

Notice of Conditions of Registration (Voluntary Out-of-home Care)

Issued under Clause 73 of the Children and Young Persons (Care and Protection) Regulation 2012

Disability Choice Pty Ltd (T/a Trilogy Disability Services)

ABN: 33 615 145 072

Date of notice: 3 November 2021

This Notice supersedes the Notice of Conditions of Registration (Voluntary Out-of-Home Care), issued on 13 December 2018.

In addition to the general conditions of registration under Schedule 4 of the Children and Young Persons (Care and Protection) Regulation 2012, the Children's Guardian has imposed the following conditions on the agency's registration.

Condition 1

This registered agency must comply with the *Statutory procedures: Voluntary out-of-home care in NSW*, issued by the Children's Guardian.

Condition 2

This registered agency may provide and arrange voluntary out-of-home care, but not supervise voluntary out-of-home care provided by another agency.

Condition 3

This registered agency may only arrange for another organisation to provide voluntary out-of-home care if the organisation is a designated or registered agency.

Condition 4

Before engaging a person to provide direct services to children and young people, this registered agency must verify the Working with Children Check clearance or application for such a person in child related work or in a child related role. This includes persons providing services to children as a carer or respite carer. The agency must comply with the requirements set out in the *Child Protection (Working with Children) Act 2012* and Regulation.

Condition 5

This registered agency must maintain records of practice relevant to the safety, welfare and well-being of children and young persons for whom the agency provides or arranges a voluntary out-of-home care placement. These records must be made available to the Children's Guardian for inspection upon request, in written form or an electronic format approved by the Children's Guardian.

Condition 6

Where this registered agency provides placement/s or is identified as the Principal Care Agency providing care to a child or young person who has been in voluntary out-of-home care for more than a total of 90 days in a 12 month period, the agency must make available records pertaining to the supervision and planning for the needs of that child or young person to the Children's Guardian, upon request.

Condition 7

This registered agency must comply with the voluntary out-of-home care monitoring program as determined by the Children's Guardian.

Condition 8

This registered agency must comply with any other relevant NSW or Commonwealth laws.

Condition 9

This registered agency must, by notice in writing, give the Children's Guardian the address of any location in which the agency is currently providing voluntary out-of-home care, within 5 working days of the imposition of this condition.

Condition 10

This registered agency must, by notice in writing, give the Children's Guardian the address of any location in which the agency provides voluntary out-of-home care within 5 working days of commencing to provide voluntary out-of-home care at that location.

Condition 11

This registered agency must, by notice in writing, advise the Children's Guardian if it is currently providing out-of-home care to a child or young person who is the

subject of a statutory care and protection order or a temporary care arrangement within 5 working days of the imposition of this condition.

Condition 12

This registered agency must, by notice in writing, advise the Children's Guardian if it is providing out-of-home care to a child or young person who is the subject of a statutory care and protection order or a temporary care arrangement, within 5 working days of commencing to provide care under the arrangement.

Condition 13

This agency must not provide voluntary out-of-home care to children under seven years until it is compliant with all areas of the *Statutory procedures: Voluntary out-of-home care in NSW*, issued by the Children's Guardian.

Condition 14

This agency must notify the OCG before a child or young person is placed with an adult with evidence of placement matching, risk assessment and strategies to manage any identified risk until it is compliant with all areas of the *Statutory procedures: Voluntary out-of-home care in NSW*, issued by the Children's Guardian.

Giving false or misleading information to the Children's Guardian is a serious offence.

The Children's Guardian may cancel the agency's registration if it fails to comply with any of these conditions.

The Children's Guardian may publish details of failure to comply with conditions of registration in the Children's Guardian's Annual Report to Parliament.

A decision of the Children's Guardian to impose, not impose, vary or revoke a condition of registration is reviewable by the NSW Civil and Administrative Tribunal (NCAT), under clause 7 of the Children and Young Persons (Care and Protection) Regulation 2012, following an internal review by the Children's Guardian. Further information about NCAT and internal reviews may be obtained from NCAT (ph: 1300 006 228).

**Janet Schorer PSM
Children's Guardian**