



Office of the
Children's Guardian

Carers Register Guidance Notes

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1 Introduction

1.1 Carers Register administration

The NSW Office of the Children's Guardian (OCG) is responsible for the administration of the NSW Carers Register (the Register). Commencing 15 June 2015, all designated agencies accredited to provide statutory or supported out-of-home care in NSW are required to complete a Carers Register registration form and enter data about carer applicants, authorised carers and their household members on the Carers Register.

1.2 Purpose of these guidance notes

These Guidance Notes are applicable to designated agencies accredited to provide statutory or supported out-of-home care in NSW. Designated agencies are required to participate in the OCG's accreditation and monitoring framework.

These Guidance Notes have been prepared to:

- explain what information relating to carer applicants, authorised carers and household members must be entered on the Carers Register
- how to enter information on the Carers Register
- how to use the Carers Register to access information about a carer applicant, authorised carer and/or household member.

These Guidance Notes should be read in conjunction with:

- Designated agency administration guide which assists designated agencies to complete the Carers Register registration process and create a Carers Register agency structure, create users and assign access roles.
- Designated agency's own policies and procedures
- The *Children's Guardian Act 2019* ("the Act")
- The Children and Young Persons (Care and Protection) Regulation 2012 ("the Regulation")
- The *Children and Young Persons (Care and Protection) Act 1998*

Please note: the content of these Guidance Notes are subject to change. Designated agencies will be advised of any significant changes and are advised to visit www.kidsguardian.nsw.gov.au for current information.

If you have a question about the Carers Register, please email the Registration Systems team at carers-register@kidsguardian.nsw.gov.au, or call 02 8219 3600.

1.3 Carers Register overview

Aim of the Carers Register

The OCG has developed a restricted access, centralised Carers Register of persons who are authorised, or who apply for authorisation, to provide statutory or supported out-of-home care in NSW.

The aim of the Carers Register is to promote the safety, welfare and wellbeing of children and young people in statutory or supported out-of-home care by supporting appropriate authorisation of carers.

Carers Register operation

The Carers Register is intended to complement the systems and processes that designated agencies already have in place to assess carer suitability – not to replace or duplicate these systems.

The Carers Register will operate as an independently administered licensing system for all authorised carers and persons who apply for authorisation, to provide statutory or supported out-of-home care in NSW. The Carers Register will also include information about carer household members¹ (household member suitability is considered in determining carer suitability²). The Register will require agencies to discuss carers' histories and certify that carers and relevant members of their households have had minimum probity and suitability checks,³ including a current Working With Children Check (WWCC) clearance.⁴

The Register will issue an authorisation number for approved carer applicants.⁵ An individual's authorisation does not take effect until the agency obtains from the Carers Register a Carers Register authorisation number that starts with the letters 'CRC'.⁶ An individual is not authorised to provide statutory foster or relative/kinship care until the authorisation number is issued.

The Carers Register will provide designated agencies with a common source of information about carer applicants and authorised carers and their household members, including:

- application and authorisation history, including application refusal, cancellation or suspension of authorisation
- associations between carers and households (including household members) and movements into and out of households
- any historical or current associations between carer applicants, authorised carers and their household members and designated agencies
- each individual's identification information, WWCC records and any current or finalised reportable conduct matters involving carers and their household members.

A carer whose authorisation is cancelled by one designated agency or who has withdrawn an application with concerns will not be able to be authorised by another agency without the two agencies first discussing the person's suitability to be a carer.

Designated agencies should exercise due diligence when using information in the Carers Register and are required to contact relevant designated agencies for more information.

The Carers Register will:

- operate to reduce the risk of inappropriate authorisation of carers
- act as a licensing tool – it will issue an individual with a carer authorisation number, without which a person will not be able to provide statutory or supported out-of-home care
- require agencies to certify that authorised carers and relevant household members, have undergone minimum requirements for probity and suitability checks
- record essential information only
- operate as a restricted access site, subject to strict privacy controls
- flag potential concerns relating to carers and their household members
- provide triggers for agencies to seek further information from other designated agencies

¹ Clause 86B(2)(c) of the Regulation

² Division 2 of Part 6 and Schedule 2 of the Regulation

³ Clauses 86D(2), 86E(3) and 86H(3) of the Regulation

⁴ Clauses 86D(2)(b), 86E(3)(b), 86F(b) and 86H(2)(c) of the Regulation

⁵ Clause 86B(4) of the Regulation

⁶ Clause 30(8) of the Regulation

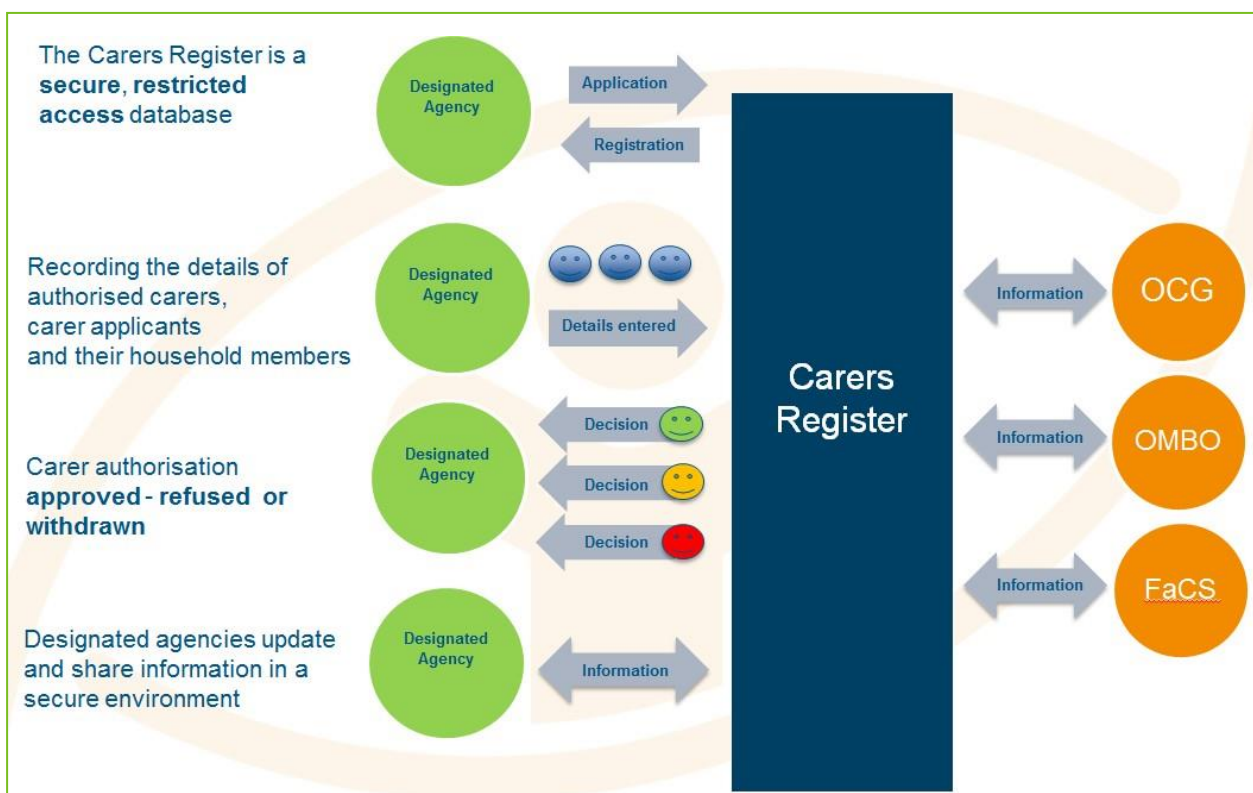
The Carers Register will not:

- record details of children or young people in out-of-home care, including statutory, supported or voluntary out-of-home care.

However, if a young person in statutory out-of-home care remains in the home of an authorised carer, after turning 18 years of age, they are considered a household member⁷ and must be entered on the Carers Register⁸ and will require a current NSW Working With Children Check⁹

- support placement matching
- record conditions of authorisation
- replace designated agencies' more detailed processes and systems for assessment and authorisation of carers and their households
- contain detailed records
- record details of carers who are not authorised by designated agencies
- record details of carers who provide care in an employed capacity e.g. staff employed by designated agencies in residential programs.
- record approved or prospective guardian carers if they are authorised solely for the purpose of guardianship

1.4 Carers Register flow chart



⁷ Clause 86H(1) of the Regulation

⁸ Clause 86B(2)(c) of the Regulation

⁹ Section 10 of the *Child Protection (Working with Children) Act 2012*

The Carers Register is a secure, restricted access database

1. A designated agency registers with the OCG to access the Carers Register.
2. The OCG processes the application and provides the designated agency with secure access information.
3. The designated agency creates additional users and issues secure access to authorised staff.

Recording the details of the carer applicants, carers and their household members

4. Prior to creating a new record, the designated agency is prompted to first search to identify if the individual is already recorded in the system.
5. The system will flag the outcome of carer applications, surrendered / suspended / cancelled authorisations and certain reportable allegations and conduct involving carers.
6. The designated agency must certify completion of minimum probity and suitability checks.¹⁰
7. Emergency authorisations are provisional and deemed to be an application for full authorisation.¹¹

Carer authorisation is approved, refused or withdrawn

8. A designated agency may approve or refuse an application for authorisation.¹²
9. If the designated agency approves an application for authorisation, the system will issue a carer authorisation number,¹³ licensing an individual to provide statutory or supported OOHC.¹⁴

Designated agencies maintain Carers Register records and share relevant records

10. The Carers Register is a centralised resource that all designated agencies must use to share information about carers, carer applicants and their household members.
11. The designated agency must update all relevant Carers Register records as required.¹⁵

¹⁰ Clauses 86D(2), 86E(3) and 86H(3) of the Regulation

¹¹ Clause 31(11) of the Regulation

¹² Clause 30(7) of the Regulation

¹³ Clause 86B(4) of the Regulation

¹⁴ Clause 30(8) of the Regulation

¹⁵ Clause 86J of the Regulation

1.5 Definitions

Term	Definition
Carer applicant	A carer applicant is an individual who has applied to a designated agency for authorisation to provide statutory or supported out-of-home care in NSW. ¹⁶
Authorised carer	An individual that has been authorised by a designated agency to provide statutory or supported out-of-home care in NSW. ¹⁷
Authorisation type	<p>Statutory foster care: Out-of-home care for any child or young person unknown to the carer.</p> <p>Other care: Out-of-home care for a specified child or young person the carer has been assessed to provide care for</p>
Authorisation – multiple agencies	The authorisation of a carer by a designated agency should cease upon the authorisation by another designated agency of the same carer, unless the first designated agency determines to continue the authorisation (there may be exceptional circumstances where a person is authorised by multiple agencies)
Back capture	A time limited Carers Register form that is used to record carers and their household members who were authorised prior to the Carers Register commencement date, 15 June 2015.
Carers Register	The Carers Register administered by the Office of the Children’s Guardian, contains details about persons who are authorised, or who apply for authorisation (and their household members), to provide statutory or supported out-of-home care in NSW.
Code of Conduct for Authorised Foster, Relative and Kinship Carers	<p>The Code of Conduct is issued by the NSW Minister for Family and Community Services to be applied consistently across the NSW out-of-home care sector. It is administered by the Department of Family and Community Services and any amendments will be made and approved by the Minister for Family and Community Services.</p> <p>Designated agencies may develop their own policies, procedures and guidelines that provide more detailed information for authorised carers and designated agencies about their shared responsibilities to children and young people. These policies, procedures and guidelines should be consistent with the <i>Act</i>, the <i>Children and Young Persons (Care and Protection) Act 1998</i>, the Regulation and the Code of Conduct.</p>
Conditions of authorisation	A designated agency may impose a condition on the authorisation of an authorised carer that defines the number and profile of children and young persons for whom the authorised carer may provide out-of-home care. A condition of authorisation may also require a carer undertaking (e.g. to attend further specified training). ¹⁸
Designated agency	Section 72 of the Act defines a designated agency as a government service or organisation accredited by the NSW Children’s Guardian to arrange the provision of out-of-home care.
Principal Officer	The person who has the overall supervision of the accredited out-of-home care or supported care service provider ¹⁹ .

¹⁶ Clause 86D(1) of the Regulation

¹⁷ Clause 29 of the Regulation

¹⁸ Clause 34(1) of the Regulation

¹⁹ Section 74 of the Act

Term	Definition
Household	<p>The term carer household is used for describing the grouping of carer applicants, authorised carers and household members that reside on the same property.</p> <p>A unique household reference number is generated by the Carers Register. The household reference number allows the Register to link individuals (carer applicants, authorised carers and household members) together.</p>
Household member	<p>Any person who resides on the same property as an authorised carer or an individual who has applied for authorisation for more than 21 days.²⁰</p> <p>Section 5A of the <i>Child Protection (Working with Children) Act 2012</i> provides that a person resides on a property if the person resides (which includes sleep on a regular or frequent basis) anywhere on the property (whether or not in a building, caravan, structure, vehicle or other thing).</p>
Profile (household)	A household profile includes the home address, carer/applicant and household member details
Profile (individual)	An individual profile includes the person's name(s), other names, date of birth, gender, whether they identify as Aboriginal and/or Torres Strait Islander
Provisionally authorised carer	<p>Individuals can be provisionally authorised by a designated agency to provide statutory or supported out-of-home care in an emergency situation for a child or young person who is a relative, kin or who is known to the child or young person.</p> <p>A provisional authorisation may be granted after a satisfactory home inspection, estimation of risk and the date the child or young person was placed is recorded in the Carers Register.²¹</p>
Statutory out-of-home care	Section 135(1) of the <i>Children and Young Persons (Care and Protection) Act 1998</i> defines out-of-home care as the residential care and control of a child or young person by someone other than the parent in a place that is not the usual home of the child or young person. In relation to accreditation, section 135(A) of the above Act defines statutory out-of-home care as the care of children and young people in accordance with the Order of the Children's Court or because they are a protected person.
Relative/kin care	When a child or young person in statutory out-of-home care is placed with a relative or kin, this is called relative kinship care. Relative care means that the carer is a close relative of the child or young person, but the meaning of kinship care will vary across cultural groups. In Australia Indigenous communities, kin may be a relative or someone who shares a cultural, tribal or community connection with the child or young person.
Supported out-of-home care	Supported out-of-home care is care arranged, provided or otherwise supported by FACS following the determination that a child or young person is in need of care and protection ²² . Children and young people are usually placed with authorised relative of kinship carers. Parental responsibility either remains with the parent(s) or is allocated to the relative or kin through a care order of the Children's Court.
The Act	The <i>Children's Guardian Act 2019</i> is the governing legislation of the NSW Office of the Children's Guardian.
The Care Act	The <i>Children and Young Persons (Care and Protection) Act 1998</i> is the governing legislation that provides direction for the Government's commitment to the care and protection of children and young people in statutory and supported out-of-home care.

²⁰ Clauses 86E(1) and 86H(1) of the Regulation

²¹ Clause 31 of the Regulation

Term	Definition
The Regulation	The Children and Young Persons (Care and Protection) Regulation 2012, provides the framework to implement the Act and the Care Act and explains how requirements apply under these Acts.
WWCC	<p>A Working With Children Check clearance is a prerequisite for anyone in child-related work in NSW.²³ As a minimum it involves a national criminal history check and review of findings of workplace misconduct. Any other relevant matter can be taken into account by a risk assessment completed in relation to the person seeking a WWCC clearance.</p> <p>The result of a Working With Children Check is either a clearance to work with children for five years, or a bar against working with children. Cleared applicants are subject to ongoing monitoring, and relevant new records may lead to a clearance being cancelled.</p> <p>The Check is fully portable which means it can be used for any paid or unpaid child-related work in NSW for as long as the worker remains cleared.</p> <p>A person can engage in child-related work with a current WWCC application (APP) number provided they are not the subject of an interim bar.</p> <p>Employers or prospective employers can readily obtain information about a person's WWCC status from the Children's Guardian's website if they have the person's name, date of birth and APP or WWCC clearance number.</p>
Suitability assessment	Checks and information that must be taken into account to ascertain the suitability of a person are dealt with in Division 2 of Part 6 and Schedule 2 of the Regulation.
Reportable allegation	All allegations against authorised carers or adult household members that are reportable within the meaning of section 18 of the <i>Children's Guardian Act 2019</i> including allegations of conduct of a class or kind exempted from being reportable conduct under section 30 of that Act must be recorded on the Carers Register. ²⁴
Guardianship	Guardianship occurs when a person has been allocated all aspects of parental responsibility for a child or young person until the age of 18 years by a guardianship order made by the Children's Court. ²⁵ These children and young people are not in out-of-home care.

²³ Section 8(1) of the *Child Protection (Working with Children) Act 2012*

²⁴ Clauses 3 and 86I of the Regulation

²⁵ Section 79A of the *Children and Young Persons (Care and Protection) Act 1998*

1.1 Key concepts

Application (whole application – household)
The Application refers to the whole application (household details, applicant/s and household member/s) to provide statutory or supported out-of-home care in NSW.
Application Determination (finalise the determination for the whole application – household)
Approved – all carer applicant and household member suitability and probity checks and suitability have been assessed with a satisfactory outcome and the designated agency deems it appropriate for this carer application to be Approved.
Not Approved – one or more applicants or household members' checks are marked as unsatisfactory and the designated agency deems the carer application as unsuitable to be approved.
Individual Management
Changes that are made in the Carers Register to an individual's records after authorisation (authorised carer and their household members). Note: changes to records for individuals during the application stage (applicant/household member/households) are managed from within the application. Individual management functions are restricted to agencies that have or had a relationship with that person.
Individual Management functions
Change or update an individual's name, update a WWCC record, Community Services check, mark a person as deceased or record and update reportable allegation records.
Change authorisation type: is the function used to change the type of authorisation for which the carer has been assessed and authorised to provide e.g. change from authorised to provide 'Other Care' to authorised to provide 'Statutory Foster Care'. Also see Individual and Household Management after authorisation for further details.
Suspended (by the agency): a designated agency may suspend a carer's authorisation during an investigation or pending action prescribed by the designated agency for the carer to maintain suitability. A carer's authorisation must be suspended where the carer resides with a person who is barred, including a barred carer applicant, authorised carer or household member Lift a suspension: if an authorisation is suspended and the suspension is successfully appealed or overturned, the authorisation can be restored to current and no record of the suspension or appeal transaction will be displayed in the Carers Register. Note: the history of the decision will not appear but the record is viewable in the individuals Activity tab.
Cancelled – with concerns (by the agency): a designated agency may cancel a carer's authorisation. Selecting Cancelled – with concerns indicates that the carer's authorisation has been cancelled due to concerns relating to complying with the carer's conditions of authorisation, obligations or restrictions, a sustained reportable allegation or a WWCC bar.
Cancelled – no concerns (by the agency): a designated agency may cancel a carer's authorisation. Selecting Cancelled – no concerns indicates that the carer's authorisation has been cancelled by the agency due to general suitability for the person to continue as an authorised carer.
Surrendered – no concerns (by the carer): an authorised carer may surrender their carer authorisation. Selecting Surrendered – no concerns , indicates that the carer has surrendered their authorisation with no pending investigation or current concerns.
Surrendered - with concerns (by the carer): an authorised carer may surrender their authorisation. Selecting Surrendered – with concerns , indicates that the carer has surrendered their authorisation with an investigation pending or a current concern that may lead the designated agency in determining that the authorised carer should be marked as Cancelled – with concerns .

<p>Change decision correction: after an application has been finalised a decision may need to be changed if the user made an error which needs to be corrected, or the carer successfully appeals a decision. Change decision is not applicable to back capture records.</p> <p>Note: the history of a change decision/correction will not appear but the record is viewable in the individuals Activity tab.</p>
<p>Household Management</p>
<p>Changes may be made to a carer household after authorisation.</p> <p>Note: changes to records for households during the application stage (applicant/household member/households) are managed from within the application.</p>
<p>Household Management functions</p>
<p>Add a carer applicant/authorised carer: used when a carer applicant or authorised carer joins a household that has already been approved by the agency.</p>
<p>Add a household member: used when a household member joins a finalised household.</p> <p>To remove (end date) a household member from a household, record an end date against the relevant household member located in the household profile.</p>
<p>Cancel a household: will cancel the household and the household members, it will not automatically cancel any associated applicants or authorised carers. If the whole household including applicant/s, authorised carer/s and household member/s are cancelled, each carer applicant and authorised carer must be managed through the Individual Management process which records a reason.</p> <p>The Carers Register has been designed this way to allow for carer applicants and authorised carers to be temporarily unattached to a household without the requirement to cancel the application or authorisation e.g. a carer does not have a permanent residence whilst they travel around Australia for 12 months.</p>
<p>Suspend a household: used for when an action triggers a concern and the outcome is pending e.g. a WWCC interim bar.</p> <p>Lift a suspension: if a household is suspended and the suspension has been successfully appealed or overturned, the household can be restored to current and no record of the suspension is displayed in the Carers Register.</p> <p>Note: the history of the decision will not appear but the record is viewable in the household Activity Tab.</p>
<p>Change decision – correction: after an application has been approved the decision and/or reason may need to be changed if the user made an error which needs to be corrected, or where the carer successfully appeals a decision. Change decision is not applicable to back capture records.</p> <p>Note: the history of the change decision/correction will not appear but the record is viewable in the individuals Activity Tab.</p>
<p>Change (edit) household address: allows for new addresses to be recorded. Previous addresses will show in the household address tab.</p>
<p>Remove (end date) authorised carer's/household member's association with a household: if a carer applicant or authorised carer is removed from a household, their authorisation status will remain unchanged.</p> <p>To record a change to the carer's authorisation status use the Individual Management function.</p>
<p>Search functions</p> <p>Authorising agency search: search results are restricted to the designated agency's own records (including 'Reportable allegation – no record')</p> <p>Inside an application search: search results detailing all designated agencies records (excluding 'Reportable allegation – no record')</p>

Traffic lights: the Carers Register generates coloured symbols (traffic lights) to highlight the current status of carer applicants/authorised carers/household members/households.

The traffic lights are located in the application summary page and in the search results

*For more information on **Traffic Lights** refer to the Carers Register Operational Guide - Module 8 Search functions.*

1.2 At a glance – Carers Register data requirements

The Carers Register will record identification information about carer applicants and authorised carers, and their household members including their names, previous names, gender, date of birth,²⁶ whether they identify as Aboriginal or Torres Strait Islander²⁷ and minimum probity requirements.²⁸

Household information will also be recorded, including the residential address,²⁹ a list of all persons (all ages) living in the home³⁰ and the outcome of a home inspection.³¹ Associations between carers and household members will also be recorded, including movements into and out of carer households.

A carer's application and authorisation history, including application refusals and any cancellation or suspension of authorisation will be recorded on the Carers Register.³²

Back capture – refers data requirements for carers and their household members authorised prior to 15 June 2015.

*For more information on **Back Capture** refer to the Carers Register Operational Guide - Module 6 Back Capture*

Household	Data requirements
Household address	Household address
Authorised carer	Data requirements
Carer authorisation date	DD/MM/YYYY
Authorised for	Statutory foster care/Other care
Carer authorisation number (generated by the Carers Register)	CRCBXXXXXXXX
Title, gender, first name, middle name, last name	Title, gender, first name, middle name, last name
Other names	Other names
Date of birth	DD/MM/YYYY
Identifies as Aboriginal and/or Torres Strait Islander	<ul style="list-style-type: none"> • Yes (Aboriginal/Torres Strait Islander/Both) • No • Unknown
Working With Children Check	<ul style="list-style-type: none"> • Application or clearance number • Verification date • Expiry date • Status (cleared or application in progress)

²⁶ Clause 86A of the Regulation

²⁷ Clauses 86D(2)(a), 86E(3)(a), 86F(d) and 86H(2)(b) of the Regulation

²⁸ Clauses 86D(2), 86E(3), 86F, 86H(2) and 86H(3) of the Regulation

²⁹ Clauses 86D(2)(d) and 86F(e) of the Regulation

³⁰ Clause 86B(2)(c) of the Regulation

³¹ Clauses 86D(2)(d) and 86F(e) of the Regulation

³² Clauses 86G(b), (c) and (d) of the Regulation

Household member	Data requirements
Title, gender, first name, middle name, last name	Title, gender, first name, middle name, last name
Other names	Other names
Date of birth	DD/MM/YYYY
Identifies as Aboriginal and/or Torres Strait Islander	<ul style="list-style-type: none"> • Yes (Aboriginal/Torres Strait Islander/Both) • No • Unknown
Working With Children Check (adult household members, 18 years and over)	<ul style="list-style-type: none"> • Application or clearance number • Expiry date • Status (cleared or application in progress)

Record an OOHC Application – refers to data requirements for carer applicants and their household members seeking authorisation after 15 June 2015.

For more information refer to the Carers Register Operational Guide - Module 7 Record and OOHC Application.

Household	Data requirements – <i>within 14 days</i>
Household address	Household address
Home inspection	Satisfactory/Unsatisfactory and date completed
Carer applicant/s	Data requirements – <i>within 14 days</i>
Title, gender, first name, middle name, last name	Title, gender, first name, middle name, last name
Other names	Other names
Date of birth	DD/MM/YYYY
Identifies as Aboriginal and/or Torres Strait Islander	<ul style="list-style-type: none"> • Yes (Aboriginal/Torres Strait Islander/Both) • No • Unknown
Working With Children Check (WWCC)	<ul style="list-style-type: none"> • Application or clearance number • Verification date • Expiry date • Status (cleared or application in progress)
Has the applicant been a carer interstate?	Yes/No
Authorise this applicant for	Statutory foster care/Other care
WWCC requirements met (verification date)	Satisfactory/Unsatisfactory and date completed
Identification check	Satisfactory/Unsatisfactory and date completed
National Police Check (NPC)	Satisfactory/Unsatisfactory and date completed
Community Services Check	Satisfactory/Unsatisfactory and date completed
Other designated agency check	Satisfactory/Unsatisfactory and date completed
Health check	Satisfactory/Unsatisfactory and date completed
Two referees check	Satisfactory/Unsatisfactory and date completed

Code of conduct sighted and signed	Satisfactory/Unsatisfactory and date completed
Pre-authorisation training conducted	Satisfactory/Unsatisfactory and date completed
Carer capability and suitability assessed	Satisfactory/Unsatisfactory and date completed
Applicant decision	Approved*/Refused†/Withdrawn‡
Household member/s	Data requirements – <i>within 3 weeks</i>
Title, gender, first name, middle name, last name	Title, gender, first name, middle name, last name
Other names	Other names
Date of birth	DD/MM/YYYY
Identifies as Aboriginal and/or Torres Strait Islander?	<ul style="list-style-type: none"> • Yes (Aboriginal/Torres Strait Islander/Both) • No • Unknown
Working With Children Check (WWCC) (adult household members, 18 years and over)	<ul style="list-style-type: none"> • Application or clearance number • Expiry date • Status (cleared or application in progress)
Identification check (16 years and over)	Yes/No
National Police Check (NPC) (16 years and over)	Yes/No
Community Services Check (16 years and over)	Yes/No
Application⌘ outcome	Approved/Not approved

* Approved – First time carer (by the designated agency)

* Approved – Previously authorised (by a designated agency)

† Refused (by the designated agency) – suitability or probity guidelines not met

‡ Refused (by the designated agency) – refusal due to agency specific policies

◆ Withdrawn – with concerns (by the applicant)

◆ Withdrawn – no concerns (by the applicant)

◇ Applicant - an individual who has applied to a designated agency for authorisation to provide statutory or supported out-of-home care in NSW.

⌘ Application – is used to describe the whole application (household details, applicant/s and household member/s) to provide statutory or supported out-of-home care in NSW.

Provisionally authorised carers - A designated agency must enter the following information about each provisionally authorised carer and their household members within specified timeframes.

For more information refer to the Carers Register Operational Guide - Module 7 Record an OOHC Application

Household	Data requirements – within 14 days
Household address	Household address
Home inspection	Satisfactory/Unsatisfactory and date completed
Provisionally Authorised Carer	Data requirements – within 14 days
Title, gender, first name, middle name, last name	Title, gender, first name, middle name, last name
Other names	Other names
Date of birth	DD/MM/YYYY
Identifies as Aboriginal and/or Torres Strait Islander	<ul style="list-style-type: none"> • Yes (Aboriginal/Torres Strait Islander/Both) • No • Unknown
Date child or young person was placed	The date the provisional authorisation took effect
Provisionally Authorised Carer	Data requirements – within 14 days
Working With Children Check (WWCC) <i>WWCC application to be completed within 5 working days</i>	<ul style="list-style-type: none"> • Application or clearance number • Expiry date • Status (Cleared or application in progress)
Provisionally Authorised Carer	Data requirements – within 3 months
Has the applicant been a carer interstate?	Yes/No
Authorise this applicant for	Statutory foster care/Other care
WWCC requirements met (verification date)	Satisfactory/Unsatisfactory and date completed
Identification check	Satisfactory/Unsatisfactory and date completed
National Police Check (NPC)	Satisfactory/Unsatisfactory and date completed
Community Services Check	Satisfactory/Unsatisfactory and date completed
Other designated agency check	Satisfactory/Unsatisfactory and date completed
Health check	Satisfactory/Unsatisfactory and date completed
Two referees check	Satisfactory/Unsatisfactory and date completed
Code of conduct sighted and signed	Satisfactory/Unsatisfactory and date completed
Pre-authorisation training conducted	Satisfactory/Unsatisfactory and date completed
Carer capability and suitability assessed	Satisfactory/Unsatisfactory and date completed
Applicant decision	Approved*/Refused†/Withdrawn‡
Household member/s	Data requirements – within 14 days
Title, gender, first name, middle name, last name	Title, gender, first name, middle name, last name

Other names	Other names
Date of birth	DD/MM/YYYY
Working With Children Check (adult household members 18 years and over) <i>WWCC application to be completed within 5 working days</i>	<ul style="list-style-type: none"> • Application or clearance number • Expiry date • Status (cleared or application in progress)
Household member	Data requirements – within 3 months
Identifies as Aboriginal and/or Torres Strait Islander?	<ul style="list-style-type: none"> • Yes (Aboriginal/Torres Strait Islander/Both) • No • Unknown
Identification check (16 years and over)	Yes/No
National Police Check (NPC) (16 years and over)	Yes/No
Community Services Check (16 years and over)	Yes/No
Application outcome	Approved/Refused/Withdrawn

* Approved – First time carer (by the designated agency)

* Approved – Previously authorised (by a designated agency)

† Refused (by the designated agency) – suitability or probity guidelines not met

† Refused (by the designated agency) – refusal due to agency specific policies

◆ Withdrawn – with concerns (by the applicant)

◆ Withdrawn – no concerns (by the applicant)

◇ Applicant - an individual who has applied to a designated agency for authorisation to provide statutory or supported out-of-home care in NSW.

⌘ Application – is used to describe the whole application (household details, applicant/s and household member/s) to provide statutory or supported out-of-home care in NSW.

Individual Management (after authorisation) – Changes to an individual’s information (e.g. personal details or carer authorisation information) via the Individual Management function.

For more information refer to the Carers Register Operational Guide – Module 9 Individual Management.

Contents: Individual Management function – (within 14 days)
1. Change primary name
2. Add other name
3. Working With Children Check status updates or renewals
4. Community Services Check updates
5. Reportable Allegations: <i>see reportable allegations information for time frame information</i>
6. Mark as deceased
7. Cancel carer authorisation
8. Surrender carer authorisation

9. Suspend carer authorisation
10. Lift suspension on carer authorisation (reinstate authorised status)
11. Change authorisation type

Household Management (after authorisation) – Changes to a household via the Household Management function (for example, adding or removing an individual from a household).

For more information refer to the Carers Register Operational Guide – Module 10 Household Management.

Contents: Household Management function – (within 14 days)
1. Add/edit an applicant or authorised carer
2. Remove (end date) an authorised carer or carer applicant
3. Add/edit a household member
4. Remove (end date) a household member
5. Change household address
6. Cancel a household
7. Suspend a household

2 General information and business rules

2.1 What is the role of the OCG in relation to the Carers Register?

The OCG is responsible for the establishment and administration of the Carers Register, a licencing system for authorising carers and persons who apply for authorisation (and their household members), to provide statutory or supported out-of-home care in NSW, under the *Children's Guardian Act 2019* and the Regulation.³³

The NSW Carers Register commenced on 15 June 2015.

2.2 Accreditation and monitoring

The OCG is responsible for the accreditation and monitoring of providers of statutory out-of-home care and adoption services in NSW.³⁴ The OCG's accreditation and monitoring processes assess agencies' compliance against the NSW Child Safe Standards for Permanent Care.

Agencies accredited to provide statutory out-of-home care services are known as designated agencies.

Assessments include desk audits of indirect evidence (such as agency policies, procedures and compliance reports) and onsite assessment of direct evidence (the agency's practice including casework and record keeping). Assessments consider outcomes for children and young people in a range of care domains and the management and operation of the agency.

Commencing 15 June 2015, the OCG's assessment and monitoring of all designated agencies accredited to provide statutory or supported out-of-home care in NSW will also include the agencies' compliance with requirements of the NSW Carers Register. Assessment seeks to confirm that these requirements are incorporated into agencies' policies and procedures and that agencies have correctly entered all data relating to carer applicants, authorised carers and their households in accordance with the Carers Register timeframes.

2.3 The OCG website

Agencies can access the OCG website www.kidsguardian.nsw.gov.au for the following:

- 1) Access point for the Carers Register log in portal
- 2) List of designated agencies and contact details for the purpose of exchanging information (other designated agency check)
- 3) Carers Register fact sheets and resources
- 4) Carers Register User Guide
 - a) Registration form
 - b) Administrator's Guide
 - c) Guidance notes
 - d) Training package
 - e) Operational Guide (step by step instructions)

PLEASE NOTE: Designated agencies will be advised of any significant changes, but are advised to refer to the OCG's website at www.kidsguardian.nsw.gov.au for the most up-to-date Carers Register information.

³³ Section 128(1)(d) of the Act

³⁴ Sections 128(1)(e) and 128(1)(k) of the Act

2.4 What is the role of designated agencies in relation to the Carers Register?

Commencing 15 June 2015, designated agencies are responsible for entering information about existing carers, carer applicants and their household members on the Carers Register.³⁵

The Register will not permit a designated agency to grant authorisation until it confirms that all mandatory carer applicant and household member checks have been completed with a satisfactory outcome.³⁶

A designated agency must update or correct any information in the Register in relation to a person who has applied to the designated agency as a carer applicant, is already an authorised carer, or a person who resides at the home of any such carer applicant or authorised carer.³⁷

A designated agency must exchange information under Chapter 16A of the *Children and Young Person (Care and Protection) Act 1998* in a timely manner for the purpose of assessing the suitability of individuals to be authorised to provide statutory or supported out-of-home care to children and young people.

2.5 Designated agency Carers Register registration

Each designated agency is required to complete the Carers Register Registration Form to access to the Carers Register. Refer to the Carers Register Administrator's Guide for further information.

Designated agencies must have policies and procedures in place to manage and maintain accurate records of employees it has approved to access the Carers Register. If an employee leaves the agency or changes role that no longer requires Carers Register access, the users access must be disabled (end dated) immediately.

Designated agencies must have the following information to access the Carers Register:

Agency Licence Number

Each designated agency has a Carers Register agency licence number. The licence number is generated by the Register and cannot be changed, i.e. **CRA Agency** = CR**A**0000000: **A** identifies the number as an **A**gency number

Username (UID)

Users are linked to their designated agency's licence number and are required to have a separate and unique UID to access the secure online Carers Register. Agency Administrators create and manage UIDs.

Passwords

Each UID has a password (initially created by the agency's nominated Administrator). Users are responsible for managing and changing their password.

2.6 Designated agency contact details

The Carers Register is designed to enable designated agencies to identify other designated agencies that have or had an association with an authorised carer, carer applicant or household member.

A designated agency will have access to a person's Carers Register records if the person applies to the agency for authorisation as a carer or is a household member of a person who applies for authorisation.

As part of its application for authorisation, a designated agency must consider information provided by other designated agencies as part of the 'Other designated agency check'.³⁸

³⁵ Clauses 86D(1), 86E(2), 86F, 86G and 86H(2) of the Regulation

³⁶ Clauses 30(4), 30(5) and 31A of the Regulation

³⁷ Clause 86J of the Regulation

A list of designated agencies and contact details are available from www.kidsguardian.nsw.gov.au.

2.7 Whose information will be recorded on the Carers Register?

The Carers Register will hold information about:

- carer applicants (individuals who apply to a designated agency to become authorised carers)³⁹
- authorised carers (individuals authorised by a designated agency to provide statutory or supported OOHC, including those dually authorised as foster carers and adoptive parents or guardians)⁴⁰
- household members of all ages (i.e. persons regularly residing anywhere on the same property as the carer including for e.g. in a caravan).⁴¹

Children and young people in statutory, supported or voluntary OOHC are not recorded on the Carers Register.⁴² However, if they continue to reside in a carer's home after they turn 18, they will be required to have a current WWCC.⁴³

As a matter of practice designated agencies are required to inform carer applicants and their household members about the Carers Register and the information that will be recorded about them on the Register.

A designated agency should as part of its process seek signed acknowledgment from each carer applicant and adult household member detailing that the carer applicant is aware their carer application or authorisation (including household) information will be recorded on the Carers Register.

A copy of the [Carers Register fact sheet 2 – Information for carers and household members: What data is recorded?](#) should be provided to carer applicants as a way of explaining what information will be recorded about them and their household members and the carers' right to access information held about them or their children under the age of 18 years and their right to ask the OCG to correct incorrect information.

On the completion of a carer application, the Carers Register will generate a PDF receipt detailing the application details including the household, carer applicant and household member information and outcomes recorded at the time the application was finalised. The authorised carer should be provided with a copy of the receipt for their own information. Over time the carer authorisation (including household member) details may change i.e. a change of address, a reportable allegation is recorded against an authorised carer or household member). In this instance the individual's records can be retrieved by searching and printing the relevant information from the Carers Register.

The OCG has developed [Carers Register information checklists for designated agencies](#) to guide designated agencies when informing carer applicants and authorised carers (and household members) about the Carers Register.

2.8 Is consent required?

Designated agencies should inform carer applicants, authorised carers and their household members that by law, their information must be entered into the Carers Register and will be shared

³⁸ Schedule 2.2(1)(d) of the Regulation

³⁹ Clause 86B(2)(a) of the Regulation

⁴⁰ Clause 86B(2)(b) of the Regulation

⁴¹ Clause 86B(2)(c) of the Regulation

⁴² Clauses 86E(1), 86E(2), 86H(1) and 86H(2) of the Regulation

⁴³ Section 10 of the *Child Protection (Working with Children) Act 2012*

with designated agencies where the individual applies for authorisation or the person resides as a household member.

Consent is not required from authorised carers and their household members for their information to be entered into the Carers Register or shared with other designated agencies, but designated agencies must inform them of what information will be recorded.

2.9 Guardianship considerations

An applicant for a guardianship order must present a suitability statement prepared by the assessment body that states that the prospective guardian and any adult residing in the home has:

- complied with the WWCC requirements
- obtained or conducted suitability assessments in accordance with the Regulation
- has provided information to the prospective guardian about the role of a guardian
- has considered any other information about the risk, if any, to the child or young person of assessing the prospective guardian as suitable to be a guardian,
- the risk, if any, that the prospective guardian may be unable to perform the functions of a guardian.⁴⁴

A carer's authorisation is automatically cancelled, upon the making of a guardianship order, but only to the extent that it relates to the subject child or young person.⁴⁵ If a carer's authorisation status is limited to the circumstances of the guardianship order, the carer's details do not need to be recorded on the Register.

The responsible designated agency should cause the carer's authorization in the Register to be surrendered – no concerns as the carer has willingly ceased being a carer and is now a guardian.

If a carer's authorisation extends beyond the circumstances that are the subject of a guardianship order, their details will need to be recorded on the register.

2.10 Carers residing outside of NSW/Australia

Information about an authorised carer who has been authorised by a NSW designated agency must be entered on the Carers Register. This applies even if the authorised carer resides outside of NSW or the NSW designated agency also operates in other states.

Clause 22B of the Child Protection (Working with Children) Regulation 2013 exempts authorised carers who reside outside Australia and adults who reside at their home from the requirement to hold or apply for a working with children check clearance. This exemption ceases to apply during any period that such an authorised carer or adult remains in Australia for more than 7 consecutive days.

2.11 Who has access to Carers Register information?

The Children's Guardian must ensure that Carers Register information is not disclosed except as provided by Division 6 of Part 6 of the Regulation or where required or permitted to be disclosed under any other Act or law.⁴⁶

The Children's Guardian must, on request provide access to information held on the Carers Register to the Secretary and the Minister and the Ombudsman.⁴⁷

The Children's Guardian may provide access to information held on the Register to:

⁴⁴ Clauses 23C(1) and 23C(2) of the Regulation

⁴⁵ Clause 42A(1) of the Regulation

⁴⁶ Clause 86M(1) of the Regulation

⁴⁷ Clause 86M(2) of the Regulation

- (a) a designated agency (but only information that relates to its own carers/carer applicants/guardians and their household members)⁴⁸
- (b) an accredited adoption service provider (but only information that relates to its own prospective adoptive parents and their household members)⁴⁹ and
- (c) any other person or body approved in writing by the Privacy Commissioner.⁵⁰

The Children's Guardian must, on request, provide Carer Register information to a person whose details are included in the Carers Register or if the person is under 18 years, to the parent of such a person.⁵¹ The Children's Guardian must provide reasons if a determination has been made not to comply with such a request.⁵²

In a relatively small number of both current and finalised Reportable Allegation cases, there will be highly sensitive issues in play. In these cases, a **Contact the NSW Office of the Children's Guardian** flag will be recorded against the individual's reportable allegation record.⁵³

When this flag is recorded, designated agencies **must** seek advice from the NSW Office of the Children's Guardian about how to proceed before taking any other action: this includes not discussing the allegation with any other person or agency, including the person the subject of the allegation.⁵⁴

PLEASE NOTE

1. Services contracted by designated agencies should not have access to the Carers Register
2. A person or body that has been granted access to the Carers Register may not permit another person or body to access the Carers Register on its behalf.

2.12 Data integrity

Accuracy of data is integral to the function of the Carers Register in providing a common resource of reliable data of persons who are authorised by designated agencies, or who apply for authorisation, to provide statutory or supported out-of-home care in NSW, along with information about their household members.

Designated agencies must have mechanisms in place to ensure that the information on the Carers Register is kept up to date and accurate.⁵⁵ The Carers Register will only be effective in preventing unsuitable individuals from being authorised if it contains accurate and up to date information about applicants, carers and household members.

Individual records for adults should be consistent with WWCC details as this form an essential identity check function.

Designated agency users should take care in ensuring that all data entered is in accordance with the legislation and without data entry error.

All known information must be entered as it is used to uniquely identify the individual. This includes title, gender, last name, first name, middle name/s, other/previous names (any other name under which the individual may also be known or was previously known as), date of birth⁵⁶ and where applicable, whether the individual identifies as Aboriginal or Torres Strait Islander.⁵⁷

PLEASE NOTE: If there are two individuals with exactly the same name, please contact the OCG for further instruction.

⁴⁸ Clause 86M(3)(a) of the Regulation

⁴⁹ Clause 86M(3)(b) of the Regulation

⁵⁰ Clause 86M(3)(c) of the Regulation

⁵¹ Clause 86N(2) of the Regulation

⁵² Clause 86N(3) of the Regulation

⁵³ Clause 86I(6) of the Regulation

⁵⁴ Clause 86I(8) of the Regulation

⁵⁵ Clause 86J(1) of the Regulation

⁵⁶ Clauses 86D(1)(a), 86E(2), 86F(a) and 86H(2)(a) of the Regulation

⁵⁷ Clauses 86D(2)(a), 86E(3)(a), 86F(d) and 86H(2)(b) of the Regulation

Correcting information on the Register

The OCG will correct, or cause the correction of, any information entered onto the Register if the OCG is satisfied the information is incorrect.⁵⁸ The OCG will notify the relevant designated agency of any correction it makes.⁵⁹

2.13 Timeframes for data entry

Generally, designated agencies are required to enter information about carer applicants and their household members, provisionally authorised carers, authorised carers and their household members within 14 days of the application being made or approved,⁶⁰ refused, withdrawn or cancelled,⁶¹ as the case may be.

In relation to household members, a designated agency must enter the identification information of a person who resides at the home of a carer applicant within 14 days of becoming aware of that fact.⁶² A person is considered a relevant resident only if the person has resided on the same property as the carer or carer applicant for more than 21 days.⁶³

See reportable allegations, on page 28 of this document for time frame information.

2.14 Exchanging information to support the 'other designated agency check'

Chapter 16A – Exchange of information coordination of services

The Carers Register has been designed to ensure carer and household member suitability and to enable designated agencies to identify other designated agencies that have or had a relationship with a carer applicant or household member. This will support designated agencies sharing information about authorised carers, carer applicants and household member suitability under Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998*.

A government agency or a designated agency must request under Chapter 16A, information already held by another designated agency, where this information relates to the safety, welfare or wellbeing of a child or young person.⁶⁴

This includes information that may:

- help the agency to make a decision or undertake an assessment or plan
- assist an investigation
- assist the agency in providing a service.

A government agency or designated agency is obliged to comply with a request for information that meets the above criteria if they reasonably believe that the provision of the information would assist the recipient agency to work with or manage any risk to a child or young person.⁶⁵

The legislation allows for the protection of those providing such information where it is given in good faith.⁶⁶ However, there are some circumstances in which information should not be shared, for example when it would prejudice a criminal investigation or coronial inquest, endanger a person's life or is detrimental to public interest.⁶⁷

⁵⁸ Clause 86J(2) of the Regulation

⁵⁹ Clause 86J(3) of the Regulation

⁶⁰ Clauses 86D(1), 86E(2), 86F and 86H(2) of the Regulation

⁶¹ Clause 86G of the Regulation

⁶² Clauses 86E(2) and 86H(2) of the Regulation

⁶³ Clauses 86E(1) and 86H(1) of the Regulation

⁶⁴ Schedule 2.2(1)(d) of the Regulation

⁶⁵ Section 245D(3) of the Care Act

⁶⁶ Section 245G of the Care Act

⁶⁷ Section 245D(4) of the Care Act

Who can request information?

A designated agency that receives an application from an individual to become an authorised carer is required to conduct an 'other designated agency check'.⁶⁸

As the information may refer to sensitive or confidential matters, designated agencies are strongly encouraged to have policies and procedures in place that ensure only authorised staff within the agency may request, provide or receive such information.

Whose information may be requested?

In accordance with the requirements of the Carers Register, where the designated agency:

- has received an application from the individual to become an authorised carer
- is aware that the individual has a previous or existing association with another designated agency, the designated agency is required to request information from other designated agencies about:
 - carer applicants⁶⁹
 - authorised carers
 - household members (of carers and carer applicants)⁷⁰

Are agencies required to obtain consent before exchanging information about individuals?

Consent is not required as information exchange for the purpose of the Carers Register is authorised by law. However, where practicable and appropriate, it is best practice to inform an individual when specific information about them will be disclosed to another agency.

Designated agencies should inform carers, carer applicants and their household members that:

- their information will be entered onto the Carers Register (see the fact sheet: Carers Register information checklists for designated agencies)
- they have the right to access and correct information held by the designated agency or entered onto the Carers Register.

Recommended process for accurate record keeping

Some designated agency files may contain many years' worth of records relating to a carer and any individuals who reside (or have resided) at their home and this may hinder the timely exchange of information between designated agencies.

Designated agencies are strongly advised to maintain a carer household summary sheet which provides an overview of key information and any important updates which may impact upon their future eligibility for authorisation.

What is the timeframe for the exchange of information?

Designated agencies are advised to provide relevant information requested by an authorised individual from a designated agency without delay (as soon as is practicable). Delay in providing information will delay completion of assessment and authorisation process.

⁶⁸ Schedule 2.2(1)(d) of the Regulation

⁶⁹ Clause 30(5)(c) of the Regulation

⁷⁰ Clause 31A of the Regulation

Is the requesting agency authorised to share the information with other agencies?

Designated agencies are strongly advised to only share information within the designated agency and only with colleagues who require the information on a need-to-know basis. That is, the information is necessary for the individual to complete his or her work duties.

Information may be shared with other prescribed bodies if it is requested in accordance with the requirements of Chapter 16A of the Care Act.

What information may be shared regarding reportable allegation matters?

When a record shows 'Current Reportable Allegation' or 'Finalised reportable allegation – contact agency', relevant information can be exchanged when conducting 'Other designated agency checks' or a 'Community Services check'.

In cases where 'Contact the NSW Office of the Children's Guardian' is recorded, the designated agency must seek advice from the NSW Office of the Children's Guardian about how to proceed before taking any other action: this includes not discussing the allegation with any other person or agency, including the person the subject of the allegation.⁷¹

[For further information refer to the Carers Register fact sheet 4 – Information exchange between designated agencies.](#)

2.15 Recording reportable allegations on the Carers Register

These business rules provide guidance to designated agencies about recording reportable allegations on the Carers Register. The rules also govern the appropriate exchange of information under Chapter 16A of the Care Act, relating to reportable allegations flagged on the Register. In particular, the rules provide guidance on exchange of information in relation to highly sensitive matters.

Current reportable allegations

The **current reportable allegation** flag must be recorded on the Carers Register in circumstances where an agency is currently investigating an allegation against an authorised carer or adult household member that is either:

- a reportable allegation within the meaning of section 18 of the *Children's Guardian Act 2019*

or

- an allegation of conduct of a class or kind exempted from being reportable conduct under a class or kind determination issued by the Ombudsman under section 25CA of the *Ombudsman Act 1974* or by the Children's Guardian under section 30 of the *Children's Guardian Act 2019*.⁷²

Reportable conduct and reportable allegations are defined in Fact Sheet 1: Identifying reportable allegations on the NSW Office of the Children's Guardian website at www.kidsguardian.nsw.gov.au

The designated agency (that has or had a relationship with the individual) is responsible for entering the reportable allegation onto the Carers Register as follows:

- for matters exempted from notification to the Children's Guardian under a class or kind determination, the agency must enter the information on to the Register within 14 days of the principal officer becoming aware of the allegation⁷³
- for matters requiring notification to the Children's Guardian:

⁷¹ Clause 86l(8) of the Regulation

⁷² Clause 86l(1) of the Regulation

⁷³ Clause 86l(2) of the Regulation

- if the Children’s Guardian advises the designated agency that the information may be entered on to the Register, the agency must do so within 14 days of receiving that advice⁷⁴
- otherwise, the designated agency must enter the details onto the Register no earlier than 21 days and no more than 35 days after making the notification.⁷⁵

The Carers Register records the allegation date but does not record any detail of the allegation.

The Carers Register also maintains a permanent record of **finalised** reportable allegations where a decision has been made by the agency that an information sharing flag should be retained.⁷⁶ This will occur where the agency has information that may relate to the safety, welfare or wellbeing of a child in out-of-home care, or children in out of home care more generally.

Finalised reportable allegations

The agency has obligations to update the Carers Register when it has completed its investigation of a reportable allegation, as follows:

- for matters exempted from notification to the Children’s Guardian under a class or kind determination, within 14 days of the principal officer of the designated agency being satisfied that the investigation has concluded⁷⁷
- for matters that have been or require notification to the Children’s Guardian:
 - if the Children’s Guardian advises the designated agency that the information may be entered on to the Register; the agency must do so within 14 days of receiving that advice⁷⁸
 - if the Children’s Guardian requests further information from the designated agency under s42 of the *Children’s Guardian Act 2019*, the details must not be entered on to the Register until the Children’s Guardian advises the designated agency to do so (and then this should be done within 14 days of that advice)
 - otherwise, the designated agency must enter the details on to the Register no earlier than 21 days and no more than 35 days after concluding the investigation.⁷⁹

The designated agency should determine whether there are any ongoing risks, (or information that should otherwise be shared), which would need to be disclosed should the involved individual be a carer applicant, existing carer or adult household member with another agency. The critical factor is not whether an allegation is sustained or not sustained, but whether there is information that may relate to the safety, welfare or wellbeing of a child in out of home care, or children in out-of-home care more generally. If your agency holds any information relevant to ongoing risks to children the Carers Register flag should be retained.

Where a designated agency determines that there may be such ongoing risks, then the agency should select ‘**finalise reportable allegation – contact agency**’ when it finalises the matter on the Carers Register.

In other matters, a designated agency should select ‘**finalise reportable allegation – no record**’. In these cases, the records relating to the reportable allegation will not be able to be viewed by another designated agency.

⁷⁴ Clause 86(3)(a) of the Regulation

⁷⁵ Clause 86(3)(b) of the Regulation

⁷⁶ Clause 86(4) of the Regulation

⁷⁷ Clause 86(5) of the Regulation

⁷⁸ Clause 86(5)(a) of the Regulation

⁷⁹ Clause 86(5)(b) of the Regulation

Contact the NSW Office of the Children's Guardian

In a relatively small number of both current and finalised cases, there will be highly sensitive issues in play. In these cases, the Reportable Conduct Scheme Directorate of the NSW Office of the Children's Guardian will ask for a **Contact the NSW Office of the Children's Guardian** flag to be placed against the reportable allegation.⁸⁰ When this flag is recorded against a reportable allegation, designated agencies **must** seek advice from the NSW Office of the Children's Guardian about how to proceed **before taking any other action**: this includes not discussing the allegation with any other person or agency (other than police or DCJ, if relevant), including the person the subject of the allegation, and not continuing with any probity checks related to the individual or their adult household members.

Exchange of information relating to reportable allegations

In circumstances where an individual has a **current** or **finalised** reportable allegation flag on the Register, designated agencies should contact the designated agency responsible for investigating the allegation and utilise Chapter 16A of the Care Act to exchange any information that may relate to the safety, welfare or wellbeing of a child in out of home care, or children in out of home care more generally. This includes circumstances in which:

- a designated agency is assessing a carer applicant or undertaking probity checks on their adult household members

or

- a designated agency receives an automatic alert to advise them that a reportable allegation has been lodged on the Carers Register, against an individual they also have a relationship with.

2.16 Automatic cancellations and suspensions

Automatic cancellation of authorisation

Authorisation will be automatically cancelled if the person no longer has a WWCC clearance or a current application or is subject to an interim bar.⁸¹

The cancellation will take effect when the person is notified that the current application has been terminated or refused or that the person's clearance has been cancelled or subject to an interim bar, or where the clearance has been surrendered when the person notified the Children's Guardian of the surrender or where a clearance has lapsed after 5 years and not been re-applied for, on the date the clearance lapsed.⁸²

The Office of the Children's Guardian will advise the relevant agency when an automatic cancellation or suspension has been applied in the Carers Register.

Automatic suspension of authorisation

The authorisation of an authorised carer will be automatically suspended if any person residing in the home of the carer and who is required to have a WWCC does not have a clearance or a current application or has been interim barred.⁸³ The suspension would take effect when the authorised carer is notified of this circumstance and will cease to take effect if such a household member does not reside on the same property as an authorised carer.⁸⁴

⁸⁰ Clause 86I(6) of the Regulation

⁸¹ Clause 42B(1) of the Regulation

⁸² Clause 42B(2) of the Regulation

⁸³ Clause 42D(2) of the Regulation

⁸⁴ Clauses 42D(3) and 42D(4) of the Regulation

Effect of cancellation or suspension

The effect of a cancellation or suspension is that the designated agency, must, within 48 hours of becoming aware of the cancellation or suspension, ensure that the child or young person no longer resides with the authorised carer (unless the cancellation is revived or the suspension ceases to have effect before the end of the 48 hours).⁸⁵

2.17 Appeals reviews and complaints

Appeals

The Carers Register can record suspended and cancelled authorisations; where the NSW Civil and Administrative Tribunal (NCAT) makes a decision, differing from the suspend or cancel decision recorded on the Carers Register, a new decision can be recorded with the suspended or cancelled record being removed from the Register.

Changing a previously recorded Application Decision and/or an Application Determination:

Restore a cancelled licence

- If an authorisation was **cancelled** and the cancellation is successfully appealed, the authorisation can be restored to **current** and no record of the cancellation or appeal transaction is displayed on the Carers Register

Lift a suspension

- If an authorisation was **suspended** and the suspension successfully appealed, the authorisation can be restored to **current** and no record of the suspension or appeal transaction is displayed on the Carers Register

Reverse a refusal

- If an application was **refused** and the refusal successfully appealed, the application can be restored to **pending** so that it can be approved and no record of the refusal or appeal transaction displayed in the Carers Register.

2.18 Carers Register numbering system

The Carers Register (CR) reference number may also be known as a licence number. Each reference number is prefixed with either a CR or APP, which is generated by the Register for each of the following:

- **CR Agency** = CRAA0000000: **A** identifies the number as an **A**gency number
- **CR Carer Authorisation** = CRCC0000000: **C** identifies the number as a **C**arer Authorisation
- **CR Carer Application** = APPC0000000: **APP** identifies the number as a Carer Authorisation **A**pplication
- **Household** = APPH0000000: **APPH** identifies that the individuals attached to the household are in application stage
- **Household** = CRH0000000: **H** identifies the number as an Carer **H**ousehold (carer/s have been authorised)
- **Back Capture – Authorised Carer** = CRCB0000000 identifies that the authorised **c**arer has been added to the **C**arers **R**egister through the **B**ack Capture process

⁸⁵ Clauses 42B(3) and 42D(5) of the Regulation

- **Back Capture – Household** = CRHB identifies that the household has been added to the Carers Register through the Back Capture process
- Note: The Carers Register does not generate numbers for Household members.

CR reference numbers are recorded against all applicants, authorised carers and households. If a carer has or had multiple roles (e.g. first as an applicant, then as an authorised carer) or has moved from one designated agency to another, multiple CR reference numbers will be recorded against the individual. A unique CR reference number will also be attached to the carer's household.

NOTE: While household members are recorded, they will not be allocated CR numbers.

2.19 Carers Register system generated reports

The Carers Register Report function can be used to generate a number of reports against a designated agency's Carers Register records.

Note: The reports are generated into an excel file format, contact your agency's IT department for further instruction on how to manage CSV files.

See [Carers Register training module 11: System generated reports.](#)

3 Carers Register alerts and traffic lights symbols

3.1 Carers Register alerts (notifications)

Information recorded in the Carers Register will flag potential alerts relating to carers applications, carers and their household members. The system generated alerts sent to designated agencies may require action or advice to contact other designated agencies for further information.

The OCG will follow up on alerts requiring immediate action or clarification. In addition the alerts will inform part of the OCG's monitoring framework.

The system generated alerts are emailed to your agency's generic email address only and are not retrievable from the Carers Register.

PLEASE NOTE: to change the generic email address, contact the OCG for further assistance.

Carers Register Notifications

1) OOHC authorised carer, applicant or household member name change (change to FN, LN – and Other FN LN)

This is to notify that [individual's original name] has been changed by another designated agency. Please conduct a Carers Register search to view changes.

2) Person has been authorised by another designated agency

This is to notify that [authorised carer name] has been authorised as an OOHC carer by another designated agency. Please contact the other designated agency for further details.

Please conduct a Carers Register search to identify the other designated agency and then contact that agency for further details.

Contact details for the other designated agency can be retrieved from the Carers Register [link to the designated agency's contact details].

3) Current Reportable Allegation has been recorded

This is to notify that another designated agency has recorded a Current Reportable Allegation against [authorised carer / household member name].

Search the individual in the Carers Register for further information. Contact the other designated agency where "Current Reportable Allegation – contact agency" is recorded. Contact details for other designated agencies are available from the Office of the Children's Guardian's website at www.kidsguardian.nsw.gov.au.

In cases where 'Contact the NSW Office of the Children's Guardian' is recorded, the designated agency must seek advice from the NSW Office of the Children's Guardian about how to proceed before taking any action: this includes not disclosing the allegation with any person or agency, including the person the subject of the allegation, and not continuing with any probity checks related to the individual or their adult household members.

4) Provisional authorisation is more than 3 calendar months old

This is to notify that Provisional Authorisation in carer household [provisional authorisation number] is more than three calendar months old. Consult the Carers Register User Guide on Provisional Authorisation requirements.

5) Provisional authorisation: A Provisionally Authorised Carer or Household Member does not have a WWCC clearance or application

This is to notify that [name of the provisionally authorised carer / household member] in OOHC Household Number [provisional authorisation number], does not have a Working With Children Check (WWCC) recorded on the Carers Register with status = APPLICATION IN PROGRESS or CLEARED. A WWCC is required to be updated in the Carers Register. It is a criminal offence for an adult person to reside at the home of an authorised carer if they don't hold a WWCC clearance or have a WWCC application in progress.

6) Household Member turning 18 years old

This is to notify that [household member name] in OOHC Household Number [licence number], will be turning 18 years old in six weeks' time. Notify the Household Member that they must have applied for a Working With Children Check (WWCC) by their 18th birthday. After receipt of the Household Member's WWCC application or clearance number, record the WWCC on the Carers Register with status = APPLICATION IN PROGRESS or CLEARED.

7) Expiring WWCC (household member)

This is to notify that the Working With Children Check (WWCC) clearance for [name of household member] in OOHC Household number [household number] will expire in six weeks' time. Notify the adult household member that they must apply to renew their WWCC. Consult the Carers Register User Guide on how to update WWCC information. It is a criminal offence for an adult to reside at the home of an authorised carer if they don't hold a WWCC clearance or have a WWCC application in progress.

8) Expired WWCC (household member)

This is to notify that the Working With Children Check (WWCC) clearance for [name of household member] in OOHC Household number [household number] has expired. Notify the adult household member that they must apply to renew their WWCC. Consult the Carers Register User Guide on how to update WWCC information. It is a criminal offence for an adult to reside at the home of an authorised carer if they don't hold a WWCC clearance or have a WWCC application in progress.

9) Expiring WWCC (authorised carer)

This is to notify that the Working With Children Check (WWCC) clearance for [name of authorised carer] in OOHC Household number [household number] will expire in 6 weeks' time. Notify the authorised carer that they must apply to renew their WWCC. Consult the Carers Register User Guide on how to update WWCC information. It is a criminal offence for an adult to be authorised as a carer if they don't hold a WWCC clearance or have a WWCC application in progress.

10) Expired WWCC (authorised carer)

This is to notify that the Working With Children Check (WWCC) clearance for [name of authorised carer] in OOHC Household number [household number] has expired.

Notify the authorised carer that they must apply to renew their WWCC. Consult the Carers Register User Guide on how to update WWCC information. It is a criminal offence for an adult to be authorised as a carer if they don't hold a WWCC clearance or have a WWCC application in progress.

11) OOHC Carer Authorisation has been cancelled

This is to notify that [authorised carer's name] has had their OOHC carer authorisation cancelled by another designated agency. Please contact the other designated agency for further details. Please conduct a Carers Register search to identify the other designated agency and then contact that agency for further details. Contact details for the other designated agency are available from the Office of the Children's Guardian website at www.kidsguardian.nsw.gov.au.

12) OOHC Carer Authorisation has been suspended

This is to notify that [authorised carer's name] has had their OOHC carer authorisation suspended by another designated agency. Please contact the other designated agency for further details. Contact details for the other designated agency are available from the Office of the Children's Guardian website at www.kidsguardian.nsw.gov.au.

13) OOHC Carer Authorisation has been surrendered

This is to notify that [authorised carer's name] has surrendered their OOHC carer authorisation with another designated agency. Please contact the other designated agency for further details. Please conduct a Carers Register search to identify the other designated agency and then contact that agency for further details. Contact details for the other designated agency are available from the Office of the Children's Guardian website at www.kidsguardian.nsw.gov.au.

14) OOHC Carer Authorisation has been withdrawn

This is to notify that [applicant name] has withdrawn their OOHC carer authorisation application with another designated agency. Please contact the other designated agency for further details. Please conduct a Carers Register search to identify the other designated agency and then contact that agency for further details. Contact details for the other designated agency are available from the Office of the Children's Guardian website at www.kidsguardian.nsw.gov.au.

15) OOHC Carer Authorisation has been refused





This is to notify that [applicant name] has had their OOHC carer authorisation application refused by another designated agency. Please contact the other designated agency for further details. Contact details for the other designated agency are available from the Office of the Children's Guardian website at www.kidsguardian.nsw.gov.au.




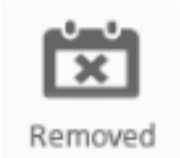




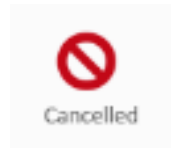
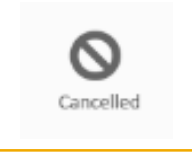
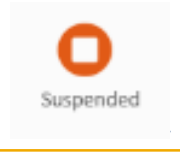
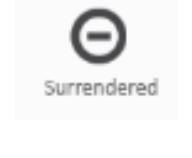

3.2 Carers Register traffic lights

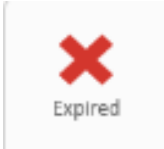





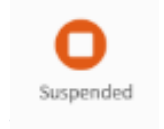

The Carers Register uses coloured symbols (traffic lights) to highlight the current status of:

- Applications: carer applicant, household members and households
- Authorisations: authorised carers, household members and households.

The traffic lights are located in the application summary and the authorising agency search results to provide a quick view of a carer applicant, authorised carer or household member's status

Application summary view			
Applicant status/decision (the carer applicant)			
In progress applicant – An applicant/application has a being entered status until it has been finalised.	 In Progress	Approved first-time carer Approved previously authorised	 Current
Applicant refused	 Refused	Applicant refused Agency-Specific Policies	 Refused

Applicant Withdrawn with concerns	 Withdrawn	Applicant Withdrawn no concerns	 Withdrawn
Provisional Authorisation Ceased no concerns	 Withdrawn	Applicant/ Household Member removed from the Application (household)	 Removed
Data entry error (applicant)	 Error	An applicant/application has been marked as a data entry error as it should not have been entered onto the Carers Register i.e. an individual attended an information session however did not apply to be an authorised carer.	
Application (individual or household):			
Being entered: an applicant/application has a being entered status until it has been finalised.			
Data entry error: an applicant/application has been marked as a data entry error as it should not have been entered onto the Carers Register i.e an individual attended an information session however did not apply to be an authorised carer.			
Pending: when a 'Change Decision – correction' is used to restore a 'Refused' applicant/application, the applicant/application status will change to 'Pending' until a new decision has been recorded.			
Refused (decision): when a designated agency has determined that it is not appropriate for the applicant to be authorised as an OOHC Carer, the decision against the applicant is recorded as either 'Refused' or 'Refused – agency specific policies'			
Withdrawn (decision): when the applicant withdraws from Carer Authorisation application, the decision against the applicant is recorded as either 'Withdrawn – no concerns' or 'Withdrawn – with Concerns'			
Search view			
Finalised application (<i>the household</i>)			
Application approved	 Current	Application not approved	 Refused
Individual management (<i>the authorised carer</i>)			
Carer approved	 Current	Carer cancelled with concerns	 Cancelled
Carer cancelled no concerns	 Cancelled	Authorisation suspended	 Suspended
Authorisation surrendered no concerns	 Surrendered	Authorisation surrendered with concerns	 Surrendered

Old authorisation Type	 Expired	New authorisation type	 Current
Individual management (<i>all individuals</i>)			
End dated (from the approved household) Remove (from household in application stage)	 Current	Deceased	 Withdrawn
Household management (<i>approved household</i>)			
Approved (finalised household)	 Current	Provisional authorisation lapsed (once application complete)	 Lapsed
Suspended (finalised household)	 Suspended	Cancelled (finalised household)	 Cancelled
<p>Authorised carer (the individual or household):</p> <p>Current: authorised carers/households, final decision is approved.</p> <p>Surrendered: authorised carers, final decision is approved and then the authorised carer surrenders the authorisation (no concerns)</p> <p>Suspended: authorised carers/households, final decision is approved and then the designated agency suspends the authorisation during an investigation.</p> <p>Cancelled: authorised carers/households, final decision is approved and then the designated agency cancels the authorisation during an investigation.</p>			

4 Back capture

4.1 Back Capture requirements and timeframes

At the commencement of the Register designated agencies are required to complete the Back Capture process, which requires designated agencies to enter information about authorised carers and their household members within three months of the Register commencement.⁸⁶

The Back Capture function is used to record already authorised carers (and their household members), the Back Capture form provides for individuals that were authorised and their household members prior to the commencement of the Register.

Data requirements for carers authorised prior to the Register commencement and their household members are reflective of the legislative requirements in existence prior to the commencement of the Register.

Any provisional authorisations in place at the Register commencement date must be entered through the 'Record an OOHC Application' process, they are not to be entered through the Back Capture form.

Information about reportable allegations not finalised before the commencement day must be entered on the register within 14 days after commencement.⁸⁷ Different timeframes apply to matters that are the subject of Children's Guardian advice.⁸⁸

Transitional options that may be recorded

Persons who prior to the commencement of the Register had their carer authorisation cancelled or a person whose application was refused or withdrawn may be entered onto the Carers Register as part of the time limited Back Capture process.⁸⁹

It is important to note that the process of recording previously cancelled carers will not be an exhaustive record of cancelled carers due to the retrospective nature of recording. Designated agencies in all instances must exercise due diligence and exchange information with any other designated agency who is known to have had an association with an authorised carer, carer applicant or household member, current or historical.

*For more information on **Back Capture** refer to the Carers Register Operational Guide - Module 6 Back Capture.*

⁸⁶ Schedules 5.7 and 5.9 of the Regulation

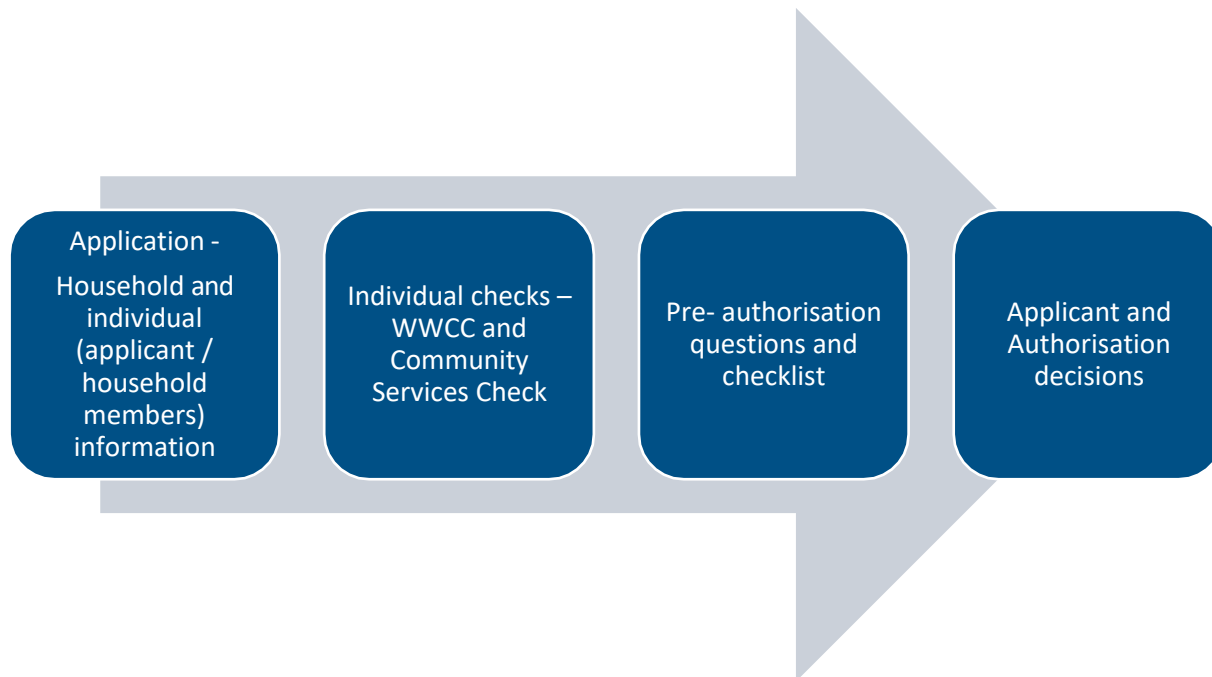
⁸⁷ Schedule 5.10(1) and cl 86I(2) of the Regulation

⁸⁸ Schedule 5.10(2) of the Regulation

⁸⁹ Schedule 5.6 of the Regulation

5 Recording an OOHC carer application

5.1 Carer application requirements



Note: There is no timeframe for completing an OOHC carer application

5.2 Carer applicant

The Carers Register ‘Record an OOHC application’ function is used for all carer applications and provisionally authorised carers after the Carers Register commencement date.

Data requirements for carer applicants and their household members are reflective of the legislative requirements post the commencement of the Carers Register.

An individual may apply in writing to a designated agency to be authorised as an authorised carer.⁹⁰ On receipt of an application, the designated agency must provide the applicant with the following information:

- a) information about the rights and responsibilities of authorised carers,
- b) information about the process for approving applicants including the criteria that an applicant must satisfy to be authorised and the information that will be entered on the Register
- c) information about permanent placement options for a child or young person who is in out-of-home care.⁹¹

An applicant can withdraw an application (by verbal or written notice to the designated agency) at any time before the application has been determined by the agency.⁹²

A designated agency must not authorise an applicant unless the agency has determined that the applicant is suitable to be an authorised carer.⁹³

⁹⁰ Clause 30(1) of the Regulation

⁹¹ Clause 30(2) of the Regulation

⁹² Clause 30(3) of the Regulation

⁹³ Clause 30(4) of the Regulation

For the purposes of the uniform suitability assessment requirements, a designated agency is an assessment body and an applicant and each person who resides at the same property as the applicant (other than a child in out-of-home care) are assessable persons.⁹⁴

A designated agency may determine an application by:

- a) approving the application unconditionally or subject to conditions

or

- b) refusing the application.⁹⁵

An authorisation comes into force when the authorised carer is notified in writing by the designated agency that the designated agency has obtained from the Carers Register a Carer Authorisation Number in respect of the authorised carer.⁹⁶

The designated agency may subject an authorisation to conditions at any time by notice in writing to the authorised carer.⁹⁷

A designated agency must, within 14 days after an application is made by a person seeking to be authorised by the designated agency as an authorised carer, enter the person's identification information and the date on which the application made on the Carers Register.⁹⁸

A designated agency must, before approving an application by a person to be authorised by the designated agency as an authorised carer (or within 14 days after any such application is refused, withdrawn or otherwise terminated) enter certain information on the Carers Register.⁹⁹

See Tab 1 for Carer Applicant data requirements

See section 7 for probity and suitability requirements

5.3 Household members

Suitability assessment of persons residing at authorised carer's home

A designated agency must, as soon as practicable after becoming aware that a person (other than a child in out of home care) has resided or will reside for more than 21 days at the home of an authorised carer and conduct a suitability assessment of that person.¹⁰⁰

A designated agency must, within 14 days after becoming aware that a person is a relevant resident in respect of a carer applicant to the agency, enter the identification information of the relevant resident on the Carers Register.¹⁰¹

See Appendix C for household member suitability, probity and data requirements

*For more information on **Carer Applications** refer to the Carers Register Operational Guide – Module 7 Record an OOH Application.*

⁹⁴ Clause 30(6) of the Regulation

⁹⁵ Clause 30(7) of the Regulation

⁹⁶ Clause 30(8) of the Regulation

⁹⁷ Clause 34(1) of the Regulation

⁹⁸ Clause 86D(1) of the Regulation

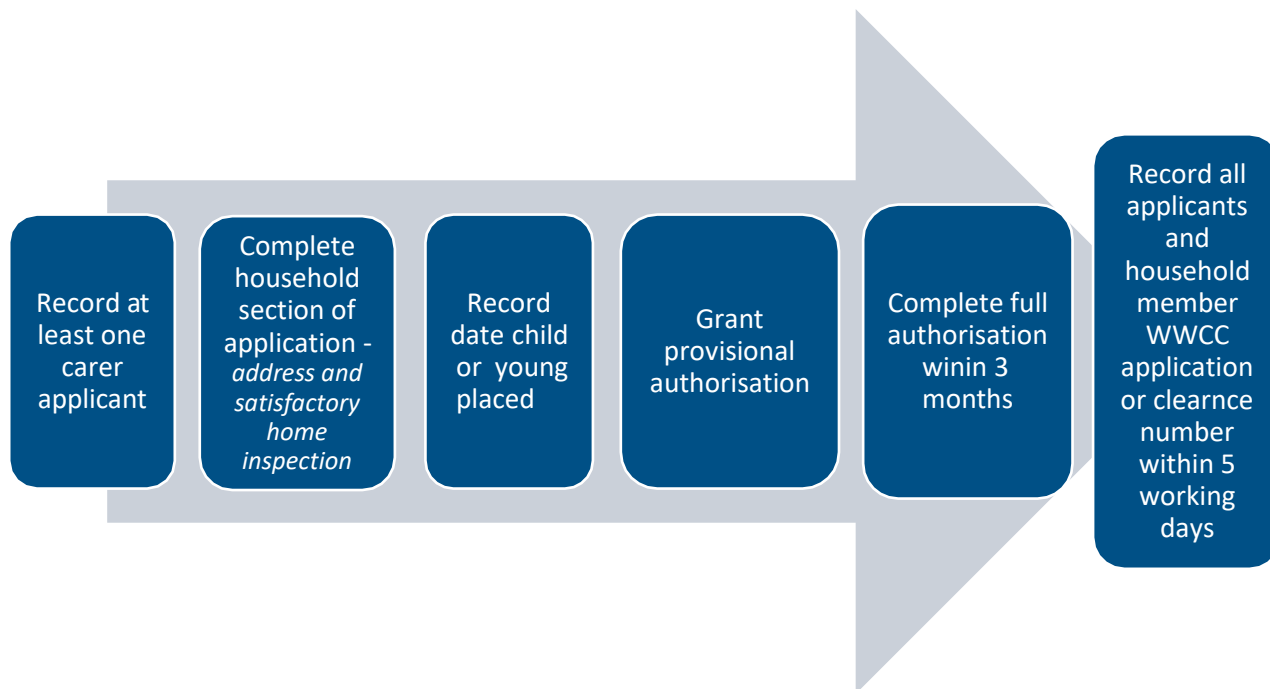
⁹⁹ Clause 86D(2) of the Regulation

¹⁰⁰ Clause 31A(1) of the Regulation

¹⁰¹ Clause 86E(2) of the Regulation

6 Provisional authorisation (emergency authorisations)

6.1 Provisional authorisations requirements and time frames



A designated agency may, in an emergency, provisionally authorise an individual who is a relative, kin and other person known to the child or young person.¹⁰²

A designated agency must not provisionally authorise an individual unless the agency has determined the person is capable and suitable to be authorised on a provisional basis.¹⁰³

A provisional authorisation allows a carer to provide out-of-home care to any child or young person who is a relative or kin of the carer or who knows the carer.¹⁰⁴ The provisional authorisation does not take effect until the day the child or young person is placed with the carer by a designated agency.¹⁰⁵

A carer who is provisionally authorised is taken to have made an application to be an authorised carer on the day the child or young person is placed.¹⁰⁶ A designated agency must proceed to assess the provisionally authorised carer for authorised carer status. If a designated agency has not made a decision in relation to whether the individual meets the assessment criteria to be an authorised carer within three months, the Children's Guardian must monitor the designated agency's progress.¹⁰⁷

The Children's Guardian may direct a designated agency to cancel the provisional authorisation if it has continued for three months or more by written notice and the designated agency must

¹⁰² Clause 31(1) of the Regulation.

¹⁰³ Clause 31(2) of the Regulation.

¹⁰⁴ Clause 31(6)(a) of the Regulation.

¹⁰⁵ Clause 31(6)(b) of the Regulation.

¹⁰⁶ Clause 31(11) of the Regulation.

¹⁰⁷ Clause 31(12) of the Regulation.

comply.¹⁰⁸ The cancellation of a provisional authorisation is taken to be a decision by the designated agency to refuse an application by the person to be an authorised carer.¹⁰⁹

Provisionally authorised carers and adult household members must apply for a WWCC within 5 working days from the provisional authorisation start date.¹¹⁰

A designated agency must, within 14 days after a provisional authorisation by the designated agency takes effect enter certain information on the Carers Register.¹¹¹

¹⁰⁸ Clause 31(13) of the Regulation.

¹⁰⁹ Clause 31(14) of the Regulation.

¹¹⁰ Clause 21 of the Child Protection (Working with Children) Regulation 2013.

¹¹¹ Clause 86F of the Regulation.

7 Carer Application probity and suitability checks

7.1 Probity and suitability checks

The Carers Register will record the outcomes of carer applicant and household member checks and assessments and will not permit a carer to be fully authorised until the designated agency certifies that all required checks and assessments have been completed with a satisfactory outcome.

7.2 Individual Checks

Individual checks (WWCC and Community Service checks) travel with the individual. WWCC is not required to be updated by subsequent agencies unless it has been renewed or there has been a change in WWCC status.

In addition to the 'Individual checks' the 'Carer Pre-Authorisation Requirements' and the 'Household Member Final Determination Questions' must be completed as a record that the authorising agency has completed and is satisfied that the relevant checks indicate that it is appropriate for the individual to be authorised as an OOHC carer or for a household member to reside in the home of an authorised carer.

The Individual Checks section of the Carers Register should always detail current information; the relevant designated agency must update the records on the Carers Register Individuals Checks section as required.¹¹²

The Individual Checks are initially recorded during the application process, any subsequent changes are recorded through the Carers Register Individual Management process.

For more information on Individual Management refer to the Carers Register Operational Guide – Module 9 Individual Management

Working With Children Check

A Working With Children Check (WWCC) is a prerequisite for anyone in child-related work.¹¹³ It involves a national criminal history check (NPC) and review of findings of workplace misconduct.

The result of a WWCC is either a clearance to work with children for five years, or a bar against working with children.¹¹⁴ A person may be interim barred while a risk assessment is in progress if it is likely the person may pose a risk to the safety of children.¹¹⁵ Cleared applicants are subject to ongoing monitoring, and relevant new records may lead to the clearance being cancelled.

For more information, go to the Working With Children Check section of the OCG's website at www.kidsguardian.nsw.gov.au.

Individuals who apply for authorisation to be an OOHC carer or an adult household member must have a current WWCC clearance or application in progress recorded on the Carers Register.

A designated agency can record a WWCC BAR or INTERIM BAR on the Carers Register, however in the case where the individual is already authorised or a household member is residing in the home of an authorised carer, the OCG will as a matter of priority record the WWCC BAR or INTERIM BAR on the Carers Register and contact the designated agency with the instruction to cancel or suspend a carers authorisation or household where there is a household member with a WWCC BAR or INTERIM BAR.

¹¹² Clause 86J(1) of the Regulation.

¹¹³ Section 8 of the *Child Protection (Working with Children) Act 2012*.

¹¹⁴ Section 18 of the *Child Protection (Working with Children) Act 2012*.

¹¹⁵ Section 17 of the *Child Protection (Working with Children) Act 2012*.

WWCCs for household members

Any person aged 18 years or over who resides on the same property as an authorised carer must have a WWCC clearance or have a current application for a clearance.¹¹⁶ If the household members stays regularly, but not full time (e.g. several nights a week) they still require a WWCC.

PLEASE NOTE: The OCG will send relevant designated agencies with an alert 6 weeks prior to an authorised carers' WWCC expiring or when a household member is about to turn 18 years old. An additional alert and follow up by OCG staff will be activated if authorised carers or adult household members are recorded on the Carers Register without a current WWCC application or clearance.

Community Services Check

The Community Services check should not be requested until all carer capability and suitability has been assessed.

Community Services checks are conducted when authorising Community Services or NGO carers and when transferring Community Services carers to NGOs for applicants/authorised carers and household members aged 16 years and over. The check includes relevant information Community Services holds about carers or household members, including whether there are records on KiDS that a carer applicant or their household member is associated with causing risk or harm, allegations of reportable conduct and outcomes of investigations, carer authorisation documents, and carer reviews.

7.3 Carer pre-authorisation requirements

1. **Designated agency reference number:** this is optional for agencies that use a reference or numbering system.
2. **Has the applicant been a carer interstate?**

Consistent with sharing of interstate carer information under the Protocol for the Transfer of Care and Protection Orders and Proceedings and Interstate Assistance, designated agencies are required to ask carer applicants if:

- they have lived in another Australian state or territory
- they have previously been registered as a carer in another Australian state or territory
- they, or members of their household, have had involvement with child protection authorities in another state or territory
- if any of these questions are answered in the affirmative, then the carer applicant should also be required to disclose which state or territory the relevant event occurred
- a designated agency should ask Community Services to obtain any relevant information held by an interstate child protection authority in these circumstances
- Community Services should advise of a contact point for interstate checks.

3. **Authorise this applicant for:**

- **Statutory foster care:** Out-of-home care for any child or young person unknown to the carer
- **Other care:** Out-of-home care for a specified child or young person the carer has been assessed to provide care for.

¹¹⁶ Section 10 of the *Child Protection (Working with Children) Act 2012*.

7.4 Pre-authorisation checklist

Carer applicant pre-authorisation requirements checklist

The Pre-Authorisation Requirements checklist items are mandatory and must be marked as Satisfactory or Unsatisfactory and include the date the agency completed the check. A Satisfactory response can only be recorded if the designated agency is satisfied that the relevant check indicates that it is appropriate for the individual to be authorised as an OOHC carer.

Note: the relevant check outcome should not be recorded in the Carers Register until the outcome of the check has been finalised.

1. Identification check

All carer applicants are required to produce adequate identification information.

Identification information in respect of a person means the following:

- a) the person's full name (including any other names that the person is or has been known by)
- b) the person's gender
- c) the person's date of birth.

The identification requirements are set out in the [Children and Young Persons \(Care and Protection\) Approved Identity Information Order 2014](#), see Appendix A for a list of approved identity information documents.

WWCC requirements met (date verified on the OCG website)

- Each designated agency that authorises an OOHC carer must verify as an employer that the carer applicant has a current WWCC clearance or application.¹¹⁷
- Record the WWCC requirements met as either satisfactory or unsatisfactory and the verification date. Satisfactory can only be recorded if the WWCC status is 'CLEARED' or 'APPLICATION IN PROGRESS.'

PLEASE NOTE: If a carer is authorised with a WWCC 'APPLICATION IN PROGRESSES', the Carers Register must be updated as a matter of priority when the Check result has been finalised. See further WWCC requirements in the [Individual Checks](#) section.

2. National Police Check (NPC)

- A designated agency as part of its OOHC carer assessment must consider the records contained in a mandatory NPC.¹¹⁸
- Record the National Police Check as either satisfactory or unsatisfactory and the Certificate date.

The following links are provided as a guide for obtaining a National Police Check through NSW Police:

[Lodge an application for a National Police Check](#)

[What is a National Police Check?](#)

[Frequently asked questions](#)

3. Community Services check

- A designated agency as part of its OOHC carer assessment must consider the records contained in a Community Services check.¹¹⁹

¹¹⁷ Sections 9A and 11B of the *Child Protection (Working with Children) Act 2012*.

¹¹⁸ Schedule 2.2(1)(b) of the Regulation.

¹¹⁹ Schedule 2.2(1)(c) of the Regulation.

- Record the Community Services check as either satisfactory or unsatisfactory and the date recorded on the check. [See further Community Service check information in the Individual Checks section.](#)

4. Other designated agency check

- It is mandatory for designated agencies to ask carer applicants if they have previously applied to another agency for authorisation as a carer, or have previously been authorised by another designated agency.
- Prior to entering an OOHC application (applicants and household members) onto the Carers Register the designated agency is in the first instance directed to complete a search of each individual's Carers Register history including whether the individual has been a carer applicant, authorised carer or a household member with any other designated agency.
- If the individual is recorded in the Carers Register the relevant agency must contact any other designated agency that has or had an association with that individual.¹²⁰
- If the other designated agency is Community Services, the Other designated agency check will be included in the Community Services Check
- A designated agency as part of its OOHC carer assessment must consider information provided by other designated agency. It should be noted that a carer application decision not to approve an applicant or a decision to cancel a carers authorisation by one agency does not necessarily determine the outcome for any subsequent carer application decisions, each designated agency is required to assess all relevant information prior to determining if the individual is appropriate to be authorised as an OOHC carer.
- If the individual has been authorised as a carer by Department of Communities and Justice (DCJ), the transition documentation will detail relevant information in relation to 'Other designated agency check' and a 'Community Services check' information.

5. Health check

- Designated agencies must request carer applicants to provide a (health check) for each carer applicant to form part of the carer assessment.¹²¹
- Record the health check as either satisfactory or unsatisfactory and the date of the signed medical certificate.

6. Two referees check

- Designated agencies must request carer applicants to provide contact details for at least two referees.¹²² Agencies should then discuss the carer applicant's suitability with those referees.
- Record the referee checks as either satisfactory or unsatisfactory and the date of the signed medical certificate.

¹²⁰ Schedule 2.2(1)(d) of the Regulation.

¹²¹ Schedule 2.2(1)(f)(ii) of the Regulation.

¹²² Schedule 2.2(1)(f)(i) of the Regulation.

7. Code of conduct sighted and signed

- It is a condition of an authorisation that the authorised carer must comply with the Code of Conduct for Authorised Foster, Relative and Kinship Carers.¹²³
- Record the Code of conduct sighted and signed as either satisfactory or unsatisfactory and the date it was signed by the carer applicant.

8. Pre-authorisation training conducted

- Carer applicants must successfully complete relevant training to ensure that the individual is capable of exercising the functions of an authorised carer.¹²⁴
- Record the Pre-authorisation training conducted as either satisfactory or unsatisfactory and the date the training was completed

9. Carer's capability and suitability assessed

- A designated agency cannot determine that an individual is suitable to be an authorised carer unless all of the Carer Pre-authorisation requirements have been marked as satisfactory as well as the satisfactory assessment of all other carer applicants, authorised carers and household members that reside in the household.
- Record the Carers capability and suitability assessed as either satisfactory or unsatisfactory and the date the carer assessment was completed.
- The Carer Capacity and suitability assessed should be completed last as this outcome considers the carer applicants' overall capacity to be authorised as a carer.

7.5 Household members

The household member section of the Carers Register includes the Individual Checks for adult household members. Additional checks are required for household members (varying ages) as detailed in the household member final determination questions:

1. Have you checked each household member's Carers Register history? **Yes No**

- When entering household members (all ages) onto the Carers Register as part of an carer application, a search of that individual is required in the first instance, if the individual is already recorded in the Carers Register this activates the requirement for the individual to be included in the 'Other designated agency check' requirements.

2. Have you checked each household member aged 16¹²⁵ and above has had any required identification check,¹²⁶ National Police Check¹²⁷ and Community Services Check?¹²⁸ **Yes No**

3. Have you checked each household member aged 18 and above has a Working With Children Check clearance or a current application for a clearance and verified that online on the Office of the Children's Guardian's website?¹²⁹ **Yes No**

¹²³ Clause 34(4) of the Regulation.

¹²⁴ Clause 30(5)(d) of the Regulation.

¹²⁵ Schedule 2.3(3)(a) and 2.3(4) of the Regulation.

¹²⁶ Schedule 2.2(1)(a) of the Regulation.

¹²⁷ Schedule 2.2(1)(b) of the Regulation.

¹²⁸ Schedule 2.2(1)(c) of the Regulation.

- The WWCC for adult household members is detailed in the individual's 'individual checks'. Selecting Yes to this question indicates that your agency has verified the WWCC as an employer and reviewed the WWCC details in the 'individual checks' and updated the WWCC information if required.

PLEASE NOTE: It is mandatory for all household members aged 16 years and over to have a National Police Check and optional for 14-15 year olds, if the household member is 16 years or over at the time of the authorization process.¹³⁰

If a young person in OOHC remains in the household after they turn 18, they must be added as a household member,¹³¹ and will be subject to a WWCC check,¹³² but not a National Police Check.¹³³

An existing household member who turns 16 after the authorisation process has been completed does not require a National Police Check¹³⁴. However all household members over 18 require a WWCC.¹³⁵

See Appendix E for carer authorisation probity and suitability requirements

See Appendix C for household member probity and suitability requirements

¹²⁹ Section 11B of the *Child Protection (Working with Children) Act 2012*.

¹³⁰ Schedule 2.3(3) of the Regulation.

¹³¹ Clauses 86E(1) and 86H(1) of the Regulation.

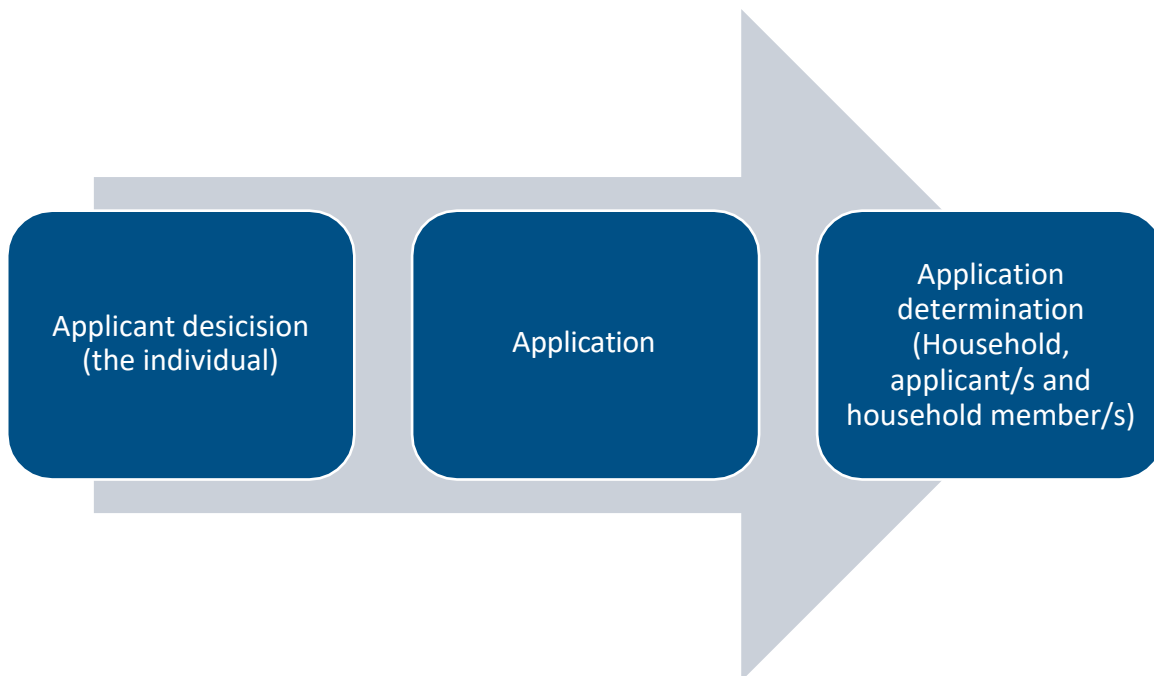
¹³² Section 10 of the *Child Protection (Working with Children) Act 2012*.

¹³³ Schedule 2.3(5) of the Regulation.

¹³⁴ Schedule 2.3(5) of the Regulation.

¹³⁵ Section 10 of the *Child Protection (Working with Children) Act 2012*.

8 Applicant and authorisation (application) decisions



Authorisation of individual caring in private capacity

When an individual caring in a private capacity makes an application to be authorised as an authorised carer, the designated agency will determine the application on the strength of the information provided by:

- approving the application and authorising the applicant as an authorised carer to provide statutory and supported out of home care or out of home care other than statutory care; or refusing the application.¹³⁶

An authorisation comes into force when a Carer Authorisation Number is allocated to the authorised carer.¹³⁷

An applicant may also withdraw their application any time before the application has been determined by the agency.¹³⁸

¹³⁶ Clause 30(7) of the Regulation.

¹³⁷ Clause 30(8) of the Regulation.

¹³⁸ Clause 30(3) of the Regulation.

Decision matrix
Applicant
A carer applicant is an individual who has applied to a designated agency for authorisation to provide statutory or supported out-of-home care in NSW. ¹³⁹ Simply attending a carer authorisation information session does not constitute the formal commencement of a carer application
Applicant Decision (against the individual)
Approved – first-time carer (by the designated agency): the carer applicant has not been previously authorised to provide Statutory or Supported OOHC in NSW, recorded in the Carers Register or prior to the Carers Register commencement date.
Approved – previously authorised (by the designated agency): the carer applicant has previously been authorised to provide Statutory or Supported OOHC in NSW, recorded in the Carers Register or prior to the Carers Register commencement date.
Refused (by the designated agency): the carer applicant's carer authorisation has been refused due to suitability or probity guidelines not being met.
Refused – agency specific policies (by the designated agency): the carer applicant's carer authorisation has been refused due to agency specific policies.
Withdrawn – with concerns (by the applicant): the carer applicant has withdrawn pending the finalisation of an carer application, with concerns either confirmed or pending further assessment which could not be finalise due to the carer applicants decision to withdraw.
Withdrawn – no concerns (by the applicant): the carer applicant has withdrawn prior to the finalisation of an carer application with no concerns confirmed or pending.
Application
The application refers to the whole application (household details, applicant/s and household member/s) to provide statutory or supported out-of-home care in NSW.
Application Determination (against the whole application – household)
Approved – all carer applicant and household member checks and suitability have been assessed with a satisfactory outcome and the designated agency deems it appropriate for this carer application to be Approved.
Not Approved – one or more carer applicants or household members' checks are marked as unsatisfactory and the designated agency deems the carer application as unsuitable to be approved.

¹³⁹ Clause 30(1) of the Regulation.

9 Individual and household management

Changes after authorisation

Individual and Household Management refers to any changes made to an individual or household records after authorisation.

The Carers Register Individual and Household Management functions allows designated agencies to make changes most individual and household records excluding: changes or correction to title, gender, date of birth or Aboriginal or Torres Strait Islander records. In these situations email the correct details including identifiable information to the OCG Registration Systems Team on carers-register@kidsguardian.nsw.gov.au.

See **Key Concepts** for more information relating to individual and household management functions and modules 9 and 10 of the Operational Guide.

<p>A designated agency must enter the following information about a person who is or has been an authorised carer (authorised by the agency) on the Carers Register within 14 days after becoming aware of the information:</p>	(a) the fact that the person has died while authorised by the agency ¹⁴⁰
	(b) information about any reportable allegation ¹⁴¹
	(c) that the person has surrendered his or her authorisation and the date of that surrender ¹⁴²
	(d) that the person's authorisation has been suspended and the date of that suspension ¹⁴³
	(e) that the person's suspension has ceased to have effect and the date that the suspension ceased ¹⁴⁴
	(f) that the person's authorisation has been surrendered or cancelled and the date of that surrender or cancellation ¹⁴⁵
<p>A designated agency must, within 14 days after becoming aware that a person resides on the same property as an authorised carer (who has been authorised or provisionally authorised by the agency), enter the listed information on the Carers Register:</p>	(a) the relevant resident's identification information ¹⁴⁶
	(b) whether the relevant resident identifies as an Aboriginal or Torres Strait Islander person ¹⁴⁷
	(c) the relevant resident's working with children clearance information ¹⁴⁸
<p>A designated agency must enter the following information about a relevant resident in respect of an authorised carer (who has been authorised or provisionally authorised by the agency) on the Carers Register within 14 days after becoming</p>	(a) that required suitability assessments have been obtained or conducted by the agency in respect of the relevant resident (including the date on which any Community Services check took place) ¹⁴⁹
	(b) information about any reportable allegation ¹⁵⁰

¹⁴⁰ Clause 86G(a) of the Regulation.

¹⁴¹ Clause 86I(1)(a) of the Regulation.

¹⁴² Clause 86G(d) of the Regulation.

¹⁴³ Clause 86G(b) of the Regulation.

¹⁴⁴ Clause 86G(c) of the Regulation.

¹⁴⁵ Clause 86G(d) of the Regulation.

¹⁴⁶ Clause 86H(2)(a) of the Regulation.

¹⁴⁷ Clause 86H(2)(b) of the Regulation.

¹⁴⁸ Clause 86H(2)(c) of the Regulation.

¹⁴⁹ Clause 86H(3)(a) of the Regulation.

¹⁵⁰ Clause 86I(1)(b) of the Regulation.

aware of the information:	(c) the fact that the relevant resident has died ¹⁵¹
	(d) the fact that the relevant resident has ceased to reside with the authorised carer ¹⁵²

About the NSW Office of the Children’s Guardian (OCG)

The OCG is an independent, statutory authority committed to delivering better outcomes for children and young people living in out-of-home care (OOHC).

We accredit and monitor the performance of agencies that arrange statutory and supported OOHC and adoption services. We also register and monitor agencies that provide, arrange, or supervise voluntary OOHC. The OCG is a regulator – not a provider of care services.

The OCG will soon be administering a Carers Register for the purpose of authorising individuals to provide statutory and supported OOHC.

¹⁵¹ Clause 86H(3)(b) of the Regulation.

¹⁵² Clause 86H(3)(c) of the Regulation.

Appendices

Appendix A: Approved identity information order

The Children’s Guardian has approved the following documents for use to establish the identity of a person for the purposes of clause 23D of the Children and Young Persons (Care and Protection) Regulation 2012 and any future provision of that Regulation that requires approved identity information to be obtained, where the person:

- a) is 16 or more years of age; or
- b) is under 16 years of age, but is required to have a nationwide or other criminal record check or Community Services check in accordance with the Children and Young Persons (Care and Protection) Regulation 2012¹⁵³

Approved identity information documents for XYZ

EITHER An Australian Driver License, plus **TWO** additional forms of identification referred to in the list below.

OR THREE forms of identification referred to in the list below.

- Passport
- Birth Certificate
- Certificate of Marriage or Change of Name
- Decree nisi or decree absolute in divorce
- Citizenship Certificate
- Government issued identity card
- Government issued license
- Government issued proof of age card
- Senior Citizen or Government concession card
- Medicare Card
- Private Health Care Card
- Union or Professional membership card
- Photographic employee identity card
- Student identity card
- Utility account (e.g. electricity, gas, water, telephone)
- Rates notice
- Signed rental agreement or Department of Family and Community Services housing rental agreement
- Credit card

PLEASE NOTE

- All approved identity information documents must be original current documents or certified copies* of current documents.
- At least one of the documents obtained must have a photograph of the person
- At least one of the documents obtained must have the signature, gender and the date of birth of the person.

*A certified copy of a document should be certified by a qualified person, who provides their full name, signature, qualification and date on the certification, along with the words “I certify this to be a true and accurate copy of the document reported to me to be the original document”, or words that are substantially the same.

¹⁵³ Children and Young Persons (Care and Protection) Approved Identity Information Order 2014.

Appendix B: Carer applicant data requirements

Carer applicant data requirements	
A designated agency must, within 14 days of receiving an application by a person to be authorised by the designated agency as an authorised carer, enter the following information on the Carers Register:	(a) the person's identification information ¹⁵⁴
	(b) the date on which the application was received ¹⁵⁵
A designated agency must, before approving an application by a person to be authorised by the designated agency as an authorised carer (or within 14 days after any such application is refused, withdrawn or otherwise terminated) enter the following information on the Carers Register:	(a) the date of approval, ¹⁵⁶
	(b) whether the application has been refused, withdrawn or otherwise terminated and the date on which that occurred, ¹⁵⁷
	(c) if the application is subject to a condition that the authorised carer may provide out-of-home care only to a child or young person who is a relative or kin of the carer or who knows the carer – that fact ¹⁵⁸
	(d) whether the person identifies as an Aboriginal or Torres Strait Islander person, ¹⁵⁹
	(e) the person's working with children clearance information, ¹⁶⁰
	(f) whether the person has been authorised as an authorised carer (or similar) in another Australian jurisdiction, ¹⁶¹
	(g) the date of completion of each suitability assessment obtained or conducted by the designated agency in respect of the person and whether the designated agency considered the person to be satisfactory or unsatisfactory, ¹⁶²
(h) the date on which the person completed any education or training required by the designated agency and whether the result of any such education and training was satisfactory or unsatisfactory, ¹⁶³	

¹⁵⁴ Clause 86D(1)(a) of the Regulation.

¹⁵⁵ Clause 86D(1)(b) of the Regulation.

¹⁵⁶ Clause 86D(3) of the Regulation.

¹⁵⁷ Clauses 86D(2)(j), 86D(2)(k) and 86D(2)(l) of the Regulation.

¹⁵⁸ Clause 86D(2)(i) of the Regulation.

¹⁵⁹ Clause 86D(2)(a) of the Regulation.

¹⁶⁰ Clause 86D(2)(b) of the Regulation.

¹⁶¹ Clause 86D(2)(c) of the Regulation.

¹⁶² Clause 86D(2)(e) of the Regulation.

¹⁶³ Clause 86D(2)(f) of the Regulation.

	(i) whether the designated agency determined that the person was capable and suitable to be an authorised carer and the date on which that determination occurred, ¹⁶⁴
	(j) the home address of the person and, if that home has been inspected by the designated agency, the date on which the home was inspected by the designated agency and whether the designated agency considered the home to be satisfactory or unsatisfactory, ¹⁶⁵
	(k) if the application is withdrawn—that fact and whether the designated agency had any concerns about the person’s suitability to care for a child or young person or to reside at the home of an authorised carer, being concerns that the agency would disclose in response to any designated agency check submitted to the designated agency in respect of the person, ¹⁶⁶
	(l) if the application is refused—that fact and whether the refusal was on the grounds of a policy, specific to the agency, concerning carer eligibility or suitability, ¹⁶⁷
	(m) if the application is terminated because of the death of the person—the fact that the person is deceased. ¹⁶⁸

¹⁶⁴ Clause 86D(2)(g) of the Regulation.

¹⁶⁵ Clause 86D(2)(d) of the Regulation.

¹⁶⁶ Clause 86D(2)(j) of the Regulation.

¹⁶⁷ Clause 86D(2)(l) of the Regulation.

¹⁶⁸ Clause 86D(2)(k) of the Regulation.

Appendix C: Household member suitability, probity and data requirements

Household member suitability, probity and data requirements	
A designated agency must, within 14 days after becoming aware that a person is a relevant resident in respect of a carer applicant to the agency, enter the identification information of the relevant resident on the Carers Register. ¹⁶⁹	
A designated agency must, before approving an application by a carer applicant (or within 14 days after any such application is refused, withdrawn or otherwise terminated) enter certain information on the Carers Register about each relevant resident in respect of the carer applicant.	(a) whether the relevant resident identifies as an Aboriginal or Torres strait Islander person, ¹⁷⁰
	(b) the relevant resident's working with children clearance information ¹⁷¹
	(c) the date of completion of each suitability assessment obtained or conducted by the designated agency in respect of the person and whether the designated agency considered the person to be satisfactory or unsatisfactory ¹⁷²
	(d) if the relevant resident has died, that fact and the date on which the relevant resident died (or if that is not known, the date on which the agency became aware that the relevant agency has died) ¹⁷³
	(e) if the person is no longer a relevant resident because he or she no longer resides on the property – that fact and the date on which the person ceased to reside on the property (or if that is not known, the date on which the agency became aware that the person had ceased to reside on the property) ¹⁷⁴
Household member (varying ages) final determination questions.	Have you checked each household member's Carers Register history? Yes No
	Have you checked each household member aged 16 and above has had any required identification check, ¹⁷⁵ National Police Check ¹⁷⁶ and Community Services Check? ¹⁷⁷ Yes No
	Have you checked each household member aged 18 and above has a Working With Children Check clearance or a current application for a clearance and verified that online on the Office of the Children's Guardian's website? ¹⁷⁸ Yes No

¹⁶⁹ Clause 86E(2) of the Regulation.

¹⁷⁰ Clause 86E(3)(a) of the Regulation.

¹⁷¹ Clause 86E(3)(b) of the Regulation.

¹⁷² Clause 86E(3)(c) of the Regulation.

¹⁷³ Clause 86E(3)(d) of the Regulation.

¹⁷⁴ Clause 86E(3)(e) of the Regulation.

¹⁷⁵ Schedule 2.2(1)(a) of the Regulation.

¹⁷⁶ Schedule 2.2(1)(b) of the Regulation.

¹⁷⁷ Schedule 2.2(1)(c) of the Regulation.

¹⁷⁸ Section 11B of the *Child Protection (Working with Children) Act 2012*.

Appendix D: Provisionally authorized carer, probity, suitability and data requirements

Provisionally authorised carer, probity, suitability and data requirements	
A designated agency must, within 14 days after a provisional authorisation by the designated agency takes effect enter certain information on the Carers Register	(a) the person's identification information, ¹⁷⁹
	(b) the date on which the provisional authorisation took effect, ¹⁸⁰
	(c) whether the person identifies as an Aboriginal or Torres strait Islander person, ¹⁸¹
	(d) the home address of the person and, if that home has been inspected by the designated agency, the date on which the home was inspected by the designated agency and whether the designated agency considered the home to be satisfactory or unsatisfactory, ¹⁸²
A designated agency must, within 14 days after a provisional authorisation by the designated agency takes effect, enter the person's working with children clearance information on the Carers Register. ¹⁸³	
A designated agency must not determine that an individual is suitable to be provisionally authorised as an authorised carer unless:	(a) the individual has furnished to the agency such information as the agency may reasonably require in order to assess the individual's suitability to be provisionally authorised as an authorised carer, ¹⁸⁴ and
	(b) having regard to the functions imposed on an authorised carer by or under the Act, any information possessed by the agency and all the circumstances of the case, the agency has estimated: <ul style="list-style-type: none"> (i) the risk, if any, to any child or young person in provisionally authorising the individual as an authorised carer, and (ii) the risk, if any, that the individual may be unable to properly perform the functions of an authorised carer.¹⁸⁵
A provisional authorisation as an authorised carer takes effect on the day that a child or young person to which the provisional authorisation relates is placed with the carer. ¹⁸⁶	
A person who is provisionally authorised as an authorised carer and who does not have a current application to be authorised as an authorised carer is, at the time the provisional authorisation takes effect, taken to have a made such an application. ¹⁸⁷	
It is a condition of a provisional authorisation as an authorised carer that:	(a) only children or young persons who are relatives or kin of the carer, or who know the carer, carer be placed in the care of the carer, ¹⁸⁸ and

¹⁷⁹ Clause 86F(a) of the Regulation.

¹⁸⁰ Clause 86F(c) of the Regulation.

¹⁸¹ Clause 86F(d) of the Regulation.

¹⁸² Clause 86F(e) of the Regulation.

¹⁸³ Clause 86F(b) of the Regulation.

¹⁸⁴ Clause 31(3)(a) of the Regulation.

¹⁸⁵ Clause 31(3)(c) of the Regulation.

¹⁸⁶ Clause 31(6)(b) of the Regulation.

¹⁸⁷ Clause 31(11) of the Regulation.

	(b) the carer take all reasonable steps to become an authorised carer, ¹⁸⁹ and
	(c) the carer furnishes to the agency such further information as the agency may reasonably require in order to continue to assess the carer's suitability to continue to be provisionally authorised as an authorised carer. ¹⁹⁰
The Children's Guardian must monitor a provisional authorisation that continues for more than 3 months. ¹⁹¹	
The Children's Guardian may direct a designated agency to cancel a provisional authorisation that has continued for 3 months or more by notice in writing to the designated agency. ¹⁹²	
The cancellation of a provisional authorisation of a person is taken to be a decision by the designated agency to refuse an application by the person to be authorised as an authorised carer. ¹⁹³	
A provisional authorisation of a person ceases to have effect when an application by the person for authorisation as an authorised carer is determined. ¹⁹⁴	

¹⁸⁸ Clause 31(6)(a) of the Regulation.

¹⁸⁹ Clause 31(8)(a) of the Regulation.

¹⁹⁰ Clause 31(8)(b) of the Regulation.

¹⁹¹ Clause 31(12) of the Regulation.

¹⁹² Clause 31(13) of the Regulation.

¹⁹³ Clause 31(14) of the Regulation.

¹⁹⁴ Clause 31(15) of the Regulation.

Appendix E: Carer authorisation probity and suitability requirements

Carer Authorisation probity and suitability requirements	
A designated agency must not determine that an applicant is suitable to be authorised as an authorised carer unless:	(a) the applicant has furnished to the agency such information as the agency may reasonably require in order to assess the applicant's suitability to be an authorised carer ¹⁹⁵
	(b) the agency is satisfied that the applicant and any adult residing at the applicant's home have complied with the applicable requirements of the <i>Child Protection (Working with Children) Act 2012</i> ¹⁹⁶
	(c) the agency has obtained or conducted the suitability assessments of the applicant, the applicant's home and persons that reside at the applicant's home and has determined that the result of each assessment is satisfactory ¹⁹⁷
	(d) the applicant has completed to the satisfaction of the agency any education or training required by the agency ¹⁹⁸
	(e) the applicant has provided a signed statement that the applicant has read, understood and will comply with the code of conduct for authorised carers ¹⁹⁹
	(f) the agency taken into account: <ul style="list-style-type: none"> (i) the functions of an authorised carer and any risk that the applicant would be unable to properly perform those functions, (ii) any risk to a child or young person were the applicant to be authorised (including risks from the applicant's home or persons who reside at that home), and (iii) any relevant information available to the agency.²⁰⁰
For the purposes of the uniform suitability assessment requirements, a designated agency is an assessment body and an applicant and each person who resides at the home of the applicant (other than a child in out-of-home care) are assessable persons. ²⁰¹	
A designated agency may determine an application by:	(a) approving the application and authorising the applicant as an authorised carer, ²⁰² or
	(b) refusing the application. ²⁰³

¹⁹⁵ Clause 30(5)(a) of the Regulation.

¹⁹⁶ Clause 30(5)(b) of the Regulation.

¹⁹⁷ Clause 30(5)(c) of the Regulation.

¹⁹⁸ Clause 30(5)(d) of the Regulation.

¹⁹⁹ Clause 30(5)(e) of the Regulation.

²⁰⁰ Clause 30(5)(f) of the Regulation.

²⁰¹ Clause 30(6) of the Regulation.

²⁰² Clauses 30(7)(a) of the Regulation.

²⁰³ Clause 30(7)(b) of the Regulation.

Granting an application authorises the applicant as an authorised carer and, subject to any conditions, authorises the authorised carer to provide statutory out-of-home care and supported out-of-home care.²⁰⁴

An authorisation comes into force when the authorised carer is notified in writing by the designated agency that the designated agency has obtained from the Carers Register a Carer Authorisation Number in respect of the authorised carer.²⁰⁵

The designated agency may subject an authorisation to conditions at any time by notice in writing to the authorised carer, including a condition that the authorised carer does not provide statutory out-of-home care as a foster parent.²⁰⁶

The principal officer of a designated agency is to carry out the functions of the agency to authorise an individual in an emergency as an authorised carer on a provisional basis and determine whether a person is capable and suitable to be authorised as an authorised carer on a provisional basis unless the Children's Guardian approves the carrying out of those functions by another individual.²⁰⁷

Failure to comply with clause 30(9) of the Regulation does not affect the validity of the authorisation of any authorised carer under the Regulation, whether the authorisation occurred before or after the commencement.²⁰⁸

²⁰⁴ Sections 136(1) and 154(1) of the Care Act.

²⁰⁵ Clause 30(8) of the Regulation.

²⁰⁶ Clause 34(1) of the Regulation.

²⁰⁷ Clause 31(9) of the Regulation.

²⁰⁸ Clause 31(10) of the Regulation.

Appendix F: Carers register progress chart

