

Notice of conditions

of accreditation as a designated agency

Issued under clause 12 of Schedule 3A to the *Children's Guardian Act 2019*

NSW Department of Communities and Justice - Western NSW District

ABN 36 433 875 185

Effective date: 1 December 2023

This notice supersedes the Notice of Conditions of accreditation as a designated agency, effective 19 December 2022. The Children's Guardian has varied the conditions on the accreditation of NSW Department of Communities & Justice - Western NSW District.

In addition to the general conditions of accreditation in Schedule 3 to the Children's Guardian Regulation 2022, the Children's Guardian has imposed the following conditions on the agency's accreditation as a designated agency.

Condition 1

This agency may arrange:

- statutory out-of-home care (foster care)
- supported out-of-home care (home based care)

Condition 2

This District, or the Department on behalf of the District, must report to the Children's Guardian in May 2024 and six monthly thereafter on its progress and review of the safety in care mandate and associated policies and procedures to improve practice relating to child protection - allegations against authorised carers, adult household members or staff members engaged to provide care to children and young people. The report should include information and / or data relating to the Department's quality assurance and oversight mechanisms to demonstrate any changes in practice and trends, positive or negative.

Condition 3

This District, or the Department on behalf of the District must provide a written report to the Children's Guardian in December 2023 on its progress in implementing the special out-of-home care action plan provided to the Children's Guardian on 1 December 2022.

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

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

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

Under section 154(1)(a)(ii) of the *Children's Guardian Act 2019*, a decision of the Children's Guardian to impose a condition on an accreditation or vary the conditions to which an accreditation is subject, is reviewable by the NSW Civil and Administrative Tribunal (NCAT), following an internal review by the Children's Guardian. Further information about NCAT and internal reviews may be obtained from NCAT (phone: 1300 006 228).

The Children's Guardian has provided a copy of this notice to the NSW Department of Communities and Justice.

Steve Kinmond OAM
Children's Guardian