations of engagement and achievement.

It is our experience that too often children in out-of-home care have little if any expectation placed upon them that they will attend school at all, let alone complete school or achieve educational competence. Some of the carers and professionals who are supposed to support them have very low expectations, which become internalised by the children and young people themselves. This is certainly evidenced in our most recent work “.....as a good parent would....” (2015) and the collaborative project *Taskforce 1000* between the Department of Health and Human Services (DHHS) and the Commission (commenced in 2014).

The Commission believes it is important that all people working with children in out-of-home care, including carers, are thinking about how they will increase their educational expectations of children in care, and how they will measure this change. Specific strategies will need to be put in place to increase expectations, and outcomes will need to be measured.

Similarly, the existence and need to identify and support children in out-of-home care who are gifted and talented will need to be

considered in relation to professionals and carers involved in student's lives, so as they understand the specific needs of this group and what they will need to do to have them assessed and supported.

Another area of professional development that needs further consideration to help lift educational achievement and engagement, is to address the sense of belonging that children in out-of-home care have to their school and people who have educational aspirations. Behavioural Insights theory may provide a lens for how to develop these kinds of connections and promote different choices being made and maintained.

#### *20. Specific consideration for Kinship and Foster Care Placements*

The consultation paper notes that 94 per cent of children and young people in out of home care are in kinship and foster care placements. The Commission assumes that given the intergenerational nature of socio-economic disadvantage, some of the carers themselves may have had a limited education, poor experiences of school and may not have the tools they need to support the children in their care to achieve. This may then be reflected in carers needing additional support to assist the children in their care.

The paper notes that centres will provide advice and training on how to navigate the school system. The Commission believes that LOOKOUT centres will need to consider professional development that includes:

- Using available evidence on how to best reach and practically support carers to lift the educational achievements of children in their care. This may require a target to be developed on a proportion of carers to be engaged and measured.
- Supporting Aboriginal carers through new and existing networks and services built on the foundation of cultural and community knowledge; such as Koorie Education Support Officer and Aboriginal Community Controlled Organisations.

#### *21. Trauma and healing informed practices*

The *Social Justice and Native Title Report 2015 (Australian Human Rights Commission)* specifically discusses the need to ensure practices and policies are based on trauma and healing informed approaches. The

Commission would like to see specific reference and consideration given to how trauma and healing practices can shape the development and roll out of the LOOKOUT centre model. Aboriginal people need to be involved in the design, delivery, decision making and implementation of the model. In the same report, research by the Healing Foundation was cited, which noted that there are clear links between healing practices and improved outcomes, including “increasing school engagement, behaviours and social skills of Aboriginal and Torres Strait Islander students” (p 163 Social Justice and Native Title Report 2015).

## 22. *Aboriginal Child Placement Principle*

Half of Victorian Aboriginal children live in regional and rural areas which can lead to placement change becoming synonymous with educational changes. Professional development will need to consider how to improve adherence to the Aboriginal Child Placement Principle.

When decisions are made to move children to a new placement, the Aboriginal Child Placement Principle should underpin the decision. However as the *Social Justice and Native Title Report 2015* (p156) notes, this should be nuanced.

Professional development needs to help all parties understand that placement decisions need to be informed by the need for educational stability, but also the right for each child to be brought up within their own family and community and that a representative of the Aboriginal community should be included and consulted about placement change decisions. The *Children Youth and Families Act 2005* requires that at a minimum Aboriginal Child Specialist Advice Support Services (ACSASS) be consulted on all key decisions. This may also mean that weighting is given to connection to Aboriginal culture, Country and family that may be present in the educational setting that a student is part of, as well as their residential placement.

## 23. *Family Violence*

All professionals need to have an understanding of family violence and its impact on children’s education. Many children and young people in out-of-home care have experienced family violence. The *Taskforce 1000* project noted that in some areas up to 95 per cent of

Aboriginal children in care were there because family violence coexisted with parental alcohol and substance abuse and mental health conditions. Family violence can lead to high levels of mobility and disconnection across towns and regions as victims flee perpetrators. Even after a child or young person enters out-of-home care, the need to leave an area due to safety concerns can be a continuing theme for them.

Consideration needs to be given to how these children and young people can maintain connection and stability with support services and education settings.

Other issues that need to be addressed specific to this group include how the schools can manage emergency and safety situations, addresses being with-held, Intervention Orders and privacy.

Children, their parents and carers are often exposed to family violence that leads to ongoing trauma. It is important that LOOKOUT centre staff and schools are provided with evidenced based professional development on trauma informed approaches to care and education.

*24. Sexualised and other anti-social behaviours.*

A number of children and young people in out-of-home care exhibit sexualised and other serious anti-social behaviours that can place other children at risk. The LOOKOUT centre model will need strategies to manage these children, given that they are often excluded from school, and from school activities (such as play time, swimming, camps etc). This is likely to require professional development for LOOKOUT centre staff and specialist resources to support schools.

*25. Parents of children and young people in out-of-home care*

The consultation paper does not discuss how LOOKOUT centre staff will engage with parents of children and young people in out-of-home care. Many children are on orders that allow for parents to continue to play an active role in their lives. The LOOKOUT centre model will need to consider how it will engage with their families, including their parents, to benefit the educational outcomes of these students.



## *26. Specific examples of professional development*

The Commission is aware of a range of professional development that has been used to support care staff, which has had positive feedback, which could be assessed for quality, outcome and suitability to the LOOKOUT centre model. Examples include:

- Yarn up on Trauma (provided by Take Two)
- Raising the Bar ( provided by Take Two)
- Calmer Classrooms
- Office of the Principal Practitioner and Victoria Police, sexual exploitation training (residential care specific); and
- A range of in-service courses run through the Centre for Excellence in Child and Family Welfare.

### **Question 5:**

How would you like to see the views of young people regarding their educational needs and aspirations captured and used to inform LOOKOUT operations?

## *27. Voices of Children and Young People*

The Commission is adamant that the voices of children and young people, especially those in out-of-home care should be central to policy and program development. Lived experiences can be powerful examples of how systems work in practice.

We would welcome information on the draft and final models of how consultation will occur; as well as feedback on their responses. Our own work has lead us to consult purposefully and meaningfully with children and young people.

We aim to share and take their concerns up in multiple ways, including photography, interviews, observation, visiting programs and complaints processes. We have used staff at the Commission, independent visitors and trusted support people to assist us with this process.

The Commission believe there need to be more opportunities for children and young people in out-of-home care to:

- be actively involved in their own planning processes;
- take a significant part in program evaluation;
- be interviewed at key transition points, such as exiting from school, care, systems and programs; and
- for celebration and rites of passage to be planned and marked with young people.

The Commission notes that particular consideration should be given to engagement with Aboriginal children and young people in out-of-home care, using a culturally appropriate approach.

When children and young people (including those who may have left care) share their stories with LOOKOUT centre staff, they will often require follow up on what they have shared - it is not just sharing for the sake of it. LOOKOUT centres will need to ensure resources are allocated to support and refer children and young people, to help address the issues they have faced. For example, a teenager sharing their experience of poor or non-existent education will then need to be assisted through referral to literacy and local educational supports to redress their lack of education. This may also need to be extended to young adults who have recently transitioned from out-of-home care (eg. 19 year olds).

### *28. The Charter for Children in Out-of-Home Care*

The Charter for Children in Out-of-Home Care (the charter) is an important document to guide the provision of services. The Secretary to the Department of Health and Human Services is required by the *Children and Young Persons Act 2012*, section 16(f), to publish and promote the charter. One of the principles of this charter is its expectation that vulnerable children are – “to be provided with the best possible education and training”. Other principles listed in the charter can also be used to guide the provision of services, for example “to have a say and be heard”. The Commission recommends that the charter is used by the LOOKOUT centres as a guide to how it works with children and young people in out-of-home care and that the charter is promoted to students and schools alike.

**Question 6:**

What is the most effective way to ensure that the ENA forms part of the care / case plan? What is the most effective way to ensure that the ENA is reflected in the Individual Education Plan? What are the potential barriers to linking the ENA and existing care plans?

*29. Educational Needs Assessments*

The consultation paper states that the LOOKOUT centres will commission Educational Needs Assessments (ENA) for all children in residential care who are not enrolled or engaged at school. Given the majority of children in out-of-home care are in home based care settings, it would seem that this should be expanded to include those children who are in foster care or kinship care, to ensure parity of access.

The proposal that all children in out-of-home care would have an ENA has been suggested but not fully implemented over several years now. In relation to the numbers of students in out-of-home care that are not currently enrolled or engaged, we suggest that (if it is not already collected) that:

- a base line is established for each region, including how many students are expected to receive an ENA from LOOKOUT centres;
- a comparison should be made on how many students actually receive an ENA; and
- a review mechanism is built in, to ensure ENA's are updated as regularly as necessary, including following a placement or change to schooling.

In addition, there is a potential barrier that will need to be considered in relation to accessing ENAs. Parents may be resistant to release of ENA information to the DHHS staff, due to concerns that it may reflect poorly during court proceedings. As such it will be important for permission around information sharing to be considered and addressed early.

*30. Cultural Support Plans, Care Plans and Aboriginal Family Lead Decision Making (AFLDM)*

The paper notes that the Principal of the LOOKOUT centre and the multi-disciplinary team supporting them, will advocate for the specific

cultural and educational needs of Aboriginal children and young people. This includes a focus on the specific needs of Aboriginal young people in out-of-home care. This work should be guided by the Koorie Outcomes Branch in the Department of Education and Training.

To do this in a way that is consistent with other parts of the young person's life, it is important that staff at the LOOKOUT centre can contribute to Cultural Support Plans, Care Plans and the AFLDM processes, coordinated by DHHS Child Protection and care agencies. This will help to ensure that family and community are part of the decision making. It will also ensure the best educational outcomes for a child are incorporated and consistent across planning processes.

## References

*"...as a good parent would..." Inquiry into the adequacy of the provision of residential care services to Victorian children and young people who have been subject*

*to sexual abuse or sexual exploitation whilst residing in residential care*  
Melbourne: Commission for Children and Young People, 2015.

Cervini, E. (2015). *University could transform those leaving care – but no welcome mat laid out*, The Age, 23 March 2015.

*Charter for children in out-of-home care.*

<http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/charter-for-children-in-out-of-home-care-resources>

*Desperate Measures: The Relinquishment of Children with a Disability into State Care in Victoria.* Victorian Equal Opportunity and Human Rights Commission, May 2012.

Harvey, A., McNamara, P., Andrewartha, L. and Luckman, M. (2015). *Out of care, into university: Raising higher education access and achievements of care leavers*, National Centre for student Equity in Higher education (NCSEHE), Perth; Curtin University.

Snow, P.C., Mendes, P. and O'Donohue, D. *Young People with a Disability Leaving State Care – Phase Two Report.* Melbourne: Monash University, 2014

P Snow and M Powell: *Youth (in)justice: Oral language competence in early life and risk for engagement in antisocial behaviour in adolescence*  
Trends and Issues in Crime and Criminal Justice series No.435, April 2012  
[http://aic.gov.au/media\\_library/publications/tandi\\_pdf/tandi435.pdf](http://aic.gov.au/media_library/publications/tandi_pdf/tandi435.pdf)

*Social Justice and Native Title Report*

Australian Human Rights Commission, 2015

<https://www.humanrights.gov.au/publications>

*Parity: From Leaving Care to Extending Care: Preventing the Transition to Homelessness* February 2016, Volume 29, Issue 1

