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SOCIAL WORK MANUAL

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PART M: PLANNING AND REVIEW SCHEME

M1 PLANNING AND REVIEW POLICY

M1.1 (a) Introduction

Adequate planning and regular assessment of objectives are an essential part of sound casework with children in care.

The service to wards and their families under the Department's guardianship responsibility demand that clear and accurate objectives are established for each child and young person coming into care and that such objectives and the means to achieve them are kept under regular review.

It is the Department's policy to assist the child or young person in care to have the fullest opportunities in reaching his/her potential. In most cases this will require seeking to re-establish the child permanently in a family - preferably his/her own as quickly as feasible. Where this is not in the best interest of the child or not possible, it is important to take early steps to secure some other stable and committed family relationship.

For some time there has been a growing awareness that this goal would be best achieved by operating a scheme that provides for well defined planning and review procedures.

After assessing and adapting various proposals for such a process a detailed pilot scheme was tested in four Districts during 1980.

The pilot scheme, with some further improvements, was subsequently adopted as the Department's planning and review procedure for all Children and Young Persons coming into care as from 1 July 1981.

In addition, attention must be given to applying the planning and review procedure to children who were already in care before that date, particularly younger children and those who are recommended for return home.

Directors must aim towards gradually incorporating all children and young persons in care in the scheme.

As well as providing a focus for purposeful casework with youngsters and their families it is hoped that the procedures will lead to a reduction of the time children and young persons will need to be under guardianship. The scheme also aims at the constructive involvement of all persons who are important to the child and includes community representation at the review stages.

This more purposeful pursuit of goals and objectives is expected to lead to a change in emphasis in casework decisions.

M1.1 (b) Permanency Planning - The Philosophy (see also N.22)

1. Since the early 1980's we have largely come to terms with the notion of planning for children in care as a process. We have to varying degrees been aware that we were planning to avoid "drift in care" but we have never been entirely forthright, as a department about why "drift" was to be avoided and what specifically needed to be done to avoid it. Recently we have seen a change in focus from that of mere planning or planning to avoid "drift" to the very affirmative concept of permanency planning. It is expected that the new Children & Young Persons legislation will in fact make provision to ensure that permanency rights and needs of children are appropriately addressed. It has become imperative that we are quite clear and specific about the concept of permanency planning, its emotional and social context and implications for practice.

2. What is Permanency?

Permanency is a rather global concept. At its base lies a set of values and beliefs about the rights and needs of children.

In brief, permanency is a state of continuity, stability and belonging as of right. Most children are reared within the natural family in this state. However, there is something more to it than this and one really has to say that most children receive a "permanency package" within the natural family, however that family unit may be structured.

In attempting to describe the "permanency package," one immediately gets into some difficulties. If the underlying values were actual facts or eternal truths there would be no difficulty about understanding permanency. For example, people the world over accept as fact that children need food to survive and grow but there seem to be no eternal truths about how to socialise the young and bring them to a state of maturity and personal and social well being.

Human societies rear their young according to particular beliefs about family, parents and children and these beliefs vary from culture to culture, often from class to class and are likely to change, or change in focus, from time to time. For example, Maori people have of recent times highlighted for the department the difference between the Maori and Pakeha concept of family, child rearing values and obligations, and the implications of the differences for social work practice.

We need, then, to consider at least two perspectives on the concept of a permanency package and they are the Pakeha and the Maori perspectives. They will both be described in terms of "ideals".

3. The Pakeha perspective

Children receive their permanency package from their birth parent or parents within a nuclear family structure. The child grows up within a family with the parents loving the child unconditionally and with that love apparent in many ways including the giving of care, protection and discipline. The parent/s are committed to this love and care relationship and strive to preserve it come what may. They are entitled to have this role, they are required to have it, and it cannot be taken away without very good cause. The child feels the safety and security of this family situation of commitment and has a sense of worth, belonging

and entitlement as of right. The child's identification with the parents extends to varying degrees back through the parents' personal and socio-cultural ancestry and this helps form the child's total notion of self. Reciprocal bonds of attachment develop between the parent/s and child and other family members and mutual supportive aspects continue throughout life.

One can go further and suggest that four aspects of this permanency package within the natural family are very difficult to replace and that the first two of these are virtually irreplaceable. They are:

- (a) Unconditional love, attachment and commitment within a continuing relationship.
- (b) The belonging of parent to child and vice versa as of right.
- (c) The giving of daily care protection and discipline with love.
- (d) The child's sense of personal and socio-cultural identification as it extends from the present to the past.

This scenario highlights the ideal merging of love, care, commitment and belonging as of right with stability and continuity over time and it is this that forms the value base of the Pakeha concept of permanency.

We are aware that an increasing number of children are not in fact reared within a nuclear family ie mother, father and children. However, many of these children do receive a permanency package from their birth parents regardless of how the family is actually constituted.

4. The Maori Perspective

It is not appropriate to go into too much detail here because the Maori people have already examined and explained their perspective in Puao-Te-Ata-tu. However, in order to follow through on the issue of permanency planning it is worthwhile to highlight some aspects of the Maori "ideal".

Children receive their permanency package from within their extended family (whanau-hapu-iwi). The birth parents may have a role but not necessarily an active one or the central one. There may be a number of adults to whom the child can relate as psychological "parents". The child grows up with a clear place in the extended family group and receives from it unconditional love, care, protection and discipline. The extended family is committed to this love and care relationship and strives to preserve it come what may. They are entitled to have and share this role, they are required to do so and it cannot be taken away without very good cause. The child feels the safety and security of this extended family situation of shared commitment and has a sense of worth, belonging and entitlement as of right. The child's identification with the whanau extends back through its personal and socio-cultural ancestry and this helps form the child's total notion of self (and self-worth). Reciprocal bonds of attachment develop between the child and the extended family members and mutual supportive aspects continue throughout life.

One can go further and suggest that this total permanency package within the extended family (whanau-hapu-iwi) is impossible to replace. There is a merging of love, care, commitment and belonging but they are provided on a different value or belief base to that of the Pakeha.

That is to say

- (a) The child has a place and belongs as of right within the extended family group that itself has a place within a tribal system.
- (b) The child's sense of identification and belonging extends back through time and merges not only spiritually with persons and history but also with the land and of all nature.
- (c) The sense of love, attachment and belonging are not dependent on here and now relationships with one or two or more "psychological" parents.

Maori people are themselves aware that for a variety of reasons these traditional values have to a considerable extent been weakened. Many Maori children are cared for in an urban setting with their birth parents taking the central role. For those who are reared within the extended family, the setting is still likely to be a particular nuclear type family eg. grandparents.

5. Breakdown in Natural Family Permanency

Over many years we as a statutory body have been involved in addressing instances of breakdown in a family unit. The adequacy of the permanency package the child is receiving has been the issue in point. For example, there may be unconditional love for a child and even a sense of mutual belonging but there are perceived to be serious shortcomings in daily care, protection and discipline that are resisting remedy. Sometimes love is present but it is not unconditional and the child has difficulty developing a sense of worth as s/he moves through a range of developmental capabilities, and so on.

As children move into adolescence the permanency package can be more difficult to maintain. Parental expectations that a young person will play a part in maintaining the family unit are not always met. Love and belonging continue but conditions are imposed on what comprises the "belonging", both by parents and the young person.

Historically, we have tended to react to instances of inadequate care, protection and discipline by removing the child or young person from the family and placing him/her in a situation which will provide the required care, protection and discipline. The child or young person comes "into care".

However we have to look beyond the notion of providing "care".

6. Departmental Goals

In various documents and statements, some of the Department's service goals are now clearly defined as being:

- to promote the welfare of the family/whanau
- to assist families overcome problems
- to reduce the incidence of disruption
- to assist parents to discharge parental duties
- to respond effectively to incidents of neglect and abuse and failure in the home situation

- to provide in a culturally appropriate way for children and young people who are under guardianship or whose needs cannot be met by family, whanau or community.

The central theme quite clearly seems to be that family/whanau is important and its well being and integrity is to be preserved. However, if the family/whanau-hapu-iwi is unable to meet the needs of children and young people then the department must arrange not only for their "care" but also for their needs to be met.

It is obviously a tremendous challenge for the department to meet the needs of children when they have been separated from the very unit whose inherent value is so highly regarded that great effort is made to preserve and strengthen it. It is from this potential contradiction that the philosophy of permanency planning springs.

7. Permanency Planning

Many factors have contributed to the clarification of a value and knowledge base that has led to the concept of planning to prevent "drift" in care and more recently the concept of planning for permanency. Wide ranging research, dissatisfaction of Social Work staff, criticism from outside the department, pressure from the Foster Care Federation and a growing emphasis on children's rights have all contributed to the shaping of our present permanency planning philosophy. More recently, as mentioned before, the Maori people have called for a bicultural approach to the department's endeavours. This clear emergence of a particular philosophy to shape our policy and practice is already reflected in legislation in the form of Children and Young Persons Amendment Act 1983, Section 4 A, B, and C.

(1) A Permanency Package for Every Child?

Every child needs to be reared and has the right to be reared within a family (however defined) which provides on a continuous and stable (i.e. permanent) basis:

- reciprocal bonds of unconditional love and attachment
- loving care, protection and discipline
- a sense of identity that incorporates personal and socio-cultural heritage
- a sense of security about the family's commitment to provide and maintain this permanency package for him/her.

Most children have their permanency needs met within their natural family. By the time a child reaches 12 or 13 years of age within the natural family, the issues of attachment and belonging have largely been settled.

If separation of a child or young person from the natural family occurs, we conceive at present of only three options capable of addressing all the components of a permanency package. They are

- (a) Return to natural family (whanau-hapu-iwi)
- (b) Family re-creation by adoption
- (c) Permanent foster care - legally endorsed - shared parenting.(i.e. additional guardianship and custody of foster parents).

These are not listed in order of merit. The merit comes from the ability of the option to address and meet a child's or young person's permanency needs, as assessed at the point of first separation from the natural family unit. There clearly can be difficulties and even value conflicts associated with the achievement of any of the three options.

In practice we recognise a number of factors that help, at the point of separation and subsequently, to determine the choice of an appropriate option. In a general way however, one can say that for children up to six years of age the best option is likely to be 1 or 2. For children aged 6 - 12 it may be 1, 2 or 3 but more likely 1 or 3. For those who experience family breakdown at 12 or 13 years of age onwards there is likely to be, in effect, only one option and that is "return" to the family situation or maintenance of the relationships and bonds of belonging that will have been established for better or worse over the previous years. Young people moving towards independence still need all the components of a permanency package but do have greater tolerance for, and indeed often demand the receiving of it in "bits" e.g. from other significant adults and peers.

(ii) Substitute Care Options

Quite clearly the three permanency options do not represent the range of substitute care options which may be utilized when the department assumes a statutory responsibility for a child or young person. Various care options may be needed as part of a process of dealing with permanency issues. Crisis care, short term assessment care, foster care of young people, (all of which may incorporate the Maatua Whangai approach to short-term placements), residential care and training and so on are essential resources in the process of achieving permanency.

These substitute care options should provide daily care, protection and discipline, a measure of love (likely to be conditional) and attachment, attention to cultural values, the keeping alive of existing bonds of attachment and identity with the natural family and even a sense of security about the specific commitment that the care givers are offering, but they will not provide on a permanent basis, care, protection and discipline

- with reciprocal unconditional love and attachment as between "parent" and child
- with the child and family belonging to each other as of right
- with the child feeling secure about a family's commitment to a loving, caring relationship that will continue through independence into adulthood.

Therefore, for a child, a substitute care option can only have relevance on a very time limited basis.

For an adolescent, substitute care with the goal of independence can not stand alone. Associated with it must be a focus on maintaining, restoring or reconciling the bonded relationships that have been built up over the preceding years. Only rarely will it be appropriate to seek a new situation of total family belonging for a young person.

(iii) Supporting Services

It is also quite clear that the three permanency options do not represent the total range of goal directed activity that will be required to address the needs of children and young people when they become separated from their natural family situation. Community and home based services, social work and specialist services will be required as one plans for the present and future needs of the "whole" child. However, the development of a "whole" child will only be possible when it occurs within the context of a permanency package. The younger the child is at the time of separation the greater is the urgency to provide the permanent situation where "whole" development can proceed.

In fact it is expected that legislative changes will focus the department's interventions in relation to care issues on the establishment of permanency options with the development of the "whole" child becoming the responsibility of the permanent family. There will likely be a decrease in the number of children whose lives are supervised under the guardianship of the Director General.

M1.2 Planning to Commence Early

Ideally, planning should commence before the child comes into care. Close attention to the various options available for the child's future care and the investigations necessary to formulate a detailed plan to achieve the chosen objective together with the involvement of all relevant persons at this early stage of planning may well indicate that guardianship is not the only or necessarily the best way of resolving the presenting problem.

Social Workers must therefore initiate the planning process at the earliest possible stage of the Department's involvement with a child and his/her family if there are indications that coming into care may be one possible outcome either by Court Order or by agreement.

M1.3 Planning as a Group Effort

An important principle underlying the scheme is that the planning process is a team effort involving all key persons including of course the child or young person him/herself, provided he/she participates at a level appropriate to his/her maturity.

M1.4 Key Persons

If the child is to be placed in foster care (or has been already), the foster parents must be involved in the planning. Other key people would include the parents or parent substitutes and residential staff (where an institution placement is made).

In particular cases it may be appropriate to consult with other people who have had close contact with the child in the past or who will be closely involved in his care in the future, such as teachers, Koumatua, grandparents, etc.

M1.5 Confidentiality

It is important to impress on all involved in the planning process that any information which they obtain must be treated as confidential. Community members of the Review Panels should be asked to sign a Declaration of Confidentiality.

M1.6 Recording

The 'Case Plan' (SW 515) (see figure 1) is the basic document that records the outcome of the planning meetings. Whether or not the plan reflects unanimity it is essential that all concerned receive confirmation in writing of the discussions to which they have been a party and of any tasks or action they have committed themselves to undertake. This could be achieved by distributing a photocopy of the SW 515 or by letter. An acknowledgement of receipt would be helpful and may be encouraged by including a pre-printed note.

The current plan together with forms 542 A,B,C (see figures 2-4) should be filed immediately under the file cover sheet. When the progress report is completed and a new plan prepared the superseded plan should be filed with a folio number in the normal way.

M1.7 Responsibility for Planning Procedures

The Social Worker who has casework responsibility is responsible for preparing the plan and for seeing that all procedural requirements are completed. Where more than one district is involved responsibility lies with the District where the child resides unless agreed otherwise by the A.D (S.W.)'s.

In the case of placement in special or boarding schools and in regional or national institutions the home district remains responsible for planning and review. Where the placement is in an institution it will be necessary to ensure both are working towards the same objectives. Copies of the plan, etc., should be forwarded to the institution. Where distance allows, a residential social worker should attend the planning/review meetings. In other cases the use of telephone conference calls should be considered.

The A.D (S.W.) is responsible for approving the plans. In the following districts he/she may delegate this responsibility and his/her membership of the Review Panel to a SSW. 320.105/6 who has not been closely involved in the case:

Auckland	Lower Hutt
Christchurch	Otahuhu
Dunedin	Palmerston North
Hamilton	Wellington

Area Welfare Officers and Senior Social Workers who have sole responsibility for Social Workers in their districts will exercise responsibilities elsewhere ascribed to the A.D (S.W.) except where, in the case of the Review Panel they feel their objectivity will be compromised because of their close involvement through supervision of the case worker. In this event they should call on a SSW 320.105/6 or A.D (S.W.) from an adjacent district. This may also apply to an A.D. (SW) at 320.105 level.

M1.8 Travel Assistance to Parents in Connection with Planning Meetings
(ref. H7.4 re delegation)

It is desirable for parents to attend planning meetings particularly the first meeting or those where a major change of direction is being proposed. If parents are unable to meet travel costs the Director may authorise financial assistance with travel. However, wherever possible such travel should be with a social worker attending the meeting. For visits other than for planning/review meetings Head Office approval must be obtained if financial assistance is necessary.

M1.9 Siblings Subject to the Same Planning Process

In the case of more than one member of the same family being in care it is desirable where possible and practicable for the same planning process to encompass the whole family in the establishment of goals. Individual meetings may need to be held to identify particular problems and tasks for each child.

M1.10 Categories of Children/Young Persons to Whom the Scheme Applies

The planning and review procedures apply to the following categories of children/young persons:

- (a) those subject to a Guardianship Order (C and Y.P. Act).
- (b) those subject to a S11 agreement (C and Y.P. Act).
- (c) Wards of Court for whom the Director-General has been appointed the Court's agent.
- (d) those subject to a Guardianship Order in favour of the Director-General (Guardianship Act).
- (e) those subject to guardianship of the Director-General under S7(4) Adoption Act.
- (f) those subject to oversight on behalf of overseas agencies which retain guardianship.

M1.11 Children/Young Persons Not in Guardianship for Whom the Planning Procedure May Be Highly Desirable

In certain cases it would be highly desirable to include children in the planning procedures even though they do not have guardianship status. This applies to those on adjournment or postponement where early planning may well help to avoid the need for coming into care.

Although the detailed documentation of the formal planning process is not a requirement for supportive service or legal supervision, there is no reason why it cannot be used for any case where this is considered useful. All casework should be goal directed, and it is normal professional practice to involve the client and significant other persons in the selection of the goals and the tasks which are required to be completed in order to reach them.

M2 OPERATION OF THE SCHEMEM2.1 Stages in the planning process

The various stages in the planning process from the commencement of the planning procedure are as follows:

<u>0-3 mths</u>	<u>6 mths</u>	<u>12 mths</u>	<u>18 mths</u>	<u>24 mths</u>	<u>30 mths</u>
Plan prepared and approved by AD (SW)	Progress report completed. Revised Plan approved by AD (SW)	Progress Report Revised Plan approved by SSW to Panel; amend plan if necessary	Progress report. Revised Plan approved by SSW	Same as at 12 months & annually thereafter	Same as at 18 months & annually thereafter

M2.2 Stage I

Where appropriate the planning procedure should commence before the child or young person enters care. However, this is not always feasible (e.g. when parents are not prepared to accept the likelihood of a Guardianship Order or where the Court makes such an order unexpectedly). In such cases the plan (on form S.W. 515) is to be completed and approved as soon as possible but no later than three months from entry to care.

Form S.W. 515 is designed to show in summary the plan for the next six months (although a plan can always be revised earlier in the light of changed circumstances). The goal to which all parties are working will need to be specified (in most cases this would be the child's return home). The target problems, short term objectives and tasks for each party need to be specified. (See also M2.8).

Consultation at the time a plan is being formulated can be one of the key factors in achieving motivation and a positive response from those involved. This includes discussion with the child (if old enough) or young person. It is important that all parties be aware of the Department's statutory responsibility for the final decisions made but it is important also that everyone can feel that he/she has a real part to play in the planning process. A carefully prepared and well conducted meeting of all concerned is invaluable in this process.

All those involved in the planning must be made aware of the confidential nature of the information which they may obtain.

On completion of the plan it is to be submitted to the Assistant Director (Social Work) or other officer (See M1.7) for approval.

Whether the plan is an agreed one or not, it is essential that once the plan is approved all concerned receive confirmation in writing of the discussion to which they have been a party and of any tasks or action they have committed themselves to undertake.

This may be done by letter or where appropriate it could be a photocopy of the page of the S.W. 515 headed 'Social Work Plan'. It provides the parties with a reference against which to check their understanding of the commitments made at the meeting. It is helpful to have the client acknowledge receipt of the letter or the plan.

M2.3 Stage II

At six months from the time of entry into care the social worker will complete a progress report (opposite the plan on S.W. 515). This provides an opportunity to assess how realistic the original plan was, how much progress has been made towards the objectives and what obstacles have hindered progress towards objectives. It will allow developments to be reviewed with the child/parents/foster parents and involve them in setting goals and objectives for the next six months. Any important changes made need to be discussed with all parties concerned.

The progress report and a revised plan are referred through the supervisor to the Assistant Director (Social Work) or other officer (see M1.7) for approval.

M2.4 Stage III

At twelve months from the time of entry into care the Social Worker prepares a further progress report and a proposed plan for the next six months for approval by the Senior Social Worker.

Again the parties concerned need to be consulted but in most cases it would not be appropriate to hold a planning meeting at this stage as the same people will be invited to attend the Review Panel hearing to be held shortly. In most cases the consultation can be achieved during regular contact with those involved in the case (i.e. by telephone or face to face contact or by asking parties to contribute a written report).

A planning meeting prior to the review should only be held in those cases where there is serious disagreement between the parties; where the proposed plan calls for special commitments from some or all of the parties which are best negotiated in the context of a meeting; or where a major change is contemplated.

The progress report and a revised plan plus other relevant material will be presented to the Review Panel consisting of the Assistant Director (Social Work) and the appointed community representative. The Panel has no executive powers; it is an advisory body whose recommendations are to be considered by all parties. The Social Worker and his/her supervisor will join the panel to discuss the case, together with the other parties who have been involved in the planning. Where it would be

unhelpful or inappropriate to bring all parties together at the one time the A.D. (S.W.) may decide that no invitation be extended. This decision should be taken rarely and the reasons for withholding an invitation should be given. The expectation is that in the majority of cases all parties will be invited to participate.

If necessary the plan is to be amended following the Review Panel's recommendations. The parties need to be advised of the new plan.

M2.5 Stage IV

At 18 months from the time of coming into care a further progress report is prepared together with a revised plan for the next six months to be approved by the Senior Social Worker.

This will present a opportunity to bring the parties together once more and to involve them in the exercise of considering past achievements, re-affirming or changing the set goal, and formulating new or continuing tasks and objectives.

M2.6 Stages V; VI; etc

At six monthly intervals the planning procedures for Stages III and IV are repeated alternately; i.e. Stage V (at 24 months) is a repeat of Stage III and Stage VI (at 30 months) is a repeat of Stage IV, etc..

This provides for the Review Panel meetings to be held at 12 months intervals on the anniversaries (or therabouts) of the time the child came into care.

M2.7 Planning/Review Meetings

The planning/review meetings are likely to be the key element of a successful planning process.

As convenor the social worker will have an opportunity to 'set the stage' for effective participation by everyone. Motivating the participants and clarifying the various roles and procedures will be essential ingredients for a successful meeting as are the physical conditions and a relaxed but businesslike setting. He/she may also be chairperson but it is often helpful to have a S.S.W. or other S.W. colleague to fill this role.

In his/her introduction the chairperson needs to outline the purpose of the meeting, state the Department's responsibility and summarise goals, agreements and achievements to date. Similarly the summing up at the conclusion will present everyone with a clear indication of their agreed role and tasks and a clear re-statement of the goal and objectives.

Generally speaking, such a meeting is not the place for introducing new concepts or goals to a client for the first time, nor should the planning meeting be seen as a primary therapeutic tool. Careful preparation of all participants is important.

M2.8 Completing the Planning Document (S.W. 515)

Form S.W. 515 (fig. 1) will provide focus for the planning exercise. It is designed to show in a summarised way the plan for the next six months (although a plan can always be revised earlier in the light of changes circumstances) and provides on the opposite page for a record of progress made towards the objectives and for an assessment of the validity of the goal earlier selected. There is also a page for the S.S.W., the A.D. (S.W.) and the Review Panel to comment.

The following notes specify the entries required under each heading.

PAGE ONE:- Identifying Information:

It is planned that this page will eventually take the computer printout of details of the child, his or her family, method of coming to notice, status and the placement history. In the meantime a copy of page one of the Personal and Family Information Form S.W. 542A and 542B/C should either be stapled to it or be available with it so that basic personal history is at hand without having to retype the same information.

PAGE TWO:-

The period the plan is to cover should be clearly stated. The maximum period is six months.

PERSONS CONSULTED - Those involved in preparing the plan, and this includes Social Workers, should be named together with their titles (i.e. SW; mother) and the names of those who have agreed to the plan should be underlined. These could include workers (It could also include the teacher, psychologist or other important adults in the child's life, etc.)

GOAL - This should specify the long-term objective - what will have to be achieved for the child/young person prior to discharge. One of the following should apply:

- (a) Return of child to natural parents or guardians;
- (b) Independent status (i.e., responsible for securing own income and accommodation);
- (c) Adoption;
- (d) Long-term foster care (including Family Home care; IHC; Hospital; etc.).

TARGET PROBLEMS - Every child and family has problems but it is not usually necessary to solve all those problems before the goal can be reached. A systematic assessment, conducted in each case, will identify any conditions and/or behaviour, in addition to those originally identified (i.e., original difficulties leading to child coming into care) that require change prior to the return of a child. This assessment could focus upon such areas as housing, finance, or parent-child interaction. Problems that, if left unresolved, would result in a child having to remain in care, should be particularly identified. Should new problems arise which meet this criterion they need to be commented upon in the progress report and included in the next six monthly plan.

SHORT TERM OBJECTIVES - These will be related to the target problems, e.g., Housing to obtain a house by such and such a date. It may be appropriate to list separately the objective for parents and children.

TASKS - Under this heading will be listed separately the specific tasks expected to be undertaken by each party - e.g., parents, child, foster parents or residential social workers, and social worker - during the period of the plan. Unless the parents have abandoned the child or consented to its adoption, there should be specific reference to visiting or where this is not possible some other form of parent-child contact. Where applicable there should be included reference to the parents' continued financial support of the child.

CONTINGENCY PLAN - It is appropriate that everyone involved should be aware of alternatives that may need to be considered if objectives are not being achieved. Where parents or young children are concerned, the alternative course of action to be considered would perhaps be the freeing of their child for adoption. With adolescents, failure to respond to a community placement may make the alternative a period of long-term institutional training.

PROGRESS REPORT - The Sections on this page are complementary to the planning page and replaces the earlier type of Progress Report. It should provide a record of the significant events and developments in the child's life with appropriate observations and comments. In particular its purpose is to allow the social worker to:

- (a) comment on the appropriateness of the goal and assess the relevancy of the target problems previously selected;
- (b) indicate what objectives have been achieved and/or what impediments have prevented more progress; and
- (c) comment on the response of all parties (including him/herself) to the assigned tasks. Other parties should be given the opportunity to provide assessments if they wish.

The new plan will be drawn up in response to these assessments and this will again be done in consultation with all other parties.

COMMENTS PAGE - This can be used as required by senior staff and Review Panel.

The plan and the progress report are to be referred to the Social Worker's Supervisor for approval and where appropriate for referring on to the Assistant Director (S.W.).

M3 THE REVIEW

M3.1 Objective of Reviews

The objective of review hearings is to enable a panel, independent of any direct involvement in the case, to review the plan and monitor progress towards achievement of the goal. The specific objectives for each review hearing will vary according to the needs of the case under review.

In most cases all the parties involved previously in the planning will be invited to meet with the Review Panel (see also M2.4).

M3.2 Composition of the Review Panel

The Review Panel consists of two persons only: The Assistant Director (S.W.) (or nominee for those districts listed in M1.7) and the Community Member who has been appointed by the Director-General.

M3.3 The Role of the Panel Members

The role of the Assistant Director when sitting on the Review Panel is to ensure that the Department's overall policies and legal obligations are being followed.

The role of the Community Member is to represent the wider community interest and to bring an independent view point to the reviews. The specific role of the Community Member in each review will vary according to the needs of the case under review and the particular strengths of the individual member.

The Panel has no executive powers but acts in an advisory capacity only.

Either member may chair the meeting.

M3.4 Purpose of the Review Panel Meeting

Both members of the Review Panel are expected to assess the appropriateness of the plan, the progress being made towards the goal and to further motivate the parties involved in the plan.

The Panel should pay specific attention to such areas as parental contact, indications of drift, need for continuing Guardianship, the appropriateness of a return home, the preservation of important relationships, disagreements between parties to the plan.

The panel must not engage in any ongoing casework. It must not change the overall direction of an agreed plan unless there are clear indications that this is essential. It must avoid duplication of earlier planning meetings.

M3.5 Action Prior to Review Panel Meetings

Two/three weeks before the Review Panel Meeting a progress report on the 6 months plan will be prepared and a new plan (if necessary) will be drawn up and approved by the S.S.W. A copy of this plan and any plans prepared during the last 12 months will be sent to the Panel not later than 7 days before the Panel Meeting.

Under normal circumstances (See M2.4) the Social Worker following consultation with his/her supervisor will invite all parties who have been previously involved to attend the Review Panel hearing.

The progress report together with the proposed plan and basic case data (copies of the S.W. 542A and S.W. 542B or C) should be available to the Review Panel with sufficient copies for those attending the meeting. Copies of the earlier plans and a short statement setting out the reasons for coming into care should also be available to the Panel but the Personal File is not to be available at Review meetings.

M3.6 Meetings of the Review Panel

The Review Panel at its meeting reviews the work done over the last 12 months, using the initial plan as the base line. The Panel identifies any issues which may require further work by the parties involved and makes any recommendations in respect of the proposed plan. In some cases the findings of the Review Panel may indicate the desirability of a further planning meeting to be held. Either the Assistant Director or the Community member chairs the meeting. No minutes will be kept but the Panel will record any comments on Form S.W. 515 (the case plan).

Experience has shown that although review meetings may vary in length from half an hour to three hours most take no longer than one hour.

M3.7 Appointments of Community Member

According to the demand made on the Community Members the number of persons appointed as such in each district will vary. The Director recommends to the Director General the appropriate numbers for appointment and nominates suitable candidates for appointment when vacancies occur.

Appointments are made for three year periods and although the initial date of appointments during 1981 and 1982 were staggered they all terminate on 30 June 1984 so that there is uniformity in all terms of office from then on.

Members may be re-appointed for a further term of office by the Director-General on recommendation from the Director.

All periodic recommendations for appointments and/or reappointments should reach Head Office before 31 May 1984 and each three year period thereafter.

In making recommendations Directors should present an adequate pen picture of the nominee and indicate the personal qualities and experience which are the basis for the nomination.

Discretion should be exercised when the possibility of an appointment is discussed with a prospective nominee.

M3.8 Fees and Allowances for Community Members

Community Members are entitled to a daily attendance fee and a mileage allowance in accordance with the Fees and Travelling Allowances Act 1951. Where the attendance is up to four hours in one day the attendance fee is reduced to one half of the daily fee. The rates are the same as those for the Residents' Panel Members of the Children's Boards and are subject to adjustments from time to time.

M3.9 Declaration of Confidentiality

Community Members of the Review Panels should be asked to acknowledge by signature their acceptance of the obligation of confidentiality in respect of information gained in their involvement with the Panel. Two copies of the declaration (see fig. 5) should be signed, the signature to be countersigned by the Director. One copy is to be retained on file and the other given to the Community Member.

The signing of this declaration should be used as an opportunity to discuss with the Community Member the meaning of confidentiality in relation to the Review Panels and to answer any queries in that respect.

M4 CLERICAL RESPONSIBILITIES

M4.1 The Register

A register (see fig. 6) will be kept to provide a record of each child/young person who is subject to the Planning and Review procedure. The register should serve as a check should the bring-up system described below fail to function on specific occasions. The register also serves as a management tool for the Assistant Director (SW).

M4.2 Clerical Action

The Clerk responsible for completing the processing of the S.W. 512 case report should make an entry in the register for any child or young person coming into care, using a separate page for each month. At the same time, a bring-up should be established for a date 2 1/2 months from the date the child entered care. When this bring-up is received the clerk should check the file to see whether a plan has been prepared and approved. If it has, the file can be put away and a Bring-up established for 5 1/2 months from entry date. If it has not, the file should be referred to the Social Worker's supervisor for action to be completed, and a bring-up established for the clerk one month hence. In this case, the process is followed through again to check that the plan is prepared and approved. Once this fact has been established, a tick should be entered in the first column of the register alongside the child's name.

Five and a half months after the child enters care the clerk receives the file on bring-up and should check to see whether the progress report, and new plan have been completed and approved by the A.D.S.W. If they have, the file can be put away and a bring-up established for 11 1/2 months from entry date. If they have not, the file should be referred to the social worker's supervisor for action to be completed and bring up established for the clerk one month hence. In this case, the process is followed through again to check that the progress report and plans are completed and approved. Once this fact has been ascertained and the next bring-up established, a tick should be entered in the second column of the register alongside the child's name.

A similar process should be followed in regard to the next progress report and plan. On this occasion, however, as the next stage is for the case to go before the Review Panel, the clerk should prepare (by photocopying) at least three additional copies of the plan and progress reports and the most recent S.W. 542A and S.W. 542B or C, for the members of the panel. The social worker will have scheduled a meeting time. Following the Review, the additional papers can be destroyed, and the register noted in the next column. (If the new plan has had to be revised as a result of the Review, noting of the Register should be delayed until the clerk has sighted the approved plan.) A bring-up should be established for two weeks prior to the next six monthly anniversary date and the process, as described above in 13.2 and 13.3 (with appropriate adjustments for dates) should be repeated until the child leaves care whereupon the register entry can be closed off.

Where a new plan is prepared some months earlier than would normally be the case, it may be necessary to bring forward the completion date for future progress reports and reviews. Any changes arising under these circumstances can be decided on by the A.D.S.W.

Where a child transfer from one district to another the receiving district will carry on the planning work. This will ensure that progress made in any case is not negated. (See fig. 7 for a flow chart of Social Work and Clerical Procedures).

APPENDIX TO PART M

	<u>Form</u>	<u>No.</u>	<u>Ref</u>
Fig. 1	Case Plan	SW 515	M1.6, M2.8 etc
Fig. 2	Personal and Family Information	SW 542A	M1.6 etc
Fig. 3	Foster Placement Information	SW 542B	M1.6 etc
Fig. 4	Regional Residential Placement Information	SW 542C	M1.6 etc
Fig. 5	Declaration of Confidentiality		M3.9
Fig. 6	Planning and Review Register		M4.1
Fig. 7	Planning and Review Flow Chart		M4.2

CASE PLAN

S.W. 515

Reg. No

Child's Name: Born:

Identifying Information

(Attach a copy of S.W. 542A and S.W. 542B or C
for information of Review Panel)

A SUMMARY GUIDE TO COMPLETING THE CASE PLAN

THIS PAGE — Attach S.W. 542A and latest B or C to give identifying and background information when case referred to review panel.

INSIDE PAGES —

- The maximum period of any plan is 6 months.
- Persons consulted should be named and those who have agreed to it should be underlined.
- The Goal should be the special long-term casework objective.
- The Target Problems are those which are identified as being an impediment to achieving the goal and which have been selected for social work intervention.
- The short-term Objectives should flow from the Target Problems and summarise what needs to happen in the next six months.
- Tasks are those specific actions expected to be undertaken by each person e.g. parents, child, foster parents, social workers (list tasks for each separately) to achieve the short term objectives during the period of the plan.
- The Contingency Plan is the alternative that may need to be considered if short-term objectives are not being achieved.
- Progress Report section allows the Social Worker to assess the appropriateness of the goal and the relevancy of the target problems, to indicate which short-term objectives have been achieved and/or what has hindered progress, and to comment on the response of all parties (including the social worker) to the assigned tasks.

(Figure 1)
continued
AGE:.....

SOCIAL WORK PLAN FOR
FOR PERIOD TO

PERSONS PRESENT AT THE MEETING (underline those who have agreed to plan)

PERSONS ALSO CONSULTED

GOAL (i.e. where should this child live permanently)

TARGET PROBLEMS (i.e. why can't he/she live there now)

SHORT TERM OBJECTIVES* (i.e. problems we will work on in the next six months)

TASKS* (i.e. jobs we each have to do)

CONTINGENCY PLAN

(A) If the goal cannot be achieved.

Contact Social Worker

(B) If present living arrangements do not work.

Approved
for A.D. S.W.

Date:

*If insufficient space use comments page

(Fig 1)
Continued

PROGRESS REPORT FOR PERIOD TO

GOAL AND TARGET PROBLEMS (How realistic was the goal and how relevant were the Target Problems?)

THE OBJECTIVES (which have been achieved?)

RESPONSE TO ASSIGNED TASKS

(Attach new plan for approval)

**PERSONAL AND FAMILY INFORMATION ON CHILD OR
YOUNG PERSON IN CARE AS AT**
(Date)

CHILD:
(Forenames) (Surname)

also known as

Birthdate: Place: Race (and tribe):

Date of entry to care: Status: Ward/S.I./Rem/Post/War/
(Other)

PARENTS: Father: Age: Race:

Natural/ Address: Phone:
Adoptive

Occupation:

Known to child as: Brief description: (Appearance and personality)

Mother: Age: Race:

Address: Phone:
(If different to father)

Occupation:

Known to child as: Brief description: (Appearance and personality)

Step-parent: Age: Race:

Address:

Known to child as: Brief description: (Appearance and personality)

SIBLINGS: Brothers/Age/Whereabouts Sisters/Age/Whereabouts

**OTHER
SIGNIFICANT
PEOPLE:**

Name/Relationship/Address/Significance

RELIGION: Importance to Family:

Attendance:
(Church, Sunday School, Frequency)

Significant Steps (Baptism, Confirmation, Dedication)

When and Where?

HEALTH AND DEVELOPMENT:

(Fig 2)
Continued

1. Innoculations (due at) (cross out as completed):

Triple (3 months) Polio (3 months) Polio (5 months) Measles (12 months) Double (18 months) Polio (18 months) Polio (5 years)
Rubella (girls 11 years) Tetanus (15 years)

2. Illnesses in past 12 months:

3. Present medication: (Specify)

prescribed by: Family Doctor (if different):

4. Allergies:

5. Health History (include references to physical or psychiatric disorder, TB, eye or hearing defects):

6. Dentist: last visit:

Any problems:

Enrolled in Dental Benefits Scheme? Yes/No

7. Feeding (include likes and dislikes, pattern, special diet, etc):

SCHOOL:

1. School: Class:

2. Aptitude and Progress (include reference to any special difficulties):

3. Present schooling plan:

GENERAL:

1. Behaviour patterns (include positive and negative):

2. Intellectual abilities (strengths and weaknesses):

3. Sporting and Cultural Interest and Aptitudes:

4. Special Needs (e.g. lifting at night, special toy):

5. Any property which is of significant value to child (e.g. watch):

Foster Placement Information

Copy for	
Foster Parent with S.W. 542A	/...../.....
D.O. File	/...../.....
H.O. File	/...../.....

Child:

Foster Parents:

Address:

Own Children (Sex/Age)

Other Children in Home:

Schooling Arrangements:

Religious Training/Observance Arrangements:

Contacts/Visits with Parents/Siblings/Significant Other
(Include comments on phone/mail contact/frequency of visits):

Proposed Length of Placement:

Short Term Plans:

Casework Goal:

Social Worker:

Supervisor (when social worker unavailable):

After Hours (in emergency):

District:

Placement Date:

Relationship to F.P.:

Ages

Occupation:

Marital Status:

Accommodation:

To be reviewed on:

Office Telephone:

Date despatched:

(Pg 3)
Continued

LIFE HISTORY: (Include dates of separations from natural parents and names and addresses of people who have previously cared for child. It should give a complete picture to date. For young children include comment on skills – eating, bathroom, dressing – and sleeping patterns.)

Family History:

REASON FOR COMING INTO CARE:

(Fig 4)

S.W. 542C

Regional Residential Placement Information

(Copy to Institution with S.W. 542A, and D.O. File)

Child:

Home District:

Social Worker:

Supervisor:

Liaison social Worker (if applicable):

Purpose of Admission to Institution (Assessments, training, security etc. Specify in detail. Include date of Court hearing if applicable):

Arrangements For Contact/Visits With Parents/Siblings/Significant Others (indicate travel arrangements and district/institution responsibility for same)

Short Term Plans (specify work with family while child in institution):

Initial Casework Goal:

Admission Date.

Date of Despatch:

Fig 4
continued

Life History: (Childhood experiences, personality development, social maturity, special abilities, previous placements and reasons for breakdowns.) Attach any recent specialist reports and include a physical description of child with a photo if available.

Family History:

Reason for Coming into Care:

Current Offences:

Previous Offences:

Date of Court Hearings:

Current:

Previous:

(Figure 5)

DECLARATION TO BE MADE BY PERSONS ENGAGED AS COMMUNITY MEMBERS OF REVIEW
PANELS FOR PLANNING FOR CHILDREN IN CARE

[illegible]

I, ...

of

Review Panel Member, declare

1. that I shall not, whether during my involvement as a member of the Review Panel or at any time thereafter, divulge or communicate or directly or indirectly disclose any information acquired by me in my capacity as a Review Panel Member to any person whomsoever, otherwise than in the discharge of my responsibilities.
2. that I shall not use for any purpose, other than for the discharge of my responsibilities as a Review Panel Member, information gained by or conveyed to me through my connection with the Department of Social Welfare, and understand that communication to the press or other publicity media on matters affecting the Department shall be made only by a person authorised by the Department to do so.

Signature

Declared at _____ this _____ day of _____

before me

• • • • •

[illegible]

(Figure 6)

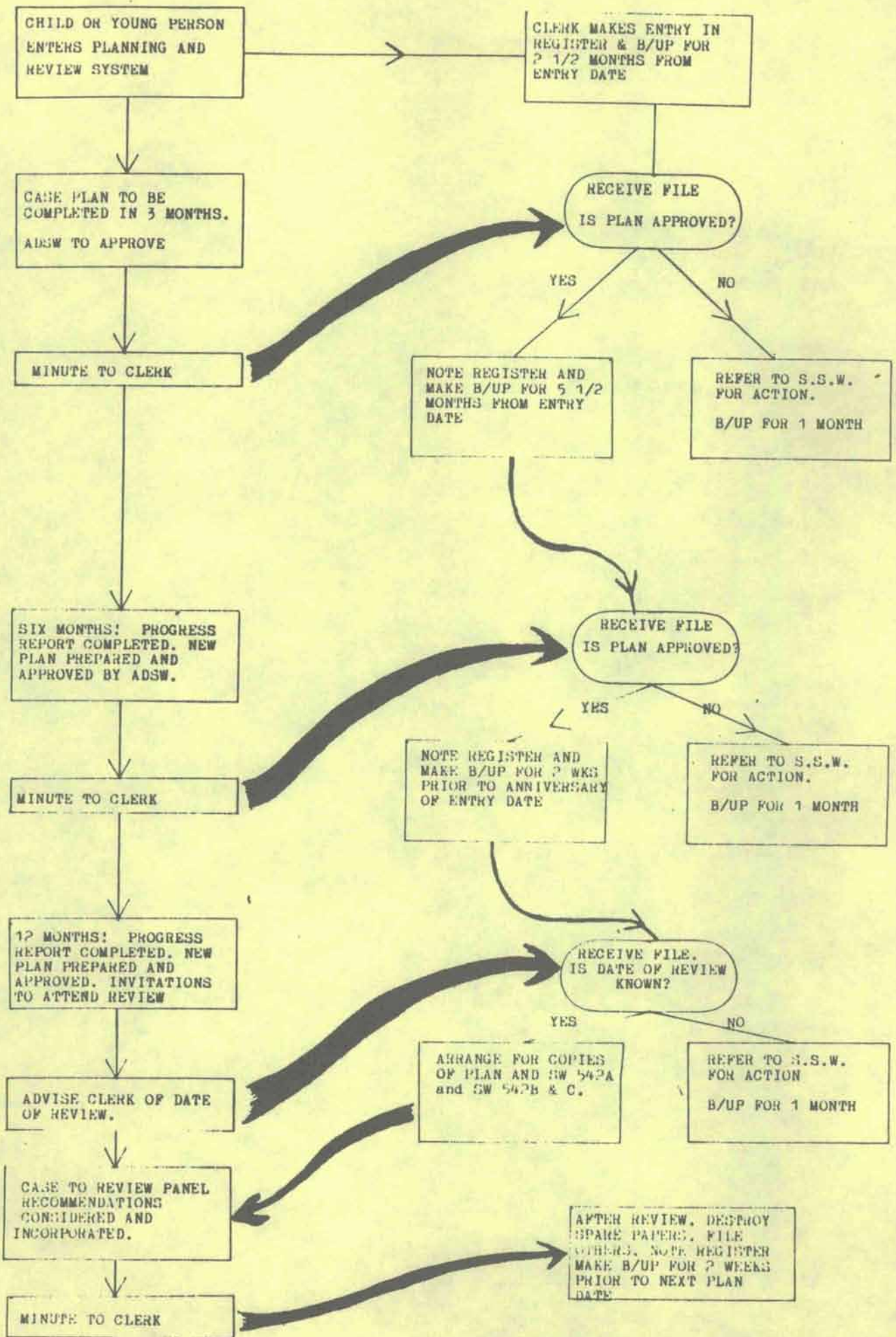
PLANNING AND REVIEW REGISTER

(Month of Intake)

[illegible]

PLANNING AND REVIEW FLOWCHART

FIG. 7



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PART N: CARE OF WARDSN1 GUARDIANSHIPN1.1 Introduction

An order placing a child or young person under the guardianship of the Director-General makes the Director-General the legal guardian of the child or young person "to the exclusion of all other persons" (S.49, Children and Young Persons Act 1974), so that the parents lose their legal rights of guardianship over the child or young person. Legally, the Director-General can retain guardianship until the Ward attains the age of 20 years or until his/her earlier discharge. In actual practice all but a very few Wards are discharged by the age of 17 or 18 years. (See S.49(8), Children and Young Persons Act 1974.) However, no Court order can, of itself, affect emotional and other bonds between the child and his/her family, and most of our Wards eventually return to their families, or at least hope to. Apart from the instances in which the family is known to have an actively harmful influence on the child or young person, family ties should be encouraged and parents should be consulted (or at least informed) about action concerning their children.

N1.2 Guardianship Responsibilities

The responsibilities imposed by a guardianship order are heavy and require the Director-General (through his Social Workers in the field) to see that the child or young person enjoys an environment which is more suited to his/her needs than the home from which s/he was removed. As these responsibilities affect every aspect of the child's or young person's life, his/her supervising Social Workers must know a great deal about the child/young person and his/her family.

N1.2 (b) Personal Messages from Director-General as Guardian

There are many occasions when the Director-General as guardian would wish to convey a personal message to a child or young person in care, their family/whanau, or to those members of the community who provide care for and share their family lives with those of whom the Director-General has responsibility. Congratulatory messages on personal achievement, messages of concern or condolence, acknowledgement of outstanding commitment and service, are examples of personal responses that the Director-General would wish to make. However, the Director-General has, to a large extent, devolved this function to District Directors and Assistant Directors (Social Work) who because of their proximity to events are able, on his behalf, to respond very promptly and in a personalised way.

From time to time, situations will arise where the District Director considers that either the Director-General or the Minister will wish to respond personally. Recommendations for a personal response from the Director-General or Minister must be accompanied by a draft reply. The report will be forwarded by the District Director to the Regional Director and hence to the Director-General.

N1.3 Wards of Court (See also D10 and D11)

(a) High Court as Guardian

Wardship of the Court is a special form of guardianship in which the High Court intervenes to protect a child or young person, or their property, from a situation held to be harmful and for which there is not a remedy in lower Courts. This type of guardianship takes precedence over all others, including that of the Director-General. It does in fact discharge any existing Guardianship Order in favour of the Director-General.

The High Court appoints a person to act as its agent/s for either general or particular purposes. It may also give directions as to custody and access. Sometimes custody and agency are vested in the same person or persons. Major decisions affecting a child's life can only be made by consent of the High Court. Although the Director-General has no guardianship responsibilities in relation to Wards of Court he may be appointed as a general agent, an agent for a particular purpose or purposes, may also be appointed as custodian (or may have no role at all in relation to a Ward of Court).

(b) Director-General as Agent and Custodian

When the Director-General is appointed as agent and custodian, the Social Worker's role on a day to day basis is very like that which they have in relation to a child or young person in care (with either the Director-General as guardian or with a Section 11 agreement with the parent/s as Guardian/s). However, the Social Worker's freedom to implement changes is restricted by the fact that the High Court holds guardianship rights and responsibilities.

- (c) A Practice Paper on High Court Guardianship which was distributed with Circular Memo 1986/299 has been inserted in Part D Custody, Guardianship and Access. The Social Worker is referred to D10, the practice issues in relation to Wardship applications and working with Wards of Court and their families are discussed.

N1.4 Principles Governing Exercise Of Guardianship

Section 4 of the Children and Young Persons Act 1974 requires us to treat the interests of the child or young person as the first and paramount consideration to the extent that this is consistent with following a course calculated to :

- (a) Secure for the child or young person such care, guidance and correction as is necessary for the welfare of the child or young person and in the public interest; and

- (b) Conserve or promote as far as may be possible a satisfactory relationship between the child or young person and other persons (whether within his/her family, his/her domestic environment or the community at large).

The Children and Young Persons Amendment Act 1983 spells out further requirements in respect to Section 4, ie

S4A establishes a principle in favour of the family group;

S4B establishes principles in favour of normalization, localization, voluntariness and participation which are to be applied to children and young people living apart from their family;

S4C allows for exceptions in certain circumstances to the application of S4B to children and young people under the Director-General's guardianship or in his custody.

All these provisions focus on the rights and needs of children and young people for a life that is as "normal" as possible.

When we consider the concept of normalization we can do so along two dimensions ie:

- (a) Developmental normalcy: The child or young person is progressing through developmental stages (physical/emotional/social/intellectual) in a way that is in keeping with their chronological age.
- (b) Environmental normalcy: A normal environment for children and young people is one where their needs are met in the loving care of their permanent family/whanau (at least until 16 years of age) and as a member of the locality/community in which the family/whanau lives.

Typically, children and young people who come into the care of the department whether on a long or short term basis, are experiencing some measure of disorder or disturbance in both dimension of normalcy.

As we work to maintain or restore or develop normalcy, with the focus always on the interests of the child or young person as the paramount consideration, we remain mindful of the fact that in normal family life the interest of children and young people are not the only consideration. Their well-being cannot be assessed in the context of an isolated individual. Rather, their well-being is dependent on the adequate functioning of various social networks e.g. family/whanau, community and school. Furthermore, we have to be mindful of our responsibilities as public servants to see that the taxpayers money is spent wisely and is properly accounted for.

In our work with children and young people in care we find that the concept of paramount interest and normalcy sit very comfortably together.

N1.5 Responsibility Of Social Workers To Give Positive Guidance

There appear to be growing numbers of young Wards, some of them aged less than 16, entering into de facto marriages or more fleeting periods of cohabitation. Although no statistics are kept on this it also seems clear that more and more young female Wards are becoming pregnant and while, for some, marriage can be encouraged, others are entering into what appear to be hasty marriages at an age and under circumstances which almost certainly spell later marital breakdown. Others, more wary of commitment or too young to marry, prefer to live with the father of their child without any realistic plans for the future. This is probably a reflection of an undesirable trend in the wider community but as legal guardian the Director-General has special responsibility for his Wards and is concerned to ensure that they are not allowed to drift into potentially dangerous situations without some positive steps being taken to counsel and if necessary to protect them from the consequences of their own thoughtless and unwise actions.

Often the first that is heard in Head Office of such situations is when a Ward is being recommended for discharge. Sometimes only the barest facts are supplied with no indication of what efforts, if any, Social Workers have made to counsel a young couple against early sexual involvement or hasty marriage or to discuss with them the practical realities of the various alternatives facing them and to consider more positive action.

It is realised that many of the youngsters with whom we deal have had inadequate social and moral training; also that the general climate of society gives little backing even to concerned parents. We ought not to accept this, however, as an argument to follow potentially destructive social trends but rather to throw the strength and resources of the department (which in some aspects exceed those of an ordinary parent) on the side of caution and self discipline. In doing so we may hopefully not only prevent individual youngsters from harm but also play a part in reinforcing useful and desirable standards of behaviour in the community at large.

Intervention of this kind is not a simple matter. A young couple may become deeply involved before we have had opportunity for counselling and once a baby is on the way a further dimension is added to the situation.

For this and other obvious reasons it is impossible to lay down hard and fast rules for dealing with all cases but it is important that, especially where very young Wards are concerned, positive guidance is offered or necessary action considered. As a general guiding principle Social Workers should remember that they act for the Director-General in loco parentis and they should not lightly ignore or condone situations in which a Ward is behaving unwisely. It should be remembered that it is a criminal offence for any person to have sexual intercourse with a girl under 16. Assistant Directors (Social Work) are asked to ensure that any case where an underage Ward becomes pregnant or has entered into a regular sexual relationship is examined and discussed locally at senior level to determine what action should be taken. The birth of a child to a Ward should always be reported to the Assistant Director (Social Work) with details and an evaluation of the parents' plans for the child's care.

N1.6 Religion

Prior to 1 April 1975 committal orders specifying the religion in which the Ward was to be brought up imposed an obligation on the Director-General which Social Workers endeavoured to fulfil. As it was not always possible to locate a foster home of the same religion as the child/young person, it was arranged with the proposed foster parents if not of the same religion before placement and by approach to the appropriate clergyman for the child to receive instruction in the religion stipulated in the committal order. Any change of religion, whether requested by the natural parents or a child under the age of 16 years required Court sanction. Although the department does not now have a legal obligation, a moral obligation remains to know and respect the wishes of parents in respect of their children.

Since 1 April 1975 guardianship orders do not stipulate the religion in which the child is to be brought up. However, as far as possible, the parents' wishes must be considered, keeping in mind the extra difficulties a Ward could encounter on his/her return home if all his/her siblings who remained at home were practising members of a particular religion, and he/she whilst a Ward had received no instruction or encouragement in maintaining links with the church of the family. Even more difficult would it be if through thoughtless placement the child had been the subject of proselytising. The matter should be fully discussed with the parents and their attitude and wishes obtained and respected.

Refer N14, Religious Instruction.

N1.7 Publication of Photographs of Wards

Occasionally local newspapers publish articles or news items on the social work of this department. These articles can be of considerable value in that they help the community gain an understanding and acceptance of the work of the department.

Many of these articles, however, can include photographs of the department's facilities and the children using them. In all instances, newspapers should be discouraged from publishing any photographs which could in any way identify any child or young person in the care of this department. Such photographs could embarrass them or their families. On the other hand, artifices to preclude identification, such as blocking out faces, are to be avoided also. Press photographs of children and young persons in Institutions should focus on natural activities with the photographer being briefed to avoid close up full-face shots. Where press or publicity photographs are to be used which will identify the children or young persons, their permission for publication is to be sought, and where appropriate, the permission of their parents also.

It is a regular practice in respect of some of our institutions to take photographs of children and young persons at or before the time of admission. This is acceptable in order to meet requirements of institutions and in order to assist in providing information to the Police when we ask them to locate a child or young person who is missing. In those institutions where events frequently make it necessary to give a photograph to the police, it would be prudent to establish the practice of retaining a further photograph at the institution. All photographs loaned to the police must be recovered by the institution as soon as practicable. When photographs are taken of children and young persons for identification purposes, they are to be taken in an informal setting (i.e. not against a wall) and in a sensitive manner.

It is expected that when a child or young person has their photograph taken as part of our official records, an extra photograph be taken and given to the child or young person.

Nl.8 Wards Appearing in Courts

When a Ward appears in a Court a Social Worker should be present. Although s/he may have no direct part in the proceedings, the Social Worker is present in the role of guardian and should know what is happening to the Ward. If the Ward is remanded in Police custody, the Social Worker should visit him/her and offer any reasonable support and help. The parents should be notified of the Ward's pending appearance in Court. The Social Worker also needs to ascertain that the Ward receives appropriate legal advice (see below).

Nl.9 Legal Advice for Wards (ref H7.4 re delegation)

It is the case worker's duty to ensure that Wards receive adequate legal advice when they need it, whether this is in relation to Court proceedings or otherwise. Except where prior advice from a lawyer is received that legal representation is not seen as having any advantage to the young person, all young persons for whom the Department has guardianship responsibility and those in care under a Section 11 agreement should be legally represented when appearing in Court on charges.

Directors are delegated the authority (minimum level SSW 104) to engage legal counsel for wards who have been charged with an offence. This will allow also for the most suitable solicitor to be engaged. Where possible the young person should be involved in the process of engaging a solicitor, guided of course by the foster parents; the natural parents, and the social worker as appropriate.

Where the charge is of a serious nature, social work staff should consult the Department's solicitor in the district for advice in the first instance. The Department's legal staff will also be available for guidance on the most appropriate solicitor for the referral of wards charged with offences of a special nature.

There will be instances where a ward's parents wish to arrange and finance legal counsel themselves and others where the ward is in a position to pay towards legal costs. While Social Workers should encourage such initiatives the final responsibility to ensure that the ward receives adequate legal assistance remains with the Department. Where the young person is in employment the Social Worker should discuss the appropriateness of a contribution towards part or all of the cost.

The need for legal representation for Wards and those in care under Section 11 will not always relate to offences. There will be instance where they are beneficiaries of wills, signing contracts for roles in films or such like. In such circumstances it would be considered appropriate to engage a legal advisor.

The normal fees which apply to the rest of community are accepted as appropriate.

Nl.10 Name Change by Deed Poll (ref H7.4 re delegation)

The Department has a firm policy that only in very special circumstances may wards adopt the use of their foster parents' name (ref SWM P2.23A).

However, occasionally wards who have been in long term foster care and have informally become known by the name of their foster parents express a wish to have their name changed by deed poll.

Social Workers who are approached with such a request need to assist the young person by exploring together the various aspects of such a decision including the legal consequences and the rights of the natural parents.

The legal right to change the name of a minor (i.e. a person under the age of 20) by deed poll is normally vested in the parents. (In the case of young persons of 16 years or older their own consent is required also).

Where the young person has been adequately counselled and both the parents consent, the legal formalities may be executed by the parents (on Forms R.G. 122 and R.G. 121, obtainable from the office of the Registrar-General). The Director-General's approval under such circumstances is delegated to Directors (minimum delegation level SSW 104).

Before the Registrar of Births, Deaths and Marriages will accept the Deed Poll stamp duty has to be paid at the local Inland Revenue office and the Deed has to be receipted accordingly. A filing fee is required upon filing the Deed with the Registrar.

The parents or the young person him/herself may wish to pay these expenses. Where this is not the case the costs in obtaining a name change by deed poll for a ward will be met by the Department.

It should be noted that a person may quite legally sign documents in the name by which he/she has come to be known through common use. It is mainly for the purpose of obtaining a passport in the adopted name that a change by deed poll may be needed. Where there are complicating factors and the matter of a passport does not arise it is therefore often appropriate to counsel a young person to wait until he/she is 20 years of age before legalising a change of name. At that age he/she can execute a deed poll quite independently.

N2 ACTION FOLLOWING GUARDIANSHIP ORDERN2.1 Introduction

Apart from the steps taken in the personal dealings with the Ward and his/her parents (e.g. explaining the true effects of the guardianship order, if this has not already been done, arranging an immediate placement, and so on) there are a number of routine administrative actions which Social Workers must take, or arrange to be taken, when a child or young person is placed under guardianship. Unless these steps are taken methodically, some action may be omitted and, as a consequence, additional expense, or inconvenience, or even unnecessary distress for the child or young person, may result. These steps are summarised in the following paragraph. The whole of this section is merely a guide to help Social Workers with a quick reference to routine steps, many of which require fuller treatment. Where this is the case, appropriate references are given.

N2.2 Checklist

The following steps should be taken following the issue of a guardianship order (not necessarily in the order stated):

- (a) Ensure that form SW 512 is completed (ref. Part C).
- (b) Enter particulars in visiting book.
- (c) Complete a draft notification slip indicating where extra copies are to be sent.
- (d) Initiate whatever maintenance action may be required. The entry "maintenance action initiated" should be recorded in the 'Remarks' section of the notification slip.
- (e) Notify the Principal of the school the child or young person attends of the outcome of the hearing on Form SW 650 (see Fig.1).
- (f) Pass the completed reports to the appropriate clerk who will dispose of the copies as set out in C5.5.
- (g) Prepare a memorandum for minuting to the Director-General if a case presents unusual features which it is felt should be brought to the attention of the Director-General.
- (h) Check Ward's clothing outfit.
- (i) Obtain a medical clearance if the Ward is being admitted to an institution, arrange a medical examination. If possible, obtain a record of his/her inoculations and vaccinations.

- (j) Check enrolment for dental benefits and arrange transfer or re-enrolment.
- (k) Check guardianship order.
- (l) Prepare a plan for the child's/young person's future.
- (m) Ensure that addresses or districts of Ward's siblings are on the cover sheet of the file, noting whether or not they are also Wards.
- (n) Prepare bring-up slip a week before Ward's birthday.

N2.3 Family Benefit

Family benefit is not payable for children who are maintained at the expense of the department. In order to avoid overpayment it is important that Family Benefit Division be advised by providing a copy of the notification slip.

N2.4 Check of Clothing Outfit

When a child or young person is placed under guardianship his/her parents should be asked to make sure that all his/her clothing and personal belongings including toys, hobby equipment etc., are ready to go with him/her.

As soon as circumstances permit, a physical check should be made of the Ward's clothing and a list of this prepared. A second list, this time of the requirement to bring the clothing up to standard, should be prepared. The Ward's personality, previous circumstances, the nature of the placement envisaged should be taken into consideration and the Ward's preferences e.g. jeans rather than skirts or dresses, jacket rather than raincoat etc., should be considered but a balanced wardrobe in relation to placement must be achieved.

It is important to ensure that the Ward is fully outfitted at time of placement and lists setting out guidelines for the normal requirements of children/young persons of different ages are given in the SWRF.

Refer to N8 which discusses the subject in more detail.

N2.5 Medical Clearance

If there is reason to suspect some physical or sensory abnormality, malnutrition or neglect or any other condition arrangements should be made for a medical examination of the Ward at the earliest opportunity. Any necessary specialist examinations can normally be arranged by the out-patient department of a public hospital. Where this is not practicable e.g. because of distance or urgency, private consultations may be arranged if recommended by a general practitioner.

A pre-school child who appears physically healthy but mentally retarded should be checked for sight, hearing and preferably be examined by a paediatrician who can assist the foster mother greatly by suggesting toys and play to provide the best possible stimulation for the child.

Where a Ward has been well-cared for and there is no reason to suspect any illness or abnormality, it is not necessary to arrange a specialist medical examination but all should be seen by a general practitioner.

Before being admitted to an institution, the Ward should be seen in advance by a doctor who must certify in writing that the Ward is free from communicable disease.

If the Ward is found to be suffering from a communicable or infectious disease that does not require hospital treatment and it is intended to admit the Ward to an institution, the doctor's report should be handed to the Principal of the institution so that he may take the necessary precautions to protect other inmates and residents. In those exceptional cases where there is not time to obtain a medical clearance, the escorting Social Worker should advise the Principal of this fact so that the Principal can have the Ward examined as soon as possible.

N2.6 Advice to School Principals of Court Decision

Social Workers are expected to co-operate to the fullest extent with the teachers of the children in whom they share a common interest and responsibility. It is important that the Principal of the school attended by the Ward until being placed under guardianship should be informed of the Court's decision at the first opportunity. This could be done by telephone, if local, and followed up by form SW 650 (see Fig.1).

Similarly, the Principal of the new school should also be informed of the salient facts of the Ward's background, and the broad plan for the Ward's future plus any relevant psychological reports, reports from institutions, school etc. This may be done by personal visit by a Social Worker, by telephone or letter but it is important that it be done preferably before the Ward commences at the new school.

Where possible the foster parent should be involved in the enrolment of the Ward at school. If the Social Worker has visited the school prior to the placement being made then the foster parent may be willing to take the child to the school for enrolment.

N2.7 Dental Benefits

Inquiries should be made as soon as possible after a child or young person under 16 years of age has been placed under guardianship to ensure that the Ward is enrolled for dental benefits and where necessary enrolled with the local dentist.

N2.8 Determination of Ward's Name for Official Purposes
(ref. H7.4 re delegation)

The department has many thousands of personal files and confusion between papers relating to different individuals with similar names constantly has to be guarded against. The position is further complicated because so many of the children and young persons with whom we deal come from families with complex genealogies; so that it is particularly important that each child's papers should be positively and consistently identified by the use of his/her proper name.

When a child or young person comes into care by guardianship order or Section 11 agreement the Social Worker should request a photocopy of the form F.B. 9 (Certificate of Registration of Birth) or its equivalent from the Family Benefit Section where the mother's F/B file is held in order to verify name and date of birth. Any change from previously used data should be noted in the remarks column of the next notification slip e.g.: 'Name amended following verification'.

Where there is a difference between registered names and known name, a decision needs to be taken as to which name is to be used for official purposes within the department. The general rule is that the registered name is used, unless there is some strong reason for adopting another usage. The minimum delegation level for deciding to use any other than the registered name for official purposes is A.D.S.W. Such a decision needs to be communicated to Head Office and all involved districts by notification slip giving relevant details in the remarks column.

Diminutives or nicknames should not displace registered names, but provided the report is headed with the Ward's official name and there is no confusion as to who is being discussed in it, there are no objections to the use of diminutives of known names in the text of official reports and correspondence.

The case where a Ward who has informally taken a name other than his/her own (e.g. a step-father's) and possibly does not know, and certainly does not use, his/her registered surname is rather more difficult. Generally, a name which has become firmly fixed by long usage before the guardianship order and is likely to remain in use may reasonably be recommended for official use. If it happens that there is another child/young person of exactly the same name currently on the books of the department the Director-General will direct that the new Ward is to be known officially as, say, Thomas Edward Brown No. 2 in correspondence within the department.

If, however, all inquiries are unavailing the Director is asked to recommend a name and a date to be recognised as the Ward's official birth-date. The date is given on file covers and in correspondence as: "2 - 8 - 62 (n.f.)" the initials standing for "not found".

N2.9 Check of Guardianship Order

Within a week or two after the Court hearing the district office should receive from the Court a copy of the guardianship order. (A copy is also sent to the parents.) This should be checked, particularly the names and dates.

Occasionally errors occur and where these happen the Director should return the copy to the Court for correction. It may also be convenient to obtain the parent's copy for correction but if there is any difficulty this should be left to the Court. However Court Registrars should not be asked to correct minor details concerning name spelling etc., e.g. Henry spelt Henry.

N2.10 Plan for Ward's Future Training and Development

It is particularly important to work out a plan for Wards (at the time of coming into care) which may be adapted, added to, etc., as time passes. (See Part M of this manual for 'Planning and Review'.)

N2.11 Children and Young People with Special Needs

In N1.4 we referred to the concept of normalization and our role in maintaining or restoring both a normal environment and developmental normalcy. We recognised that typically, children and young people who come into care are experiencing some measure of disorder in both dimensions of normalcy. However, we also have to recognise that some are experiencing a very large measure of disorder and such children and young people be regarded as having special needs. The task of caring for such children and young people and helping them towards optimum development while maintaining them in the most normal setting possible is an extremely difficult one. Very often intensive help and support is necessary and extra financial resourcing is often required in order to achieve desired goals for them.

The criteria that we use to define special needs are spelt out in P2.26 where they may be used to guide resourcing by Higher Foster Care Allowance.

Briefly that are set in six categories:

- (1) New Care arrangement
- (2) Emotional/Social difficulties
- (3) Physical difficulties
- (4) Intellectual/educational/employment difficulties
- (5) Sibling groups
- (6) Difficulties associated with achieving goals of environmental normalcy

N3 WORK WITH WARDS AND THEIR PARENTS

N3.1 Appeal Rights of Parents (See Delegations H7.4)

(a) Appeal To High Court Against The Order:- The Children and Young Persons Act (S.54(1)(a) & (b)) makes provision for parents to appeal against a guardianship order, and although these rights are explained on the guardianship order, the significance of the printed information may have escaped their notice or comprehension.

In cases where the parent or guardian appears to be labouring under a genuine sense of grievance about the finding or order of a Children and Young Persons Court, the Social Worker should explain briefly the appeal rights that exist and should suggest they consult a solicitor C10.14.

(b) Request to discharge Guardianship Order:- Parents should also be aware of their rights under Section 64 C. & Y.P. Act 1974 where after 12 months under the D.G.'s guardianship the parent or guardian can apply in writing to the D.G. to discharge the child. Appropriate action to such requests is outlined in C11.3.

(c) Review of Guardianship Order

If the request to discharge is refused, the parent may apply to the Children and Young Persons Court for a review of the Guardianship Order (Section 64). Appropriate action to such applications is outlined in C11.6. If the request is refused, they may apply to the Children and Young Persons Court for a review of the guardianship order.

N3.2 Family Contacts and Denial of Access (ref H7.4 re delegation)

Before discussing in detail the procedures to be followed and factors to be considered in the different placements available for Wards, some consideration will be given to the need where applicable, to work towards the Ward's eventual return home. The department's policy is to encourage the formation and preservation of family ties, wherever these are not harmful. One obvious way of doing this, is by encouraging children and parents to keep in touch with each other by visiting and correspondence. Another way is for Social Workers to consult parents about proposals for their children. Even where parents have by their behaviour abdicated their rights and responsibilities, they should at least be notified of their children's progress and movements unless this would be actually harmful to the children's long-term interests.

If a Social Worker considers that parents should be denied access to children in guardianship he/she should recommend accordingly to the Director.

The complete separation of children from parents and other siblings is a serious matter and is not undertaken lightly. It should be noted that under the Guardianship Act 1968 (S.15) a parent who does not have custody of a child may apply to the Family Court for access.

Before deciding to deny access Directors need to consider the possible effect it could have on any future application for dispensation of consent for adoption when it may be argued that the parents had no opportunity for regular contact.

N3.3 Preparing Parents for Ward's Return Home

In other than exceptional instances, parents should be kept informed of their children's progress and movements; this is simple courtesy, and from the point of view of casework, it is possibly even more important.

If the home circumstances which contributed to the child's/young person's removal in the first place, are capable of amelioration, some direct action should be taken to secure this. A return home is unlikely to be successful if a Ward returns to home conditions which are the same or worse than when s/he was removed. It is true, however, that increasing maturity may assist a Ward to be less vulnerable to unfavourable circumstances, but all reasonable efforts should be made to prepare the Ward's family - parents and siblings - for his/her eventual return.

N3.4 Parents To Be Informed of Incidents, Illnesses etc.

Unless circumstances exist that make it unwise or impracticable:

- (a) parents should be informed whenever it becomes necessary to move a Ward from his/her present placement or where an important decision is involved e.g. school, selecting employment etc.
- (b) parents are to be informed promptly (urgently in emergency situations of any illness or accidents other than those which are very minor, or of any operations which the Ward must undergo).
- (c) parents should be advised if their child runs away from his/her placement and cannot be located within a reasonable time.
- (d) parents should be advised if their child is to appear before Court. This is especially important if there is a possibility that the young person might be placed on probation or sent to youth prison and gives them the opportunity to attend Court or engage counsel.

When Head Office is notified of changes or accidents etc. by memorandum, notification slip etc., comment should be made on whether or not the parents have been informed or why this cannot or should not be done. (see also N11.10)

N3.5 Need to Preserve Relationship with Siblings

Besides the need to preserve the relationship between parents and Wards, there is also need to maintain contact with siblings. Unfortunately because of difficulties in arranging placements for brothers and sisters together or near each other, complicated by such factors as transfer with

foster parents to new districts, changes of foster home, combined with unavoidable staff changes, it is only too often forgotten or overlooked that a Ward under one Social Worker's supervision may have brothers and sisters elsewhere.

It is important for Social Workers to think of children in their family setting, and not as individual Wards, and make themselves thoroughly familiar with the records of the family. (See N3.7.)

N3.6 Keeping Families Intact (Special Purpose Family Homes)

In instances when a family of 4 or more children are placed under the guardianship of the Director-General, Directors should consider the possibility of obtaining rental accommodation for the children and engaging foster parents to care for that family, rather than placing them in separate foster homes. (See also Pl.8.)

In cases where the whole family is placed under the guardianship of the Director-General and the family previously occupied a state house the possibility of the department taking over the tenancy of a state house should not be overlooked.

N3.7 Addresses of Parents and Siblings

So that Wards may be kept informed of developments affecting their families, the names and addresses of parents and siblings should be entered on the cover of each Ward's personal file. Where brothers and sisters are themselves Wards, it will usually suffice to state the name of the district in which they are living, rather than note actual addresses. Social Workers should ensure that incidents concerning children under their supervision are notified to districts which are interested in other members of the family. Sometimes a special memorandum will be necessary but more commonly it will suffice to send copies of relevant memoranda and notification slips to districts concerned.

N3.8 Responsibility to Arrange Family Reunions (ref H7.4 re delegation)

The department has a duty to facilitate not only exchange of information and written communications among siblings of a family but also to enable siblings to have personal contact with each other in the attempt to establish and/or maintain normal interpersonal family relationships. Although in many cases their parents' home, a Family Home, or sometimes a foster home can be used to bring the family together (usually during holidays) there are a few families who are deprived of personal contact because of administrative and other difficulties. In such instances, the Director of the district planning the family reunion could investigate other alternatives so that the family members may meet and spend up to a week together. This would necessarily be conditional on there being available, a suitable adult to supervise proceedings. The minimum delegation level for expenditure on family reunions is SSW 104.

N3.9 Life Books

Life books are important in helping children in care with their - often unrecognised - identity difficulties.

The book could take any form but is usually a scrap book containing snapshots, drawings, writing, memorabilia and documents such as a birth certificate. It is crucial that the work is completely child-orientated and that the child is actively involved in its production at his/her own level.

The child's helper whether social worker, foster parent or friend must have a trusting relationship with the child before starting to explore personal and confidential experiences.

The child should be well motivated and decide for him/herself how much time to spend on the project and whether the book should be shared with anyone.

N4 PLACEMENT OF WARDS

N4.1 Responsibility of Director-General

When a child or young person has been placed under his guardianship, the Director-General assumes the full powers of guardianship. He rarely meets any of his Wards personally, and, in making decisions affecting them, he relies on the advice of his representatives in the field, the Social Workers who, in their day-to-day dealings with the Wards have a substantial degree of delegated responsibility, either personally or through their Directors. The Director-General is, in effect the guardian "to the exclusion of all other persons" (Section 49, Children and Young Persons Act 1974) and has final responsibility for all decisions concerning his Wards.

N4.2 District Judge's Recommendation To Be Reported

In placing a child or young person under the guardianship of the Director-General, the Court has no authority to attach any conditions to a guardianship order, but the Director-General will naturally give favourable consideration to any recommendation or suggestion made by a District Judge. Recommendations or comments, whether made orally or in writing, must be reported to the Director-General with any comment that the Director considers would be helpful.

N4.3(a) Types of Placements Available

When children and young people come into the care of the department, whether on a long or short-term basis, in our endeavours to establish a placement best able to meet their specific needs we aim for the most "normal" setting possible (see N1.4). For children and young people the most normal setting is one that caters in one way or another for their rights in relation to family whanau life and family/whanau belonging.

Current policies which focus for example on the permanency rights and needs of children and young people, the Maori perspective, the development of home-based support services and the concept of community care as an alternative to institutional care, have as their underpinning the principle of normalization.

In establishing the most appropriate placement for any child or young person we focus on their needs in relation to

- developmental normalcy
- environmental normalcy.

Types

The placements available for wards fall into the following main categories:

Short-term residential placement	- See Part Q
Long-term residential placement	- See Part Q
Special schools (Education Department)	- See Part Q
Private residential services	- See Part Q
Boarding school	- See N5
Foster care	- See Part P
Family Homes	- See Part P
Temporary Receiving Homes	- See Part P
Residential employment	- See below
Placement with relatives or friends	- See below
Placement with parents	- See below
Placement in flatting situation	- See below

N4.3b Resourcing Placements

There are available a wide range of financial provisions designed to resource children and young people needs in relation to:

- the provision of a culturally appropriate nurturing environment which is as normal as possible;
- the facilitation of an appropriate role of the natural family/whanau;
- the participation of the child or young person in activities etc in a way that is normal for like children and young people in the community;
- their progress through normal developmental stages (physical/emotional/social/intellectual) to their optimum potential;
- preserve the normal well being of the care-giving family or group and suggest them in their undertakings.

We recognise that many children and young people who are in the care of the department are experiencing some measure of disorder or disturbance in their development and in their environment. The task of addressing and meeting their needs in placements is a difficult one.

For those in placements resourced by foster care allowance (i.e. board payments) there are particular provisions in the form of Higher Foster Care Allowance which are designed to cater for primarily for those children and young people with special needs and secondarily to resource reasonable needs for items and services that arise in relation to any child or young person. (See P2.26).

N4.4 Residential Employment - Advantages and Disadvantages

Residential placements possess a great advantage in that the employer is able to supervise the young person in both working and leisure hours and effective control of expenditure and savings is facilitated.

Against these undoubted advantages must be put the corresponding disadvantages which should be taken into account when considering individual placements. While continuous supervision is often desirable, the very closeness of the relationship, and the absence of relief from contact with each other may produce an undesirable state of tension in both the young person and the employer. Similarly, too effective control of a young person's earnings may produce a state of dependency and lack of initiative. Therefore careful consideration should be given where placement in residential employment is contemplated to ensure that the placement will be viable in the particular case.

N4.5 Placement With Relatives or Friends (ref H7.4 re delegation)

These placements, immediately after the guardianship order are rare because if there are relatives or friends who are willing and able to care for a child/young person, it is usually preferable and possible to arrange for this privately without requiring Court action. In some special circumstances however, (e.g. where the parents are irresponsible and it is necessary to give the relatives or friends a measure of protection against their capriciousness) such placements may be appropriate.

Normally, close relatives of a Ward are not eligible for board payments. There is a general expectation in the community that extended families have a special responsibility towards their individual members and private arrangements for relatives to care for a child are commonly made without financial compensation.

The Department must take care not to be seen to give a financial advantage to relatives on the basis that the child is a ward unless there are overriding reasons for doing so. Directors may approve full or limited board payments or other financial support (e.g. clothing grant) to close relatives in exceptional cases where it is necessary and clearly in the best interest of the child to do so.

If benefit payments are made to the couple any support for fostering will need to be clarified first with the Benefits and Pensions Section so that the implications can be considered. Implementation can be actioned by inserting the necessary details in the remarks column on the notification slip which should show 'B' as the status if payments are made.

N4.6 Placement with Parents (see also N17) (ref H7.4 re delegation)

Placement with parents on a permanent basis ('H' status) normally indicates an intention to recommend discharge after an appropriate trial period.

It would be uncommon for such a situation to arise immediately following the guardianship order. However, there may be occasions where a guardianship order is sought on the basis that a child's interest be best served by his/her remaining in the parents' care provided there is an opportunity for oversight and immediate removal should that become necessary.

Such intention needs to be made clear to the Court at the time the guardianship order is being sought and must be part of an overall plan of which the Court is aware.

Unless this is done the Court presumably made the order because it was satisfied that the child or young person should be removed from home. A subsequent early return home might therefore well be regarded as being in contempt of the order.

In special circumstances (e.g. where the precipitating cause of the trouble has been removed, or the Social Worker found that s/he had made a genuine mistake in recommending guardianship) an early return home may be considered. Under such conditions the ADSW may approve a permanent home placement within six months of the order and advise the Regional Director. Such special circumstances should be explained to the Court and any significant comments expressed by the Court must be conveyed to the Regional Director.

Occasionally when a guardianship order is made unexpectedly, and arrangements for a placement have not been made, it may be expedient to leave the child/young person with his/her parents for a few days while a placement is arranged.

N4.7 Placement in Flatting Situation (ref H7.4 re delegation)

Today many young people desire to flat with others of the same age. As many of our Wards on discharge have little choice but to go flatting or set up home in rental accommodation, easing some, especially those who have no close family links, into a flatting situation prior to discharge can be a learning experience for the future.

The following general comments are relevant when a flatting placement for a particular Ward is being considered.

Hostel, boarding or live-in work placements should be tried before flatting is considered.

Young persons under 16 years of age, or attending school in most instances have neither the maturity nor the self-discipline to cope.

Young persons on "H" status may attempt to manipulate parents and Social Workers by demanding to go flatting. In such instances, if the situation warrants cancellation of "H" status, flatting should be considered as only one of many alternatives.

Emotionally disturbed Wards who have difficulties relating to peers may find flatting puts intolerable pressures on them. If, however, it is in the interests of the young person to be guided towards more independent ways, a carefully selected flatting placement together with appropriate counselling may be of value.

Where siblings are concerned mixed flatting is a possibility but in other cases, Wards should be placed with single sex groups.

Groups of young people who mix with gang elements tend to have the gang move in and the landlord move them out in a matter of weeks.

Most of our Wards fail to appeal to landlords offering better-class accommodation, so that they often obtain below-standard flats at comparatively high rentals in seedy neighbourhoods, or in inaccessible situations. The location of the flat may place them close to acquaintances or entertainment which may adversely affect their progress.

Where it is considered that the young person can cope in a flatting situation, and has the financial resources, the Social Workers should check the tenancy agreement to make certain that no unfair clauses are inserted, and to ensure that the Ward understands what s/he is signing. The question of length of notice to cancel tenancy should be understood by the Ward. Social Workers should also ensure that the electricity/gas meter is read prior to the young person's moving in to the flat, so that they are not charged with the former tenant's arrears. This is usually automatically achieved by paying the reconnection fee. Bonds are usually required but are refundable if and when the premises are left in an undamaged state. A letting fee, which agencies charge is a fee for services and is usually equivalent to one week's rent.

Blankets, pillows, linen, crockery, cutlery, etc. can often be obtained from bargain stores and auctions. An alarm clock is a necessity. Wards should be encouraged to insure all their personal possessions with an all-risks policy.

Directors may approve of a Ward drawing from his/her trust account to finance his/her share of setting up a flat (see also ref. N10.2).

If the Ward has insufficient funds to finance his/her share of setting up a flat the Director may approve a refundable allowance up to the equivalent of three weeks' net earnings by the Ward, provided the placement is considered to be in the Ward's best interests and likely to succeed. In the event of later difficulty in recovery, normal write-off action should be taken.

N4.8 Authority for Placements (ref H7.4 re delegation)

Except for overseas placements where there is no written agreement from the child's parents Directors may arrange for any suitable placement including a return home (ref. N4.6 and N17).

N5 EDUCATIONN5.1 Policy

As far as possible Wards should be regarded and treated in the same way as other children and should be encouraged to continue their formal schooling for as long as they are benefiting from it. They should be assisted to decide on, and follow, the educational course that suits them and where a choice of state schools is available, they should be enrolled at the one best equipped to provide for their particular needs. Application should not be made to the Maori Education Foundation for assistance for Wards.

N5.2 Age of Leaving School

Whether or not a young person in care over the age of 15 years should be leaving school is often a difficult and controversial issue.

As with all important decisions this matter must be dealt with within the planning and review procedures. The amount of consultation involved will vary from case to case. On occasions it may be helpful for a representative from the school to actually attend a planning meeting.

Where the decision is unusual or contentious a copy of the Director's decision should be forwarded to the Director-General.

N5.3 - N5.5 Reserved.

N5.6 Ward Requests Further Education After Having Left School For Some Time (ref H7.4 re delegation)

In some cases, Wards after leaving school and spending some time in employment or trying to find a job, request that they be permitted to return to school to obtain better qualifications. On the whole schools are very sympathetic and the decision to accept the Ward as a pupil (school boy/girl or adult pupil) is properly the decision of the Principal.

The Director may approve the return to full-time secondary schooling of Wards when s/he is convinced this is in the Ward's own best interests and the Principal approves.

N5.7 Enrolment As A Boarding Pupil (ref H7.4 re delegation)

The Director may approve boarding school education (public or private) for a Ward. The basis of approval is that attending board school appears to be the most appropriate setting to meet the needs of the Ward.

Enrolment at any particular board school is subject not only to the schools acceptance but also the acceptance of the ADSW (larger districts delegated to S.S.W. 105) in whose district the school is located. This applies even where the originating district retains casework responsibility.

The following points should be covered in the memorandum recommending approval:

- (a) comment on present arrangements for Ward's schooling and accommodation and why a change is necessary;
- (b) what particular advantages does becoming a boarding pupil appear to have for the Ward;
- (c) how do the present foster parents and the Principal of the child's school view the proposal?;
- (d) what other placements could be tried instead?;
- (e) what will be the total cost for the year, including uniform and any special fees;
- (f) what is the Ward's reaction to the proposal;
- (g) what arrangements are to be made for school holidays.
- (h) where the casework responsibility will rest.

Sometimes foster parents are prepared to pay the fees and additional expenses involved in sending a Ward to boarding school if the department continues the usual board payments to them. Such arrangements may be acceptable but must have the Director's approval.

N5.8 Boarding School Situated Outside Home District

Where a Ward is to be enrolled at a boarding school outside the local district, all information required must be sent to the Director of the district in which the school is located.

It must be made clear by consultation between districts where the primary initiating casework responsibility will rest. For example in cases where the child will spend most weekends at home the home district could retain this responsibility. In some cases it may be better for the district in which the boarding school is located to have the primary casework responsibility. The personal file and Kardex card must be held by the district with that responsibility and the notification slip should show any transfer of P/file and card; this also indicates the transfer of initiating casework responsibility (see also N7.4).

N5.9 Higher Education (ref H7.4 re delegation)

When a young person has made satisfactory progress at secondary school and wishes to proceed to a teacher's college, university, technical institute, nursing, or attend a pre-employment course, s/he should be encouraged to do so if s/he is considered suitable. Assistance may be provided by the Director as follows:

a reasonable outfit

the first month's board

fees and books for the first year.

Where any assistance is sought for a Ward to study full-time it would be expected that s/he should make some genuine effort to help himself/herself, e.g. by working during vacations. The status for tertiary education is "W.h.e." The Department of Education has agreed that wards who satisfy the general criteria for receiving Tertiary Assistance Grants will be entitled to receive a study grant plus a fees grant (equal to 75% of tuition fees). In addition wards who do not live with their own parents will be entitled to an accommodation grant. It has also been agreed that no applications for hardship allowance will be made in respect of wards. The amelioration of hardship is the responsibility of this Department.

Copies of the Department of Education pamphlet 'Applicants Guide for Tertiary Assistance Grants' will be available from Tertiary Institutions.

The Director may approve any additional assistance considered necessary for a ward who undertakes tertiary study.

Where tertiary bursary is not payable, as in the case of special courses at technical institutes the status B.h.e. would apply. Board would be paid plus a higher rate of pocket money at the discretion of the A.D.(S.W.) and clothing, fares, holidays, fees and books as usual.

N5.10 Examination Fees (ref H7.4 re delegation)

Payment of fees for School Certificate, University Entrance, Bursary, and University examinations may be approved by the Director.

N5.11 Private Schools (ref H7.4 re delegation)

In cases where there are sound reasons for a ward to attend a private school (as a day pupil) instead of a state school reasonable tuition fees may be approved by the Director. Where such attendance is not specifically for educational or social reasons but merely because it is the parents' preference the Department meets only the same expenses as for a state school, i.e. sports fees, library fees, etc.

N5.12 School Requisitions (ref H7.4 re delegation)

School books, text books, badges, sewing materials and other recognised school requisites can be approved by the Director. This also includes religious text books if requested by the school.

N5.13 Exemption From Text Book Fees

The Department of Education has exempted Wards from the payment of the deposit of \$2 for text books supplied through schools. This approval is conditional on the department's accepting liability for damage to or loss of text books issued to Wards. To obtain the exemption, a certificate must be supplied to the Principal by the Director, stating that the child/young person is a Ward and is therefore exempt.

The use of this provision places a responsibility on a Social Worker to ensure books are returned to the school once the child/young person leaves.

N5.14 Fees for School Activities (ref H7.4 re delegation)

Payment of charges for class or school functions or of any levy for cultural or sporting activities can be approved by the Director. Where as an alternative to other fund raising activities a school through its Principal or School Committee makes a levy by the term or annually this may also be paid.

N5.15 Kindergarten and Play Centre (ref. H7.4 re delegation)

Directors may approve payment of kindergarten or play centre fees for Wards. Foster parents should be encouraged to enrol Wards in one of these pre-school activities. Where the foster parents are unable to either take or collect the child and the Ward would otherwise be deprived of this valuable learning experience the Director should endeavour to make some satisfactory arrangement.

In places where there is no available play centre or kindergarten, Directors may approve attendance of a Ward for no more than four hours in one day, and payment of reasonable fees at a child care centre which:

- (a) has an 'A' licence
- (b) provides a kindergarten-type programme of known good quality
- (c) is preferably of the community or play centre type i.e. category 2 in the Register of Child Care Centres sent out annually by the department.

Full-day care for a Ward should be allowed only in rare and exceptional circumstances. Normally a pre-school child must not be placed in a situation where foster parents require full-day care facilities (see part P2). Authority to arrange for full-day care for Wards is delegated to Directors (see also N5.26 in case of handicapped children).

N5.16 Co-operation With Schools

There should be close co-operation between Social Workers and Principals of schools attended by Wards. At the time of enrolment a Principal should be told of the Ward's circumstances and background. The amount of details will vary with the circumstances of the child or young person, and on occasions with the school. Details of a child's or young person's delinquency should be divulged so as to protect the interests of other children and to enable the school to assist the child/young person overcome his/her difficulties. When it is intended to withdraw a Ward from a school the Principal should be told in advance and where feasible, given the opportunity to participate in the discussion and decision.

N5.17 School Reports

The reports obtained on a Ward during the school year are a valuable guide to a child's scholastic and school progress, and in addition, provide us with the teacher's observations on whether or not the child is well cared for and suitably placed in his/her foster home.

N5.18 Form SW 585 (School Report on Ward) (see Fig.2)

A report is required at half-yearly intervals for all Wards attending primary, intermediate, and secondary schools. Form SW 585 should be used for this purpose. Computer printed copies of this form will be sent to all Offices in April and October.

N5.19 Preparation of SW 585 (see Fig. 2)

The clerical officer should prepare SW 585 by completing the top half of the form as required and by inserting in the lower half the child's full name, date of birth and name of foster parents, if applicable. The form may be signed in the name of the Director.

N5.20 Despatch of SW 585 (see Fig. 2)

The form is to be despatched by post so as to reach the Principal at least 3 weeks before the end of the term or half-year as the case may be. A stamped addressed envelope should be included in all cases.

N5.21 Action On Return Of Completed SW 585 (see Fig. 2)

When the SW 585 is received, a clerical officer records the name of the school, the child's class, and dental details, on the personal history card SW 608. The report is initialled and dated in the top right hand corner when this action is completed. The reports are then sent to the Assistant Director, Social Work, for examination.

The Assistant Director should initial and date all SW 585 forms and indicate any further action s/he may require. S/he may delegate these functions to the Senior Social Worker. The forms are then returned to Social Work records for filing on the personal file and minuting to the Social Worker supervising the case who will be able to note the comments on the child and to take action on any matters to which the Assistant Director has drawn his/her attention.

N5.22 Action On Non-Receipt Of SW 585 (see Fig. 2)

Clerical staff should notify the Social Worker concerned if there is any delay in receipt of a report form for a child. A tactful letter, phone call, or visit can be made to the Principal concerned to ascertain if a form has been received and if so the reason for the delay in supplying a report.

N5.23 Report Not Generally Sought For Wards On "H" Status

Where a Ward has been returned to his/her parents on a trial status with a view to eventual discharge, school reports are not sought as a general rule, but the Director may exercise his/her discretion in any particular case to ask that a report be obtained.

N5.24 Expulsion (ref H7.4 re delegation)

If a Ward is suspended or expelled, the supervising Social Worker, after learning of the facts from the school should discuss them fully with the Assistant Director. In the case of the Ward we are acting in the role of interested parent and would not want any crisis in the child's school life to be dealt with without our close attention.

We want to be sure that the child's/young person's case is fairly heard and that action taken has regard, as far as possible, for his/her best interest. The Assistant Director may enter into discussion with the Principal and the Senior Inspector in an endeavour to arrive at the most satisfactory solution to the difficulty.

N5.25 Exemption From Further Schooling

Refer to general policy in Part A. If the Director feels after consultation with the Principal that exemption from further schooling should be sought for a Ward, s/he should send a report and recommendation to the Senior Inspector of the district.

If a young person under 15 years of age in a National Institution is considered by the Principal to warrant exemption from further schooling a recommendation from the senior teacher should be minuted by the Principal to the District Senior Inspector of Secondary Schools and a copy sent to the Director of the Ward's home district.

N5.26 Day Centres for Disabled Persons (ref H7.4 re delegation)

On the recommendation of a psychologist, a paediatrician or other medical specialist, Directors may approve the payment of fees for handicapped children or young persons in care to attend by the day, centres (pre-school centre, occupation centre, or sheltered workshop) run by suitable voluntary organisations.

N5.27 Extra Tuition (ref H7.4 re delegation)

Directors may approve extra tuition and coaching fees in school subjects provided the proposed assistance has the approval of the school Principal and that it is not available within the education system. Any disagreement on this point needs to be referred to the appropriate Education Officer with responsibility for special education.

N5.28 Teacher Aide

The Teacher Aide Scheme is funded by the Education Department, with individual schools being allocated such resourcing to certain limits. The Scheme is designed to provide individual help and support to children and young people with special needs who without this help would be difficult to sustain in an open school setting. Such assistance to children and young people in care is resourced by the Education Department.

From time to time, situations arise where a child or young person in care requires Teacher Aide assistance (perhaps in excess of normal expectations) but the school's funds are unable to meet the need at that point in time. School Principals, in conjunction with the Educational Psychologist, may approach the Department for funding in this respect.

Directors, on receipt of such written requests may approve up to 15 hours a week of Teacher Aide assistance (at current hourly rate) subject to renewal for a maximum of two terms.

Recommendations for Departmental funding in excess of 15 hours/week, or in excess of two terms, require the approval of the Regional Director.

A copy of any approval under this heading is to be sent to the District Senior Inspector of Primary or Secondary Schools as appropriate for his/her information.

N6 RECREATIONN6.1 Sport, Cultural and Recreational Equipment (ref H7.4 re delegation)

Under delegated authority the Director can approve the supply of sports, cultural and recreational equipment. Where the Ward has a Trust account or an ordinary bank account the Director can approve such purchases where the circumstances justify it.

The utmost discretion must, however, be used in the exercise of these authorities. A guitar, for example, would not be bought for a ten year old who has a sudden whim that s/he may want to learn to play a guitar. Talent and perseverance should be evident before expensive equipment is bought, and the quality should be appropriate for the age of the child or young person. A recommendation from a teacher, coach etc. should be used as a guide where appropriate. Such things as watches, toys and sleeping bags are included in this authority. Repairs to any such items may be paid when necessary and appropriate.

N6.2 Purchase of Dolls or Soft Toys (ref H7.4 re delegation)

Social Workers should always try to ensure that small children coming into care bring with them not only their personal clothing but also any doll or soft toy which may have meaning for them. In many cases, however, a child has little if any thing in the way of clothing or possessions, or little that is clean and of use. In such circumstances the Director can authorise purchase of a doll or soft toy where this seems desirable. It is not intended that such items be regarded as "standard issue" on coming into care, but that where a Social Worker or foster parent discovers a need there is provision to meet it. The need may be evident in other circumstances, for example, after a child changes foster homes or just in the process of growing up in the same foster home.

N6.3 Leisure Time Activities (ref H7.4 re delegation)

Uniforms and requisites may be provided, and fees paid for Wards who are members of organisations such as Girl Guides, Scouts, Boys' Brigade, St. Johns Ambulance and other similar organisations, and also clothing and footwear required by Wards to play in approved teams (school or other) e.g. football, basketball, hockey, tennis, cricket, or other recreational activities normally undertaken by children. (See N8.32 for pay procedure).

N6.4 Music, Dancing, Elocution Lessons etc (ref H7.4 re delegation)

The Director may approve fees for tuition where the Ward shows interest and ability according to a reputable teacher.

Directors may also authorise supply of essential music books and equipment which is recommended by the teacher.

N15 (Reserved)

N16 EMERGENCY FINANCIAL ASSISTANCE FOR WARDS

N16.1 Withdrawal from Trust Account

When a Ward commences employment s/he is provided with an initial work outfit. In many cases this is the last occasion on which the Director-General helps him/her financially (refer N8.28). From this point on the Ward accumulates savings and is able to draw on these funds provided the Director considers that the expenditure is reasonable. (See N10.2 for delegation level.)

N16.2 Financial Assistance For Placement In Further Employment
(ref. H7.4 re delegation)

In instances where a Ward has received an initial outfit in the past but has since become unemployed and has no funds, a Director may approve the following assistance to facilitate the Ward's placement in further employment:

- (a) Items of additional outfit.
- (b) Travelling expenses (by issue of travel warrants) to enable the Ward to take up the position.
- (c) Pocket money not to exceed a total of up to \$10.

N16.3 "Work, subsidised" Status Should Be Used When Appropriate
(ref. H7.4 re delegation)

If continuing financial assistance is needed through the initial stage of a job, then his/her status should be "W.s." until such time as s/he becomes self-supporting. This action can be taken even though the Ward's first or earlier employment situation was one in which s/he could support himself.

N16.4 Wards Under 16 Years of Age (ref. H7.4 re delegation)

If a Ward under 16 years of age is unemployed and boarding privately, his/her status will be "Work, temporary board" (W. temp. B.). It will be possible to pay board and pocket money, where necessary, at a rate up to the current net rate of unemployment benefit for persons under 20 years of age, unless specially high board commitments make it necessary to exceed this rate. His/her pocket money whilst unemployed should not exceed that which s/he received whilst working. The amount paid over and above the current rate of unemployment benefit will be recorded as a charge against future earnings but may be recommended for write-off if the Ward is later unable to pay.

N16.5 Temporarily Unemployed Wards Aged 16 Years And Over

A temporarily unemployed Ward aged 16 years and over is eligible for unemployment benefit but may need some extra assistance if s/he has specially high board or other commitments which cannot be reduced during his/her period of unemployment. Any such extra assistance given to supplement his/her unemployment benefit will be recorded for write off if the Ward is later unable to pay.

In the case of a Ward being temporarily ineligible for unemployment benefit, (e.g. during the 6 week stand-down period after dismissal through his/her own fault) arrangements for financial support could be made as for Wards under 16 years of age according to ref. N16.4.

N16.6 Emergency Grant Up To \$30 (ref. H7.4 re delegation)

In instances where Wards who are temporarily out of funds require financial assistance, the Director may authorise emergency assistance of up to \$30 through the Imprest Account in cash or by Imprest cheque. (NOTE - for cash payments a receipt is to be obtained on form Ty 45.)

Details of the payment are to be recorded on the Ward's file and where possible the advance should be recovered from future earnings unless the circumstances are such that no refund is to be made.

In cases where the assistance is refundable a debit note SW 107 is to be raised in accordance with instructions contained in Part I of the Accounts Manual and the debit note is to be cleared when the refund has been made. Where later a refund cannot be made full details are to be reported to Head office to consider further action or write-off.

N16.7(a) Young People in transition to independence

Social Workers, in providing financial assistance to young people in transition towards independence can usefully be guided in their decision making by the principle of normalization. That is to say, normally parents assist their young people in all reasonable ways to cope with various aspects of the transition and this may include "lending" them money from time to time. Although there are variations over culture and class etc in values and attitudes in relation to money and its management, many parents are concerned to ensure that their young people learn to manage within their means, establish priorities, restrict or avoid debt situations etc. However, they also recognise that the way their young person is in fact managing is not and could not be expected to be particularly successful from their adult perspective. Any "loans" provided are likely to carry a stated expectation of repayment but such expectation is unlikely to be endorsed by way of a formal debt.

Social workers in their work with young people in care in transition are often required to act in a helping/educative role as outlined above. This is particularly true when decisions are to be made regarding refundable or non-refundable financial assistance. An added factor for Social Workers is their wide accountability for expenditure of public

funds. A balanced approach is necessary in such decision making. Caution should be exercised in establishing formal debts to the Public Account.

Situations are undesirable where young people come to the point of discharge with the most pressing issues being administrative ones arising from debts to the Public Account. Senior Social Workers in exercising delegated authorities for financial assistance (See N.16 in particular) should include in their review of the young person's general and financial circumstances and needs, an assessment of progress in clearing earlier debts, the current debt/credit situation, and the ability of the young person to actually repay debts to the Department prior to discharge.

Regular district monitoring of the debt/credit rating of all young people moving towards independence should be undertaken by Accounts staff in liaison with Assistant Director (Social Work).

N16.7(b) Provisional write-off of personal debts

Debts to the Public Account can only be written off by the personal authority of the Minister. Authority to initiate provisional write-off of debts to certain limits currently lies with the District Directors (See Accounts Manual). Such provisional write-offs can only be made actual by the Minister.

In planning a course of action to resolve a debt situation in relation to a young person in care consultation between social work and accounts/admin staff is essential.

The Senior Social Worker and Social Worker should review the circumstances giving rise to the debt, and in the light of their knowledge of the young person's history and current circumstances, consider the appropriateness of pursuing recovery.

If justification for waiving recovery can be established, provisional write-off may be initiated at local level to certain limits (See Accounts Manual).

1. Where a debt is no greater than the equivalent of two weeks board (rate for age) the Senior Social Worker is authorised to initiate provisional write-off.
2. Where a debt is no greater than the equivalent of four weeks board (rate for age) the Assistant Director (Social Work) is authorised to initiate provisional write-off.

Where a debt cannot be dealt with in this way the Social Worker is required to enter further discussion with the young person regarding recovery action.

If all efforts to locate the young person are unsuccessful, the Director has delegated authority to initiate provisional write-off.

In all other cases, recommendations for waiving further recovery action must be submitted to Head Office, via the Regional Director.

Reports must make explicit the grounds for waiving further recovery action i.e.:

- unable to pay/payment would cause hardship.
- the debt is not legally recoverable.

The following information should be included:

- details of the debt and the circumstances giving rise to it.
- the present general and financial situation of the young person e.g. accommodation, income, savings.
- the efforts made to recover (if appropriate).
- the grounds for waiving recovery.

N6.13 Public Offers of Treats for Children in Care

From time to time the department receives offers from organisations or individuals to provide a 'treat' to children in care. Not all such offers are commensurate with the high standards of care that must be observed under our guardianship responsibility.

For example while special flights with a commercially operated airline have been offered and accepted as outings for children in care the department has in the past declined a similar offer where the use of aero club aircraft was envisaged. Such a situation presents the additional difficulty of not wishing to appear unduly cautious or indifferent, if not ungrateful, to those people who so generously offer their time and resources.

Any unusual offers of 'treats' for children in care should be carefully considered and, if necessary, referred to Head Office for direction or consultation.

N7 TRAVELN7.1 Holidays (ref H7.4 re delegation)

The Director may approve annual holidays for Wards within their own or any other district if the Director of the district concerned agrees. The Director may approve the payment of fares for a Ward to have one annual holiday per year. Only in exceptional circumstances should the Director approve the payment of fares for more than one holiday a year. Fares for a child/young person to spend time with parents on H temp status are not included in these annual holiday provisions. These fares can be met by the provisions of N17.7(b).

If foster parents wish to take a child/young person on holiday the Director may approve a holiday anywhere in New Zealand. The Director need not consult other Directors but should ensure that the foster parents are advised to consult the Director of any district which they are visiting in the event of an emergency. Board payments may continue while the child/young person is on holiday with his/her foster parents, and travelling and proposed accommodation expenses may be reimbursed.

N7.2 Overseas Travel (ref H7.4 re delegation)

It may not be possible for the Director-General's statutory obligations of guardianship to be enforced outside New Zealand. Overseas travel for wards, whether or not in foster parents' care, must therefore be subject to careful consideration. The natural parents' view must be sought where possible and their written agreement obtained. Where there is parental agreement or where the parents cannot be located the Director has delegated authority to approve overseas travel and related costs. If the parents object, the Director-General's approval is required. In case the parents cannot be located the efforts made to find them should be recorded on the file in some detail showing dates and other particulars.

Where the proposed stay overseas is for an extended or indefinite period the matter needs to be referred to Head Office as arrangements will have to be made for an overseas agency to supervise the placement.

Once overseas travel for a Ward has been approved an application for a passport should be completed and forwarded to the nearest Passport Office of the Department of Internal Affairs (located in the four main centres and Rotorua). Where a parent is available to sign the consent section on the application form this would be preferable and is all that is required. Where this is not practicable the following procedure must be followed:

- (a) The consent section to be signed by a senior Social Worker 'for and on behalf of the Director-General'.

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- (b) A copy of the guardianship order to be attached to the passport application.
- (c) A memorandum to accompany the application explaining the Ward's legal status and the position in respect of parental agreement regarding the travel.

When a Ward is 16 years or over the consent of the legal guardian is not required for a passport to be issued, nor can such passports be restricted. Passports are normally issued for a period of ten years but they can be issued on request for suitable validity for a particular journey. If the Director considers the validity of the passport should be so restricted s/he should provide Internal Affairs with details of the countries to which the Ward is travelling and for the periods involved when making the application.

Where a visa is required (and the Department of Internal Affairs can advise on this) it should be issued for a finite period which covers the period of the intended holiday.

While overseas, Wards remain on the caseload of the district. If it is appropriate that the Foster Care Allowance continues payments will be made in New Zealand currency and into a New Zealand bank account.

Wards travelling overseas must be adequately insured for the cost of medical treatment. This may well be achieved at no extra cost by having the child included in the foster parents' own policy. However, it is the social worker's responsibility to see that there is insurance cover. If necessary the department will pay the appropriate premium.

N7.3 Travelling Expenses (ref H7.4 re delegation)

For wards going on annual holidays or keeping dentist, doctor or hospital appointments or attending 'planning meetings' travelling expenses may be paid (order forms TY 125 are to be issued where practicable).

Similar provisions exist for foster parents who are escorting children or young persons for specialist treatment, visiting their foster child in hospital or attending planning meetings either with children or in their own right.

The warrant must be made out to the foster parent or child/young person for the specified trip. The foster parent must sign the acknowledgements on the warrant that s/he has received the tickets. In this way warrants can be issued in advance.

If foster parents use their own car to escort the child/young person for medical or specialist treatment or to planning meetings outside the district directors may authorise payment of the equivalent fare for one adult and one child.

Cost of travel to and from the nearest school has been allowed for in the Foster Care Allowance rates and should be met by the foster parents. If for a special reason the child attends a more distant school, payment of travel costs not covered by the Department of Education may be approved by the Director at his/her discretion.

N7.4 Transfer of Wards Between Districts

If a child/young person is not settling in one district or could be more suitably placed in another district or if he/she is ready for placement from a Family Home, the Director may communicate direct with any other district and arrange a mutually satisfactory placement (see N4.9). If a child/young person is ready for placement from a Boys' or Girls' Home, the Director may arrange a placement direct with the Director of any contributing district. Unless there is some incident which should be reported to the Director-General, these transfers can be covered by notification slips. Unless placement is otherwise impossible children/young persons should not be moved to places where family links with parents and siblings will be broken.

Whenever possible, suggestions on the care of a child/young person should be made when he or she is transferred out of a district or institution. A brief summary only is necessary of points not already covered by reports and notes for file which could be useful to the Social Worker taking over the case.

When a Ward transfers to another district except for a short casual visit as mentioned in U2.13 the following steps must be taken:

- (a) Approval must be sought from the Director of the receiving district before arranging a transfer (other than for admissions to National or Regional Institutions where the Principal approves the placement).
- (b) Notification slips showing a transfer to another district must be followed by an acknowledging notification slip from the receiving district confirming the arrival of the Ward.
- (c) Where the receiving district finds that the transfer cannot be confirmed, communication between the districts and the cancellation or amendment of the original notification slip should clarify the situation promptly.

At all times it must be clear where the initiating casework responsibility rests. Normally it is in the district where the child/young person is at any particular time. Exceptions to this rule are such instances as casual visits; boarding school placements with frequent returns home for weekends; as yet, unconfirmed transfers; etc.

With transfer of casework responsibility inevitably there must be a transfer of the personal file and the Kardex card. Notification slips must therefore state in the remarks column that file and cards have been forwarded to another district. This confirms the transfer of the initiating casework responsibility.

N7.5 Reserved.

N7.6 Travel Costs For School Excursions Camps etc.
(ref H7.4 re delegation)

Travel costs for a Ward travelling with a sports team or on a school excursion or some such outing including secondary school N.C.O. courses where the Director is satisfied that it would be in the child's/young person's interests to go may be paid from Imprest for "B" status cases. Where the child/young person is moving into another district the Director of that district should be informed. (See also N6.5.)

(For overseas travel see N7.2)

N7.7 Safety of Children Travelling in Cars

The following instructions apply to all children in the care of the department when being transported by car whether in the charge of a staff member, a Family Home foster parent or a Volunteer:

- (a) Children aged 8 years and over travelling in the front of the car must wear safety belts as required by the Transport Regulations.
- (b) Children under 8 years of age must not be allowed to travel in the front unless restrained by an approved safety device other than a standard adult seat belt. A child travelling on an adult's lap is not securely restrained.
- (c) Babies, unless nursed by an adult in the back seat, should be conveyed in a bassinet or carry cot, securely fastened and placed across the rear seat with the baby's head towards the centre of the vehicle.

Any safety device used for children in care must bear the SANZ mark of approval. Please refer to P2.37 also.

N7.8 Air Travel

The department receives the highest degree of co-operation from Air New Zealand and other carriers. In making travel arrangements Social Workers need to take special care that the possibility of incidents during flights be avoided. Mishaps in the past and an approach by Air New Zealand have led to the following specific instructions.

Air travel should not normally be used if the child or young person is likely to prove difficult, either because of behaviour or illness. Where exceptions to this rule are necessary the airline is to be advised of details so that the captain and crew can be notified.

Where a child or young person travels by air unescorted the hostess must be notified of the department's responsibility. It should be made clear that in unforeseen circumstances (e.g. if the aircraft is diverted or returns to the point of departure) the department is to be notified while the child or young person is being cared for at the airport.

Likely absconders or children/young persons considered to be significantly disturbed, unsettled or apprehensive concerning the circumstances surrounding their transfer must not be allowed to travel by air unescorted.

N8 CLOTHINGN8.1 Introduction

When children/young persons are placed under the guardianship of the Director-General, especially from unsatisfactory environments an important part of our programme of rehabilitation is ensuring that they are properly clad. Adequate, serviceable dress is our aim. Social Workers should avoid extravagance in either quantity or quality, but this does not mean that reasonable variation cannot be allowed. Wards should be dressed as a sensible parent of average means would dress them, so that they can take their place in the community without being conspicuously well, or inadequately, clad.

N8.2 Provision

Clothing where necessary should be provided for all children/young persons who come under the care of the Director-General, either by guardianship or Section 11 agreement. Clothing for school wear, ordinary wear, recreation and club activities should be provided according to normal standards. Such clothing is to be maintained at these standards so long as the children/young persons are under the Director-General's direct care. A child/young person taken into temporary care (warrant, adjournment, informal admission etc.) should be provided with minimum requirements only.

N8.3 Responsibilities of Home District

- (a) It is the responsibility of the home district to outfit a Ward (as far as possible) prior to transferring to another district or institution, boarding school etc.
- (b) When children or young persons are admitted to Regional Institutions the home district is responsible for delivering to the institution sufficient of the Ward's or non-Ward's clothing to meet his/her needs for the duration of residence there. Short notice admissions such as those following arrest, absconding, breakdowns etc. must be followed up as soon as possible with delivery of clothing to the institution. Where limited or nil clothing is recovered from the child's or young person's former residence then this fact is to be communicated to the Principal.

N8.4 Clothing Grants : Eligibility for Payment
(ref H7.4 re delegation)(a) Quarterly Grant

The quarterly clothing grant may be paid in respect of children/young persons on Board status (B) in foster homes, in private institutions (excluding registered children's homes), in long-term Family Home care and those children with relatives and friends where the department provides clothing assistance. All other children are excluded from the quarterly grant. (For discretionary exclusions see N8.11.) The grant is to provide for all normal clothing including maintaining school uniforms (for exclusions see N8.15).

(b) Additional (discretionary) Grant

The Director may, at his/her discretion, authorise in respect of any one child in any one year, payment of up to an extra quarter of the annual rate to meet special clothing needs, owing to circumstances such as an outsize child, cost of destroyed clothing, excessive wear owing to the nature of the child, etc. In addition the next quarterly payment may be paid in advance if considered necessary. This provision applies also for children on Ip status and comes under 'exceptional expenses' (see Q10.2).

(c) Supplementary Grant for School Uniforms

A special (supplementary) grant is payable when a change of school requires outfitting with a new school uniform (including satchel).

N8.5 Due Dates for Payment

Payments should be made as near as possible to the following dates:-

7 January, 7 April, 7 July and 7 October.

N8.6 Method of Payments

Payment is normally made by Treasury voucher (Ty.39) but may be made by imprest cheque at the A.D. (S.W.'s) discretion in special circumstances.

N8.7 The Payee

The quarterly allowance is payable to the foster parent or to the private institution to whom a board payment is made, or to the relative or friend receiving clothing assistance for the child/young person.

N8.8 Rate of Payment (ref H7.4 re delegation)

Basic rates of payment for the various age groups are listed in the Social work Reference File.

N8.9 Payment of Grant on Placement of Child in New Situation

On placement of a child/young person in a foster home, Family Home or private institution, the child/young person may remain on 'stores order purchasing' of clothing until the commencement of the next clothing grant quarter, when the foster parent will have been scheduled for payment of the grant.

Note: The A.D.S.W. should monitor clothing expenditure within the office budget control.

N8.10 Change of Age Category Rate

A child becoming 5, 11, or 14 years of age during a quarterly period will be entitled to the higher quarterly allowance for the whole of the quarter in which the birthday occurs.

N8.11 Discretionary Nature of Scheme

The A.D.(S.W.) may approve the use of stores orders instead of quarterly clothing grants for wards on 'B' status if in his/her discretion this is

appropriate. Children who are excessively destructive of clothing (or whose disturbed behaviour causes frequent changes of foster homes) may be excluded from the quarterly clothing grant scheme.

Likewise some foster parents who have valuable skills to offer, but who cannot for whatever reason, cope with the quarterly grants scheme may be excluded. Deciding when a Family Home placement (Bfh) becomes long-term is also the A.D.'s decision.

N8.12 Standard of Clothing at Time of Placement

As a clothing allowance is payable when the placement is deemed to be permanent or at the commencement of the next 'clothing quarter' the Social Worker is to exercise discretion as to how much clothing a child should be issued with prior to the clothing grant becoming payable. Senior Social Workers are to exercise a realistic control when approving such purchases which are designed to rectify deficiencies by bringing a child's clothing up to minimum standard.

Every effort should be made to collect a child's clothing from parents or former foster parents as applicable (e.g. on coming into care, returning to care from H status or removal from a foster home).

N8.13 Non-Recovery of Clothing Grant on Breakdown of Placement

When a foster placement breaks down and the child has to be moved from the foster home, no attempt is to be made to recover any unspent grant. However, should a foster parent wish to refund such moneys, s/he should do so, preferably at the district office where an official receipt can be issued. If this is not convenient, or appropriate, in the circumstances, then the Social Worker may receive the money, but only on the issue of an interim receipt.

N8.14 Purchasing by Adolescents

As a means of enabling teenagers to become more independent, sensitive management of the clothing allowance can be a very useful tool for a foster parent. A reasonably well-adjusted young person of 14-15 should be capable, under the guidance of a good foster parent, of taking a large degree of responsibility for budgeting and choice in spending the clothing allowance. The ability to allow a young person to learn from his/her own relatively minor mistakes is an essential part of the growing up process.

N8.15 Procedures when Quarterly Clothing Grant is Not Payable

The following procedures apply when the placement of a Ward does not qualify for Quarterly Clothing Grant (N8.16 - N8.37).

N8.16 Clothing Sheet (ref H7.4 re delegation)

Form SW 613 'Clothing Required' (refer Fig.3) provides a continuing record of clothing purchases made by stores order for a child/young person. It is to be kept at the top of the file immediately below the 'Health Sheet'.

N8.5 Due Dates for Payment

Payments should be made as near as possible to the following dates:-

7 January, 7 April, 7 July and 7 October.

N8.6 Method of Payments

Payment is normally made by Treasury voucher (Ty.39) but may be made by imprest cheque at the A.D. (S.W.'s) discretion in special circumstances.

N8.7 The Payee

The quarterly allowance is payable to the foster parent or to the private institution to whom a board payment is made, or to the relative or friend receiving clothing assistance for the child/young person.

N8.8 Rate of Payment (ref H7.4 re delegation)

Basic rates of payment for the various age groups are listed in the Social work Reference File.

In addition, the Director may, at his/her discretion, authorise in respect of any one child in any one year, payment of up to an additional quarter of the annual rate to meet special clothing needs, owing to circumstances such as an outsize child, cost of destroyed clothing, excessive wear owing to the nature of the child, etc. If difficulties are being experienced by foster parents in purchasing the 'initial' school uniform after the school uniform grant (see SWRF) has been provided the next quarterly payment may be paid in advance if considered necessary. This provision applies also for children on Ip status and comes under 'exceptional expenses' (see Q10.2).

N8.9 Payment of Grant on Placement of Child in New Situation

On placement of a child/young person in a foster home, Family Home or private institution, the child/young person may remain on 'stores order purchasing' of clothing until the commencement of the next clothing grant quarter, when the foster parent will have been scheduled for payment of the grant.

Note: The A.D.S.W. should monitor clothing expenditure within the office budget control.

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A child becoming 5, 11, or 14 years of age during a quarterly period will be entitled to the higher quarterly allowance for the whole of the quarter in which the birthday occurs.

N8.11 Discretionary Nature of Scheme

The A.D.(S.W.) is expected to exercise considerable discretion in the application of the quarterly payment scheme. Children who are excessively destructive of clothing (or whose disturbed behaviour causes frequent changes of foster homes) may be excluded from the scheme.

Likewise some foster parents who have valuable skills to offer, but who cannot for whatever reason, cope with the quarterly grants scheme may be excluded. Deciding when a Family Home placement (Bfh) becomes long-term is also the A.D.'s decision.

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As a clothing allowance is payable when the placement is deemed to be permanent or at the commencement of the next 'clothing quarter' the Social Worker is to exercise discretion as to how much clothing a child should be issued with prior to the clothing grant becoming payable. Senior Social Workers are to exercise a realistic control when approving such purchases which are designed to rectify deficiencies by bringing a child's clothing up to minimum standard.

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As a means of enabling teenagers to become more independent, sensitive management of the clothing allowance can be a very useful tool for a foster parent. A reasonably well-adjusted young person of 14-15 should be capable, under the guidance of a good foster parent, of taking a large degree of responsibility for budgeting and choice in spending the clothing allowance. The ability to allow a young person to learn from his/her own relatively minor mistakes is an essential part of the growing up process.

N8.15 Procedures when Quarterly Clothing Grant is Not Payable

The following procedures apply when the placement of a Ward does not qualify for Quarterly Clothing Grant (N8.16 - N8.37).

N8.16 Clothing Sheet (ref H7.4 re delegation)

Form SW 613 'Clothing Required' (refer Fig.3) provides a continuing record of clothing purchases made by stores order for a child/young person. It is to be kept at the top of the file immediately below the 'Health Sheet'.

The Social Worker receiving the request for clothing will enter the items required in the appropriate column, (fill in when last supplied or 'NPS' if there has been no previous supply) enter the child's status and date of request. If the senior Social Worker approves, s/he will sign the sheet in the appropriate column. Where clothing is purchased from a Ward's savings and no order is used, no entry will be made on this form. Any clothing sheet on which the last entry was made more than 3 years ago should be removed from the file and destroyed.

N8.17 Stores Orders (ref H7.4 re delegation)

There are two types of order forms which may be used:

- (1) Stores order Ty. 125 is prepared in the Social Welfare Office. The usual procedure where a foster parent who is not receiving a quarterly clothing grant has requested clothing for a Ward is, after entries have been completed in the 'Clothing Required' sheet, to hand the file to the clerk who will prepare and sign the orders (Form Ty. 125) and post them to the foster parent who will arrange purchase and hand the order to the shop keeper.

Where purchases are being arranged in this manner, the Social Worker should request separate orders for items which are unlikely to be available in the same shop, or if there is doubt about a firm being able to provide the item.

- (2) Stores order SW 631 is issued in book form and can be used when a Social Worker personally makes the purchase. Whenever possible, purchases are to be made on this form which is to be completed and signed by the Social Worker at the time of the purchase. They are most useful when a Social Worker takes a Ward shopping. The Social Worker can write out the orders on the spot, and the signature on the form is an acknowledgement that the goods have been received and that an account for them can be paid. A Social Worker must not hand one of these orders to a foster parent or employer with a view to their using it to purchase the required clothing.

On any occasion when a Social Worker issues one of these orders without prior approval for supply being obtained on the clothing sheet (SW 613) it will be his/her duty to ensure that s/he makes the necessary entries on the clothing sheet when s/he returns to the office. S/he will, after doing this, enter on the triplicate (pink) copy of the order 'Clothing Sheet noted' and add his/her initials. The file must then be minuted or handed to the authorised approving officer to confirm the authority for supply.

Note: On no account is either Ty 125 or SW 631 order to be handed to the child or young person to carry out the purchasing on his/her own.

N8.18 Verification of Receipt of Clothing Purchased

If a Social Worker makes a request for clothing to be supplied to a Ward (as s/he does in entering items on form SW 613) (refer Fig. 3) s/he places her/himself under an obligation to see that the items are supplied. Periodical checks and tactful enquiry on the part of the Social Worker will give a satisfactory safeguard that items of clothing purchased are received by the Wards for whom they are intended. Occasionally, when no other form of acknowledgement is available the clerical staff will ask the Social Worker to indicate by signing the triplicate (pink) copy of Ty. 125 that the items have been supplied to their satisfaction. This should be necessary only in rare cases since stores order Ty. 125 issued to foster parents are endorsed with the following instruction to the retailers.

Note: Please ensure that the purchaser's signature is endorsed on your invoice before submitting it for payment. (Refer also to appropriate section of the Stores Manual.)

N8.19 Purchases Subject to Inspection

Quantities and cost of clothing purchased in individual cases are subject to periodic examination by the office inspectors who may draw the Director's attention to instances where either appears to have been excessive. Section clerks are also instructed to check the cost of items supplied, and where they note this to be excessive, or where quantities issued to a particular Ward appear to be unreasonable, they should bring this to the notice of the Director. They should also draw his/her attention to any cases where purchases have not been properly recorded on clothing sheets or have not been authorised.

N8.20 Maintenance of Ward's Clothing

Foster parents are expected to mend and alter clothing to the extent that a normal parent would in similar circumstances. In some cases where foster parents will not or cannot maintain a child's outfit reasonably, there is considerable room for doubt as to whether they are satisfactory foster parents.

N8.21 Clothing Returned

Quite often, foster parents return clothing that is still in good condition but which is no longer suitable for the child/young person because he/she has outgrown it or has left the particular school for which the clothing was bought. Where this is done the items returned should be entered on the form SW 613 together with a brief note of the circumstances, the date of supply and date of return. This will be done only if the condition of the clothing warrants it. By "crediting" returned clothing in this way it is possible to check more accurately, the real position regarding clothing issued to a Ward.

N8.22 Special Circumstances Surrounding Issue of Clothing Items

If, because of damage or loss, items of clothing are supplied again, a note should be made of this (or reference made to a note for file) on the SW 613.

N8.23 Need to Check Outfit

Whenever a Ward comes into a district a Social Worker will need to check his/her clothing in order to determine what will be required. The items of the outfit with which the Ward arrives can be recorded in a note for file. This should be done when a Ward transfers from one foster home to another and when s/he is about to return to his/her parents on home (H) status. In the two latter instances any deficiencies in the Ward's outfit should be made good before placement in another foster home or with the parents as the case may be. (See also N17.14.)

N8.24 Clothing Provided While a Young Person Remains in a Boys' Home or Girls' Home (Refer Residential Workers Manual Part F)

It is the responsibility of the Social Worker to obtain as much as possible of the child's or young person's clothing for his/her use whilst residing in the institution, whether a Ward or not and whether admitted by the Police or a Social Worker. The obtaining of sufficient clothing from the former home or accommodation may not be easy or in the end successful. Only after immediate and reasonable attempts have been made to recover the clothing is the Social Worker to advise the Principal of the institution that any other (or any) clothing cannot be recovered. This then allows the institution to purchase sufficient clothing for the child/young person.

Particulars (item and date) of any clothing purchased for, or supplied to, a child/young person while in a Boys' or Girls' Home, and which is to remain his/her property after s/he leaves should be entered on the clothing sheet of the district office files.

N8.25 Initial Work Outfit for Young Persons Going To Work From An Institution

In these cases the instructions regarding issue of initial outfits (refer N8.28) will apply. Subsequent replacements will be met by the Ward.

N8.26 Clothing For Working Ward Discharged From Institution (ref H7.4 re delegation)

If a young person who has been employed for a period while in an institution needs special clothing to take up work on his/her discharge, e.g. taking up a farm job after having worked as a builder's labourer, the Director may issue the items required on an initial outfit basis.

N8.27 Clothing for Young Persons Returned Home From Institution
(ref H7.4 re delegation)

On discharge from an institution a Ward should have a reasonable outfit of clothing to meet his/her present needs. If a considerable amount of clothing is required because of the nature of the work the Ward is entering, and if the parents cannot afford the cost, the Director may authorise the purchase of essential items. (Where any other form of assistance is required see ref N17.17.)

N8.28 Initial Work Outfit (ref H7.4 re delegation)

In many cases the issue of an initial work outfit will be the last occasion on which the department helps a young person financially. The Ward should be provided with an adequate outfit of best and working clothing which will meet his/her needs for a reasonable period. (See also N16.1.)

N8.29 Assistance for Placement in Further Employment
(ref H7.4 re delegation)

In instances where a Ward has received an initial work outfit in the past and has no funds, the Director may purchase additional clothing to facilitate the Ward's placement in further employment (refer N16.2).

N8.30 Working Wards

After a Ward has become established in employment and has begun to build up savings and shows some responsibility, s/he may be given increasing responsibility for purchase of clothing until all purchases can finally be left to his/her discretion. This usually coincides with his/her placement on "Work Independent" status.

N8.31 Reserved.

N8.32 Uniforms and Requisites

Uniforms and other necessities may be provided for Wards who are members of organisations such as Girl Guides, St Johns Ambulance and other similar organisations, and also clothing and footwear to enable them to play in approved teams (school or other), football, basketball, hockey, tennis, cricket or other recreational activities normally undertaken by children/young persons; also basic requirements for school physical education activities.

In each calendar year such special items as mentioned above may be credited against the amount of one additional quarterly clothing grant. Where no clothing grant is payable, stores orders may be issued up to the equivalent of one additional quarterly clothing grant per annum.

Any such purchases must be entered and approved on the file clothing sheet.

Expenditure beyond the amount of a quarterly clothing grant in the one year needs to be referred to Head Office for approval.

N8.33 Special Clothing and Bedding (Enuresis and Incontinence)
(ref H7.4 re delegation)

In enuresis cases a rubber under sheet or a rubber envelope to cover a mattress, flannelette sheets, blankets and 'safety' electric blankets may be provided (by purchase by stores order) for children at board at the discretion of the Director.

In order to avoid embarrassment to Ward and foster parents and reduce strain on the latter incontinent children/young persons should be considered for inclusion in the quarterly payments scheme rather than for exclusion as in N8.11. The practice will then be that the A.D.S.W., when circumstances require, will first use the extra grant provision (N8.8) and then at his/her discretion authorise purchase of any additional clothing required by way of stores orders.

N8.34 Reserved.

N8.35 Wards in Psychiatric Hospital

Please refer to Part Q.

N8.36 Incidentals Allowance

An incidentals allowance is included in the standard board rate to provide for all miscellaneous expenses incurred in a board placement; e.g. toilet articles, haircuts, local travel, school stationery etc. Where costs in individual cases regularly exceed this allowance, the Assistant Director (Social Work) has discretion to reimburse the foster parent for out-of-pocket expenses. Receipts for items in excess of \$3 are necessary.

N9 EMPLOYMENT

N9.1 Introduction

Every Ward should be encouraged to continue his/her education to the limit of his/her ability and should not be permitted to leave school without consultation between the Social Worker and the Principal (refer N5). When a Ward has completed his/her schooling s/he should be placed in suitable employment according to his/her educational background, intelligence, skills, aptitudes and wishes. It often requires considerable effort to find suitable work for a Ward but this is justified as an expedient placement is seldom appropriate or successful. The young person's wishes are important and should be considered. At the stage in a Ward's life when he/she seeks employment the general social work principle of working with rather than for the client will ensure that a young person will feel some sense of personal commitment when embarking on a job.

N9.2 Vocational Guidance

Vocational guidance officers are not only able to carry out tests to help towards a reliable assessment of a young person's skills and potential for an employment situation but they also have a large amount of information available regarding employment opportunities and have considerable knowledge of the local employment field. An arrangement exists whereby vocational guidance officers supply local Directors with a copy of their planned itineraries. These should be circulated to Social Workers who should then supply vocational guidance officers with a list of those Wards who might benefit from guidance, together with any information about the Ward which may be helpful to the vocational guidance officer. Wards should also be notified of pending vocational guidance officer's visits.

N9.3 Careers Advisers

A careers adviser is a teacher at a secondary school who is provided with information regarding job opportunities. He/she is relieved of a certain amount of normal classroom duties in order to be free to advise young people on choice of employment. The careers adviser can often offer valuable help because, being on the school staff, s/he may know a good deal about the personal, educational, and social qualities of the Ward we are concerned with.

N9.4 Labour Department Special Employment Officers

The Labour Department is prepared to offer an employment service for those people who because of physical or psychological handicap are difficult to place in employment. Social Workers will find these officers ready to assist.

N9.5 Rehabilitation League (NZ) Inc.

The Rehabilitation League (NZ) Inc. previously known as the Disabled Re-establishment League, has district offices situated in the main centres, Auckland, Wellington, Christchurch and Dunedin and also Napier, with a workshop offering limited work experience and offering on the job assessment and training. They cater for physically handicapped, emotionally disturbed and intellectually handicapped persons. Districts wishing to refer Wards to these centres should make arrangements through the district offices where the workshops are situated. During the assessment period the person is entitled to unemployment benefit plus a rehabilitation allowance from the League.

N9.6 Employment-Related Social Workers

The department employs a number of Social Workers who work specifically in the employment-related area. The objective of the programme is to meet the social and personal needs of young people, individually and in groups, who are at risk, by ensuring that they receive maximum help in getting a job or suitable training placement.

Duties of these positions include:

1. Liaison with potential employers, local authorities, government departments, voluntary agencies, work trusts and co-operatives.
2. Participation with community based groups in the development of employment opportunities for young people at risk.
3. To work to enhance the employment prospects of young people individually and in groups.

In those districts where employment-related Social Workers are operating, some assistance in the placement into employment of Wards may be available, as well as a good knowledge of the local employment scene.

In every case where the employment-related Social Worker assists, the basic casework responsibility remains with the Social Worker who has the Ward on his/her caseload.

N9.7 Invalids Benefit

A Ward, unemployed because of limited intelligence, may be eligible for an Invalids Benefit and in many cases will be capable of attending the I.H.C. sheltered workshop if there is one locally situated.

N9.8 Information for Employers

In making any employment placement it is wise to discuss with the employer some of the particulars of the Ward's background. In some cases only limited information need be given, e.g. where poor home circumstances have led to the young person being placed under the guardianship of the Director-General, and s/he is reasonably settled and amenable. In other cases the information will need to be more detailed, e.g. where a Ward has a history of car conversion, burglary, theft etc., so that additional vigilance on the part of the employer could minimise possibility of temptation being placed in the Ward's way.

Where a Ward is going to be living with the employer as well as working for him/her, we have a strong obligation to consider both the employer and his/her family and therefore to convey reasonable background details. Whenever Wards are placed in a job by a Social Worker the employer should be told something of their behaviour where such behaviour, if displayed in employment, would cause the employer concern.

N9.9 Ward, Parents Or Other Agencies Finding Employment

Where a Ward finds his/her own job or where s/he is placed by his/her parents or some person other than a Social Worker, it is still advisable for the Social Worker, where s/he knows of the placement to give the employer some information. This of course would need to be done with discretion.

N9.10 Allocation of Wages

One of the principal objectives in allocating a young person's wages is to encourage him/her in the responsible handling of his/her earnings. While a growing sense of independence deserves to be encouraged it is also necessary to guide a young person in such matters as budgeting and spending. The challenge to the case worker in this area is to tailor the manner in which this is done to the needs of the particular young person.

N9.11 Allocation To Be Entered on Notification Slip

When a Ward enters a job his/her wage allocation should be explained to him/her and wherever possible it should be worked out in his/her presence. It will then be entered in the notification slip issued when the Ward commences work, and in cases of Wards placed in farm or domestic work will be entered for the information of the employer on the SW 546. It is the responsibility of the Social Worker in making a farm or domestic work placement (live-in), to explain to the employer the wage allocation arrangements. This need obviously does not arise in other types of employment where the Ward receives his/her entire wage direct from the employer and subsequently brings his/her banking to the office.

N9.12 Principles To Be Exercised in Allocating Wages

The following principles should be used as a guide:

- (a) pocket money should be adequate;
- (b) a portion of the wage should be banked each week; Section 50(1) Children and Young Persons Act 1974 states that, "The Director-General shall have authority to collect direct from the employer of any young person under his guardianship or direct from the young person the whole or any portion of his earnings for the purpose of controlling or guiding that young person's expenditure or providing adequately for his present or future needs".

N9.13 Banking

A reasonable portion of a young person's weekly wage should be banked to provide funds for future expenditure on clothing, travelling, holidays, sports equipment, etc., and to help him/her to become established as an adult. In requiring or encouraging a Ward to bank we are hoping to assist him/her to develop a responsible attitude towards money, to budget wisely and to accept the necessity of making reasonable provisions for his/her future needs.

N9.14 Collection of Wages for Banking

(a) Ward brings banking to the office:

In most instances the Ward will receive his/her wages direct from his/her employer and it can then be arranged for the Ward to call at the office to deposit the portion allocated for banking.

(b) Collection from foster parents:

It may be possible to arrange for a foster parent or some other responsible person to hold the balance of the wages for the Social Worker to collect or to send this direct to the office.

(c) Periodic collection from employer:

It may be possible to arrange for an employer to hold the balance of wages due after paying pocket money in cash. The balance of wages due can be collected direct from the employer when the Social Worker visits. This procedure may sometimes be used when a Ward is unable or unwilling to bring the agreed portion of his/her earnings to the office for banking.

(d) Employer sends wages to office:

An employer may be prepared to pay pocket money direct to a Ward and send the balance of wages due direct to the office each week, fortnight or month as convenient. In farm or domestic employment where we accept responsibility for calculation of wages due, holiday pay, etc., it is necessary to request the amount of wages due by issuing a monthly account on form SW 535.

N9.15 Collection of Wages for Wards

It is the responsibility of the department to ensure that a Ward receives all the wages to which he/she is entitled. Ready co-operation between field and clerical officers is necessary to ensure that this is achieved. While clerical officers are primarily responsible for reminding employers if wages due have not been sent in, Social Workers should be familiar with the rates and procedures involved so that they can discuss any problems or queries posed by an employer. When a Ward transfers from one district to another the responsibility of collecting any outstanding wages rests with the Director in whose district the employer resides.

N9.16 Supervision of Saving

It is primarily the supervising Social Worker's responsibility to ensure that some adequate arrangement is made to ensure that all Wards do, in fact, bank regularly and thereby build up a reasonable balance of savings. If a Ward has not been supervised in this way and has not saved to a reasonable extent we have failed in one area of our programme of training for responsible citizenship.

When a Ward transfers to W.i or W.p status s/he will open a personal P.O.S.B. account and the progress of his/her savings will continue to be watched by his/her supervising Social Worker. If for any reason the Ward already has a personal P.O.S.B. account consideration will need to be given to the wisdom of his/her having ready access to any savings s/he may have accumulated. Before being placed on W.i status a Ward's finances should be fully reviewed to ensure that s/he has no outstanding debts and that there are sufficient funds in his/her P.O.S.B. account to provide for emergencies so that there will be no need for public funds to be used and further debts incurred.

N9.17 Subsidising Low Wages (see H7.4 re delegation)

Where a Ward's wage is not sufficient to enable him/her to be self-supporting the department can assist by provision of clothing, payment of medical and dental accounts, a board subsidy or full payment of board, or assistance with any extraordinary but necessary expenditure with which the Ward may be faced. The Director is given discretion to decide on the form and extent of assistance and it is required only that the wage allocation be stated fully with particulars of assistance given on the notification slip issued when the Ward is placed on the status "Work, subsidised" (W.s). It should be noted that a Ward may be placed on "Work, subsidised" status at any time when s/he commences a job and clearly requires some degree of assistance over a period. It does not necessarily apply only to the first work situation a Ward takes on leaving school. Any assistance given will be subject to review by the Director whenever a Ward receives a rise in wages, and a new wage allocation will be made, and particulars conveyed to the Director-General by notification slip.

N9.18 Determination of Status and Wage Allocation

Whether or not a Ward can be self-supporting on a given wage depends on what regular expenses s/he has to meet. In determining status and wage allocation the Director should follow these principles:

- (a) If the Ward can reasonably be expected to manage on his/her wages he/she should be placed on status W.t or W.p.
- (b) After paying board, fares, a Ward should be left with a reasonable amount of weekly pocket money and a reasonable sum for banking.

- (c) A Ward on status W.s is not expected to refund any of the cost of assistance he/she receives. The assistance given must be reduced and finally withdrawn, as the Ward's wage increases.

N9.19 Method of Payment of Board Subsidy or Full Board

Board subsidy or full board will be paid by 4-weekly coupon to the person with whom the Ward boards. See Pl.20 for method of payment for Wards on W.fh.s status.

N9.20 Family Benefit for Ward Commencing Work Before 16 Years of Age

When a Ward under 16 years of age commences employment an application can be made to the Family Benefit Section to arrange for payment of the benefit to the young person's account. If the Ward is on 'H' status the entitlement to family benefit remains with the parents.

N9.21 Assistance With Employment

Social Workers must ensure that Wards receive the best available assistance and advice on matters of employment. Officers of the Department of Labour can give considerable help and their advice should be sought on such matters as apprenticeships, under-rate workers permits, age restrictions on employment, award conditions, holiday entitlements and any other relevant matters related to conditions of employment.

In addition the Department of Labour's employment officers and vocational guidance officers can assist in job seeking, and choosing careers and training opportunities.

N9.22 Apprenticeship (ref H7.4 re delegation)

Apprenticeship contracts may be signed by the Director on behalf of the Director-General. He/she signs the contract as guardian of the Ward in his/her own name and over his/her own designation. The Apprentice Lodging Allowance is customarily authorised by the Department of Labour for a Ward on receipt of an application made on the prescribed form and signed by the employer, the Ward and the Director.

Any tools which an employer requires a Ward to have on commencing an apprenticeship and which the employer is not prepared to supply may be purchased by the Director. Where a tool allowance is paid this will be recovered from the Ward and offset against the cost of tools purchased by the department on his/her behalf.

N9.23 Under-Rate Workers Permits (ref H7.4 re delegation)

If a Director is convinced that a Ward is unable to hold down a job at the award wages because of physical and/or mental limitations s/he has authority to assist the Ward in making application for an under-rate worker's permit. These permits are applied for on a prescribed form obtainable from a district office of the Department of Labour and must contain a statement of the wage proposed. If the application is viewed favourably a permit is issued for a specified wage, below the award, to be paid for 6 months or 12 months or a lesser period, as stated, when the permit will be subject to review.

N9.24 Restrictions On Employment of 15 Year Olds

When a young person under 15 years of age is granted exemption from further schooling, even when not a Ward, Social Workers are often concerned with arranging suitable employment. Certain restrictions laid down in the Factories and Commercial Premises Act (Section 12) must be observed and the Department of Labour should be consulted where there is any doubt.

N9.25 Waiving of Wage Claims

Wages have a very high priority as a debt due, and an employee is entitled to payment of his/her wages even though the standard of his/her work may have been so unsatisfactory that one could well claim on moral grounds that s/he had not earned the money. The employer's chief remedy is to dismiss the employee but this action does not free him/her of any liability for wages accruing up to the date of dismissal. Officers should not encourage any employer to think that wages may be "written off" in any instance where the employee has proved unsatisfactory. Further, any employer who is persistently late in paying wages, or who raises objection to paying wages due for the time an employee was with him/her would appear to be attempting to evade his/her responsibilities to the point where we should seriously consider whether s/he is satisfactory as an employer for our Wards. We are in the position of trustees of the Wards to whom wages are due and it is our duty to safeguard the young person's interests and if necessary see that he/she receives legal advice. If an employer has any grievance regarding damage a Ward may have caused to his/her property, while an employee, s/he may, if s/he chooses, take the remedies open to any employer but withholding wages is not a legitimate measure. Advice on the relevant sections in the Wages Protection Act and wage clauses in Awards may be obtained from the Department of Labour.

N9.26 Holidays

A Social Worker must ensure that a Ward receives holidays as they fall due and, in conjunction with the clerical officer, s/he should see that the correct amount of holiday pay is received by the Ward. Holidays Act advice is available from the Department of Labour in respect of the relevant Industrial Awards.

N9.27 Entry To The Permanent Forces (ref H7.4 re delegation)

If a Ward wants to join the permanent forces and it is apparent that he has given the matter reasonable consideration, the Director should arrange for the parents to be consulted, if this is possible, and if they agree s/he may approve. This can be covered by a notification slip with a statement in the remarks column to the effect that the parents have been consulted. If the parents cannot be located, or if it would be unwise to endeavour to locate them, or if they have been consulted and disagree, the Director may forward the facts of the case to the Director-General together with a recommendation. Once approval has been given by the Director or obtained from the Director-General the Director may sign the application form in his/her own name on behalf of the Director-General as guardian.

If the Ward is accepted his/her status will initially be "W.p." unless s/he is ready for "W.i." status. File and cards will be sent to the Director in whose district the Ward will be training and visiting will be carried out at a minimum of once a visiting period unless, because of special circumstances - e.g. possible embarrassment to the Ward, the Director-General's approval is obtained for less frequent visiting and keeping in continuous touch with the Ward's progress by some other means.

Directors should make available to Armed Forces Recruiting Officers details of Court appearances and decisions concerning applicants who are known to us. They should also attempt to interpret the facts in the light of their knowledge of the individuals and their background. Wherever possible this should be by means of personal discussion rather than by memorandum.

N9.28 Trade Union Membership

In general adult workers (18 years and over) as well as younger persons earning an adult wage must belong to a union. It is important that a Ward be well informed of his/her obligation to join a union and that refusal to do so may result in dismissal from the job. At the same time he/she should be aware of the benefits of union membership and be assisted in work related matters by establishing a good liaison with the appropriate union officials, if necessary through his/her Social Worker.

N9.29 Procuring Birth Certificate

It is often necessary to produce a birth certificate for a Ward when an application is being made for an employment vacancy. The confirmation of date of birth provided in our records is not always sufficient to satisfy an employer. In such circumstances a Director should write to the district Registrar of Births with whom the birth would have been registered, giving the full name of the Ward, the date and place of birth mentioned in our records, and stating that the certificate is for official purposes. The certificate will be supplied together with a receipt in lieu of payment which must be signed and returned to the district Registrar's office.

N9.30 Record of Employers

When an employer makes application for a young person particulars are entered on an "Employers Card" which is filed in the Kardex by the clerical section. Social Workers wishing to check quickly on employment vacancies available can refer to the trays of employers' cards. The information the cards provide is also useful when new Social Workers come to a district and have the benefit of a written record of employees placed in a situation, and a previous Social Worker's comments on the employer and, of great importance with farm or domestic positions, the living as well as working conditions.

N9.31 Income Tax Returns

The tax rates shown in PAYE tables are calculated on the assumption that a person is receiving the particular rate of weekly income throughout the whole 12 month period. If, therefore, a person is employed for part of the year only at a wage sufficiently high to qualify for a weekly PAYE rate s/he may file an income tax return at the appropriate time in order that any excess tax s/he has paid during the year will be calculated and refunded. Directors should advise Wards who are likely to be eligible for refunds of their right to file a return in order to claim any refund due. Any difficulties or points of doubt should be discussed with the local office of the Department of Inland Revenue.

N9.32 Limitations on Eligibility to Employ Wards

Officers of this department, whether institutional or clerical, may not employ Wards.

N9.33 Bonding of Wards

Wards attending Teachers College, undertaking Kindergarten training or studying under the terms of a Secondary Teacher Studentship and unable to find any person to act as surety, can sign the bond himself/herself, provided all references to the surety are deleted, and the Department of Education will accept it.

N9.34 Trade Training for Maori Wards

When the department supports an application from a Ward for entry into one of the special trade training schemes under the auspices of Maori Affairs, some background information about reasons for the Ward being placed under the guardianship of the Director-General is to be supplied with the application. Applications are lodged with the local district office of the Department of Maori Affairs and the accompanying factual but brief statement of background must be marked "Confidential".

N9.35 Pre-Employment Courses Run By Department of Maori Affairs (ref H7.4 re delegation)

Directors may approve payment of bond, rent and pocket money for Wards selected to attend pre-employment courses run by the Department of Maori Affairs in main centres.

N9.36 Insurance of Personal Belongings

When a Ward commences work and is boarding or flatting away from home, it is to his/her advantage to insure his/her personal possessions against loss, theft, fire, etc. In these and other financial matters the Social Worker needs to ensure that a Ward receives competent and disinterested advice.

N10 TRUST ACCOUNTS; PERSONAL FINANCES; ACCIDENT COMPENSATION PAYMENTS

N10.1 Moneys Belonging to Wards (see also Accounts/Stores Manual Part F)

Moneys belonging to children/young persons in care may be held -

- (a) in the Department's Trust Account;
- (b) in a P.O.S.B. trust account in the child's/young person's name;
- (c) in a personal savings account;
- (d) by the Public Trustee.

A P.O.S.B. trust account in the name of a ward may be opened if the amount accumulated in the main Trust Account exceeds \$100. Where appropriate the personal trust account may also be a P.O. investment account.

Where it is considered that a ward is capable of handling his/her own personal account he/she may open an account in his/her own name.

Substantial amounts e.g. from legacies or lump sum payments from Accident Compensation must be held in trust on behalf of the ward by the Public Trustee. (See S.52 Children and Young Persons Act.)

Any lump sum payments are made direct to the Public Trustee and held in trust for the child until discharge from care. However, earnings related compensation payments which have been specifically assigned for the upbringing of the child will be regarded as maintenance and are paid direct to the department.

N10.2 Withdrawals (ref H7.4 re delegation)

Withdrawals from trust accounts up to \$300 may be delegated down to SSW 104. The minimum delegation level for withdrawals above \$300 is A.D.S.W.

N10.3 Discharge : Disposal of Trust Account (ref H7.4 re delegation)

Assistant Directors may approve of releasing or retaining a Ward's trust moneys after discharge.

N10.4 Periodic Review of Trust Accounts

Periodic reviews should be undertaken to ensure that when a Ward's savings exceed \$100, appropriate steps are taken to ensure that these savings are invested in accordance with instructions in Accounts/Stores Manual F4(3), thus enabling Wards to receive a higher yield on their savings.

N11 HEALTHN11.1 Responsibility of the Director-General To Provide Adequate Care

Section 49 of the Children and Young Persons Act 1974 provides that when a child is placed under guardianship, the Director-General shall have and may exercise to the exclusion of all other persons, the same powers and rights in respect of that child or young person as he would have had if he had been appointed the solo guardian of the child or young person under Section 8 of the Guardianship Act 1968.

In helping to discharge the Director-General's responsibilities under the Act, Social Workers should look after the health of Wards in a manner that could be expected of a sensible parent.

N11.2 Ill-Treating or Neglecting a Ward

Section 103 of the Children and Young Persons Act 1974, provides that any person who being a paid or unpaid staff member of a residence under this Act or being a person to whom the care or custody of a child or young person has been lawfully entrusted, ill-treats or wilfully neglects any such child or young person is liable to a fine up to \$500 or imprisonment up to six months.

Refer to Part A for procedure when ill-treatment is suspected.

N11.3 Medical Examination On Placement Under Guardianship or Admission To An Institution

When a child or young person is placed under the guardianship of the Director-General, his/her supervising Social Worker should arrange for him/her to receive a general medical check as soon as possible. If the Ward, after being placed under guardianship is to be admitted to one of our institutions, the Social Worker making arrangements should ensure in every case that the child is medically examined immediately before admission, and that a medical certificate is obtained specifically stating whether or not examination reveals evidence of any contagious or infectious disease. The certificate should be delivered (together with the personal file; in the case of our National Institutions unless this has been sent earlier) to the Principal when the child or young person is admitted.

If a child or young person is shown to be suffering from a contagious or infectious disease at the time admission is being arranged, the Director would be expected to make other arrangements if possible. Often, for example, with the assistance of our medical advisers a child or young person in these circumstances could temporarily be admitted to hospital. If such a child or young person must be admitted to the institution, it will nevertheless be of considerable assistance to the staff to have been warned in advance. The need for a medical examination prior to admission applies with equal force to situations where a ward is admitted to a private institution.

Form SW 608 should be placed on the file in chronological order and the Health Sheet noted of the date of the form.
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N11.4 Health Sheets

A "Health Sheet" SW 593 (see Fig.4) is placed on the file of each Ward, or child coming into the care of the Director-General (e.g. remanded in custody of this department for a lengthy period, Section 11 case). This sheet is kept immediately below the Transit Sheet. The following points are to be noted regarding the Health Sheet:

- (1) Entries are to be made by Social Workers or the Department's medical staff only.
- (2) When a child or young person is placed in our care, any significant particulars of health history should be recorded on the Health Sheet. These particulars may be obtained from the Social Worker's report or from discussions with parents before or at the time of coming into our care.
- (3) Any illness or accident of consequence should be recorded, e.g. illness more serious than a heavy cold may well merit inclusion and any accident which could possibly lead to even a slight degree of future incapacity.
- (4) References should be made to any special complaint from which the child or young person has suffered or is suffering, and to any special dental treatment or immunisation received.
- (5) The names of the child's or young person's doctor and dentist should be entered on the Health Sheet.
- (6) Provision is made for entries to be continued on the reverse side of the sheet.

N11.5 Function of Health Sheet

The principal point of the Health Sheet is to provide a concise summary of illnesses, accidents, special dentistry, inoculations, etc., so that the significant features of a child's health history will be constantly before the supervising Social Worker's eye. The Health Sheet is intended as a reference and not a full record. Provision is made for reference to folios on the file from which more specific details contained in notes for file, medical and psychiatric reports can be sought. When an emergency occurs, Social Workers should be able to refer to the Health Sheet and obtain vital information quickly. For example, if a Ward suffers a severe cut or injury where an anti-tetanus injection is considered necessary, it will be helpful if we can tell the doctor that such an injection was administered six months ago. Similarly the Health Sheet will, if properly used, show the position regarding a series of injections. It could happen for example, that a Ward changes from one district to another between the second and third injections of vaccination against poliomyelitis. Where a child or young person suffers from haemophilia, great care should be taken to record this conspicuously on the Health Sheet and to inform the doctor or hospital whenever treatment is required.

N11.6 Notes To Be Made of Discussions With Medical Practitioners

Often a Social Worker will accompany a Ward to the doctor, or in the case of an older Ward may phone the doctor after or before the Ward's visit (with the Ward's knowledge and sanction wherever practicable), or may communicate with the doctor after the foster parent has taken a child for examination or treatment. Any particulars of importance supplied by the doctor in such discussions should be recorded on a note for file and if necessary referred to on the Health Sheet, following such discussions. A doctor, though willing to supply a written report, may not have time to do so, and unless comments and advice are recorded at the time they may not be available for later reference.

N11.7 Authority for Medical Treatment (ref H7.4 re delegation)

The Director may approve the following medical attention, treatment, supplies, etc. as set out below:

- The supply on medical prescriptions of medicines that are sometimes necessary and are not free drugs (i.e. full charge to the Social Security Fund), supply of bandages and first aid equipment.
- Medical examinations by general practitioners.
- X-ray examinations.
- Specialist medical, surgical or dental treatment when recommended by a qualified doctor or dentist, where this treatment is carried out privately (there would have to be good reason why the treatment could not be carried out (free) in a public hospital - e.g. long waiting lists or hospital not prepared to do the operation (tattoos etc.)).
- The supply and replacement of special footwear, or surgical appliance recommended by a medical practitioner.
- Counselling or psychotherapy from a private agency or practitioner.

Delegated authority for the payment of each of the above items is at the same level as the approval for the treatment itself (ref. H7.4).

N11.8 Claims for Payment of Medical Fees

The standard fees as set annually by the Medical Association Examining Fees Committee and the Department of Health and the Treasury do not apply to Wards living in community placements. The normal fees which apply to the rest of the community are accepted as appropriate. If there is concern that a particular account is unreasonable it may be referred to Head Office.

N11.9 Admission to Hospital (ref H7.4 re delegation)

This signing of the authority for anaesthetic and the admission papers for a ward to go to hospital on a doctor's or dentist's recommendation may be delegated down to SW 102. The social worker should see that any relevant information contained on the file is made available to the doctor handling the case. (For board payments during hospitalisation see P2.26.)

The remarks column of the notification slip advising admission to hospital is to contain, where possible, an indication of the Ward's probable length of stay. If a Ward has been involved in an accident, the Director-General should be informed by memorandum (refer N3.4).

N11.10 Advice to Parents

Directors should ensure that parents are advised as soon as possible of the ill-health of their children or of any accidents they have had. In the case of accidents, a note should be added to the memo advising the Director-General that this has been done. If for any reason it is felt that the parents should not be notified, then the Director should forward his/her reasons to the Director-General for consideration. If the Ward remains in hospital for any length of time the Director-General should be sent progress reports at reasonable intervals. Parents should also be kept advised of the Ward's progress. (see also N3.4)

N11.11 When Copies of Reports Should Be Sent To the Director-General

Copies of reports bearing details of a child's physical or mental health supplied by doctors, psychologists, psychiatrists, visiting teachers or superintendents of psychiatric hospitals should be forwarded to the Director-General only when accompanying and in amplification of a recommendation which is not within delegated authority or if they contain information of which the Director-General should be aware. Reports relating to serious illness or accidents must be forwarded.

N11.12 Immunisation Against Contagious or Infectious Disease (ref H7.4 re delegation)

The Director, or Principal may approve immunisation, whether given orally or by injection, provided that the immunisation is administered on medical advice and under medical supervision and that the parents have made no objection. Immunisation against these diseases is a widely accepted practice and it is considered reasonable to proceed with it in the case of our Wards. Unless the parents have taken the initiative in raising objections, there is no need for them to be asked. If parents object, the facts should be forwarded to the Director-General together with a recommendation. If, in such an event, the Director-General gives approval, the Director or Principal can sign any authority required locally. Consent of the parents must be obtained for the immunisation of any child for the time being in the care of the Director-General who is not a Ward (e.g. a child who is an informal admission, held on warrant, or under care by agreement under Section 11 Children and Young Persons Act 1974).

N11.13 Optical Examinations

If a Social worker has reason to believe that a Ward might have some defect of vision, s/he should arrange for the Ward to be examined by a school medical officer or a general medical practitioner who will advise whether an eye specialist or optician should be consulted. If spectacles are necessary the frames should be of a practical type and of a quality in general use by the public. Social Workers should ensure that particulars of supply of spectacles are entered on the Health Sheet, i.e. name of optician or specialist prescribing place and date of supply.

In cases where a Ward is being admitted to a National Institution or special school and has recently been supplied with spectacles, it would be helpful if the prescription (or copy) could be attached to the file. If it should happen that the glasses are broken, subsequently the spectacles can be replaced from the prescription by an optician. This is particularly pertinent in respect of Campbell Park where because of its location the existence of a prescription avoids unnecessary cost to the Education Department and inconvenience to staff in escorting boys to Oamaru, for further examination and prescription. Boys in residence have their eyes examined at regular intervals so there is no risk of using an out-of-date prescription.

N11.14 Psychological Examination for Wards

This subject is being dealt with under "Health" even though children are often referred because of educational as well as emotional difficulties. Generally, of course, the two go together.

N11.15 The Psychological Service of the Department of Education

Branches of this service are established throughout New Zealand. Any Directors may refer cases direct (regardless of the child's status) for assessment of intelligence, investigation of educational, social and emotional difficulties and for advice regarding future placement and the manner in which institution staff, foster parents, parents, or school teachers may help with a child's problems. The service is principally diagnostic and advisory, though treatment may be undertaken. Copies of psychological reports should be sent to the Director-General only when accompanying and in amplification of a recommendation which is not within delegated authority or if they contain information about which you consider the Director-General should be aware.

Directors who have sought advice and help from a branch of the psychological service regarding a child should later tell the psychologist what decision has been made on the child's placement and mention where the child has gone or is going. It is understandable that people who have taken a professional interest in cases we refer will wish to know something of the outcome, and it will often be helpful to us to share our planning with them. This point would, incidentally, be borne in mind when we have asked any specialist or professional worker to help us in treating or planning for one of our wards, e.g. a doctor who exercises medical supervision over children from one of our institutions or a psychiatrist who takes an interest in our cases.

N11.16 Psychiatric Clinics at Public Hospitals

Where it is decided that it would be helpful to have a Ward examined at a public hospital psychiatric clinic, one of the following methods of referrals may be used:

- (1) A general practitioner may recommend the examination, send an introductory note, and arrange an appointment.
- (2) A psychologist may suggest a psychiatric examination for the child and arrange an appointment.
- (3) A Social Worker may be able to make a direct request to the clinic for an appointment.

It is to be expected that acceptable referral procedures will vary and Social Workers will need to learn of local procedures and respect them. Whenever a Ward is accepted for examination a report should be supplied to the clinic. A copy of a report received from the clinic should be forwarded for the information of the Director-General only when accompanying and in amplification of a recommendation which is not within delegated authority or if it contains information of which the Director-General should be aware.

N11.17 Child Health Clinics (Child and Family Psychiatric Clinics)

Child Health Clinics, which provide specialist services for emotionally disturbed children and young persons attending school, are under the control of Hospital Boards.

The staff usually includes a paediatrician, a psychiatrist, a psychologist, a play therapist and several Social Workers. The clinics work in direct association with general medical practitioners. They provide a team approach to individual problems of children and young persons. The clinic approach aims to concentrate on the child as a whole and not merely on specific symptoms.

N11.18 Referrals

The general referral procedure is for the parents of a child who is not a Ward to seek a referral through their family doctor. A Social Worker can advise and assist in effecting their referral by explaining the procedure to the parents and, with the parents' permission, discussing the case with the doctor. Often cases can be discussed with the School Medical Officer who can make a referral probably communicating with the family doctor in the process. In some instances it is possible to refer a Ward direct. Where this is not acceptable the referral can be arranged through the medical officer visiting the institution or school, or through the medical practitioner who visits the institution, or the foster parents' family doctor.

Whenever possible the case should be discussed at an early stage with the clinic's Social Worker.

N11.19 Background Reports to Child Health Clinic (Child and Family Psychiatric Clinics)

Whether we make a referral direct or through a school medical officer, we should let the clinic know of our interest in the child and supply a case history in every instance where the child is a Ward. It is only reasonable where we are seeking assistance with a Ward's difficulties to provide the clinic worker with a concise but adequate account of the child's background and behaviour. It is also important for us, when referring a Ward, to state clearly in the introductory section of the case report the problem or problems we are concerned about and reasons for referral.

N11.20 Home Visiting - Clinic Social Worker or Department Social Worker

When a case has been referred to the clinic, home visiting by the clinic's Social Worker is sometimes desirable. In a case where our Social Workers are already visiting because the child is a Ward or is under supervision, visits from both ourselves and the clinic social worker may cause confusion to foster parents, or parents, and may hinder the work which the clinic is trying to do. This is a situation where common sense and mutual arrangement can prevail. Most clinics, however, do not involve their own Social Workers but use the Department of Social Welfare Social Workers instead.

N11.21 The Problem of Enuresis (ref. H7.4 re delegation)

Enuresis or bed-wetting is a common problem with disturbed and delinquent children, and most cases appear to be mainly emotional and/or developmental in origin. Many remedies have been tried but no general cure has been established.

A combined regime is usually necessary.

(1) Training and Suggestion:

Fluids are limited in the late afternoon and a "day" supper is given. During the day an attempt is made to prolong the intervals between voiding for as long as possible. The child is fully wakened and taken to the toilet to void once or twice during the night.

The child is given a chart on which the days of the week are written and is instructed to note the dry and wet nights and is rewarded for the dry nights.

(2) Conditioning Devices (bed-wetting and bell machine):

These consist of a pad connected to an electrical circuit. As soon as the pad becomes wet with urine the circuit is complete and a bell rings, awaking the child. This method of therapy attempts to condition the child to waking as soon as micturition is commenced and is usually fairly successful.

(Research carried out by our Research Section indicates that where a child is co-operative and the treatment is administered regularly, the waking bell apparatus achieves some success and at least a marked improvement of the problem. The machines can be hired from chemists or from Child Health Clinics.) The hiring of such devices for use by Wards must be referred to the Director-General for approval before the device is obtained.

(3) Drug Therapy:

This treatment is of use but should not be used as a sole form of therapy. It is always desirable to consult a general medical practitioner about the problem. In some cases s/he may wish to refer the child to a specialist or to a public hospital urological clinic for examination, and exclusion of the possible influence of physical malformation or disease (about 90 percent of enuretic children are otherwise normal and only approximately 10 percent have some organic cause).

Foster parents need support in persisting with enuretics and will appreciate efforts being made to keep the child's difficulty under a reasonable degree of control. Bed-wetting can be a most persistent problem and, although one does not wish to pursue endless and fruitless medical examinations and attempts at treatment, neither does one want to leave either child or foster parent with the conviction that "just nothing can be done".

Supply of a rubber under-sheet or a rubber envelope to cover a mattress, flannelette sheets, and blankets for children at "Board" can be authorised at the discretion of the Director. It is also possible for the Director to recommend to the Director-General that a special board rate be paid if circumstances justify this.

N11.22 Accident Compensation (ref. H7.4 re delegation)

If a Ward has an accident or is injured in any way and in any circumstances the Accident Compensation Corporation should be notified. The notification slip and/or the memorandum advising the Director-General of the incident should make reference to action taken in respect of accident compensation.

Even if there is no loss of earnings (e.g. in the case of a child) it is in the Ward's best interest that the Accident Compensation Corporation is notified in case sometime in the future he/she requires medical attention and/or suffers loss of earnings for a disability which occurred many years before.

Damage to spectacles, teeth, clothing, etc is payable under accident compensation provided there is also cover in respect of personal injury.

Cases of pregnancy as a result of rape also come within the ambit of the Accident Compensation Act. In the case of accidental death the Act provides for payment of reasonable funeral expenses.

Lump sums are payable for permanent loss of bodily function, for loss of capacity to enjoy life, for pain and mental suffering, and for disfigurement. The Director-General is to be notified of any claim on behalf of a ward for lump sum compensation, and of its outcome (see also N10.1).

The State Insurance Office handles inquiries for Accident Compensation and claim forms may be obtained from there.

N11.23 Removal of Tattoos

It is becoming increasingly common for older Wards to become embarrassed by their amateur tattoos and wish to have them removed. Many are being told by employers "come back minus those tattoos and there will be a job for you". Most tattoos are sufficiently deep to require the expertise of a plastic surgeon.

The usual procedure is for the young person to be referred to the nearest hospital with facilities for providing the service and be placed on the waiting list.

If however the Social Worker considers the existence of the tattoos is causing psychological distress, a psychiatric report may enable the young person to receive more urgent attention.

Generally the young person will be expected to meet the cost of removal of self inflicted tattoos.

N12 DENTAL TREATMENT

N12.1 Background

In 1946 the National Dental Service was established by authority of the Social Security (Dental Benefits) Regulations. This service is administered by the Division of Dental Health, Department of Health, and provides free dental treatment for children under 16 years of age, extended to 18 years if the young person is still attending secondary school. This last provision is covered under the Dental Benefits Regulations of 1 October 1973.

N12.2 Enrolment

The school dental clinics accept children for treatment from two and a half years of age. Parents or guardians who wish to have their child treated when over two and a half but under five may take him/her to the nearest school dental clinic where treatment will be given. The parent or guardian is required to sign a consent form agreeing to his/her child's treatment at the clinic. If no pre-school treatment is arranged a child is enrolled at the school dental clinic when s/he commences at the school subject to the approval of the parent or guardian. For a ward the usual consent form can be signed by the supervising Social Worker in the name of the Director. In the event of any work being necessary at the time of enrolment at the clinic this is completed free of charge provided the child is still in the infant classes.

N12.3 Regular Treatment at School Dental Clinic

A child or young person is provided with regular free dental treatment at the school clinic until s/he reaches the class at the school where it is necessary for him/her to be "referred-out" to a private dental practitioner who has contracted to give treatment under the general dental benefits scheme. The class at which the child is "referred-out" in this way will vary according to the clinic facilities available and may in fact be any class from Standard 2 to Form II.

N12.4 Enrolment with Private Practitioner

When a child or young person reaches a class not served by the School Dental Clinic Service, the dental nurse at the clinic where s/he has been treated will send a notice to the Department of Health indicating that s/he has been released from the clinic. The Department of Health will then send an "Application for Enrolment for General Dental Benefits" to the parent or guardian. This should be completed and lodged with the Principal Dental Officer for the district within one month of the child ceasing to be eligible for treatment at the school clinic. A dental benefits enrolment card displaying the name of the child or young person and the dentist with whom s/he is enrolled will then be sent to us by the Principal Dental Officer for the district. This should be stapled to the cover of the child's file.

N12.5 Action When Child is Placed Under Our Guardianship

Unless children and young persons newly placed under guardianship are currently enrolled under dental benefits and are receiving treatment periodically it is our responsibility to enrol them. Principal Dental Officers will enrol unconditionally Wards for dental treatment. The application for enrolment should take the form of a cyclostyled memorandum to the local Principal Dental Officer, stating the full name and date of birth and certifying that the child or young person is a Ward. If possible, it should also give the name of the last dentist attended, the last date of treatment, or at least the child's former address, even if only the town or district is known. If a transfer of treatment between school dental clinics is involved, this will be effected by the school clinic working from the child's progress card, but Social Workers should nevertheless ensure that it has been done.

N12.6 Action When a Ward Transfers From One District to Another or Enters an Institution

When a Ward transfers from a district, the officer responsible in the receiving district or institution should make an immediate check on dental treatment and, as soon as possible, action should be taken to enrol him/her.

N12.7 Responsibilities of Directors and Principals

The Director or Principal is responsible for ensuring that the National Dental Service is fully used for the treatment of Wards under his/her care. When a Ward is not enrolled at the time s/he is placed under guardianship, or where enrolment has for any reason lapsed, the Director should see that the Ward is enrolled as soon as possible under General Dental Benefits.

N12.8 Checking on Dental Treatment

After a child or young person is enrolled s/he must receive regular treatment every six months, otherwise enrolment will lapse. It is the responsibility of every Social Worker to see that the provisions of the dental benefits scheme are used to the advantage of every Ward on his/her case load. S/he should know, and note in his/her visiting book, where the child or young person is enrolled for treatment (clinic or practice) and should by enquiring of foster parents from time to time check that treatment is being received, and follow up any lapses revealed in the visiting return.

N12.9 Dental Return

All Wards should have dental treatment during each six monthly period ending 30 April and 31 October. Six weeks before the end of each period the Clerical Section will send to dentists and dental clinics a list of Wards, whose last treatment date recorded occurred prior to the current period. The dentist or dental nurse will enter the latest treatment date and return the list. Where a Ward has not received treatment during the previous six months his/her Social Worker is to be advised. At the end of the period a return of children not treated is to be prepared and minuted to the Director for action. Wards on "H" or "W.i." status should be encouraged to have treatment, but it may not be possible to ensure that they do. (Refer N17.19.)

N12.10 When a Ward On Dental Benefits Attains 16 Years of Age

Shortly before the young person reaches 16 years of age the Department of Health customarily advises us that from the young person's 16th birthday dental treatment will be our responsibility or the young persons. Once the Ward is 16 arrangements for regular treatment should continue. If s/he is still at school, benefit will continue until the Ward is 18 or leaves school. If s/he is self-supporting, the Ward will of course pay for his/her own treatment. A bring-up should be placed on individual files for one month before attainment of 16 years to ensure that future dental treatment is organised.

N12.11 Dental Extractions

Before dental extractions are carried out it is important that the full medical facts are known to the dentist so that a child/young person with a past history of rheumatic fever, or a congenital heart is placed on anti-biotics before the extraction is performed and all possible precautions are taken before a child who is an anaesthetic risk or a bleeder is subjected to an extraction operation.

N12.12 Orthodontic Treatment (ref H7.4 re delegation)

Though there are exceptions, orthodontic treatment is not generally provided for under Dental Benefits. If orthodontic treatment is recommended by a practitioner, the Social Worker should ask the dentist to supply a brief, written report, recommendation and estimate of the cost involved. The proposal should then be discussed with the Officer who has delegated authority to approve orthodontic treatment on the following criteria:

Is the treatment desirable (not necessarily essential) in the interests of the child's health, appearance or general happiness?

Is it to be carried out by an expert?

Is it offered at a reasonable fee?

The services of Hospital Boards are to be used if these are available in the district. Where private treatment must be used, the cost and the amount of money available in the district allocation may well be a factor to consider where the need for treatment is marginal.

When treatment is necessary as a result of accident, an Accident Compensation claim should be lodged.

N12.13 Supply of Dentures or Dental Treatment Not Provided by National Dental Service (ref H7.4 re delegation)

When dentures are not supplied by the National Dental Service, and where a Ward is at school, or at work but has insufficient funds, the Director may authorise supply after receiving a definite and reasonable quote from a dentist. Whether or not a fee quoted is reasonable can be determined by consulting the Department of Health. Directors may also authorise general dental treatment where for some reason this cannot be provided by the National Dental Service.

N12.14 Dental Treatment of Wards Being Admitted to Campbell Park

Whenever possible a boy should be dentally fit and enrolled under General Dental Benefits at the time of his admission to Campbell Park. The reason for stressing this need is that the dental officer in residence has his time fully occupied maintaining the standard of fitness of boys already resident. If a number of boys are admitted requiring extensive and urgent attention, it may be necessary to take them to Oamaru for treatment. As Oamaru is approximately 40 miles away, considerable cost and inconvenience are involved. While dental fitness is not insisted on as a pre-requisite for admission, every reasonable effort should be made to attain this. When a Director seeks approval for a boy's admission to Campbell Park, s/he should see that mention of dental condition is made in the memorandum. S/he should include the name of the dentist who last treated or is treating the boy; the date on which the boy was last dentally fit; if the Ward is newly placed under guardianship and has not received treatment in the past, an indication of the amount of work required and how quickly this can be completed locally.

N13 DEATH OF A WARD

N13.1 Procedure (ref. H7.4 re delegation)

In the event of death of a Ward the following procedure should be followed:

- . the parents should be notified immediately;
- . the Regional Director should be notified immediately by telegram, or in a case of special urgency or complexity, by telephone;
- . the Regional Director will notify the Director-General. In cases of special urgency or complexity this will be done immediately. In other cases advice may be in written form.
- . the Director of any district where siblings reside should be notified;
- . the Police should be notified where the deceased is subject to a Guardianship Order as such a death needs to be reported to the Coroner under the provisions of the Coroner's Act 1951 (Section 5 (3)(4)). (This requirement also applies in case of the death of a child while in a registered children's home).
- . a full written report should be despatched to the Director-General as soon as possible;
- . parents or near relatives must be given adequate opportunity to make the necessary funeral arrangements;
- . if the parents are unwilling or unable to pay the Director can authorise payment of burial or cremation expenses. S/he should keep costs to a reasonable minimum;
- . in cases where at the time of death the Ward is living away from his/her home district as a result of placement effected by our department, the Director may arrange for the return of the body to the home district if this is the parents' wish. If the parents are not willing or able to pay this expense the Director may authorise arrangements at reasonable cost.

N13.2 Wreaths (ref. H7.4 re delegation)

Directors have authority to purchase wreaths for deceased Wards at a cost in the lower to medium range.

N13.3 Inquest Findings to be reported to Regional Director
(ref. H7.4 re delegation)

The findings of any inquest held should be reported to the Regional Director by the Director. The Regional Director will forward a copy to the Director-General.

N13.4 Disposal of Deceased Ward's Personal Savings
(Section 78 Administration Act) (ref. H7.4 re delegation)

In the usual situation the personal savings of a deceased Ward are to be paid to the Public Trustee as soon as possible after the death of the Ward. The Public Trustee is to be advised of the name and address of the Ward's children (if any), parents, and siblings.

In arranging payment to the Public Trustee the clerk will present to the Postmaster the pass book together with a copy of the death certificate and a declaration form S.B.9. The Postmaster will withdraw the funds and pay them to the Public Trustee.

If the Ward's Administrator or Executor presents the letters of Administration or Probate to the department prior to funds being transferred to the Public Trustee then the pass book can be handed over to the Administrator or Executor without the involvement of the Public Trustee.

The Ward's Administrator or Executor is to be notified of any outstanding debts if these have not been recovered in accordance with the previous paragraph.

Where the debt is of a relatively minor amount the disposal should be discussed with the Public Trustee and, provided the Public Trustee agrees, a less formal procedure for disposal can be arranged in such circumstances.

N14 RELIGIOUS INSTRUCTION

N14.1 Department's Obligations Before and After 1 April 1975

The Child Welfare Act 1925 provided that every order of committal should specify the religious denomination in whose faith and doctrines the child/young person should be educated.

The Children and Young Persons Act 1974 however, does not include such a clause in guardianship orders issued on and from 1st April 1975 (see N1.6).

The parents' wishes in this regard must however, be respected. The fact that we are no longer required by law to ensure a child is given a particular type of religious instruction must not be interpreted to mean that no importance is attached to the religious and moral training of wards. Wherever possible a child should be placed with foster parents of the same religion.

N14.2 Ward Boarded With Foster Parents of Different Religion

When a child is placed with foster parents of a religion other than that requested by the parents a special reference should be made in the placement notification to arrangements made for the child's religious education.

N14.3 Need For Care Where Young Children Are Concerned

In cases where a child is boarded with foster parents of a different religion on the understanding that s/he is to attend his/her own Sunday school and church when old enough, officers should follow up this arrangement to ensure that it is observed. It is otherwise easy for the foster parents to think that it will not matter if the child attends their church, and it may even happen that foster parents are anxious to persuade a child to their faith. If our interest is not displayed until the child is well established in attendance at the foster parents' church we may appear to be arbitrarily over-ruling a child's own wishes or showing partiality in a religious dispute.

N14.4 Need To Explain Our Responsibilities To Foster Parents

To explain fully and carefully to foster parents, at the time of placement, our responsibilities and to display continuing interest by comment and inquiry can largely avert the possibility of very difficult problems being created at a later stage.

N14.5 Approval For Baptism, etc.

When the parent(s)' written agreement is available the A/D (SW) may approve baptism, initiation, dedication and/or confirmation of a Ward as arranged by the foster parents.

N15 (Reserved)

N16 EMERGENCY FINANCIAL ASSISTANCE FOR WARDS

N16.1 Withdrawal from Trust Account

When a Ward commences employment s/he is provided with an initial work outfit. In many cases this is the last occasion on which the Director-General helps him/her financially (refer N8.28). From this point on the Ward accumulates savings and is able to draw on these funds provided the Director considers that the expenditure is reasonable. (See N10.2 for delegation level.)

N16.2 Financial Assistance For Placement In Further Employment
(ref. H7.4 re delegation)

In instances where a Ward has received an initial outfit in the past but has since become unemployed and has no funds, a Director may approve the following assistance to facilitate the Ward's placement in further employment:

- (a) Items of additional outfit.
- (b) Travelling expenses (by issue of travel warrants) to enable the Ward to take up the position.
- (c) Pocket money not to exceed a total of up to \$10.

N16.3 "Work, subsidised" Status Should Be Used When Appropriate
(ref. H7.4 re delegation)

If continuing financial assistance is needed through the initial stage of a job, then his/her status should be "W.s." until such time as s/he becomes self-supporting. This action can be taken even though the Ward's first or earlier employment situation was one in which s/he could support himself.

N16.4 Wards Under 16 Years of Age (ref. H7.4 re delegation)

If a Ward under 16 years of age is unemployed and boarding privately, his/her status will be "Work, temporary board" (W. temp. B.). It will be possible to pay board and pocket money, where necessary, at a rate up to the current net rate of unemployment benefit for persons under 20 years of age, unless specially high board commitments make it necessary to exceed this rate. His/her pocket money whilst unemployed should not exceed that which s/he received whilst working. The amount paid over and above the current rate of unemployment benefit will be recorded as a charge against future earnings but may be recommended for write-off if the Ward is later unable to pay.

N16.5 Temporarily Unemployed Wards Aged 16 Years And Over

A temporarily unemployed Ward aged 16 years and over is eligible for unemployment benefit but may need some extra assistance if s/he has specially high board or other commitments which cannot be reduced during his/her period of unemployment. Any such extra assistance given to supplement his/her unemployment benefit will be recorded for write off if the Ward is later unable to pay.

In the case of a Ward being temporarily ineligible for unemployment benefit, (e.g. during the 6 week stand-down period after dismissal through his/her own fault) arrangements for financial support could be made as for Wards under 16 years of age according to ref. N16.4.

N16.6 Emergency Grant Up To \$30 (ref. H7.4 re delegation)

In instances where Wards who are temporarily out of funds require financial assistance, the Director may authorise emergency assistance of up to \$30 through the Imprest Account in cash or by Imprest cheque. (NOTE - for cash payments a receipt is to be obtained on form Ty 45.)

Details of the payment are to be recorded on the Ward's file and where possible the advance should be recovered from future earnings unless the circumstances are such that no refund is to be made.

In cases where the assistance is refundable a debit note SW 107 is to be raised in accordance with instructions contained in Part I of the Accounts Manual and the debit note is to be cleared when the refund has been made. Where later a refund cannot be made full details are to be reported to Head office to consider further action or write-off.

N17 RETURN TO PARENTS OR FORMER GUARDIANS

N17.1 Background

Placement under guardianship of the Director-General is a serious step which should be sought only where other attempts to solve a child's or young person's difficulties appear inappropriate or having been tried, have failed. If this step is taken it follows that in most cases the home is seriously lacking in the capacity to train and guide the child or young person and provide him/her with a satisfactory environment. This is not a situation that one would expect to change quickly, but Social Workers should never discount the possibility of change. Though a guardianship order vests rights of guardianship in the Director-General until the young person is 20 years of age - provision exists for earlier discharge and the Director-General may exercise his discretion (within prescribed limits) in deciding whether and when a child or young person can be returned to his/her parents. In many cases, however, successful return seems a distinct possibility and Social Workers should work towards this end. It is nevertheless important that Social Workers carefully avoid making promises or commitments to children or young persons, or their parents about their probable return home.

N17.2 Work With Parents (Refer N3)

Where it can reasonably be expected that a child or young person will be able to return home eventually, the Social Worker should maintain a contact with the home and as the time of return comes nearer, should intensify work with parents to prepare them for any problems which may arise when the child or young person does return. Siblings already living at home should not be overlooked and should be included in discussion. Often a successful return home is negated because little if anything has been attempted or done with the parents to get them to understand, and where necessary, change attitudes whilst the Ward is away.

N17.3 Work With Children/Young Persons

With older Wards it is possible to assist them by discussion and advice, especially where they display some degree of insight, to prepare for their return home and to cope with difficulties that may arise during the period of settling in.

N17.4 Temporary Placement With Parents "H. temp" Status (ref. H7.4 re delegation)

Frequently parents will ask for the return of their children temporarily - perhaps for a weekend, the Easter holiday, or some family celebration etc. Social Workers may arrange such temporary placements within their own districts, or in any other districts, subject to the approval of the Director(s). This status is not to be used when a child is placed for an indefinite period (refer N17.10).

N17.5 Matters To Be Considered In Temporary Placement

It is not possible to lay down definite conditions which must be satisfied if a child or young person is to be allowed home for a visit. Each case will have to be considered separately on its merits. In some cases, for instance, it may be desirable for a considerable period to elapse before a child/young person is permitted to make even a brief visit home. In other cases, a weekend at home a few weeks after placement under guardianship may have much to commend it.

N17.6 Case Criteria

- (a) Interest: Any holiday proposal received from parents who have shown little or no interest in the child or young person (or s/he in them) should be viewed with caution. Some of the ways in which interest could be shown are by letters, birthday gifts, visits, and inquiries about him/her.
- (b) Parents' motives: More than superficial thought should be given to the reasons why the parents want the child or young person home. Requests for holidays at home are at times a means of exerting pressure to keep the child or young person at home and are often a prelude to a slip-up in arrangements to return him/her on time, and to a request to have him/her stay at home permanently.
- (c) Child's or young person's wishes: The child's or young person's wishes should rarely override other considerations but neither should they be overlooked. Some attempt should be made to understand his/her reasons for saying s/he does or does not want to return.
- (d) Foster parents' reaction: An adverse reaction from foster parents will have to be taken account of especially if they are likely to refuse to have a child back if s/he goes home. Good foster parents are hard to find and cannot be given up lightly. If their attitude is due to an over-possessiveness then it may of course be better to remove the child sooner rather than later. In any case holiday proposals should at some stage be discussed with them as they often have a better clue as to the child/young person's real feelings towards his/her parents than have Social Workers. Also it is as well to tell foster parents of any possible adverse reactions which they can expect after the child/young person's return to them from a holiday.
- (e) Earlier holidays: Success or failure of earlier holidays (showing dates and duration) and reasons for this are most important considerations in any subsequent decisions to be made regarding holidays. In order to ensure adequate records on district office files, visits should be made to the home and foster home following holidays and also to the home during any longer holidays.

- (f) Local reactions: A child or young person who has been very difficult in a locality prior to being placed under guardianship may not find it easy to face even the possibility of hostility from neighbours and former friends. Equally s/he may find it hard to keep out of trouble even for a short stay because of old friendships renewed.
- (g) Family: Relationships between the parents, the local reputation of the family, behaviour of other members of the family, boarders and any other relevant considerations related to the family set up as it will be when the child or young person is home, should be taken into account. This can only be done adequately if home visits have been made since the guardianship order.
- (h) Conduct: A child/young person's conduct should not wholly determine the question of his/her return but of course it must be seriously considered. A difficult child or young person might come to no harm from a visit to a poor home just as a difficult child/young person might, in some circumstances, with advantage have a holiday in a much improved home. Social Workers should think in terms of ability to cope and not only in terms of rewards and punishments when considering a child/young person's return home for a holiday.

The parents' possible conduct if there is a celebration should also be considered. Past experience may well indicate wild excesses and in such circumstances it may be unwise to approve a particular temporary placement.

- (i) Effect on future of child or young person: Special care has to be taken before approving holidays for children/young persons who have just been or are shortly likely to be subject to any substantial changes in their living pattern due for instance to their reaching school leaving age, changing foster homes, jobs, schools, or supervising Social Workers.

N17.7 Administrative Criteria

- (a) Approval of other Director: Where another district is concerned, the Director must be approached and must agree to the proposal before it can be approved.
- (b) Cost: The Ward if s/he has earnings, or the parents if the Ward cannot pay, should always be asked to pay, or the Director may approve payment of fares.
- (c) Frequency: As often as good casework justifies.

- (d) Duration: For school children, return home will of course be restricted to school holidays, public holidays, and weekends.
- (e) Board payments: These payments may be made for the period on "H. temp" status if the travelling expenses are paid by the foster parents and are equal to or greater than the board payments for the complete days during which the child is absent. Board payments may also be paid if the child is absent for less than seven days. The day of departure and return is excluded when counting the number of complete days absent. In all other cases board payments are to be adjusted.
- (f) Family Benefit: If a child/young person returns home for a period of 14 days or more, the parent(s) should be told that family benefit is payable for this period and should be applied for.
- (g) Notification slip: Notification slips will be used to cover each period at home.

N17.8 Discussions About Home Visits At The Time Of Placement Under Guardianship

To avoid any thought in the parents' minds of visits home being an inducement not to oppose guardianship this topic might be better discussed after the guardianship order is issued unless raised by the parents themselves. If it is raised by the parents it should be made clear that no undertaking about visits can be given. However the circumstances of the case will usually determine when such discussions take place.

N17.9 Where Conditions Warrant A Ward's Return Home At Regular Intervals

In these cases notification slips should be issued on each occasion. Where another district is involved the arrangement for the regular return must be made by agreement with the Director concerned.

N17.10 Return On Trial With A View To Discharge
(ref. H7.4 re delegation)

Return of a Ward to his/her parents or former guardians with a view to his/her remaining in their home permanently (H. status), and ultimately being discharged from our control, is a proposal requiring very careful consideration and the following conditions apply:

- (a) Assistant Directors (Social Work) or senior Social Workers where there is no A/D Social Work may approve H. placement provided a child or young person has been in guardianship for at least six months. Where more than one district is involved the Assistant Directors concerned must be in agreement about the wisdom of returning the child home and in cases where there is a difference of opinion the matter should be referred to the Director-General for a decision. Assistant Directors must personally authorise H. status placement and,

in the district in which the child or young person is resident, a report should be prepared setting out all the information as required, below. The Assistant Directors' approval should be endorsed on the report.

- (b) For decisions on OH. status for children/young persons who have been under the guardianship of the Director-General less than six months see para N4.6.
- (c) Declining a parent's request for a home placement must be approved by the Director.
- (d) Parents can make a request orally or in writing. In every case where this occurs (except where a parent who is obviously unsuitable persists with repeated requests after a well considered refusal has been given), the request should be brought to the attention of the Assistant Director, Social Work together with an adequate report and recommendation. A child or young person returned home on trial, and not for a temporary visit, is placed on "Home" (H) status.

N17.11 Factors To Be Considered

In order that thorough consideration is given to each case Social Workers preparing a report for a Director's decision should where appropriate convey information on each of the following:

- (a) The date of the guardianship order - It should also be stated how long it is since the child or young person was removed from home. If s/he has been back on "H" status in the interim this fact should be mentioned and the date of his/her removal from this status given.
- (b) Age when placed under guardianship - This factor has relevance when considering a child's/young person's return.
- (c) Reasons for placement under guardianship - The Ward's behaviour: Here a sentence or two giving offences and symptoms should suffice.

Home conditions: Particular attention should be paid to relationships and disciplines and to any other reason why the home was not suitable for the child or young person.

- (d) Improvements on (c) - Comment here must be quite specific. If a home or a Ward's behaviour has been bad enough to satisfy a Court that the child/young person should be removed, then Social Workers should be no less convincing regarding the child/young person's return. Under this section the Social Worker should not only give his/her own views but where relevant those of the school, employer and foster parent. The child/young person's interests and abilities (not confined to school work) should be given.
- (e) Contact with the family - The Social Worker should say what work s/he has done with the family during the child/young person's absence. S/he should also indicate whether the child/young person and parents have exchanged letters and visits and what the outcome of these visits and any holidays spent at home has been.
- (f) Attitude of parents and child/young person to return - Social Workers after stating whether or not parents and the child/young person are anxious for a reunion, should consider parental motives. Sometimes parents are more interested in having maintenance payments cease, or in having a young person at home who can go to work, than they are in the young person himself/herself. Sometimes, too, the proposal to place a child or young person back home has arisen not primarily through a united desire for this but more as an expediency because a particular placement has broken down and it is not easy to find another one. It is not always possible to avoid some measure of expediency in the placement of children and young persons but where such a consideration is present it should be recognised for what it is, and even greater care should be taken in presenting an objective proposal for a Ward's return in such circumstances.
- (g) Changes which may have to be faced - When a child or young person has been away from his/her home and home district for some time s/he may have to face new circumstances on return. Perhaps another child has been born into the family; s/he may have to attend another school and make new friendships; s/he may have to begin work whereas formerly s/he was at school, and s/he may have to deal with a different Social Worker.

Some of these changes will, of course, be more likely if in the meantime the parents have shifted to another district. On the other hand there may be few changes and the child or young person may be thrown once again amongst companions with whom s/he originally got into trouble, and s/he may have to return to a school which knew him/her only as a nuisance.

- (h) Present address of parents - The present address of the parents or former guardian to whom it is proposed the child/young person be returned should be stated in the report.

Note - When considering the placement on H. status of a Ward whose parents are separated or divorced, the Director should be aware of the provisions of Section 49(8) of the Children and Young Persons Act 1974, which deals with the revival of a parent's guardianship rights following the discharge of children and young persons under age 20 years from the Director-General's control.

N17.12 (Reserved)

N17.13 Letter to Parents

When a child is being returned to a parent(s) there will be some points that need to be made and a personal written communication may be the most appropriate method of doing this together with a copy of the case plan signed by all the parties.

Any such communication should identify the legal status of the child i.e. Director-General's guardianship and parental custody and the expected length of time the status is likely to last before discharge, together with any matter considered important in relationship to the particular child.

N17.14 Check On Clothing Outfit

The supervising Social Worker should check a child's or young person's clothing outfit before his/her return home, should arrange any purchases necessary to bring it up to a satisfactory standard, and then place a note on the personal file recording the extent of the outfit on return to the parents. (See also NB.23.)

N17.15 Maintenance

Liability for current maintenance ceases from the date on which the child or young person returns home. This does not, however, affect a parent's liability for payment of arrears. The Maintenance Officer must be advised by means of an extra copy of the notification slip, giving name and address of maintenance payor.

N17.16 Benefits and Pensions Division To Be Notified of Ward's Return Home

An extra copy of the notification slip showing the full name of the natural or adoptive mother must be prepared and sent to the Family Benefits division. The Social Worker should remind the parents to apply for family benefit which is payable from the date on which the child or young person returns home, unless s/he is over 16 years of age and not attending school.

N17.17 Financial Help For Parents (ref. H7.4 re delegation)

(a) In cases of permanent home placements

If parents, suitable in other respects but unable to maintain their child/young person without assistance, apply for his/her return home, or, if s/he is already living at home, seek our help, assistance in the form of board payment or payment for clothing or dental treatment may be approved by the Director.

(b) In cases of temporary home placements

Parents who are in receipt of a social security benefit may be assisted during short periods of temporary return home by limited board payments. These payments must not exceed the total equivalent value of the basic child supplement and the Family Benefit. The normal continuation of the Foster Care Allowance to the foster parents for periods of absence for not longer than six days is not affected by this provision.

N17.18 Supervision of Child or Young Person On Home Status

When a Ward returns home supervision should be intensive at first and taper off as, and if, the child or young person settles. The Director-General retains legal guardianship until circumstances seem sufficiently stable to discharge the Ward. In some cases discharge may be deferred for several years where it is felt that while parental and home standards are sufficiently satisfactory to justify the child or young person remaining in the home, they might easily lapse without our continued supervision and interest.

N17.19 Dental Treatment

Once a child or young person has been returned on H. status to his/her parents then they assume responsibility for any dental treatment. It will not be necessary for Social Workers to record dates of treatment as children and young persons on this status are not included in the six monthly dental return prepared by the Clerical Section (at the end of April and October).

N17.20 Termination of Home Status (ref. H7.4 re delegation)

If there is a serious deterioration in the behaviour of a child or young person on Home status or in the behaviour of his/her parents or in the quality of the home environment, prior to the child's or young person's discharge, the Assistant Director, Social Work has authority to remove the Ward and thereby cancel 'H' status. Such action should be based on substantial reasons but recourse to the Court is not necessary.

N17.21 Placement From National Institution

Directors and Principals of National Institutions have authority to arrange between themselves placements from training centres and special schools. These proposals will usually be initiated by the Principal of the institution. This will be in the form of a placement report which will be sent to the Director for his/her comments and action. If agreement is reached the placement may be made. If agreement cannot be reached the matter is to be referred to the Regional Director(s) for decision.

N18 MARRIAGE

N18.1 Introduction

When considering the question of marriage of young people under the Director-General's guardianship we are guided by the principle of normalization. That is to say, we endeavour to deal with a marriage proposal in the way that a normal family would under similar circumstances and if the marriage is to occur we set it, as much as possible in the context of normal family and community life.

When the Director-General is guardian of a minor it his responsibility to maintain oversight of a proposed marriage in the context of the best interests of the ward but it is the parents (and/or any personal guardians) who have primary decision-making responsibility in respect to consent to marriage. The Social Worker's task is to work with the minor, their family/whanau, foster family or other care-takers to resolve the questions of consent. When it cannot be resolved in this way, the question of consent can be placed before a Judge. It is not appropriate for the Director-General either directly or by delegation to give formal consent to a marriage.

N18.2 Engagement

The consent of a parent or guardian is not a legal pre-requisite to an engagement. Young people in care, and their care-takers may consult with the Social Worker on the matter of a proposed engagement and appropriate advice and support (whether encouraging or discouraging) may be offered. Even though there is nothing to stop a person becoming engaged per se, occasionally circumstances surrounding a proposed engagement may have serious legal and personal/social implications for the young person. Such concerns would be dealt with in their own right rather than the basis of the engagement.

N18.3 Legal Minimum Age

The minimum for marriage in New Zealand is 16, but no marriage is void if this requirement is broken.

N18.4 Automatic Discharge Of Guardianship Order

A guardianship order in favour of the Director-General ceases to have effect when the young person to whom it relates attains the age of 20 years or sooner marries. (Section 49 (7)(a) Children and Young Persons Act 1974)

N18.5 Consents to Marriage

If either of the people who want to marry is under 20, and has not previously been married, written consents are required from the parents or personal guardians. A personal guardian in this sense is for example a testamentary guardian or a person appointed under section 8 of the Guardianship Act, not the Director-General.

Where parents, personal guardians, or a substitute acceptable to the local Registrar is not available, or refuses to consent, and application can be made for consent to be given by a Family Court Judge.

The specific requirements regarding consents are detailed in section 18 and 19 of the Marriage Act 1955.

The forms for consent are held by the local Registrar of Births, Deaths and Marriages, whose advice should be sought where there are complex family relationships which raise doubts about who should or should not be asked to consent.

N18.6 Proposed Marriage of the Director-General's Wards

(a) Required Consents Available

If the parents and/or personal guardians are supportive of the proposed marriage and are willing to consent then the possibility of pre-marriage discharge from the Director-General's guardianship should be considered. With discharge, the parents and/or personal guardians and the "family" can support the minor in their marriage in the normal way.

A discharge proposal and recommendation will be dealt with by the usual procedures (see N21).

(b) Required Consenters Not Available

Where a satisfactory family and general situation prevails but the actual person/s required to consent in the first instance are not available then a relative who has been acting in the place of a parent may consent, or the matter may be placed before a Judge. Pre-marriage discharge from guardianship can be considered.

(c) Required Consents Refused

If there is opposition from the required consenters to the proposed marriage there may be sound reasons for this. The Social Worker may become involved with all parties in discussion and counselling on the matter. However, if it could be considered that the required consenters are unreasonably or unjustifiably intending to withhold consent, or if the young person faced with opposition wishes to test their claim in Court then the matter can be placed before a Judge. The Social Worker, even though opposed to the marriage must support the young person in the exercise of their right to approach the Court. Consideration of pre-marriage discharge from guardianship would need to take place in this particular context.

(d) Required Consents Available But Fears Held about Young Persons Well-Being

The issue here is whether the Director-General has any powers to halt a proposal of marriage of a ward when the Social Worker has serious concerns which are not shared by the young person/people or the required consenters. Attempts to influence a plan through discussion may be inappropriate or unsuccessful or concerns may arise from knowledge that the Social Worker is not free to share. When such situations arise, consultation should take place with a departmental solicitor in considering an appropriate course of action.

N18.7 Wards Of Court

When a young person is under the guardianship of the High Court then the question of a proposed marriage is dealt with as in D10.2.2 and D11.3.

N18.8 Proposed Marriage of Discharged Ward Under 20 Years

Occasionally a young person who has previously been discharged and now wishes to marry approaches the Department for assistance in relation to consent. For example their ties with parents may be absent or of an unsatisfactory nature. In these cases, the Social Worker should lend whatever supportive assistance they consider appropriate and this may include facilitating their approach to the Court for consent.

N18.9 Financial Assistance To Wards Getting Married

In the range of circumstances outlined above, there will be varying measures of need for the Director-General in his current or recent guardianship role to provide some financial assistance to his ward and their family to conduct the wedding and set up the young people in the normal way. The Director has authority for moderate expenditure on clothes for the wedding and linen for household use if circumstances warrant this. Such assistance may be given notwithstanding the fact that the young person may have a modest balance in a P.O.S.B. account. The Recreation Fund may be used for buying a present.

N19 WARDS SENTENCED TO YOUTH PRISON OR CORRECTIVE TRAININGN19.1 Procedure

Refer C8.34 and C8.35.

Males between 15 and 19 years inclusive, sentenced to youth imprisonment (previously borstal) commence their sentences at Waikeria Youth Institution (for all Courts in the northern half of the North Island); Manawatu Youth Institution (all other North Island Courts) or at Invercargill Youth Institution (all South Island Courts). For females 15-19 years inclusive the youth prison is Arohata Youth Institution; from South Island Courts sentences are commenced at Christchurch Women's Prison before transfer to Arohata. The four corrective training institutions (previously Detention Centres) are Invercargill, Arohata, Tongariro and Rangipo. In addition, Waikeria receives corrective trainees from Court and arranges transfers to either Rangipo or Tongariro Prison Farms.

Action to be taken when a Ward is sentenced to youth prison or corrective training is as follows:

- (a) The district or institution from which the Ward is sentenced should issue a notification slip in the usual manner, and comment should be made in the remarks column regarding discharge action (when the sentencing district is not the 'home' district, the remarks should include reference to the 'home' district for discharge action).
- (b) Copies of the notification slips should be sent to:
 - (i) The district in which the youth prison or corrective training institution is situated.
 - (ii) The 'home' district if this is not the district in which the Ward is sentenced.
 - (iii) To any district which has had substantial contact with the Ward or family.
- (c) If the district or institution from which the Ward is sentenced is not the 'home' district but is holding the Ward's file and cards, these should be returned to the 'home' district with the notification slip so that the latter can take action regarding discharge. All relevant information known in the sentencing district should be recorded on the file.
- (d) If discharge is not recommended the personal file and cards should be forwarded by the 'home' district to the Director in whose district the penal institution is situated.
- (e) If any Director requires access to a Ward's or discharged Ward's file, either for appeal purposes or to give added information to the prison authorities, it can be obtained on loan from the Director otherwise charged with holding it.

Note: Care is to be exercised in those cases where non-Wards are sentenced to youth prison, etc., following periods of remand in a Boys' or Girls' Home. These are not to be treated as Wards for notification slip purposes (i.e. the status 'Youth Prison' applies only to a Ward). The status of 'Nil' is to be used as it indicates cessation of Social Welfare interest on termination of the 'remand' status for non-Wards, sentenced to 'Youth Prison' etc. Copies of the latter notification slips are not to be forwarded to the district in which the penal institution is situated.

N19.2 Appeals

From time to time appeals may be lodged by Wards against a sentence to 'Youth Prison' or 'Corrective Training'. The Ward has up to 10 days, from sentence, in which to lodge an appeal. The Department of Justice advises both Head Office and the Director of the 'sentencing' district of the appeal per form J.30 - "Notice of Appeal Lodged". The Director should advise others interested of this by a notification slip (which will suspend discharge action) and should follow up with a further notification slip advising of the outcome of the appeal.

Refer C10.

N20 VOTINGN20.1 Registration on Electoral Roll

Now that young persons 18 years and over are eligible to vote in local body and general elections, we should endeavour to ensure that the young person enrolls as s/he is legally required to do.

Clerical staff should obtain a list at least 4-monthly of all wards reaching 18 years of age, and a cyclostyled letter appropriately completed should be forwarded to each Ward reminding them of the need to enrol. Such information will be readily available from the birthday list or the Kardex trays.

N21 DISCHARGEN21.1 Legal Position

Section 49(6) of the Children and Young Persons Act 1974 states that, "The guardianship order may be discharged by the Director-General at any time before it ceases to have effect under subsection (7)... if the Director-General is satisfied that it is in the best interests of the child or young person; and consistent with the public interest to do so." Subsection (7) states that, "A guardianship order shall cease to have effect when (a) the young person to whom it relates attains the age of 20 years or sooner marries; (b) the child or young person to whom it relates is adopted by any person other than his parents."

N21.2 Effects of Discharge for a Minor

Guardianship rights in relation to a child or young person discharged while under 20 years of age revert to the person (if any) who would have been his/her guardian if s/he had never been placed under the guardianship of the Director-General unless some other person has become entitled to these rights by virtue of the adoption of the child, or by an order for custody.

N21.3 Discharge Criteria (ref. H7.4 re delegation)

Subject to a specific set of criteria which need to be satisfied in each particular case Directors have delegated authority to discharge wards from guardianship.

These criteria ensure that for each child/young person being considered for discharge there is a support system commensurate with his/her age and set of circumstances. The key points are:

- an adequate guardian in the case of a child, or in the case of a young person (i.e. up to 20 years) a suitable relative or other person able to offer a sufficient degree of guidance and support;
- no likely future need for financial support from the Department (other than benefit assistance);
- family contacts re-established where appropriate;
- satisfactory accommodation and general living circumstances;
- for an unemployed young person, that Benefit entitlement has been established, and job seeking/work skills are adequate, or being acquired;
- that suitable arrangements have been made to either transfer savings to the young person or in exceptional cases for suitable trust or investment arrangements and that any debts to the Department have been cleared;

- where the child or young person has some assets (e.g. Maori Land interests, inherited property, ACC compensation) that proper arrangements have been made for their administration.

If in an exceptional instance the criteria are not adequately met yet the Director remains of the view that discharge should be approved, the case should be submitted to Head Office with a recommendation.

Where a ward is included in the Planning Scheme discharge will be part of the six monthly plan and goals for referral to the Review Panel. Where the ward is not already in the Planning Scheme the discharge recommendation will be referred to the Review Panel also. This additional task for the Review Panels will of course be only temporary until all wards are included in the Planning Scheme. The Review Panel's role in this special and temporary function does not necessarily involve consultations with the child or young person or other parties.

Where the Review Panel disagrees with the proposal to discharge, the senior social worker can:

- (a) decide not to proceed with the recommendation; or
- (b) refer the recommendation to the Director who would then decide to -
 - (i) decline the recommendation; or
 - (ii) recommend discharge to the Director-General.

In the following cases Directors must submit discharge recommendations to the Director-General even if the Review Panel agrees with the discharge proposal:

- (a) Where there is no adult to resume a guardianship role;
- (b) Where a ward of 15 years or younger has been on H status for a period less than 12 months;
- (c) Where a ward of 16 years or older who has been less than 12 months on H status has no independent income or other satisfactory financial resource.

In all other cases, provided the Review Panel agrees, the authority to discharge from guardianship is vested in the Director.

(See Appendix (Figure 7) for flow chart summary).

Arrangements should be made for clearing any debts to the Public Account and the disbursement of any savings (see also N21.4 on discharge from guardianship).

N21.4 Release or Retention of Trust Money (ref H7.4 re delegation)

Section 50(3) of the Children and Young Persons Act 1974 empowers the department to hold the whole or any part of his/her trust moneys after the discharge of a Ward. In all but exceptional cases the money should not be held after the Ward has attained the age of 20 years. Authority may be delegated down to SSW 105 to hold trust moneys after a Ward's discharge.

N21.5 Follow-up Action

On receipt of the approval for discharge the Social Worker will:

- . prepare a notification slip showing the Ward's discharge with copies to those Districts and Institutions which have had some substantial interest in the child/young person.
- . notify the Ward.
- . advise the Ward where applicable of the balance held in his/her trust account and the position regarding withdrawal (ref. N21.10).
- . notify the Ward's parents (ref. N21.10).

N21.6 Discharge of Ward Released on Probation or Sentenced to Corrective Training or Youth Prison

In these cases, discharge is not automatic although it is generally recommended. Those, however, who have few or no family supports and who will require the resources of the department in future may be retained after consultation with the Probation Officer, or Justice Department officer concerned.

N21.7 Discharge of Wards Being Married

The Director-General prefers to discharge a Ward before marriage so that parents may exercise the right to consent.

Where a female Ward is being recommended for discharge in order to marry, the full name and age of her fiance are to be supplied with an indication as to whether he is known to the department (district records must be checked). Marriage automatically discharges a Ward from care (Section 49(7)(a) Children and Young Persons Act 1974), and is not invalidated because of age or because consent of parent or guardian has been falsified.

N21.8 Wards Who Are Adopted

Between the issue of the interim and final adoption orders a Ward's status is Board no payment (Bnp). On the making of the final order a notification slip is issued showing the incident "Adopted". When this is received in Head Office the Ward is automatically noted for discharge. The remarks column of the notification slip should bear comment, "Final Order issued on Discharged."

N21.9 Wards in Psychiatric Hospital

Wards in psychiatric hospitals are often kept on our books until 20 years of age (refer Q8).

N21.10 Notifying a Ward of Discharge

The removal by the Court of parents' guardianship rights is a serious and important event with far reaching implications for both the child/young person and his/her family. When a guardianship order is made the parents are formally advised by the Court of the decision and some of the implications of it. (Form SW 619.) (See Fig. 6). The Court also sends the parents a copy of the order. Through these advices and/or if necessary through discussions with Social Workers the child/young person and the parents gain an appreciation of the meaning and effects of the removal of the parents' guardianship rights. When discharge from guardianship therefore is approved, the parents of the Ward should be notified in writing. The letter, advising the Ward and/or his/her family of discharge and its implications should be personally prepared and worded in such a way as to be easily understood by both the Ward and/or the family.

N21.11 Aftercare for Intellectually Handicapped (ref H7.4 re delegation)

There are a number of young people under the Director-General's guardianship who have intellectual handicaps and who on reaching the age of 20 years are without an adequate support system and lacking in the ability to be independent in the future. The Trust for Intellectually Handicapped People (Inc.) is an organisation that caters for such situations by the provision of a Personal Visitor who takes the role of friend, supporter, guide, advocate and general monitor of the welfare of the handicapped person.

The Trust is a national organisation, employing a network of staff throughout the country who are accountable through the Services Director to its Board of Trustees. A fee for life membership is charged for the service.

Any young people in the Director-General's guardianship who may benefit from this should be considered for membership of the Trust well in advance of discharge. Assistant Directors (S.W.) have delegated authority to approve applications to the Trust, with appropriate liaison with their local budget control point.

The following factors should be taken into consideration in considering local submissions

- the Trust is unlikely to be relevant to the needs of Maori young people. Such young people should have already been linked with their whanau who will undertake the ongoing role of guidance and support. Any proposal to join a Maori young person to the Trust should have the agreement of the whanau

- the present care arrangements and future plans
- an account of the efforts made to establish the natural family in an ongoing role
- the role of the natural family in the ongoing life of the young person
- the interest in or ability of the natural family to fund membership
- the measure of support the natural family (if relevant) gives to proposed membership
- an assessment of the young person's capacity to deal with independence
- the young person's attitude to membership and ability to respond to it
- the latest psychological or psychiatric assessment which will provide a non social work professional opinion on the degree of retardation.

It is considered desirable that if a young person requires this service that membership occurs a year or so prior to discharge so that relationship with the Personal Visitor can be well established at the point of the department's withdrawal.

Brochures giving details of the Trust's service and a list of contact points are available through the Society for Intellectually Handicapped.

APPENDIX NPART N: CARE OF WARDSAPPENDIX

<u>Form</u>	<u>No.</u>	<u>Reference</u>
Fig.1 Notification to Principal of school child/young persons attends on outcome of hearing	SW 650	N2.2, N2.6
Fig.2 Regular School Report on Ward	SW 585	N5.18 - N5.22
Fig.3 Clothing Required	SW 613	N8.16 - N8.18
Fig.4 Health Sheet	SW 593	N11.4
Fig.6 Notification by Court to parents of guardianship order	SW 619	N21.10
Fig.7 Flow Chart summarising discharge criteria	_____	N21.3

1 - 11/84

DEPARTMENT OF SOCIAL WELFARE



DISTRICT OFFICE

Telephone:

Telegrams: Distwel

If telephoning or calling
about this letter, please
ask for

Reference:

The Principal

.....

.....

..... born

When the abovenamed appeared before the Children and Young Persons Court on

(a) he was placed under the guardianship of the Director-General of Social Welfare. He has therefore been removed from home and plans are now being made for future placement and school attendance. You will no doubt receive a request for the progress card in due course.

(b) he was placed under the supervision of a Social Worker of the Department of Social Welfare for a period of

During this period a Social Worker from this office will be visiting the home and keeping in touch with both child or young person and parents to advise and assist in any way possible.

If at any time you have cause for concern regarding this child's or young person's behaviour please do not hesitate to get in touch with this office.

(c) the matter was adjourned/postponed to

with living at

(d) he was admonished by the District Court Judge but was not made the subject of any further penalty or Court Order.

(e) he was discharged.

Your assistance in our enquiries has been greatly appreciated.

for Director

DEPARTMENT OF SOCIAL WELFARE



DISTRICT OFFICE

Telephone:

If telephoning about this letter, please ask for

CONFIDENTIAL

THE HEAD TEACHER/PRINCIPAL,

..... School

Dear Sir or Madam,

The child named below is under the control and guardianship of the Director-General of Social Welfare, to whom I am responsible for his or her care and general welfare.

The knowledge that you and your staff have of your pupils would provide an extremely valuable supplement to our knowledge and impressions of the child. Would you please therefore complete this form and return it to me. Your comments will be treated as confidential; if they necessitate any action in the child's interest, the matter will first be discussed with you.

You will realise that it is most important that the children under our care should not be made to feel different from others. Their association with us, therefore, should not be disclosed to other pupils, and the completion of this form should be undertaken discreetly.

If you become concerned about the welfare or the behaviour of this or any other child, please do not hesitate to get in touch with me. For my part, I shall ensure that any appropriate matters are discussed with you as they arise.

Yours sincerely,

Director, Department of Social Welfare.

Child's name: Date of birth:

School progress — Class: Attendance:

Reasons for absence:

School progress, having regard to age and intelligence:

Subjects which give special difficulty:

Special abilities:

Personality and Conduct:

General conduct and disposition:

Stability:

Co-operation:

Perseverance:

Independence:

Reliability:

Continued on reverse

Fig 2
cont'd.

Relationship with other children:

Have you any comment on behaviour out of school hours?

Psychological report – if any:
Please state IQ if known and
details of test, tester, and date.

Hobbies and interests:

Attitude to games:

Health, including nutrition, sight, hearing:

General comments:

Home – living with:

Please comment on whether or not you think the child is happy and well cared for in his present foster home:

...../...../.....

Signature:

(This Form is to be kept immediately below the Health Sheet which heads the file)

CLOTHING REQUIRED

Name: _____ Born: _____

[illegible]

HEALTH SHEET

Name: _____ Born: _____

	See Folio No.
Name of Doctor:	
Name of Dentist:	
Continuing Medication:	
Wears Medic Alert Bracelet:	

Inoculations	Dates	Special Disorders	See Folio No.
Tetanus (Primary Course)		Haemophilia	
Tetanus (Booster)		T.B. History	
B.C.G.		Eye Defects	
Measles (Morbilli)		Hearing Defects	
Measles (Rubella)		Relevant Past History	
Diphtheria.. .. .		Allergies:	
Whooping Cough			
Poliomyelitis			
		Orthodontic, etc	

[illegible]



CHILDREN AND YOUNG PERSON'S COURT,

.....

..... 19

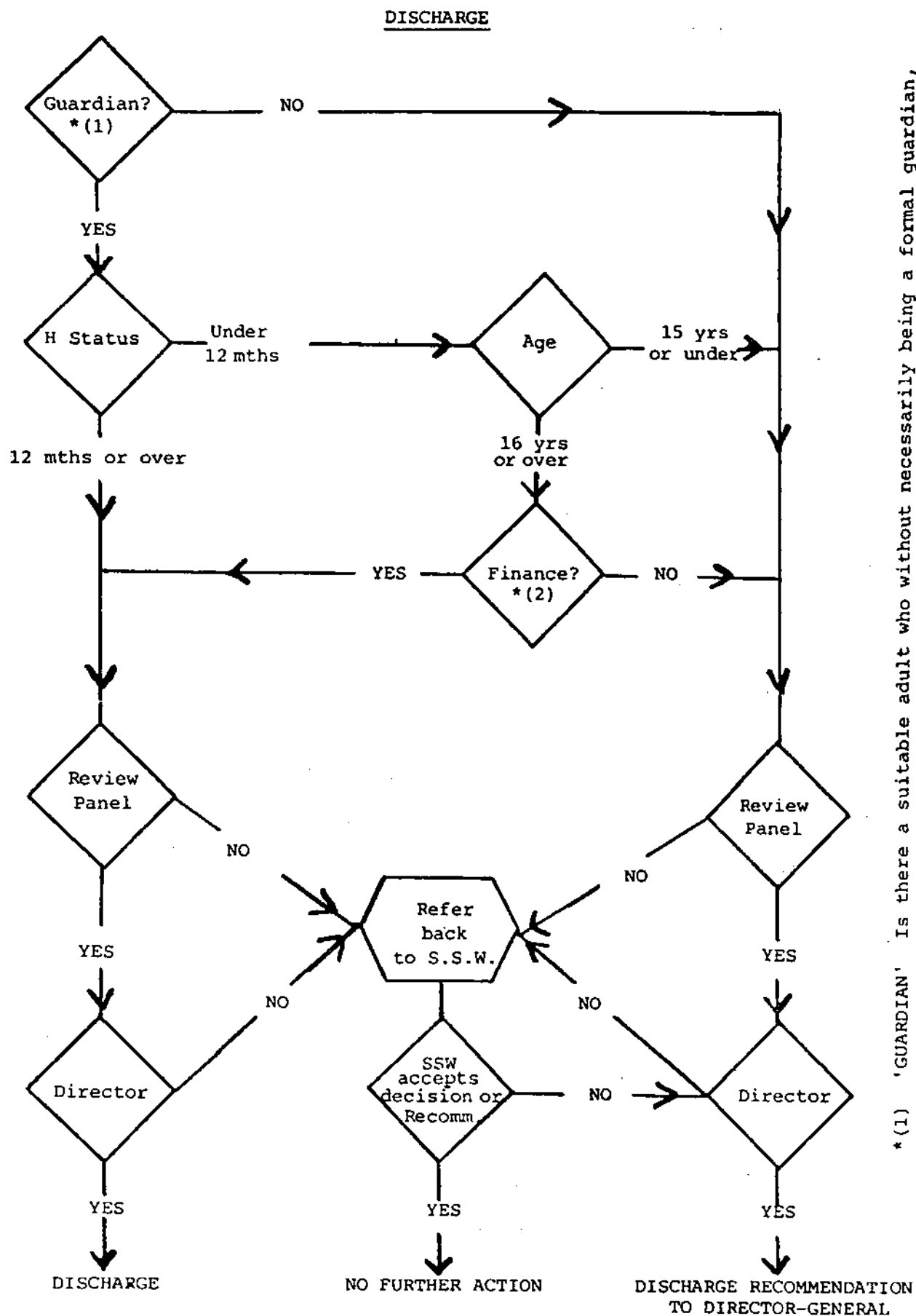
Today your child was placed under the guardianship of the Director-General of Social Welfare and this information in the form of an official order will be sent to you later. This means that your child is now a State ward, and that the Director-General has become the sole guardian, to the exclusion of all others.

The Director-General's guardianship can legally continue until your child is 20 years of age, but in practice discharge from the Director-General's care usually takes place when behaviour and home conditions seem to justify this step, or when the young person concerned seems financially and otherwise responsible. The Department of Social Welfare will welcome your co-operation to this end.

Legislation provides for a right of appeal against this decision now, and for a right of review of the Order after 12 months from the making of it. Should you wish to exercise the right of appeal, I suggest you consult a solicitor immediately.

Deputy Registrar.

(Fig 7)



* (1) 'GUARDIAN' Is there a suitable adult who without necessarily being a formal guardian, is prepared to play this role?

* (2) 'FINANCE' Can we be reasonably certain that the young person will not need the sort of financial assistance which this Department can provide only to a young person in care?

PART P

PART P: FOSTER CARE SERVICES

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Pl FAMILY HOMES

Pl.1 Definition

A Family Home is a specially designed house which is owned, furnished and maintained by the department. It is usually situated on a large section in a normal residential setting. In a few cases the house is actually owned by the Housing Corporation and let to a family of children with the department acting as trustee. In most respects these homes function in the same way as the homes actually owned by the Department of Social Welfare.

Foster parents are selected to occupy Family Homes and undertake the care of the children placed in them. They do not receive wages but their accommodation is rent free and they receive various forms of financial and other assistance. It is expected that one of the foster parents will retain full-time employment outside the Family Home.

Pl.2 Family Home Does Not Require Licence

Licensing under Section 317A of the Municipal Corporation Act 1954, requires local bodies to license accommodation houses catering for five or more guests, lodgers, etc. and there is an identical section in Section 334A of the Counties Act 1956.

Our Family Homes do not require licensing under these Acts because institutions owned and operated by the Crown are specifically exempted from local body requirements.

Pl.3 Design

In all Family Homes, two bedrooms (unfurnished) are provided for the exclusive use of the foster parents and their family.

Each Family Home is required to have a bedroom for the use of a reliever and which is not to be used to provide additional accommodation for foster children. In circumstances where the room is large enough it is to be furnished by the department to enable the room to double as a private lounge for the foster parents when it is not required by the reliever. Such furniture should include divan/bed etc. The reliever's room is carpeted.

The policy is to provide rumpus rooms in Family Homes.

Although two bathrooms are provided in all Family Homes it is not intended that one should be for the exclusive use of the foster parents.

Pl.4 Role of Family Homes

Flexibility is the cornerstone of a successful Family Home programme. Depending on the needs of individual districts, Directors are required to designate a role for each Family Home, e.g. special purpose, emergency intake, long-term, assessment, post-residential, working Wards etc. In some districts it may be necessary to designate more than one role for a Family Home and, while this is acceptable, it is essential that the various roles are compatible. It will be necessary to ensure that current foster parents clearly understand and agree to the designated role.

Pl.5 Advantages and Disadvantages of Family Home Care

Family Homes can provide a stable situation for those children who are unable to have or do not need close relationships such as exist in smaller family units. Such placements would usually be made after fostering in a family has been tried or in cases where there are strong ties between the child and his/her birth family.

While, in emergencies, a Family Home can provide an environment where younger children can be stabilised and assessed, it should be borne in mind that a Family Home does not provide a stable, long-term family unit.

The use of a Family Home to keep siblings together can be justified if it meets the children's needs.

No long-term placement in a Family Home should be made unless it is the result of careful planning which has been related to the individual needs of the child.

Pl.6 Family Homes Aim to Cater for Wards with Special Needs

There are four main classes of children/young persons catered for in Family Homes:

- (a) Children/young persons requiring short-term care in localities where there are no residential facilities.
- eg. (i) wards recently placed under guardianship awaiting permanent placements in private foster homes.
- (ii) Children and young persons in Social Welfare custody pending a Court appearance.
- (iii) Wards who have lost a foster home or work placement and who are awaiting another.
- (iv) Wards from country areas who are visiting the city for some reason.
- (v) Wards in transit from one district to another.

- (vi) Children/young persons from families in temporary distress.
- (b) Child or young person in need of long-term care or training who cannot settle satisfactorily in a private foster home and for whom residential care is inappropriate. These are often children with personality or physical defects which make them unattractive as foster children, but greatly in need of the conditions which can be provided only in a family group. A special foster home is needed particularly for this type of child, who often makes too great a demand on the ordinary private foster parent.
- (c) Young persons, who are about to or have already begun working and who need the supportive environment that Family Homes can provide. Sometimes the young person will have had a period of short-term training in a Boys' or Girls' Home, or have been in a foster home in an area where job prospects are limited.
- (d) Young persons discharged from National Institutions or on trial placement from Special Schools.

Pl.7 Admission Policy for Family Homes (ref H7.4 re delegation)

Approval for admission of a child or young person will be given by a senior social worker only after careful consideration of the possible alternatives. When considering a placement for a child in a Family Home, it is consistent with the planning for children in care philosophy to consult the foster parents. This consultation should also take into account the implications for the other children who are already in the home and the abilities of the foster parents.

It was never intended that Family Homes should replace Girls' Homes and Boys' Homes. It was hoped rather that by providing more permanent and specially planned facilities we would meet local needs far more adequately with Family Homes than with temporary receiving homes (refer P3). Really difficult children/young persons should be admitted to institutions if the Director feels convinced that they are not likely to settle in the Family Home or at board or on work placement.

Other children should be placed in the community with a minimum of delay unless they have special needs which only the Family Home seems able to meet for the time being. Adhering to such a policy will leave the Family Home free to cope with emergencies, and with the long-term placement of a child who is unlikely to fit into a private foster home or who is unsuited for placement in an institution.

The number of foster children will be kept within the reasonable capacity of the foster mother - to a maximum of five or six children. It is important that the work required of foster parents be kept within reasonable limits, and that what is essentially a Family Home is not forced into the role of an under-staffed institution.

Directors are left to judge the degree of difficulty with which the foster parents of their Family Homes can cope, and to exercise wisely, the discretion delegated to them regarding the nature and number of admissions.

Pl.8 Special Purpose Family Homes (ref H7.4 re delegation)

Special Purpose Family Homes should be considered in cases where families of four or more siblings are permanently in care and likely to remain in care for a reasonable period of time. Where this type of care is considered appropriate for a particular family, a submission is to be made to Head Office outlining the proposal. When approved a tentative approach should be made to the local office of the Housing Corporation. If it appears likely that a house can be made available, the Director through the administration should check with Head Office to ensure that finance will be available for furnishings etc. (See also N3.6.) Where a leased dwelling cannot be obtained through the Housing Corporation, Head Office will advise on the possibility of arranging for the purchase of a dwelling if funds permit. A further alternative is to consider designating an existing general purpose Family Home as a special purpose unit.

A Special Purpose Family Home is to be used exclusively for the family for whom it was established. When some of the children leave the Family Home and the viability of the home is in question, proposals based on casework decisions should be forwarded to Head Office. Under no circumstances should casual placements be made in a Special Purpose Family Home. Likewise no member of the family should be removed from the home unless there are grave reasons for doing so, in which case the matter should be reported to Head Office immediately.

Pl.9 Kibblewhite Road Family Home

The Kibblewhite Road Family Home at Masterton and the adjacent Amorangi Adolescent Support Unit cater especially for difficult, emotionally disturbed youngsters. Enquiries should be made to the Assistant Director (SW) Masterton, as convenor of the Admissions Committee to discuss applications.

Pl.10 Appointment of Family Home Foster Parents (ref H7.4 re delegation)

Head Office approval is required for the appointment of Family Home foster parents. The usual manner of recruitment is through advertising in the press initiated at local level by the Director and by interviewing and preparing couples who have shown an interest and ability in this type of care. At the earliest opportunity prospective foster parents should receive a copy of the booklet "A Guide for Foster Parents in Family Homes", (SW 522). If at all possible some form of pre-selection group preparation should be given to be followed by a suitable induction programme. The Senior Social Worker, Fostering and Adoption Head Office can supply material for this.

When it is proposed to advertise in other than local newspapers, Head Office approval is required. The submission should include a list of newspapers proposed and the approximate cost, and should be minuted for the attention of the Senior Institutions Officer. Details of local advertising and costs already undertaken should be mentioned.

When the District has decided on a couple considered to be suitable a memorandum and recommendation, together with the application form SW 625 (refer Fig. 6) is sent to Head Office for consideration. The type of information to be supplied is similar to that provided for districts as in Pl.11.

Pl.11 Action Where Applicants Reside in Another District

The district requiring the foster parents should acknowledge any reply application or enquiry with a letter which should contain:

- (a) All the relevant information concerning Family Home fostering;
- (b) Details of the particular Family Home, its role and the age range of the residents;
- (c) A copy of the pamphlet "Family Home Fostering" (SW 436) and a copy of the booklet "A Guide to Foster Parents in Family Homes", (SW 522).
- (d) An indication as to when the successful applicants will be notified and when they would be required to take up the position;
- (e) An application form SW 625 with the request that the applicants send their completed application form to the Social Welfare office closest to the area in which they reside, and the information that an officer from there will call and interview them.

The form SW 625 contains a consent, signed by the applicants agreeing to a Police check and the tear off portion is sent to the Police Department as indicated. This contains the necessary consent for the Police check. The district to conduct the interview is to be sent a copy of the correspondence to the applicant, plus any further relevant information such as any special qualities being sought in the prospective foster parents.

Interviews of applicants for Family Home foster parents should be carried out by Social Workers experienced with the working of Family Homes and preferably of at least Senior Social Worker grade.

A fully documented report, including copies of references or relevant qualifications, if not already supplied, is to be forwarded by the interviewing office without delay to the district requesting the interview.

Both the husband and the wife are to be interviewed preferably in their own home, and the report is to cover the following points:

- applicants' relationship - one to the other;
- ability to relate to children;
- standard of living, and present housing circumstances;
- attitude to personal possessions;
- maturity of applicants;
- understanding of the role of foster parents;
- enthusiasm of both to undertake the task;
- attitude of children of family to the proposal;
- husband's employment possibilities in new location;
- any particular ability or aptitude;
- religious affiliation;
- hobbies of both;
- state of general health.

The interview is to be arranged as soon as possible following the request and the report on suitability, with a recommendation, forwarded promptly. On receiving reports on all applicants, the district making the recommendation for appointment should submit details to the Director-General for consideration.

Where it is practicable, and the applicants are prepared and willing, they should be encouraged to visit the district concerned in order to view the Family Home in question and discuss the proposal with the local Assistant Director, Social Work. It is often possible for applicants to have the opportunity to undertake weekend or holiday relief in a Family Home and this is helpful to both parties in deciding on the suitability of the applicants.

P1.12 Approval of Appointment from Head Office

On receipt of approval for the foster parents' appointment, three copies of the agreement on form SW 628 (refer Fig. 7) should be completed by the foster parents. When completing these agreements please ensure:

- (a) that both of the foster parents and the Director initial the bottom of the first three pages;
- (b) the three copies are then dated by handwriting (not typed) and signed by the Director. The original is sent to Head Office, one copy is for the foster parents and one copy for the district file.

P1.13 Setting Up Grant

Immediately foster parents take up occupation of a Family Home, a non-recoverable grant is payable to assist with the initial provisioning of the home, and so obviate the necessity for foster parents to bear the cost of purchasing food etc., from their own resources, pending receipt of board payments from this department. The lump sum is payable even though foster parents may have just left another Family Home.

The decision to pay a setting up grant to specific foster parents shifting into a Family Home is to be recorded on the file for the particular Family Home. Payment is to be made by Treasury Voucher Ty 39.

Pl.14 Transfer Grant

Transfer assistance is payable on production of receipts after one year's service, towards the transfer expenses of Family Home foster parents who are required to leave their normal place of residence, to take up duties in a Family Home. Details of amounts are periodically published.

Pl.15 Resignation of Foster Parents (ref H7.4 re delegation)

Directors should notify Head Office of resignations of foster parents, and if possible, the reason for the resignation and whether or not they are suitable for re-appointment in the future. This is important as Head Office needs to be aware of the factors which tend to cause resignations.

Pl.16 Termination of Family Home Agreement

When cancellation of the agreement is necessary because of the unsatisfactory performance of the foster parents, it is essential that the Director-General be consulted before termination of the agreement is effected. Paragraphs 1 and 11 of form SW 628 (Fig. 7) are relevant. Reasons for the termination of the agreement must be discussed fully with the foster parents themselves. If instant removal is necessary, telephoned approval should be sought, with written confirmation to follow, but in normal circumstances, a very full report outlining the whole situation should be submitted. Once Head Office approval has been obtained, the Director should convey the decision to the foster parents in writing as quickly as possible.

Pl.17 Closure of Family Homes

Directors must inform Head Office whenever a Family Home is closed because of resignation of a foster parent or for any other reason, and should keep Head Office informed when it is reopened, and of any difficulties concerned with this.

Pl.18 Operation of Family Homes (ref H7.4 re delegation)

There are various factors which contribute to the successful operation of a Family Home but often the most important factor is the quality of back-up services provided to foster parents by the Social Work and Administration sections. Both sections have distinct and important areas of responsibility.

- a) Social Work Section - Every Family Home is required to have a designated Social Worker, (under normal circumstances this will be a Senior Social Worker), who will be responsible for ensuring that a competent level of training, support and supervision is available to Family Home foster parents on a regular basis. It is important that this person maintains close liaison with the Administration section. (This task is quite separate from, and additional to, the ongoing casework consultations that already exist.) There is now a considerable amount of suitable material available for the training of foster parents. Districts requiring further information on training material should contact the Senior Social Worker (Adoptions and Fostering) Head Office. Social workers are also responsible for providing the foster parents with written background information and a casework plan with each new admission to the Family Home. (Forms SW 542A and B are designed for this purpose, refer Figs. 3 and 4.)
- b) Administration Section - To ensure that Family Homes are receiving proper administrative support a suitably graded officer should be appointed whose primary function is to liaise with all Family Home foster parents in the district over routine administrative matters. In the larger districts it may be necessary for more than one liaison person to be appointed. This officer should ensure that all administrative matters are carefully and promptly co-ordinated and should also liaise regularly with the Senior Social Worker responsible for the Family Home. The Assistant Director (Administration and Accounts) is required to regularly review the standard of administrative servicing to Family Homes.

In order to monitor the take-up of the various provisions that are currently available for the running of Family Homes, Directors are required to set up a monitoring system that is capable of measuring the actual take-up of these provisions, both financial and others such as annual holidays, weekends off, babysitting etc. Enquiries should be made of the Family Home foster parents where it becomes evident that entitlements do not seem to be taken up. Systems should be adopted whereby the various miscellaneous financial entitlements are automatically paid out at regular intervals.

Some districts have difficulty in accurately paying board and pocket money, resulting in frequent overpayments, underpayments and late payments. These can occur for one of several possible reasons - lateness on the part of the Social Worker to initiate notification slip action, delays in processing notification slips and delays in payment action. Many districts have developed a system that successfully overcomes most of these problems. It requires telephone contact to be made with the Family Home foster parents on the Monday morning following the fortnightly pay period to check all movements for the preceding fortnight, thus providing an early check that notification slip action is under way. Any similar system is commended to districts provided it ensures that payments are promptly paid at the correct rates.

Foster parents should be encouraged to opt for receiving their regular payments and reimbursements by direct credit.

The department has entered into a written service agreement with foster parents, undertaking to provide numerous provisions in return for the care of certain children in the care of the department. While foster parents are not members of staff with certain privileges and rights of redress, neither are they claimants. Staff involved with the administration of Family Homes need to ensure that a flexible and positive approach is taken when meeting the department's obligations. Head Office staff are willing to assist whenever called upon.

Pl.19 Foster Care Allowance

Family Home foster parents are paid the standard weekly board rate as for children 14 years and over, irrespective of the actual age of the resident children. A full day's board is payable for any portion of a day during which a child/young person is in residence. In addition a weekly payment is made for each bed available in the home, whether occupied or not, up to a maximum of six beds. Regarding the use of Higher Foster Care Allowance to resure Family Home Placements See P2.26 4 (b).

In the case of Special Purpose Family Homes, the bed availability rate is to be calculated using the number of children (but not to exceed six) who were placed in the home when it was established. The bed availability rate is not to be reduced as children move out of the home.

Pl.20 Foster Care Allowances For Working Wards

If a Ward in a Family Home is working, the status will be W.fh. However, if 25% of the Ward's wages after tax is less than current Family Home board rate, the status will be W.fhs. On either status, the department will pay board to the Family Home foster parents in the usual way on form SW 611, and the Ward will pay his/her contribution of 25% of net wages up to a maximum of full Family Home board rate into the district office every pay day. The amount of the board subsidy, if applicable, should be shown on the notification slip. For a Ward in a Family Home attached to a National Institution for which the Principal has casework responsibility, the status will be I.fh(W) (or I.fh(W)s if subsidy is payable). In this case the Ward pays his/her wages into the Institution's office, from which 25% of his/her net wage to a maximum of full Family Home board rate will be recovered as board and paid into public account.

If a Ward is working and resident in a departmental institution 25% of net wage is recovered for Board and paid into public account.

P1.21 Pocket Money

Pocket money is supplied from imprest for each child/young person on Board status in the Family Home and is paid with the board payment each fortnight. The foster parents are responsible for paying it to the children concerned. (Refer also to P2.24.)

Sometimes foster parents wish to withhold pocket money as a disciplinary device. This may only be done with the social worker's consent. Care needs to be taken that:

- a) this is not carried to excess and
- b) that the money remains available to the child at a later date or by some other means.

P1.22 Transport Assistance (ref H7.4 re delegation)

(a) Family Home Vehicle Allowance:

A Family Home vehicle allowance is payable to compensate foster parents for those occasions when they use their own vehicle for the children in their care. This includes taking children to and from recreational, sporting, cultural, or school activities, to church, or medical or dental treatment, or other local running. This allowance is payable as a fortnightly allowance and is to be paid on the same voucher as for board payments. A register shall be kept showing all Family Home foster parents entitled to the allowance and deleting those ceasing to have entitlement.

(b) Family Home Travelling Allowance:

Assistance under this heading is to provide Family Home foster parents with the opportunity to take children on up to six family outings per year. The outings are to be spread over the year, rather than concentrated in the summer months or on one or two long trips. The allowance is limited to a maximum amount per Family Home, commencing each April. Approval is obtained from the Family Home supervisor subject to the availability of funds. The approval is for short distance outings and as a general rule return trips are not to exceed 200 km. Vehicle travelling sheets (Ty. 363) are to be completed for all outings, together with receipts for expenditure for office cars, and on hire charges, to support claims for rental and petrol. This assistance is available in the following forms (details of the amounts are periodically published):

1. An allowance per Km for use of a private vehicle (check for rates); or
2. Hire of suitable vehicle - i.e. an omnivan. (best to shop around for most economic rate); or

3. Use of an office vehicle in conjunction with a private vehicle where the private vehicle is not large enough to take all the occupants of the home. Where there is no private vehicle, up to two office vehicles as necessary may be used. Departmental cars are to be fuelled by the office prior to being handed over. The cost to the Family Home foster parents of additional petrol, oil, and puncture repairs is recoverable (ref: DSW sigma code list).

Incidental costs such as driving tuition fees, parking fees, repairs, traffic offences are not included in this authority.

Treasury and State Services Commission instructions relating to the use of government vehicles are to be complied with. A copy of the pamphlet 'Safe Driving of Government Vehicles' should be issued to foster parents if departmental vehicles are used.

There may be occasions when Family Home foster parents wish to take children on long distance travel to other parts of the country. Requests of this nature may be approved at the same level as for other travel provided the costing can be met from the District allocation. An information copy of the itinerary should be sent to any Districts where the travelling group will spend a significant time.

Pl.23 Food and General Supplies

The purchase of food and supplies such as soap, toilet paper, cleaning materials are the responsibility of foster parents. The board payments are designed to cover these miscellaneous items.

Pl.24 Casual Meals

Payment at the standard rate may be made to Family Home foster parents who provide a casual meal for a friend or relative of a child/young person in residence, or for an ex-resident of the Home, on those occasions when the visiting person is invited for a meal as guest of the child or children in residence. This does not generally apply to birthday parties; but when a child has brothers and sisters whom s/he would like to invite, living in the same town as the home, or one or two friends only, the cost (at casual rate per head).

Pl.25 Power and Fuel

The department pays 4/5ths of the total cost of electric power and other fuels used in the home. The usual procedure is for the department to pay the whole account direct and recover the foster parents' share separately. Where the total cost of fuel and electricity exceeds \$1000 per year the department will meet all expenses in excess of that amount during each financial year.

Pl.26 Petty Cash Provision

A petty cash allowance (refer Accounts Manual D5(5)a) is paid in advance to Family Home foster parents who must keep a note of petty cash items expended on the children/young persons.

Most common are:

- haircuts
- bus fares
- minor treats or outings
- small amounts for school miscellaneous expenses
- supplementing pocket money for outings, sports trips, school trips
- toothbrushes and minor toilet items.

Receipts must be kept for items \$3 and above. For smaller amounts a signature on the petty cash record is all that is required. Wards on Wfh are expected to meet the above types of expense themselves.

Pl.27 Clothing

It is the department's responsibility to provide clothing for all foster children in the Family Home unless they are in full-time employment. Where it is expected that a child's placement will be of reasonably short duration, the office will arrange for a purchasing order to be issued with either the Social Worker or the foster parent doing the necessary shopping. Where a long-term placement is envisaged a quarterly clothing grant will be made. (Refer N8.4.)

Pl.28 Laundry Charges (ref H7.4 re delegation)

Foster parents occasionally experience difficulty in drying sheets, pillow cases, towels etc., during winter months. Directors are authorised to approve commercial laundering charges when necessary. It is essential, however, that this approval be exercised sparingly because finance available for this service is very limited.

Pl.29 Reading Material (ref H7.4 re delegation)

Directors should arrange for the provision of suitable light and educational reading material for each Family Home (check for rates). The supply of periodicals and other light reading materials may be arranged by the Administration Officer through any convenient local supplier. The choice of material should be by general agreement between foster parents and the liaison Social Worker.

Pl.30 Recreation Fund

This is a fund administered by the district office and is intended to cover minor expenditure of a recreational nature. Small gifts for birthdays and Christmas are met from this fund as are the costs of occasional outings etc. Because the funds available are limited foster parents will need to discuss possible expenditure well in advance with the liaison Social Worker and Administration Officer.

Pl.31 Games Equipment (ref H7.4 re delegation)

Each Family Home should be provided with suitable indoor games equipment such as playing cards, table games, jigsaw puzzles and also L.P. records etc., (check for rates). Outdoor equipment may be provided in the annual estimates as for any other equipment.

Pl.32 School Fees and Expenses

School fees, examination fees, the cost of school stationery etc., are charges met by the department. If the amount is small, payment should be made from petty cash, otherwise a cheque will be issued from the office on request. Children in Family Homes should be treated as any normal family member. It is therefore preferable to pay for school stationery through the Family Home petty cash, rather than have accounts forwarded to the department.

Pl.33 Relief of Foster Parents (ref H7.4 re delegation)

It is generally acknowledged and accepted that Family Home foster parents have a very difficult task in caring for up to six foster children. It is, therefore, essential that they are able to have a break from their duties at regular intervals to help reduce the pressures and stresses placed on them.

Although some foster parents prefer to have a friend or relative relieving for them while they are away, the department has the final responsibility for providing relievers. Districts should endeavour to recruit a pool of people suitable for this task. All relievers (including babysitters) must be properly vetted as to their suitability and it is highly desirable that they participate in an appropriate induction programme prior to commencing duties. (Departmental staff are not to be employed in a relieving capacity without level B approval.)

Pl.34 Holiday Entitlements and Arrangements for Foster Parents

Foster parents are entitled to relief for holiday and sickness as follows:

- (i) Holidays - Three weeks in every 12 months increasing to four weeks in every 12 months on completion of five years in a Family Home. The first holiday should not be taken until the foster parents have been at least six months in the home. Because of the nature of the job, foster parents are strongly encouraged to have a holiday each year. If there is a particular reason for accumulating some of their entitlement, a flexible and reasonable approach should be taken in deciding the matter. Any unused holidays may be carried forward but this should be discussed with the local office. Where foster parents have broken service, previous service counts towards the 5 year entitlement. On resigning, foster parents are not entitled to any remuneration for holidays not taken.

- (ii) Sick leave - Up to a total of four weeks in any one year. Requests for compassionate or maternity leave should be dealt with a sympathetic manner and debited against the current approval for four weeks sick leave. When foster parents require additional leave for illness or special leave, requests should be forwarded promptly to Head Office. Only in exceptional circumstances should a medical certificate be requested from the foster parent and such a request must be authorised by the Director personally.

When the foster father is unemployed and the foster mother is sick, under no circumstances is the foster father to be paid as the reliever. Bearing in mind that the agreement is with both parents, with board payments continuing it is expected that, in such circumstances, the unemployed foster father would accept responsibility to keep the Family Home operating. If in the above circumstances the foster father is unwilling or unable to accept responsibility for the Family Home, relievers should be engaged in the normal manner.

- (iii) Weekend Relief - Family Home foster parents are also entitled to a break from their duties for a weekend, that is, from Friday evening to Sunday evening or all of Saturday and Sunday including nights, once a month or its equivalent in hours during the month (deemed to be 24 hours ordinary time 11). This break from duty is not to exceed a total of 48 hours. The Director may at his/her discretion agree to foster parents accumulating up to three such weekends for the purpose of taking a longer break provided of course, suitable relief arrangements can be made. It is preferred that foster parents live away from the home during their breaks, but they may live-in provided that the reliever sleeps in the home and has full control of the children.

When the foster parents prefer to remain at home, and have the option of relief in the form of 'babysitters' during the month instead of a weekend off, they may do so. In such cases it is necessary to keep a record of who performed the service, on what dates and the number of hours involved. The maximum relief available under this provision is the same as for a complete weekend off - i.e. 24 ordinary time hours. The foster parents will need to send a certified list to the office once a month so that payments can be arranged.

Emptying the Family Home by sending children out to holiday homes at regular intervals as a means of giving foster parents a break is not approved. This is not intended to impinge on those placements that are planned on a casework basis.

In the above circumstances a reliever may be employed as a wage worker (S.49, State Services Act, 1962).

If the foster parents wish to continue to receive board payments and to be responsible for maintaining the property while they are on leave they must provide board and lodgings for the reliever. The reliever pays the equivalent of the rate for board and lodgings paid by officers in institutions,. The Administration Officer deducts the appropriate amount from the salary payable to the reliever and pays this to the foster parents.

If the foster parents do not wish to be responsible for maintaining the home while they are on leave (or in cases where the foster parents have resigned and a new appointment is awaited) they will not receive board payments and the department will maintain the home throughout the period.

- NOTE:
- (1) The extent of relief granted up to these maximum hours is at the discretion of the Director having regard to all circumstances but it should be clearly understood that the foster parents are not obliged to accept all or any relief available.
 - (2) In all cases covered by sub-paragraphs (i) and (ii) above an allowance of 50 per cent in lieu of overtime and penal time is payable, i.e. 12 T1 hours for every 24 hours worked by the reliever.

Pl.35 Babysitting Services

Babysitting services are available for up to 10 hours per month. Directors may refund up to 10 hours monthly (at the rate of residential assistant) to foster parents who are to arrange for the babysitter as and when required. Foster parents will need to send a certified list to the district office in the same manner as outlined in Pl.34 above. Foster parents may accumulate up to 3 months babysitting hours. Hours exceeding 3 months entitlement are to be forfeited.

The provision of babysitting services is designed so that foster parents may have some time away from the responsibilities of the Family Home. Any demands that the department makes on the foster parents (such as attending training courses, planning sessions etc.) should not be a charge against their babysitting provision.

Pl.36 Assistant to Family Home Foster Parents

The department employs a person for 16 hours per week to give assistance to the foster parents in the general running of the Family Home. The actual hours worked are by arrangement between the foster parents, the person concerned and the department. The way the foster parents use this help is, of course, their responsibility. In cases where there are more than six foster children in residence this person may be paid up to a maximum of 20 hours. If there is a need for further help foster parents should discuss this the the Liaison Social Worker.

Under normal circumstances when the foster father is engaged in full-time employment he should not be engaged to do the domestic work. However, if the foster father is unemployed and provided he is able and willing, the Director may approve the foster father being employed for up to 16 hours per week as the domestic assistant.

Directors requesting authority to engage regular assistance for the foster parents beyond the hours stated above must apply to the Director-General.

Pl.37 Relief During School Holidays (ref H7.4 re delegation)

Additional paid or voluntary relief up to 14 hours per week may be provided at the discretion of the Director during school holidays. This relief is to be by way of a person who can look after and entertain the children thereby affording relief to the foster mother. Although there is no restriction on the way this extra relief is to be used, it is to be interpreted as an extra designed to relieve the pressure of numbers for whom the foster parents must care for at any one time during school holidays. It is not to be seen as an extra person who can take over the running of the home for 2 days of 7 hours but if the foster parents wish to use the extra relief to take a larger group out for several hours there is no objection.

Pl.38 Voluntary Relief

The department has no objection to relief being provided on a voluntary unpaid basis. Sometimes church groups or service clubs may wish to do some community work in this way. Good use can also be made of Social Welfare Volunteers to provide additional assistance in Family Homes. Possible activities in which volunteers can assist include: reading stories to children, assisting with homework, taking foster children on hobby and sporting outings, shopping, assisting foster parents to transport children to appointments etc. Any such arrangements would have to be made with the full agreement of both the foster parents and the department and should be made in such a way that it is possible to terminate it gracefully if necessary.

Pl.39 Weekend Accommodation

Modern self-contained accommodation at Hoki Beach School and Kingslea may be used by Family Home foster parents for weekend holidays. The Principal will provide all necessities other than food, although the essentials for tea or coffee would always be available. The accommodation is available to Family Home foster parents and their own children. A small charge of \$3 per weekend for each family is made to help defray the cost of power, use of laundry etc. The premises are available from Friday night to Monday morning. Bookings may be made through local Directors who will contact the Principal concerned to confirm the availability of accommodation, at the same time advising how many beds are required. The local Director collects the \$3 payment which is coded to departmental receipts.

Pl.40 Maintenance of Buildings and Equipment

The department employs three Building Supervisors, who are responsible for maintaining oversight of buildings and property. They visit Family Homes from time to time and have the task of advising on the scheduling of major maintenance contracts such as painting and redecorating. When the Building Supervisor visits, the foster parents should draw attention to any maintenance work required in addition to advising the local office.

The district office is responsible for minor repairs and maintenance to property and equipment such as repair of broken windows, blocked pipes, minor repairs to electrical equipment etc.

Districts which have a number of Family Homes may find it helpful to use the services of a competent handyman to carry out many of the minor repairs required. A retired person could be taken on as a volunteer or a contract could be taken out with an appropriate service company or a self-employed handyman.

There have been difficulties at district level over delays in replacing damaged or broken equipment and the appropriateness of replacement items purchased. Directors should ensure that administration staff involved in servicing Family Homes have a clear understanding of the objectives of Family Home care and the role that foster parents play in achieving this. Foster parents should be consulted over the setting of priorities for the purchase of equipment (as well as repairs and maintenance) and the actual type and brand to be purchased. Greater flexibility must be shown and greater weight should be given to the "most suitable" having regard to the real demand that will be placed on equipment rather than the "cheapest that will do the job" when considering purchases. Directors are requested to take a personal interest in ensuring that the replacement or repair of equipment or other matters of maintenance or servicing is not allowed to become a needless source of frustration and strain to foster parents whose role is readily acknowledged as a very demanding one.

Foster parents are to be supplied with the names and addresses of tradesmen whom they are to contact in the event of emergency repairs or services outside of normal office hours. It will be necessary to update these lists from time to time.

Pl.41 Maintenance of Grounds (ref H7.4 re delegation)

The Director may arrange major grounds maintenance such as cultivation by rotary hoe, trimming of large hedges and trees once a year if required. However, it is expected that the foster parents will maintain the grounds in a reasonable and tidy condition. Tools and usual garden implements are supplied by the department. Where a trailer is required on a temporary basis, Directors may approve the hire of one. Expenses relating to the upkeep of a vegetable garden are the responsibility of the foster parents, while the department accepts responsibility for shrubs, trees and flower plants.

Pl.42 Commercial Cleaning (ref H7.4 re delegation)

Where necessary the Director may approve of the hire of commercial cleaning contractors once a year to spring-clean the interiors. Where specially required the exteriors of Family Homes may be cleaned. It is usual to give a thorough cleaning when there is a change of foster parents. Foster parents should approach the Administration Officer to arrange this service.

Pl.43 Medical Examinations and Fees

It is preferable for every child or young person being placed in a Family Home to be medically examined prior to placement there. If this is not possible, an early examination should be arranged after admission. Any specialist treatment required should be arranged after discussion with the Assistant Director Social Work or Senior Social Worker, as appropriate. The department will arrange payment of medical expenses, doctor's fees etc. as required.

Pl.44 First Aid Cabinet

A fully stocked first aid cabinet is provided for each Family Home and replacement stock is paid from petty cash. A lockable cabinet is provided in each Family Home for the safe custody of drugs, medicines etc. This should be kept locked and the key kept in a position where children cannot gain entry.

Pl.45 Fire Protection (ref H7.4 re delegation)

When new foster parents move into a Family Home, the local fire protection officer of the Ministry of Works and Development should be notified so that he may provide information and guidance to the foster parents regarding efficient egress procedures in case of fire and instruction on use of extinguishers, etc. installed in the particular home.

Fire alarms in Family Homes are to be tested monthly by the foster parents, who will record tests in the appropriate log book provided by the Ministry of Works and Development. Directors are required to check on the procedures being followed in their district and to ensure that the standardised form of testing and recording is done.

Because of the danger of fire no child should be allowed to sleep in a bed with an electric blanket turned on.

Pl.46 Reporting on Fires

All outbreaks of fire in Family Homes must be immediately reported by telephone to the Senior Institutions Officer in Head Office and the local officer of the Ministry of Works and Development for the area in which the Family Home is situated. This telephone report must be confirmed in writing. The District Commissioner of Works will arrange for his District Fire Protection Officer to visit and prepare a Fire Report which will be forwarded to Head Office through the Commissioner of Works, Wellington.

The procedure should be followed, irrespective of whether or not substantial damage to property occurs. The reason is that Fire Protection officers are interested in knowing full details of all fire hazards encountered in our residences, and in the efficiency of fire prevention and fire-fighting measures.

Pl.47 Telephone Accounts

Provided that the telephone number is included in the department's listing under 'Family Homes', the department meets the full rental costs. If foster parents wish to have their own names listed in the alphabetical section of the telephone directory they must pay the extra cost.

The department pays the account to the Post Office and recovers the cost of any private toll calls made by the foster parents. Foster parents should keep a record of any authorised official toll calls made from the home.

Pl.48 Television (ref H7.4 re delegation)

It is the department's policy to provide colour television sets in each Family Home. Some foster parents may have installed their own set and made it available for the general use of the home. In these cases, the department will meet routine maintenance costs in the case of black and white sets, and in the case of colour, the total cost of the service contract. No television licence is payable (as per Post Office Reference GP 70/74 of 21.10.66).

Pl.49 Assistance with Homework

Assistance with homework is a serious difficulty with many foster parents because of three main factors:

- the difficulty most parents have with homework;
- the difficulty which many foster children have with school work;
- the amount of time involved following a normal demanding day.

Where foster parents consider that children in the home require extra help with homework the liaison Social Worker should be advised and an attempt made to find suitable people who are willing to assist on a voluntary basis.

Pl.50 Insurance against Damage or Theft by Foster Children

As the department has no legal liability for damage or theft by children in care, foster parents should be advised to check with their insurance company to ascertain that they are covered in such an event.

The State Insurance Office offers a policy which explicitly covers damage or theft by foster children. The State Insurance Office also advises that risks placed with their office are to be noted as dwellings (without any loading for the occupants) provided the dwelling is used solely as a family home. Where departure from this noting is deemed necessary the matter should be referred to Head Office with full particulars. Should foster parents have a successful claim under these conditions every endeavour will be made to compensate them for the loss of any no-claim bonus or the cost of any excess payment. Such compensatory payments are subject to Treasury approval and no firm promise can be made to the foster parents that an ex-gratia payment will be forthcoming. Treasury are not able to approve an ex-gratia payment if the foster parents are uninsured. It is therefore essential for foster parents to take out appropriate insurance cover while in a Family Home.

Pl.51 Stocktaking

Because a Family Home is government property the Treasury instruction requiring an annual stocktake must be followed. The Administration Officer will make the necessary arrangements to suit the convenience of all concerned. It is a good opportunity for both the foster parents and departmental officers to thoroughly check the property inventory and replace any losses, or arrange for write-off action if appropriate. Foster parents should be given a copy of the stock list to assist them to check what they should have.

Pl.52 Family Home Returns

A copy of form SW 611 payment voucher for board, pocket money and transport assistance is sent to Head Office - attention Residential Services, immediately after payment of board each fortnight.

Pl.53 Swimming Pool

Where the foster parents wish to install a pool the department's consent is required. The department has adopted a policy of requiring all swimming pools to be fenced, regardless of local body by-laws and therefore, where approval is given for a swimming pool, the department will meet the cost of erecting the fence. Details covering siting and provisions for fencing must be submitted to the Director before any move is made to install a pool.

P2 FOSTER HOME PLACEMENT

P2.1 Assessment of Child's Readiness for Fostering

Many foster placements break down because the child/young person at that particular stage of his/her life is not ready to meet the demands of fitting into a foster home. It is therefore essential that an attempt be made to assess the child's needs so that the most appropriate placement is tried. Reception centres and Family Homes are specially suitable for initial placement while the child's/young person's needs are assessed. Institutional care may be the appropriate first placement, with foster care being utilised once a child/young person has stabilised and settled to some degree, rather than an institutional placement being the last resort after several foster placements have broken down.

P2.2 Recruiting Foster Parents (ref H7.4 re delegation)

There can never be too many foster homes available. The more there are offering, the wider the range of choice available when the most suitable home for an individual child is being sought. In general, and especially for older and difficult children there is a chronic shortage of the right foster home. Various methods have been tried ranging from radio appeals to house to house canvasses in efforts to increase the number of volunteers, usually without spectacular success. More conventional methods of publicising the need for foster homes include the giving of addresses to womens' groups and clubs, or to groups which like to sponsor community action in response to a need, such as Rotary or the Junior Chambers of Commerce. Clergymen are sometimes able to help, either through parochial visiting, pulpit announcements, or discussion with Churchwomen's guilds.

Press advertisements - usually small classified advertisements - are a standard method of making the need known. Some districts have allocated one Social Worker full time to increasing the number of prospective foster homes. Another valuable recruiting agent is a foster parent who likes the work, and tells friends about it.

Appeals and campaigns through other sources are sometimes more successful if they are "personalised" by being linked to a particular child, sufficient of whose story can be told to evoke a sympathetic response. This does not mean that we depend upon unhealthy sentimental appeals but merely that a sympathetic response must be obtained before detailed and realistic consideration of all the many implications for all the parties concerned can take place.

Before any long-term foster home placement is sought the Social Worker needs to know the child concerned thoroughly. This would require a personal involvement with the child, doing activities such as playing games, going for a walk etc., and making a 'life-story book' covering the significant people, places and movements in a child's life. This would facilitate the recruitment of foster parents whose potential in relation to a particular child can be established.

P2.3 Interviewing Prospective Foster Parents

There is a danger that because of concern for the child/young person, the Social Worker will pay insufficient attention to the needs of the foster family, and may be tempted to arrange a placement without adequate preparation of the parties concerned and without recognising or dealing with the imminent problems of the situation. Sometimes of course emergency action is necessary and calculated risks must be taken. Some successful permanent foster home placements have been those which were made in emergencies and intended to last only a few days or weeks. The important point is that when risks must be taken they should be calculated risks, not those of ignorance.

It is most important that Social Workers should remember that the role of foster parent is usually, for a conscientious and sensitive person, an extraordinarily difficult one to fill satisfactorily. The emotional relationships between foster parents and foster child will usually be quite as delicate and intimate as those between the child and his/her parents, but they operate in a situation which is far from normal. Not all foster parents feel this way, but many do, and they are entitled to very tactful, considerate and frank treatment from Social Workers. Of course it is also true that, partly because of the difficulties involved, a successful foster parent derives a great deal of pleasure and satisfaction from the role.

Many people who might consider acting as foster parents are deterred from doing so because they feel that they might become so attached to the child that they could not face having to give him/her up if this would become necessary for any reason. While an over-possessive attitude may be unhealthy, the fear of becoming too attached is, within reasonable limits, a perfectly natural reaction and on the whole a healthy sign. It concerns a possibility which is very real and which must be faced squarely and talked about frankly. The involvement of the natural parents from the time the placement is made helps keep the reason for placement in perspective.

It does commonly happen that a child/young person must be removed from a foster home sooner than was expected because of something quite beyond the control of either child or foster parents. Planning however does give the opportunity for foster parents to have a clear idea of the reason for placement and the long-term plans for the child. While no guarantee can be given that a particular child will stay permanently in a foster home, every foster parent and indeed every foster child has a right to know what the department's commitment is to the placement and the degree of support they can expect to maintain the placement.

Most people who are genuinely interested in taking a foster child but who are deterred by considerations such as the above can be helped to come to a decision by a frank discussion. It is fair and proper for Social Workers to point out that - while not understating the difficulties - there is a good deal of pleasure and satisfaction to be derived from fostering.

Further, even natural parents must part with their children at some stage, and usually earlier than they want to. Just as ties between parent and child need not be broken because the child grows up and leaves the parental home, in the same way, the relationship between foster parent and foster child does not always end with the child's departure from the foster home. If the child/young person does leave the foster home before this was expected, for reasons other than difficult behaviour, ill-health etc., it must only be to return to his/her own family or to some other placement to his/her eventual advantage. The fact that s/he is ready and able to go must in large measure be due to the care and work of the foster parents who have the satisfaction of knowing that they played a part in bringing about his/her return to a more normal environment.

Encouraging the foster parents to continue to play an active part in the child's life may do much to help the child in the new situation particularly if this is with the birth family and if the foster parents' interest is a truly supportive and helpful one.

There are some advantages which apply should the placement not work out satisfactorily, or should an emergency arise which prevented the foster parents from keeping the child. The full resources of the department are available if necessary, e.g. to protect the foster parent from irresponsible interference from parents, or to take over immediate responsibility in the event of sickness or other crisis. The knowledge that there is a large and sympathetic organisation in the background can be a source of comfort to a person making application to board a child/young person.

P2.4 Processing an Application

An 'Application for Foster Child' (SW 548 refer Fig. 1) may be completed before or after a full discussion of all the issues involved with the applicants, and a home visit. If it is decided that the applicants are suitable as foster parents, the form SW 548 is filed in the appropriate Kardex tray with form SW 588 (Children Boarded in Home - refer Fig. 2) facing it. Brief comments as to suitability and preferences are noted on it by the Social Worker. In larger districts at least it is an aid to quick reference if coloured signals are used to indicate such matters as age and sex of child desired, the district in which the home is located and the religious denomination of the applicants. If the applicants are found to be unsuitable, a card in the Master Index (marked "Unsatisfactory" in red) should refer to the file or Kardex tray where the application and the reasons why it was found to be unsuitable can be found.

P2.5 Referee for Foster Parents

The referees named by the applicant should preferably be visited, but at least written to, and except in emergencies children should not be placed until the references are obtained and checked. There is a tendency for applicants to name as referees people such as bank managers and storekeepers, who can speak with authority about their solvency and prompt attention to financial obligations but who usually know little or nothing about their suitability to care for somebody else's children. Applicants should be encouraged to name people who know them well as a family even though they have no particular standing in the community.

P2.5A Police Check of Prospective Foster Parents

Police checks on prospective foster parents should be carried out in the same way and using the same form (SW532) as for adoptive application. Refer Fig 4, Part E.

P2.6 Refusing an Application (ref H7.4 re delegation)

Refusal of an application is sometimes a difficult matter. In general, applicants who must be refused are entitled to frank explanations of the fact, and the reasons for it, and they should not be encouraged to believe that they are "on the waiting list". Usually they can be helped to understand and accept their unsuitability if it stems from some readily identifiable aspect such as age, health, accommodation or distance. It is recognised, however, that some applications must be refused, not because of demonstrable facts, but because of Social Workers' "hunches", suspicions of neurotic tendencies, scepticism of motives and the like. In such cases, it is not easy - and sometimes not desirable - to be completely frank, but again, the applicants should not be given any ground for persisting with the application, nor for thinking that it is likely to succeed later.

P2.6A No Immediate Placement Possible

Where there is no child immediately available for placement who is considered likely to fit into the particular foster home, care should be taken explaining the situation to the applicants. Where the application is made as the result of an advertisement or other appeal or campaign the applicants can be excused for wondering whether the need is genuine, or whether they are regarded as unsuitable, if their offer - for "offer" is a more accurate description than "application" - is not acted upon immediately. If they apply and hear nothing they might well withdraw their own application and dissuade any friends from making similar applications.

The use of a group meeting to explain the individual needs of a particular child can have the dual purpose of allowing the prospective foster parents to see that there are a range of people to choose from and to let the Social Workers have a preliminary fact-giving discussion. While it should not in any way be seen as a total interviewing situation it is an opportunity to gain a general picture of the applicants' ideas and attitudes.

P2.7 Selecting Foster Parents

There are some absolute minimum standards of accommodation which must be met before any child's/young person's placement may be considered. Each child/young person must have a separate bed, and no child over six years of age may sleep in a room occupied by any person of the opposite sex over six years of age. Where younger children of opposite sexes are to share a bedroom, there must, if the placement is likely to be a long-term one, be a reasonable certainty that separate rooms will be available when the children are older. No more than four Wards at a time may be placed in any foster home without the Director-General's approval (ref P2.17).

P2.8 Staff Members - Limitations on Eligibility to be Foster Parents to Children in Care

Policy precludes staff members, whether field, residential or clerical from becoming foster parents to children either temporarily or permanently in care. Staff members may not become Family Home foster parents and remain in their staff role and Family Home foster parents may not become staff members while remaining as Family Home foster parents.

A staff member who became a fosterparent to a child in the care of the Director-General would immediately acquire a dual role which has certain implications for the foster child, his/her family/whanau, for the staff member and for the department. Having dual role relationships within the same organisation or group is well known to be a source of conflict and has traditionally be avoided or prohibited by laws, mores and codes of professional practice, e.g. law, medicine.

The specific reasons for this policy in the department are as follows.

Such foster care arrangements:

- (1) Have the potential to set up unnecessary conflicts around the child or young person that can interfere with the pursuit of his/her well-being.

Normally, a child is placed with a family which has and is seen to have, a measure of independence from the department. The State may be the child's guardian but it is not the day to day caretaker. Discontent on the part of foster parents can be channelled through the social work or administrative line up to the Director-General, and likewise discontents in parents/family/whanau or the child or young person him/herself can be addressed without meeting any clashes of interest or role. Discontents about foster parents on the part of the placement social worker or supervisor can also be addressed with professional objectivity. Where foster parents are also staff members this can appear to have an unfair influence on the resolution of these differences. The situation can become particularly difficult when such differences have to be settled in a Court - e.g. in a s.64 application, then questions of bias, occasioned by seemingly vested interest and role confusions can be

introduced to sway a particular outcome. This means that a child's security and well being may be subject to a range of conflicts inherent in the duality of role relationships.

- (2) Can undermine the role and rights of natural family/whanau and reduce co-operative endeavours in relation to the child's needs.

Quite often, parents and family/whanau feel much anger when a child comes into care or is in care on an ongoing basis and this anger can be directed to both the department and the caretakers. The social work staff at various levels are frequently involved in balancing the interests and claims of natural family/whanau and foster parents in relation to a child's needs and well-being. Resentment is likely to increase if the foster parent is indeed also a member of the controlling body and objectivity can be difficult to establish for the decision maker faced with competing loyalties. The natural family/whanau can, with some justification consider that the Court is their only independent forum.

- (3) Can create additional role strain on the staff member and role conflicts for colleagues.

The staff member as foster parent, is performing, relating and being supervised and assessed in two roles which may or may not be within the same Section. Problems in one role tend to spill over into the other. Practices that rely on objectivity and independence can be clouded by collegial friendships and competing loyalties.

- (4) Can undermine the professional credibility of the department.

Professional standards in foster care have traditionally been preserved and developed by the independent voice of foster parents. A voice ceases to be independent when it is that of a staff member within the department that administers the law in relation to children in the care of the state.

There are two types of situation where an exception to the policy may be considered by the Regional Director. They are as follows:

- (1) Where the child or young person in care is a member of the staff person's family/whanau and that family present as the option of first choice to provide foster care.
- (2) Where a foster parent wishes to apply to become a member of staff.

Criteria will be applied to such submissions that take account of the following factors:

- (a) the needs of, and plan for the individual child in relation to the characteristics and qualities of the actual or proposed foster family.
- (b) the degree of parental/family/whanau agreement with the support of the placement.

- (c) the role distances involved.
- (d) the time frame of the placement.

The criteria applied by the Regional Director will be made available on request.

P2.9 General Suitability

The minimum accommodation standards will very rarely occasion any difficulty. The most important criteria of the general suitability of prospective foster parents are the less tangible ones, which are set out and discussed more fully below. Consideration must also be given to any future plans and prospects in respect of housing, transfer, etc..

P2.10 Personality, Home Circumstances and Attitudes

It is necessary to form a clear picture of the personal attributes of the foster parents by direct observation and discussion which cannot usually be achieved satisfactorily in one visit. There is a tendency for the importance of the foster father's role to be under-estimated and to concentrate on the foster mother but it is important that the foster father's active cooperation is assured and that he too is seen. Points which must be considered include the following:

- Are they cold or warm-hearted?
- Have they natural understanding of children?
- Have they ever looked after other people's children?
- Are they fussy, nervy, timid, cautious?
- Are they normally intelligent and successful in handling small crises in their daily lives?
- Have they the capacity to enjoy life and have fun and to unbend with children?
- Is it a free and happy home atmosphere?
- Have they children of their own and if so of what age?
- Are their children normal, happy, allowed to play freely and get dirty sometimes?
- Would their children be likely to welcome a strange child into their family?
- Have their children been consulted about the proposal?
- Are they capable of accepting a child just as s/he is, or would the adults set too high a standard, or expect too much of him?
- Are they capable of accepting the child's family and of respecting the role they play in their child's life?

- Could they be firm as well as kindly in exercising control and discipline?
- Can they work with Social Workers and see team sharing as being the best way of improving child's situation?
- As far as can be determined, what seems to be the foster parents motives for offering or applying to board a child?

In many cases, the motivation is largely unconscious, and the foster parent could not give a direct reply to the question. Many foster parents are motivated by the highest principles and these include some of the best foster homes we have. However, it is necessary to sound a note of warning. An unduly sentimental attitude, or dedicated ignorance may not provide a suitable environment for bringing up a deprived or difficult child.

P2.11 Motivation of Applicants

The motivation of applicants who apply to foster a child should be fully explored. People with limited extended family contact or neighbour support may tend to rely too much on the child for their own personal well being.

Similarly people who are too busy or want children to conform to their lifestyle may not have the patience, flexibility or acceptance needed to foster a child.

Care should be taken when explaining motivation not to make applicants feel guilty about their lifestyle, attitudes or ideas. They need to understand that the taking of a child with a different set of life experiences could lead to unhappiness for both them and the child.

P2.12 Material Circumstances

The foster home itself is important too, not only because of material conditions, but also for what it tells of the family. Is it roomy or cramped, reasonably clean and tidy, or muddy? Does it look comfortably 'lived in' or is it highly polished with new and carefully guarded furniture? Is there room for children to play inside and outside without being a bother? Undue importance should not be attached to superficial untidiness, especially if the visit is not by appointment.

P2.13 Age of Foster Parents

Looking after children requires a certain amount of physical and mental agility, together with a degree of stability and general experience. Foster parents who are only a few years older than their foster child might have a difficult time and in general applications from foster parents under 25 years of age are not acceptable, although there are exceptions. Conversely it would often be unwise to place a very young child with an elderly couple, although it is true that some elderly people may be particularly successful with difficult children as they are able to put crises that occur into perspective and promote a degree of serenity. It does appear that when foster parents have raised children of their own through the age range of the child they are applying to foster they have a more realistic picture of the sort of behaviour they can expect.

P2.14 Health of Foster Parents

Similar considerations apply to the question of the foster parents' normal health. When Social Workers are planning a placement they should ask the couple being considered to have form SW 627 (refer Fig. 8) completed by their family doctor. If there is any doubt about the health of a prospective foster parent it is desirable that his or her permission should be obtained for a discussion between the Social Worker and the doctor to clear the matter up.

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In the following circumstances the Department will meet the medical fee for the completion of form SW 627:

- (a) If the foster applicants are seriously considered for a specific child
- (b) If the foster applicants have special qualities or are offering a specific service but for whom no particular child has yet been identified.

(If there is any doubt as to the appropriate level of the fee charged the matter is to be submitted to Head Office for direction.)

P2.15 Location

For planning to be effective care should be given to considering the location of the foster home in which the child is to be placed.

If children and parents are to be encouraged to keep in touch with each other it is undesirable that they should be separated by distances greater than necessary. It often happens of course that a child must be removed from his/her home district for his/her own good, and sometimes for the community's good but even in such cases this should not be carried to extremes unless there are very compelling reasons. Even more important, perhaps, is the need to keep brothers and sisters placed under guardianship at the same time together or as near to each other as possible. It is rarely possible to place more than two children together in the same foster home, but it is usually possible to find foster homes which are sufficiently close together to permit the children to see each other and to be reminded that they too have families of their own to which they really belong. Refer also to N3.6 which deals with Special Purpose Family Homes, for four or more siblings where the plan is to keep the children together.

When considering a particular foster home for the child, future educational and employment needs must be considered. If the child does not yet attend school and the foster home is a country one the distance from school and means of getting there must be taken into account. Where the child is of school age this is, of course, of direct relevance and unlikely to be overlooked.

However, with older children, the future needs of secondary education are sometimes forgotten. While most areas in which children are likely to be placed are within daily travelling distance of secondary schools some of the schools do not offer a full range of courses, and a child's future prospects may be impaired unnecessarily on this account.

Not all city children can adjust to country life and vice versa and thought should be given to such matters.

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P2.16 Placement with Solo Foster Parent

Placements with married couples are the normal and preferred situation but some single women or widows are able to offer very satisfactory foster care for carefully selected children in special circumstances. Such placements should be made only after full consideration of the long-term effects for the child and must take into consideration the difficulties that are likely to be encountered and the support systems available to make the placement a satisfactory one for child and foster parent.

P2.17 Limitation on multiple placements in private foster homes
(See P2.22a)

(a) Dangers inherent in multiple placements of foster children

Before making any foster placements, we have to be quite clear about the general, specific, short and longer term needs of the child which are to be addressed and the purpose of the proposed placement in relation to those needs.

Warm, caring qualities in foster parents are certainly prerequisites for a successful care arrangement but there are many other factors which also need to be considered. For example:

- the needs and demands of the child in relation to the needs and demands of all other members of the household;
- the extent to which the physical/personal/social/cultural environment of the foster family, home and locality will be to the child as "normal" as possible;
- the ability of the foster parents and the interpersonal environment to cater for the developmental needs of the child, particularly when the child's physical/emotional/social/intellectual development is below the normal expectation for chronological age;
- the ability of the foster parents and the interpersonal environment to cater for needs for individual care and attention to a child in crisis;
- the nature of the permanency plan for the child and the extent to which the foster parents and home environment will be able to facilitate the plan,

i.e. work towards return to family
 work towards an adoption placement
 work towards permanent foster care placement (legally endorsed)
 work with young people towards independence while strengthening their permanent family ties and other social supports.

- when the proposed placement is to be a permanent one the extent to which it can truly offer all the main characteristics of a permanency package.
- the extent to which the rights and need of the foster parents and their family, and the quality of their life will be preserved and strengthened by the placement undertaking.

The consequences of failure to address all these considerations is most likely to be evidenced in private foster homes in which there are or have been multiple placements of children who are not related to each other. At worst, such multiple placing has been contributed to not only by the Department but also by Voluntary Sector agencies, (foster care and day care) and friends and relatives of the foster family.

Such practice has the potential to result in a range of unsatisfactory permanency processes and outcomes for those children and also to overstress and undermine the well-being of the care-giving family itself.

We know that in most communities these are at least one or two care-giving families whose expansive love and warmth allows them to welcome into their home any number of children in need. Social workers, aware of the personal qualities and the "tried and true" nature of them tend to look to these families as options of first choice in almost any situation. However, current policies which focus for example on the pursuit of normalization for children in care, and rights and needs in relation to permanency require an planning approach to care arrangements that is deeper than short-term expediency.

(b) The positive use of multiple placements in a private foster home

The most notable of these is in respect to sibling groups, and whanau placements. This may involve multiple placements of children and young people related to each other and they may or may not also be related to the "foster-family" (maatua whangai). In the case of Maori children and young people the relationship to each other and to the maatua whangai may arise from whanau, hapu or iwi belonging.

When considering any such multiple placements the sort of questions to be asked as outlined in (a) above still apply. The proposed placement has to be right not only for the group but also for each individual of that group.

It also has to be acknowledged that from time to time crises do arise where a child's or group of children's immediate needs for care override considerations of the longer term implications of a particular placement. However, one expects such occasions to be rare. Prompt attention to the short and long term plans for children in emergency multiple placements will avoid deterioration into a state of "drift" or unplanned termination.

(c) Resourcing multiple placements

Some, but by no means all, of the dangers inherent in multiple placements can be mitigated by ensuring the provision of adequate resources/supports to the foster family situation. This means, certainly in the case of sibling groups and multiple whanau placements, that additional resources are likely to be required at least in the initial stages. Sometimes ongoing additional resources will be necessary to address the day to day practical demands of the multiple placement situation.

However, social workers must remain mindful of the fact that money cannot purchase such things as loving bonds of attachment, or a sense in a child of belonging as of right, or the emotional strength in foster parents to care for and guide a disturbed child or young person on to the path of normality.

(d) For delegated levels of approval for placements see P2.22

P2.18 Matching Foster Home to Child

Having decided that the applicants are suitable people to undertake the responsibility of caring for another person's child it remains to match the particular child to the most suitable foster home available. Unfortunately as there is rarely a substantial 'pool' of available foster homes it is frequently impossible to find one which meets all the requirements for a particular child. However, strenuous efforts must be made to find the best available; the right action at this stage may well make for a well-adjusted and happy child, and a lightened future workload for the Social Worker. The actual matching process, where there is some degree of choice, is a subtle and difficult matter which does not lend itself to written exposition in the abstract. While the needs of children may be said to be universal - e.g. the need for acceptance, recognition, affection, security etc. - these can be met in very different ways for different children.

Some negatively expressed factors may provide a basis for consideration. In general a child should not be placed in a foster home in which the social, economic and cultural standards differ markedly from those in the home s/he has been used to. Similarly, in general, foster parents should preferably not be considerably older or younger than the child's own parents, while children from large families should not normally be placed with childless foster parents.

In addition to the rather intangible factors suggested above there are some specific matters which must be taken into account when considering the placement of a particular child.

P2.19 Religious Denomination

It is preferred that, wherever possible, a child should be placed with foster parents who are practising members of the denomination to which the child's parents belong. Where this is not possible, the assistance of the clergy of the denomination concerned should be sought. If the minister or priest cannot find suitable foster parents of the child's own faith, the Social Worker should then consider placement with foster parents of another or no denomination, and make arrangements for the child to receive instruction in his/her own religion and attend that Sunday School or church.

P2.20 Training of Foster Parents (ref H7.4 re delegation)

It is recommended that all district offices initiate or actively encourage the development of problem-sharing sessions and informal meetings where foster parents can provide each other with mutual support and advice. Liaison with a local Foster Care Association if operating in the district could be of assistance in this respect.

More formal training sessions for foster parents should be arranged at district level after consultation with the A.D. (Social Work Training) Officer and the Senior Social Worker, (Foster Care and Adoption) at Head Office, concerning a suitable training programme.

P2.21 Information Given to Foster Parents

It is difficult to know just how much information about a child to give to people who are considering looking after him/her. On the one hand if one "gives a dog a bad name" it may give an undeservedly bad impression, and on the other hand, if one doesn't tell the truth about weaknesses, or difficulties likely to experience they can legitimately complain. Once again the best policy is frankness, tempered with discretion. It is never permissible to "gild the lily" unduly but it is reasonable and fair to attempt to put unpleasant facts into perspective and to give the most favourable interpretation of them which is reasonable in the circumstances. Information should be specific and behaviour related rather than generalised.

**P2.22(a) Approval to place wards in foster homes
(See also P2.17 and Delegations H7.4)**

Authority to approve foster placements of children and young people in care is delegated as outlined below. Where Maori children and families/whanau are concerned, Maatua Whangai or other cultural representatives will share the decision-making. All decisions must be recorded on file.

- (i) SSW 104 Non-related. One child into a family to which they are not related as the first foster child.
- Related. Two siblings or children related to each other, into a family to which they may or may not be related, as the first two foster children.
- (ii) ADSW Non-related. As in (i): two non-related children as (minimum first and second foster child.
level
SW105) Related. As in (i): Three siblings or related children as first three foster children.
- (iii) Director Non-related. As in (i): three non-related children as first three foster children.
- Related. As in (i): four siblings or related children as first four foster children.
- (iv) Regional Any greater multiple than that cited in (iii)
Director

The Assistant Director (SW) is to set up monitoring procedures to ensure;

- the adequacy of the planning base of the placement/s and the relevance of the care-arrangement to it;
- the adequacy of the support system and resourcing of multiple placements;
- the effectiveness of multiple placements in achieving desired permanency planning processes and outcomes for the children concerned.

P2.22b Routine Action on Making a Board Placement (ref H7.4 re delegation)

The following actions should be taken in all appropriate cases when a child is to be placed in a foster home either for the first time or on transfer:

- (a) Ensure the approval for the placement has been obtained at the required level (See P2.22(a)).
- (b) Check clothing outfit and bring up to standard.

- (c) Ensure that an "Application for Foster Child" (SW 548 refer Fig. 1) and the SW 627 (refer Fig. 8) has been completed.
- (d) Complete a "Foster Placement Information" (SW 542B refer Fig. 3), a "Personal and Family Information on Child or Young Person In Care" (SW 542A, Fig. 4), and deliver to foster parent, together with SW 542B.
- (e) Discuss fully with foster parents (if inexperienced in caring for Wards) their rights and responsibilities concerning the child and the matter of his/her care, and explain the role the department's Social Workers will play in helping to see that the placement succeeds, and ensure that they have a current copy of the 'Handbook for Foster Parents'.
- (f) Arrange for preparation of notification slip.
- (g) Inform previous Principal of child's removal if applicable and tell him/her which school the Ward will next attend.
- (h) Arrange child's enrolment at a new school and notify the Principal that s/he is a Ward. The foster parents would normally be the best person to take a child to school to enrol.
- (i) Check child's enrolment for dental benefits and arrange transfer if necessary.
- (j) Advise Ward's parents and brothers or sisters of his/her change of address if they have not been consulted previously.

P2.23 How Child/Young Person Should Address Foster Parents

The name by which the child/young person should address the foster parents should be discussed with the foster parents. There is no objection to a young child using "Mummy" and "Daddy" provided that the foster parents agree and provided that s/he knows and is reminded that s/he has real parents of his/her own. Sometimes "Auntie" and "Uncle" or "Mr" and "Mrs" will be more appropriate while some foster parents feel quite at ease to be known by their christian names.

P2.23A The Name By Which the Foster Child is Known (ref H7.4 re delegation)

The name by which the child or young person is to be known sometimes presents a great deal of difficulty. Many foster parents want the child to be enrolled at school and known in the neighbourhood by their surname. This may be permitted only in very special circumstances. Where the natural parents are available their views should be obtained. If they object the Director's approval will be required. Where the parents do not object or are not available the Director may approve such a proposal. It is too confusing and distressing to the child/young

person to be known by different names at different times. Even though he may be at a loss to understand why his name is different from his foster parents greater hardship and distress may easily follow if he is subjected to changes of name along with changes of foster homes which cannot always be prevented, even where there seemed to be a permanent placement. Unless there are special circumstances previously approved by the Director the name under which a child should be enrolled at school and generally known should be that which has been originally approved for official use.

P2.24 Pocket Money

Wards in foster care are entitled to pocket money. The amount (in private foster placements) is at the discretion of the foster parents. Usually foster parents wish to base their rate on that paid to their own children and for this reason an average amount is built in to the Foster Care Allowance. If foster parents look for guidance on the rate to pay to a particular child the amounts payable to Wards in Family Homes could be quoted. If foster parents pay the child/young person extra for doing chores it is desirable that this is known to the supervising Social Worker (see also P2.33). If the child is old enough to control expenditure he/she should have the handling of the actual cash; banking the amount to his/her credit does not give him needed experience in this field. The child/young person should, of course, be encouraged to save, but within reasonable limits, s/he should be allowed to spend it as s/he wishes.

Social Workers need to maintain an interest in the way a child manages pocket money. Where the foster parents choose to withhold pocket money as a disciplinary device care needs to be taken that this is not carried to excess and that the money remains available to the child at a later date or by some other means.

P2.25 Foster Care Allowance Payment of Foster Parents (ref H7.4 re delegation)

Although they are not concerned with the actual payment of foster parents, it is important that Social Workers should understand and be able to explain the procedure. Payment is made by means of "coupons" (SW 610) with the value entered on them which become payable at any Money Order office at four-weekly intervals on a Wednesday. The coupons are issued annually to foster parents (each February) in books of thirteen, one for each four weekly period (numbered 1 to 13). They must be cashed within 23 days of the due date of payment printed on them. Coupons cannot be cashed without the coupon book as the cover of the book bears a certificate authorising payment to the foster parent which must be available for the Money Order office cashier to view.

If a child has a birthday which entitles the foster parents to a revised Foster Care Allowance rate, the higher rate should commence from the start of the pay period in which the birthday occurs.

An incidentals allowance is included in the Foster Care Allowance to provide for all miscellaneous expenses incurred in a board placement; e.g. toilet articles, haircuts, local travel, minor items of school stationery etc. Where costs in individual cases are regularly excessive the Assistant Director (Social Work) has discretion to reimburse the foster parents for out-of-pocket expenses. Receipts for items in excess of \$3 are necessary.

Special coupons (SW 541) negotiable for one month from date of issue are used for broken periods of board. A full day's Foster Care Allowance is paid for a part of a day, e.g. when a Ward is transferred from one foster home to another both sets of foster parents are paid a full day's board for the day of transfer.

In addition to the normal Foster Care Allowance an extra payment of half the standard weekly rate is made at Christmas and again at the Ward's birthday. This is in recognition of the extra expenses incurred on these occasions including those for parents. (See also N6.10)

P2.25A Loss Of Board Coupon (see Fig. 5)

If a coupon book, or special coupon is lost this must be reported at once to the Director who will notify the Post Office where the coupon would normally be cashed and will send a copy of this notification to the Director of Accounts, N.Z. Post Office, Herd Street, Wellington. A form of application as per Fig. 5 which should be typed or photocopied, should be completed by the foster parent and the Director may approve the issue of a new book or coupon, so that payment may be made without delay to foster parents.

P2.26 Higher Foster Care Allowances To Meet Special And Reasonable Needs

P2.26(1) Legal basis

The Children and Young Persons Act 1974 (S.68)

- (a) empowers the Minister to determine the rates of payment to foster parents;
- (b) requires the Director-General to ensure that such payments are made and that any additional payments necessary to meet the reasonable needs of any foster child are made;
- (c) permits the Director-General to pay at a higher rate in cases where there is special need and subject to limits determined from time to time by the Minister.

P2.26(2) Delegation of Authority

The Minister has increased to 150% the limit of the Director-General's authority to approve HFCA.

The Director-General has delegated his authority as follows:

Up to 100% - AD (SW) who in larger districts may delegate to the minimum level of SSW 105.

Up to 150% - District Director.

A recommendation for a rate in excess of 150% should be signed by the Director and will go the Minister via the Regional Director and the Director-General.

P2.26(3) Determining the Resource Needs of Children and Young People in Care Arrangements

"Distinguishing between "special needs" and "reasonable needs"

As the legislation uses the concepts of "reasonable needs of any foster child" and "cases of special need" we follow through with those concepts in our resourcing framework. Although paying at a "higher rate" is associated with "cases of special need" we do find that it is sometimes most appropriate to also use a "higher rate" to make additional payments for the reasonable needs of any foster child.

The major distinction in these two uses of HFCA is in relation to the role and responsibilities of the care-givers.

(a) "Reasonable Needs"

The standard board rate (Foster Care Allowance) is set by the Minister to cater for standard care-giving and it takes account of the fact that there will be a degree of difficulty in caring for any child or young person who has become separated from their home/family situation and come into departmental care. The standard rate is set also to recognise that costs and demands will vary with age of the child or young person.

It is estimated that the needs of 80% - 90% of children and young people in care arrangements are adequately catered for through the "standard board rate" and the range of other routine provisions for items and services that are already available through local authority.

However, from time to time other reasonable needs for items and services arise which have not been specified in local delegations. Sometimes "reasonable needs" for which there is already resourcing authority on a "one-off" basis actually are of an ongoing nature.

In these latter situations HFCA may be used to resource reasonable needs on a cost-equivalent basis for:

- items
- services

- i.e. there is no additional care payment to care-givers of these children and young people as they are not defined (see Part B5.5) as having "special needs".

It is estimated that about 5% - 10% of children and young people in standard care arrangements will require from time to time an allocation of cost-equivalent HFCA.

No attempt is being made to define what is a "reasonable need" in any set of circumstances. The responsibility for determining entitlement will be with the person authorised to make a decision regarding HFCA.

The advantage of meeting these needs by way of HFCA is that valuable staff time in the Department is not taken up with making payments each week, and the foster parents do not have to keep making claims for reimbursement, or sending the bills in to the office as they come to hand.

(b) Special Needs

These arise from two main sources as described in N2.11 ie. difficulties associated with maintaining, restoring or creating

- developmental normalcy
- environmental normalcy.

Special needs are grouped in the following way:

(1) New Care Arrangement

This applies where personal circumstances and recent background experience, bring a child or young person into a new care arrangement in a state of crisis.

For example the child or young person:

- has experienced earlier relationship breakdown which (2) suggest that they will find it difficult to relate "appropriately" to the care-giving family or group (or vice versa);
- has recently undergone a stressful experience e.g. loss, fear, shame, abuse;
- is currently the subject of Court intervention and is in a state of stress and uncertainty;
- is moving from a structured institutional setting into a more informal, self-directing one;
- is moving from a situation of inappropriate freedom of choice and direction.

(2) Emotional/Social Difficulties

This applies where emotional/social difficulties are not merely transitional but ongoing.

The child or young person for example may:

- in a way inappropriate for chronological age, be withdrawn, attention-seeking or have other difficulties in relationships and interactions with adults and peers;
- be destructive, aggressive, behave in a bizarre way;
- have been subjected to physical or sexual abuse in their previous family/care situation;
- be offending, truanting, absconding, etc;
- be involved with abuse of solvents, drugs etc.

(3) Physical Difficulties

The child or young person has a disability, illness or dysfunction, for example:

- cerebral palsy or some disorder that restricts their ability to operate at a level of independence appropriate to chronological age;
- some hearing, speech or sight defect that severely restricts their participation in age-appropriate activities;
- a chronic medical condition such as a heart defect, asthma, that restricts participation in age-appropriate activities;
- a short or long term illness of a serious nature that requires home nursing care, periods of hospitalisation etc;
- a physical dysfunction eg. enuresis, that is not age-appropriate.

(4) Intellectual/educational/employment difficulties

The child or young person for example may:

- have permanent intellectual disablement eg. genetic defect, birth injury, illness outcome, so that full potential is likely to be at a restricted level;

- have difficulties associated with disruptive behaviour, at school, truanting, etc, and/or learning difficulties;
- have left school at 14 or 15 and have difficulties finding or keeping a job.

(5) Sibling Groups' Need to Share a Care Arrangement

An example of this may be:

- the care-givers in a whanau care arrangement or foster home will be able and committed to meeting the permanency needs of a sibling group if some additional resourcing is available, at least in the short to medium term (as one alternative to a Special Purpose Family Home);

(6) Difficulties Associated with Achieving Goals of Environmental Normalcy

These relate in particular to achieving permanency goals. Such difficulties do not necessarily reflect any personal developmental difficulties in the child or young person.

Examples may be:

- the care-giving family engage in working with and/or supporting the natural family/whanau/hapu/iwi of a child or young person in order to facilitate rehabilitation or reconcile and restore damaged relationships and broken trust that may have earlier occurred;
- the care-giving family, in the face of some "difficulty", work with and befriend the natural family or whanau of a child or young person in order to ensure a welcoming environment in which contact can be made while future plans are resolved;
- develop and stabilise a shared parenting role which will most appropriately meet a child's permanency needs;

It is these special needs situations (child or young person in care arrangement) that HFCA, specifically addresses. It is estimated that some 10% - 20% of children and young people in care arrangements have special needs that should be supported by HFCA.

While it is envisaged that rates up to 100% will continue to meet the needs of most situations, and rates up to 150% the most difficult special needs situations, it is recognised that resourcing in excess of this will sometimes be required. This is likely to be in relation to:

- (a) Severely disabled children and young people.
- (b) Large sibling groups who require short term or permanent care within the extended family/whanau or in a foster care arrangement.

The Components Of HCFA in special needs situations

The are three components are as follows:

- (a) Additional Care Payment. This will give recognition to the fact that the level of care, commitment and involvement that will be required of a care-giving family will be in excess of normal. The care-givers will often be required to provide a measure of expert care where their role will merge with that of nurse, social worker, psychologist, teacher and so on. In some situations they will work very closely with specialists of various sorts. Where a care-giving family, for example, offers care to a large sibling group considerable effort and adjustment will be required to incorporate the group into the care-givers family life. In the case of a young person they may be very involved with them in seeking employment or with skill opportunity. Quite frequently care-givers will become involved in the pursuit of a long term goal for the child or young person. They may have a role in working with the family/whanau or other significant people in the life of the child or young person.

This will be used in a way considered by the care-giving family or group to be most helpful to and supportive of them in their care-giving. Typically, care-giving families use the additional care payment to provide some relaxation or recreation that perhaps they could not normally afford and this "recreation" may include the child or young person as a member of a family or group coping with shared difficulties.

- (b) Cost-Equivalent Payment for Special Items

The need for special items usually arises in relation to young children with severe physical/health problems eg. special food, equipment. Such children also often require frequent visits to specialist and other services and when the care-givers take added responsibility for transport they may require assistance with petrol etc.

- (c) Cost-Equivalent Payment for Special Services

Generally, in larger districts, a good range of support services for various types of disability are provided free of direct charge. However, situations do arise where a service is required eg. short periods of relief in relation to the care of a young person with behavioural difficulties, home help in relation to a severely disabled child or young person, that may most appropriately be financed by way of HCFA to the care-givers.

P2.26(4) Assessing the Rate of HFCA In Special and Reasonable Needs Situations

For administrative reasons, percentage steps of 20, 40, 60, 80, 100, 120, 150 of the standard foster care allowance are recommended.

(a) Assessing additional care payment

Generally, a rate of 20% is attached to each of the special needs criteria (see S.7). Where a difficulty is present in an extreme form, the allocation may be increased.

(b) Assessing rate in relation to special items

Having established the weekly cost of the special items, the percentage of HFCA required to cover the cost can be determined.

(c) Assessing rate in relation to special services

The same applies as in (b) above.

P2.26(5) Eligibility

The range of eligibility

Any care arrangement for which the department is paying board, or intending to pay board, (ie. foster care allowance) for a child or young person is potentially eligible for HFCA. The goals being pursued within care arrangements will vary with the needs of the child or young person. Therefore, for example, a care arrangement that is facilitating return home has the same potential eligibility as one that is providing legally endorsed permanent foster care.

There may be occasions where it is appropriate to pay HFCA in conjunction with board payments to a natural parent/s to facilitate a process of rehabilitating a child or young person and their natural family.

It is unusual to attach HFCA to any type of institutional/residential care (ie. Ip status) but from time to time situations do arise where such payments can be appropriate and paid in conjunction with capitation at a handicap rate. For example, it may be appropriate where a child or young person moves from a more formal to a less formal institutional setting, such as a move from long-term hospital care to a Children's Home and thence perhaps to private agency foster care (Bp). (See SWM. Q 20.2 & Q20.3).

Group living situations for young people preparing for independence, where an adult/s is taking a parenting type responsibility are not precluded from HFCA eligibility.

Restrictions on eligibility

It should be noted that for Temporary Receiving Homes, a special board rate is paid for the first 28 days of a placement (in addition to a retaining fee). This must be taken into account when considering a proposal for HFCA in relation to such a care arrangement. If a Temporary Receiving Home is used in relation to placements under Special Schemes it is the standard board rate that is paid at 100% and not the special board rate for TRH. (See P2.26(6))

It should be noted that care arrangements in Family Homes are already specially resourced, including the provision of board payments at a special rate. This additional resourcing is designed to take account of the stress inherent in the particular care-giving role eg. new placements. Any proposal to pay HFCA for a child or young person in a Family Home should be considered in this context. Furthermore, a number of proposals at any one time in relation to one Family Home, should give rise to an enquiry into (i) the possible overburdening of care-givers with a range of "special needs" children and young people, and (ii) the extent to which such a care environment can actually cater for the individual needs of those children and young people concerned.

P2.26(6) HFCA Attached to Special Schemes

Under current policies, 100% HFCA is automatically attached to:

- (a) Auckland Regional Community Care Scheme for 1 month (with possible extension of 3 months)
- (b) Maatua Whangai "Community Care" for 1 month (with possible extension to 3 months)
- (c) Intensive Foster Care Scheme (Christchurch), while child is on the scheme.

P2.26(7) HFCA as Part of Special Needs Total Support System

Care arrangements for children and young people with special needs typically require a range of supports that extend beyond the additional resourcing of HFCA. Social Workers should endeavour to have not only HFCA but other supports in place before the care arrangement begins. Close attention must be paid to the adequacy of the support system, particularly in the early stages of a care arrangement. It is not sufficient to merely review it at 6 monthly planning meetings.

Generally speaking, the most effective care arrangements emerge from the process outlined below. This is carried out in conjunction with the child or young person and their family if possible and appropriate. This assessment will provide the basis for constructing the required support system which is likely to include HFCA.

(a) Identify

- the purpose or goal of the care arrangement;
- the special needs and circumstances of the child or young person;
- the special attention that will be required;
- the required characteristics of the care-givers;
- the required characteristics of the care-arrangement and the supports that are likely to be necessary to sustain it.

(b) Locate

- the care-givers with the qualities, freedom and willingness to commit themselves, within the required care arrangement, to the tasks and purposes associated with goal achievement.

(c) Identify, with the proposed care-givers

- what will be specifically required to support and sustain this commitment/relationship/care arrangement through to the desired goal of the undertaking.

P2.26(8) Application for HPCA in Relation to Special Needs

Documentation requirements

Although the social worker and their senior social worker will be familiar with a child or young person's special needs and the ways in which they must be addressed in a particular care arrangement, some summary documentation is required to facilitate decision making and monitoring by others. As care arrangements are constantly being assessed and reviewed at planning meetings and Annual Review, applications will sometimes arise in relation to established care arrangements. The preparation of a case summary at such a point can be helpful in ensuring that the overall direction is a positive one and that one is not resorting to "throwing money at problems" that are not soluble merely by additional financial input.

Preparation of Report and Recommendation

(1) Introduction

Brief outline (one paragraph)

- child or young person's present circumstances;
- the care situation that requires or will require support by HPCA;
- the purpose of the care arrangement in relation to the long term casework goal;
- the cultural appropriateness of the care situation.

(2) Background Summary

- Date or dates of coming into care (permanent and/or temporary);
- number and nature of care arrangements since coming into care;
- the outcome of prior care arrangements.

(3) Special Needs

- (1) Itemize under the criteria headings. (See S7).
New Care Arrangement (S7(1))
Emotional/Social Difficulties (S7(2))
Physical Disability (S7(3))
Intellectual/educational/employment difficulties (S7(4))
Sibling Group (S7(5))
Difficulties associated with achieving environmental normalcy goals (S7(6))

(4) Circumstances of care-giving family/group

- describe the particular qualities, characteristics, home and family circumstances which will be required or are present that make them best suited to care for this child or young person or sibling group with special needs;

(5) Additional resourcing requirements

(a) Additional Care Payment

Summarize:

- the nature of the extra demands/ expectations that are placed on or will be placed on the care-giving family in relation to day to day provision of care, protection and discipline;
- the functions that are to be carried out by the care-giving family in pursuit of the longer term plan and goal, and the particular demands in terms of care and involvement that this will place them on.

Cite

- the rate to be recommended in relation to special needs criterion. (See S 13.2(3)(i) and S 12.2a)).

(b) Special Items

- list what is needed, how often and for what purpose.

Cite

- the weekly additional cost and the appropriate rate of HFCA to cover the cost-equivalent. (See 12.2(b)).

(c) Special Services

- list what is needed, how often and for what purpose.

Cite - the weekly additional cost and the appropriate rate of HFCA. (See 12.2(c)).

(6) Recommendation

Cite

- weekly rate of HFCA.
- a date of commencement and the period of time over which it is to be paid.

P2.26(9) Application for HFCA to Meet "Reasonable Needs"

As with the resourcing of "special needs" situations, it is important that care-givers fully understand the range of resources available to them, and the form and frequency of them before the care arrangement begins. However, like special needs situations, the monitoring process is ongoing and new needs may arise at any point in time.

Preparation of Report and Recommendation

(1) Introduction

Brief outline

- of child or young person's present circumstances;
- the purpose of the care arrangement in relation to the long-term goal;
- the cultural appropriateness of the care arrangement;
- the nature of the needs for items and/or services that require funding by HFCA.

(2) Background

- date or dates of coming into care (permanent and/or temporary);
- the extent to which the purposes of the current care arrangement are being achieved.

(3) Reasonable Needs

- describe this/these and the circumstances surrounding them;
- detail the items/services required and the costs to be incurred;
- give reasons for the proposal to use HFCA to meet these needs;
- assess the rate of HFCA proposed to provide cost-equivalent payment.

(4) Summary and Recommendation

- list items/services required;
- give the costs involved on a weekly basis;
- recommend cost-equivalent rate of HFCA and time frame in which it will be required.

P2.26(10) Decision- Making

Delegated Authority to Approve HFCA

For rates up to 100% - AD(SW) who in larger districts may delegate to the minimum level of SSW 105.

For rates over 100% up to 150% - District Director.

Requests for in excess of 150% will go to the Minister via the Regional Director and the Director-General.

Local Authority

The person making the decision will specify the rate as follows:

Special needs	-	additional care payment in terms of the criteria applicable;
and /or	-	cost-equivalent rate for special items;
and/or	-	cost-equivalent rate for special services;
Reasonable needs	-	cost-equivalent rate for items;
and/or	-	cost-equivalent rate for services.

The commencing date, and the time-frame through which HFCA is to be paid or the next review point (which ever applicable) is to be stated.

This practice not only facilitates fairness and equity but also makes it easier to review rates of HFCA.

Reports and recommendations being referred to the Director, should pass via the Assistant Director (Social Work) or senior staff to whom the AD(SW) has delegated their authority, and be endorsed or otherwise commented on.

Ministerial

The report and recommendation, endorsed by the Director passes to the Regional Director for forwarding to Director-General and then to Minister.

Reducing or terminating HFCA

This can be authorised at the level SSW 104 or above. The need to take this specific action may arise following planning meetings or Annual Reviews, or at points where circumstances/entitlement changes or a care-arrangement terminates.

P2.26(11) Administrative Follow-Up

Notification of Outcome to Care-Givers

The social worker advises in writing of the rate, time-frame and review expectations.

Preparation of Advice Slips

Particular attention is to be paid to recording the granting of HFCA, the time-frame of payment if appropriate, changes in rates, and termination.

(a) Non-computerised board payment systems:

Advice slips recording data about board payments are copied and the copy sent to Accounts Section who will action and maintain a bring-up system. This bring-up system will respond in terms of the time frame cited on the advice slip. In addition, an annual audit list will be provided by Accounts Section.

(b) Computerised board payment system:

The data on advice slips is transferred by clerical staff on to the Notice to Amend form (SW 690) and board payments are actioned by DPC. A bring-up system is maintained by the clerk establishing a bring-up date (usually 4 weeks prior to review or termination date) at the time the details of HFCA are entered on the Computer. In due course, DPC will be able to provide district managers with an audit list.

Transfer of HFCA

HFCA is attached to a particular care arrangement and so is not automatically transferrable from one situation to another.

With a new care arrangement another application will be necessary.

Changes in Rate and Termination of HFCA

The rate of HFCA is reviewed 6 monthly in addition to any specific review points authorised by the person approving the allowance. Care-givers are kept informed in writing of changes in rate and on termination of the HFCA.

P2.26(12) Guidelines for Monitoring the Use and effectiveness of HFCA
Social Work Managers - See CM 1987/9

P2.27 Foster Care Allowance Payments When Child/Young Person is Absent from Foster Home
(ref H7.4 re delegation)

A full day's board is payable for any portion of a day during which a Ward is in residence with foster parents.

Where a Ward's absence from the foster home is no longer than six full days board payments continue uninterrupted. If the period of absence is longer than six days board payments are cancelled from the first day of absence except in the case of hospitalisation.

If a Ward enters hospital board payments will continue for the first six full days of a longer absence. Thereafter the Ward will receive pocket money payable from petty cash during the time board payment is cancelled.

If foster parents who give constant care and attention to a handicapped Ward are being given relief through an alternate (I.H.C. Hostel) placement and the absence is no longer than six days the above provision for continued board payment also applies.

Where special circumstances make it reasonable for board payments to continue outside the above provisions the Director may approve continuation of board payments.

In cases of absences of six days or less it will often be necessary to make board payments to the two sets of foster parents involved.

P2.28 Adjustments Not Always Made

If a foster parent meets certain expenses in connection with a child's absence (e.g. pays a Bible Class camp fee, or transports a Ward a considerable distance to catch a train to enable him/her to keep a specialist's appointment we have arranged) provided this expenditure equals or exceeds the board payment involved, no adjustment will need to be made.

P2.29(a) Action When Adjustments Are Made

It is important to realise on which occasions board adjustments will need to be made so that foster parents can be advised of changes in the allowances and so that Advice Slips can be prepared without delay. In Districts where board payments are not met computerized, and the Board Coupon book is still in use then the social worker has the added responsibility of assisting the foster parent with its use i.e. explaining its use, collecting the book for adjustment if this is required and collecting it as soon as the placement terminates.

P2.29(b) Foster Care Allowance Overpayments

When care-giving families or groups receive board or other allowances in excess of their entitlement, a debt is immediately established. This is true regardless of how the error arose e.g. delayed provision of Advice Slips, administrative delays in computer inputs, failure of care-givers to advise of changed eligibility.

It is essential that Accounts/Admin staff in their close monitoring, quickly draw to the attention of a Social Work manager the situation of overpayment. A plan of action, is established by Accounts Section in liaison with Social Work staff. Formal departmental procedures for debt recovery are likely to be adjusted to cater for the special nature of the relationships between the Department and care-givers of children and young people in care.

The first step is for the Senior Social Worker and Social Worker to investigate and record the circumstances giving rise to the overpayment and assess the justification for and implications of recovery of the overpayment. If justification for waiving recovery action can be established, provisional write-off may be initiated at a local level, to certain limits as follows (See Accounts Manual I.12).

1. Where an overpayment of Board of an amount of up to 2 weeks at the current board rate occurs and the Senior Social Worker considers the circumstances justified waiving recovery action.
2. Where an overpayment of Board is in excess of 2 weeks but under 4 weeks at the current rate occurs and the Assistant Director Social Worker considers the circumstances justified waiving recovery action.

When an overpayment can not be dealt with in this way, the Social Worker is required to discuss recovery action with the care-giver.

If the care-givers cannot be found, in spite of considerable efforts to effect this, the Director has delegated authority to initiate provisional write off. (See Accounts Manual I.12).

In all other cases, recommendations for waiving further recovery action must be submitted to Head Office, via the Regional Director.

Reports must make explicit the grounds for non-recovery i.e.:

- unable to pay/payment would cause hardship.
- the debt is not legally recoverable.

The following information should be included:

- details of the debt/the circumstances giving rise to it.
- the present general situation of the care-giving family and the child or young person in respect of whom the overpayment was made.
- the steps taken in recovery action.
- the grounds for waiving further recovery action.
- when grounds of hardship are to be advanced provide details of present financial situation and ability to repay in the near future.
- when grounds to be advanced that debt is not legally recoverable provide legal verification from District Solicitor.

Directors and Social Work Managers are required to monitor closely the incidence of board overpayment and ensure that appropriate procedures are implemented to minimise the incidence.

Regional Directors will also monitor incidence with particular attention to those cases being forwarded to Head Office.

P2.30 Tax Exemptions for Foster Parents

Foster parents of Wards should be advised to inquire from the nearest office of the Inland Revenue Department what exemptions can be claimed in respect of their foster child(...).

P2.31 Work by Children and Young Persons in Foster Homes

Wards in foster homes are expected as part of the process of assimilation into their foster families and as part of their normal social training to undertake normal domestic chores appropriate to their age, intelligence and health. This work which would include such chores as making their own beds, keeping their rooms tidy, running small errands, chopping kindling wood, helping with the dishes and like tasks - should be done without expectation of any reward but merely as part of the responsibilities of family life. Such duties must be kept within reasonable limits and special circumstances such as health, poor physique or intelligence, or considerable travelling time to school must be taken into consideration in determining these limits.

P2.32 Exploitation

There is fortunately very little deliberate exploitation of Wards by foster parents but when it is discovered the solution may present some difficulty. The possibility of removal will need to be considered seriously but if a Social Worker can be satisfied that there will be an immediate and permanent cessation of the unauthorised work s/he may then base his/her decision on consideration of what the home has to offer the Ward in other respects. Careful thought should be given to the possible effects that removal may have on the child, the ties that have been built up in the home and how much the child's continued stay can be expected to contribute to his/her development.

A much more common and more difficult problem is presented when the foster parents genuinely believe that the work they expect the Ward to do is normal and reasonable but the Social Worker does not agree. The foster parents may, quite correctly, point out that their own, and other children in the neighbourhood do the work in question. However, the overriding argument is that Social Worker and foster parents are under a special responsibility to see that there is no suspicion of exploitation and in order to avoid uninformed criticism sometimes higher than normal standards must be adopted. Where the child is old enough, robust and actively desires to give extra help the position might be met satisfactorily if the foster parents gave an extra allowance as indicated below.

P2.33 Rewards for Extra Work

As stated earlier a Ward is entitled as of right to pocket money subject only to withholding as a disciplinary measure for serious misconduct. It is not, however, intended as a reward or payment for the performance of ordinary domestic chores. (See also P2.24)

Within reason however, and provided the supervising Social Worker is aware of the arrangements and satisfied that the work is genuinely voluntary, it is acceptable for foster parents to give extra rewards if the child undertakes voluntary extra work - e.g. digging or weeding gardens, looking after poultry - on a scale beyond that normally expected. The reward may be in the form of an extra pocket money allowance, or the foster parent may prefer to buy special presents which would not normally be provided by the department.

It is, however, not acceptable for the extra allowance to be banked to the child's credit without his/her knowledge as this deprives him/her of any direct tangible recognition nor should the money be used to purchase ordinary items of clothing or other necessities unless the child is, say, being required to replace an article lost or damaged through culpable negligence.

P2.34 Work Outside the Foster Home

A child will sometimes ask whether it is in order for him/her to take an out-of-school-hours job, perhaps because s/he wants to save to go on a school trip, to buy a bicycle etc. The Social Worker must be satisfied that the job sought is suitable in all the circumstances - e.g. that it will not adversely affect the child's health or school work, that it is within his/her intellectual abilities and that it will not expose him/her to bad company or to undue temptation to dishonesty. The Social Worker must also ensure that the payment offered is fair and reasonable, that the proposals for supervising the spending of the wages are satisfactory, and that the child will receive the full benefit of the money earned. If the Social Worker is satisfied on these and any other relevant points s/he may approve the child's taking the job.

Approval should be reviewed regularly and its continuation contingent upon the physical health, school progress, and general well-being and enthusiasm of the child.

P2.35 Change of Address by Foster Parents

When foster parents change address and take the foster children with them, a new SW 542B (refer Fig. 3) must be prepared. It is not necessary for the foster parents to sign a second application form SW 548, (refer Fig. 1) nor are referees required. The original SW 548 should have the new details entered on it, or where this is not possible, another one prepared (but not signed) and filed together with the original signed application. If the move is from one district to another, the foster parents' file and 'Children Boarded in Home' card (SW 588) (refer Fig. 2) must be sent forward to the new district.

Before any move is made from one district to another a planning meeting should be held involving the natural and foster parents and also the Social Worker from the new district.

Particular care should be taken to ensure that each Social Worker's tasks are clearly identified and that any changes necessary to parental visiting are clearly set out and agreed to by all parties.

The new Social Worker may have different skills and commitments and will need to feel comfortable with the assigned tasks or make alternate arrangements.

P2.36 Purchase or Hire of Prams, Pushchairs, Car Seats, etc
(ref H6.4 re delegation)

In order to meet the needs of foster parents who do not have a pram or pushchair available, Directors have authority to purchase second hand, if and when required, 2 prams and 2 pushchairs.

If it is likely to be needed for a short period only and cannot be provided by the parents or from the district office stock a pram or pushchair should be hired if facilities for this are available.

When purchased, particulars are to be recorded on a card on which will be noted the name of the foster mother to whom the pram or pushchair is loaned, the date of issue and date of return.

P2.37 Purchase or Hire of Car Seats etc. (ref H7.4 re delegation)

Provision of suitable equipment to enable foster parents to transport children in care safely by car may be made by purchase or hire of suitable items bearing the SANZ mark of approval. Items purchased should be taken on stock and loaned as required to foster parents.

P2.38 Insurance Against Damage or Theft by Foster Children

As the department has no legal liability for damage or theft by children in care, foster parents should be advised to check with their insurance company to ascertain that they are covered in such an event.

The State Insurance Office offers a policy which explicitly covers damage or theft by foster children. Should foster parents have a successful claim under these conditions every endeavour will be made to compensate them for the loss of any no-claim bonus or the cost of any excess payment. Such compensatory payments are subject to Treasury approval and no firm promise can be made to the foster parents that an ex-gratia payment will be forthcoming.

P2.39 Housing Assistance in Special Circumstances

In the normal course of events the department does not provide extra financial assistance to foster parents for furniture, bedding or housing needs. The standard board rates include a component designed to provide for such requirements.

However, in special circumstances it may be possible to assist foster parents with particular housing difficulties related to the foster child. This may occur where, for example, a severely disabled foster child in a proven long-term placement creates accommodation or access needs.

Section 14 of the Disabled Persons Community Welfare Act enables the Director-General to make a grant for alterations to homes and this possibility should be explored and discussed with the foster parents. It may also be possible for foster parents to arrange low interest finance with the Housing Corporation on the basis of the foster child's needs. The Director's written support for such an application would be appropriate and helpful.

P2.40 Ex-gratia payments

These are payments which may be made by the Crown (under Treasury instructions) in response to a claimant's appeal to "equity and good conscience". That is to say, when there is no legal redress available to a claimant they may urge the Crown to recompense them on the basis of the Crown's moral responsibility.

Neither the Crown nor the Department has tortious liability for acts and omissions of children and young people in care (unless employees) (See Children and Young Persons Act 1975, Section 51). This fact is always stressed, for example to care-giving families or groups involved with children and young people in care and they are urged to make appropriate provisions i.e. insurance policies (See P2.38 and P1.50).

However, from time to time, situations do arise where the Department does recognise a moral responsibility to assist a person or family who has suffered some loss or damage as a result of acts or omissions by children and young people in care, and is without legal redress. The most likely group of persons so recognised is that of care-givers to children and young people in care. The Director-General not only stands in a special relationship with this group but also acknowledges that many children and young people in care are experiencing particular life difficulties which can give rise to acts or omissions in the care-giving home situation which fall outside the range of normal expectation for a child or young person. Ex-gratia payments may be considered for example in relation to the "excess" on a claim, or in relation to loss of or damage to non-insurable items.

Another type of situation which may involve the notion of moral responsibility arises from the Department's endeavours to ensure for children and young people in care, participation in family and community life in a way defined as "normal". For example, a group of children, including one in care, may create some loss or damage. The care-giving family may wish to contribute with the other parents involved to recompensing for the loss or damage. In order to preserve normality in all the relationships involved, an ex-gratia payment may be appropriate to cover the child in care's contribution.

Only rarely is the Department involved in recompensing a "member of the public" for loss or damage caused by a child or young person in care. A clear case of negligence on the part of the Department would have to be established before a claim for an ex-gratia payment would be successful.

Delegated authority which apply in respect to ex-gratia payments are documented in the Treasury Instructions Manual. (See also C/M 1987/2). Recommendations which require the Director-General's approval will be endorsed by the Director and forwarded via the Regional Director.

Social Workers in the preparation of a report recommending an ex-gratia payment should include the following information:

- exact nature of the loss or damage;
- the circumstances in which it occurred;
- avenues already explored to redress the situation and the outcomes e.g.:
 - insurance claim;
 - Police involvement if appropriate;
 - contribution to reparation by child or young person if appropriate;
- Verification of details of claim e.g. insurance assessment if appropriate;
- full name and address of person to whom payment may be made;
- recommendation.

P3 TEMPORARY RECEIVING HOMESP3.1 Description

A private foster home may be designated by the Assistant Director (Social Work) as a Temporary Receiving Home on the basis that either one or two beds are held for temporary placements of up to 28 days duration. In return the foster parents receive a retaining fee in relation to each bed held and this is paid because either the bed(s) is in use for a temporary placement or is available for one. In addition, for the first 28 days of a temporary placement utilizing the bed(s), a special board rate is paid, which together with the retaining fee gives recognition to the demands and stress inherent in this type of foster care service. Any proposal to cater for more than a two bed availability is to be referred with the support of the AD(SW) to the Director for decision.

P3.2 Criteria

In considering a proposal to establish a Temporary Receiving Home, the following factors will be taken into account.

(a) Need for specialised resource

- Family Home availability/usage
- geographical/location factors
- availability of other care resources
- short term assessment resources
- special care needs e.g., "safe house" in relation to physical and sexual abuse
- special cultural needs e.g., whanau homes for Maori children
- demand rate for emergency care
- demand rate in relation to age groups

(b) Ability to cater for the needs of children and young people in crisis

- if a child(ren) and/or young person(s) is already being cared for in the home (whether for the department, a voluntary agency or by private arrangement) then it is not likely to be appropriate to set up the home to also provide crisis care;
- if a dual function is being considered, details must be provided regarding other children and young people placed in the home, their needs and difficulties, and the likely impact on them of the additional role being assumed within the foster family;
- natural family composition and resources;
- qualities and experience of foster parents in relation to the tasks to be done;
- physical resources of the home
- preparation and training undertaken, eg assessment skills;
- preparation and training required and how to be provided.
- support system to be provided eg Social Work, whanau,

P3.3 Establishment of the designation

On approval, foster parents should be advised in writing of the terms and conditions of the TRH designation.

P3.4 Eligibility

A temporary placement that continues beyond 28 days duration, loses eligibility under these provisions for the special board rate and the retaining fee. The TRH designation in relation to the bed is suspended ie it is not available for TRH use until the child or young person leaves the home.

(a) Suspension of designation

If it is a one bed approved home and the designation is suspended because the child or young person continues in the placement, the designation can be reinstated when the child or young person vacates the bed. If it is a two bed approved home and one bed loses eligibility by suspension, the TRH designation may continue in relation to the other, if eligible ie in use as TRH bed, or available for such use.

(b) Termination of designation

While no criteria have been firmly established in relation to termination for either non-utilization of bed(s) available, or use of the beds for longer term placements (suspended designation), Assistant Directors (Social Work) are expected to monitor quality and usage. Should several months elapse without use within TRH provisions, then consideration will be given to termination of the designation. The home, at that point, might be appropriately regarded as a normal foster home.

P3.5 Supporting children and young people in TRH beds beyond 28 days duration

When the circumstances that bring children and young people into TRH care, cannot be resolved within 28 days and additional resourcing is required to support them through an extended stay a Higher Foster Care Allowance may be considered (see CM 1987/9).

P3.6 Board rates and pocket money (Social Work Reference file 1.1(c))

Special rates apply with pocket money included in the rate. For guidance, foster parents may be advised of the pocket money rates paid to children and young persons in Family Homes. (see also SWM P2.24). For any placement that would qualify for double board rate (eg Maatua Whangai Community care or Auckland Regional Community care) it will be rate for age that is doubled not the special rate.

P3.7 Monitoring

(a) Local

Assistant Directors (Social Work) should establish procedures to review Temporary Receiving Homes on a three monthly basis. This review should consider:

- the nature of the care arrangements being undertaken in the home;
- the quality of the placement outcomes in relation to the tasks set;
- adequacy of the resource e.g., skills/training needs;
- adequacy of support provided;
- the usage rate in relation to on-going eligibility for the status;
- the usage rate in relation to Family Home usage and purpose designation;
- any comment about the value of/difficulties with the resource;

(b) Regional

Regional Directors, in maintaining an overview of programmes and services operating within the region, will monitor the adequacy and relevance of TRH provisions to meet the needs of children and young people and the standards of care that TRH's provide.

(c) National

The policy and provisions in relation to TRH's will be kept under review, in order to ensure their relevance and adequacy to needs arising in regions.

P3.8 Changes in TRH designation

When a Temporary Receiving Home designation is to be suspended or terminated, the Assistant Director (Social Work) should

- send acknowledgement by letter to the foster parents including the date the designation and payments are suspended or are terminated.

PART P: FOSTER CARE SERVICESAPPENDIX

	<u>Form</u>	<u>No.</u>	<u>Reference</u>
Fig. 1	Application for Foster Child	SW 548	P2.4, P2.22, P2.35
Fig. 2	Children Boarded in Home	SW 588	P2.4, P2.35
Fig. 3	Foster Placement Information	SW 542B	P1.18, P2.22, P2.35
Fig. 4	Personal and Family Information on Child or Young Person in Care	SW 542A	P1.18, P2.22
Fig. 5	Application for Replacement Board Coupon	-	P2.25A
Fig. 6	Application to be Foster Parents for Family Home	SW 625	P1.10
Fig. 7	Social Welfare Family Home Agreement for Appointment of Foster Parents	SW 628	P1.12, P1.16
Fig. 8	Medical Report on Adoption/Fostering Applicants	SW 627	P2.14, P2.22

APPLICATION FOR FOSTER CHILD

69452/9/75—10,000 Y103

(Fig 1) S.W. 548
DEPARTMENT OF SOCIAL WELFARE

Full name	Husband	Wife	Address
Date of birth			
Occupation			Phone No.:
Religion			No. of bedrooms
Health			No. of other rooms
State whether either applicant has been convicted of an offence			Date of marriage:
Names and birthdates of your own children still at home:			
Particulars of other persons (if any) in your home:		No., age, sex of children you propose to receive:	
Name of Doctor:	Nearest school —	Name —	Distance — How do children travel?
	Primary:	:	:
	Secondary:	:	:
Names and addresses of two persons from whom character references may be obtained (not relatives):			
I fully understand that if a child is placed in my home, he or she may be removed at any time by the Director-General and otherwise placed if the Director-General should consider such a step to be necessary.			
Signature: Wife _____ Husband _____			
M		1	2 3 4 5 F

Remove flap after typing

(Fig 1)

Remarks

(Fig 2)

Form S.W. 58

Remarks

CHILDREN BOARDED IN HOME

Name

Date Placed

Date Removed

Remarks

(Fig. 2)

Foster Placement Information

Copy for	
Foster Parent with S.W. 542A	/...../.....
D.O. File	/...../.....
H.O. File	/...../.....

Child:

Relationship to F.P.:

Foster Parents:

Ages

Address:

Occupation:

Marital Status:

Own Children (Sex/Age)

Other Children in Home:

Accommodation:

Schooling Arrangements:

Religious Training/Observance Arrangements:

Contacts/Visits with Parents/Siblings/Significant Other
(Include comments on phone/mail contact/frequency of visits):

Proposed Length of Placement:

To be reviewed on:

Short Term Plans:

Casework Goal:

Social Worker:

Supervisor (when social worker unavailable):

After Hours (in emergency):

District:

Office Telephone:

Placement Date:

Date despatched:

(Fig 3 - reverse)

LIFE HISTORY: (Include dates of separations from natural parents and names and addresses of people who have previously cared for child. It should give a complete picture to date. For young children include comment on skills – eating, bathroom, dressing – and sleeping patterns.)

Family History:

REASON FOR COMING INTO CARE:

(Fig. 4)

S.W. 342A

PERSONAL AND FAMILY INFORMATION ON CHILD OR
YOUNG PERSON IN CARE AS AT

(Date)

CHILD:
(Forenames) (Surname)

also known as

Birthdate: Place: Race (and tribe):

Date of entry to care: Status: Ward/S.II/Rem/Post/War/
(Other)

PARENTS: Father: Age: Race:
Natural/ Address: Phone:
Adoptive

Occupation:

Known to child as: Brief description: (Appearance and personality)

Mother: Age: Race:

Address: Phone:
(If different to father)

Occupation:

Known to child as: Brief description: (Appearance and personality)

Step-parent: Age: Race:

Address:

Known to child as: Brief description: (Appearance and personality)

SIBLINGS: Brothers/Age/Whereabouts Sisters/Age/Whereabouts

OTHER
SIGNIFICANT
PEOPLE:

Name/Relationship/Address/Significance

RELIGION: Importance to Family: Attendance:
(Church, Sunday School, Frequency)

Significant Steps (Baptism, Confirmation, Dedication)

When and Where:

HEALTH AND DEVELOPMENT:

1. Inoculations (due at) (cross out as completed):
Triple (3 months) Polio (3 months) Polio (5 months) Measles (12 months) Double (18 months) Polio (18 months) Polio (5 years)
Rubella (girls 11 years) Tetanus (15 years)
2. Illnesses in past 12 months:
3. Present medication: (Specify)
prescribed by: Family Doctor (if different):
4. Allergies:
5. Health History (include references to physical or psychiatric disorder, TB, eye or hearing defects):
6. Dentist: last visit:
Any problems:
Enrolled in Dental Benefits Scheme? Yes/No
7. Feeding (include likes and dislikes, pattern, special diet, etc):

SCHOOL:

1. School: Class:
2. Aptitude and Progress (include reference to any special difficulties):
3. Present schooling plan:

GENERAL:

1. Behaviour patterns (include positive and negative):
2. Intellectual abilities (strengths and weaknesses):
3. Sporting and Cultural Interest and Aptitudes:
4. Special Needs (e.g. lifting at night, special toy):
5. Any property which is of significant value to child (e.g. watch):

APPLICATION FOR REPLACEMENT BOARD COUPON(S)

The Director,
Department of Social Welfare,

Full name of Payee:

I, _____ of _____
(Christian names) (Surname)

being the Payee, apply for replacement coupon(s) to cover payment from / /
to / / or expiry of the period covered by the coupon book.

In support of my application I solemnly and sincerely declare that -

- (1) The coupon(s) number _____ was lost (or destroyed) on or about
the _____ day of _____ of 19__ in the following manner:

- (2) I have looked everywhere but I have not been able to find the Board Coupon(s).
- (3) I have not arranged for any other person to cash the Board Coupon(s) for me.
- (4) The last coupon cashed by me was payable on the _____ day of _____ 19__.
- (5) If I find the coupon(s) claimed to be lost, I will return it to the Department
of Social Welfare.
- (6) If it is established that the value of the coupon(s) claimed to be lost was paid
out to me, I will refund the amount to the Department of Social Welfare, or
have the amount deducted from any further Board payments due to me.

Signature of applicant: _____

Date: ____/____/____

FOR DISTRICT OFFICE USE ONLY

Replacement Coupon(s) issued, No.(s) _____

Duplicate referred to Head Office for checking.

Signature: _____

Date: ____/____/____

FOR HEAD OFFICE USE ONLY

Paid coupon(s) checked:

- (a) Stop card inserted if original not found, OR
- (b) Paid coupon(s) found and referred to District for recovery

Action:

Your Full Address

.....

.....

.....

DIRECTOR,
Department of Social Welfare,

Your Tel. No. – Home:

Business:

We wish to make application to be foster parents in the departmental Family Home at

.....

Wife

Husband

Name (in full)		
Date of Birth		
Occupation		
Race and Country of Origin		
Religion		
Education		
State of Health		
Ages and sex of Children – At home:		Away from home:

Relevant experience in child care:

.....

.....

Two Referees (Names and addresses):

.....

.....

Doctor:

Present Employer:

Previous employment:

Interests outside of home:

.....

.....

Reason for application:

.....

.....

Any convictions for offences (specify):

Present housing situation (own home, renting, etc.):

(Fig. 6 - reverse)

Any changes of address over last three years:

Date and place of marriage:

Wife's maiden name:

Have you applied previously to become foster-parents in a Family Home?

If so, give details:

We understand that the department will ask the Police Department to check our background and attach our written consent.

Applicants' signatures:

Date:

Full Address

.....
.....
.....

Date:

The Supervisor,
Criminal Records Bureau,
Police National Headquarters,
Private Bag,
WELLINGTON.

We have made application to the Department of Social Welfare to be foster parents in a Family Home.

We fully understand that the Department will ask you to confirm our background. We give our consent for this enquiry to you, and for you to make any disclosure to the Department of Social Welfare.

We have no convictions for offences.

We have disclosed the following (specify):

.....
.....

Husband's full name:

Date of Birth:

Nationality:

Wife's full name: (Maiden name)

Date of Birth:

Nationality:

Applicants' signatures:
.....

When checked at Police National Headquarters please return to -

DIRECTOR,
Department of Social Welfare,

.....

The information provided has been checked.

Please note (a) no convictions entered.

(b) the following:
.....
.....

Date:

Supervisor,
Criminal Records Bureau,
Police National Headquarters.

SOCIAL WELFARE FAMILY HOME AGREEMENT

For

Appointment of Foster-parents

AGREEMENT made this day of 19
between the Director-General of Social Welfare (hereinafter referred to as the
Director-General) pursuant to the powers conferred upon him by Section 69 of
the Children and Young Persons Act, 1974 of the one part AND
of

in New Zealand and his wife,
(hereinafter called "the foster-parents") of the other part:

WHEREAS the Director-General, with the approval of the Minister of Social
Welfare has decided to establish a Home

at

for the accommodation of selected children for the time being under the care
of the Director-General:

AND WHEREAS it is desired that the said Home should be conducted as nearly as
possible as a family home:

AND WHEREAS the foster-parents have been appointed to manage the said Home
under and subject to the control at all times of the Director-General or of
such of the officers of the Department of Social Welfare as the
Director-General shall from time to time appoint for that purpose:

NOW THEREFORE IT IS HEREBY AGREED AND DECLARED by and between the parties
hereto as follows:

1. THIS agreement shall commence on the day of
19 and (subject to the provisions of paragraph 11 hereof) shall continue in
force until determined by two calendar months' notice in writing given at any
time by either party to the other. Any notice given by the foster-parents to
the Director-General may be served by delivering the same personally to or
leaving the same at the office of the Director, Department of Social Welfare
at (hereinafter referred to as "the Director") and any
notice given by the Director-General to the foster-parents may be signed on
behalf of the Director-General by any officer of the Department of Social
Welfare and may be served by delivering the same personally to either of the
foster-parents or by leaving the same at the said Home.

2. THE foster-parents shall be entitled for their own personal use to the occupation of two bedrooms in the said Home to be allotted by the Director and to the use in common with all other persons from time to time lawfully residing therein of all other portions of the said Home. The Director may from time to time at his discretion change the bedrooms allotted to the foster-parents.

3. THE foster-parents shall at all times throughout the currency of this agreement well and faithfully perform and observe the following agreements and conditions:

- (a) To reside in the said Home and to manage the same efficiently as a family home for the accommodation and care of the children from time to time admitted to the said Home by the Director-General.
- (b) To accept the custody of and to maintain and care for all children admitted to the said Home to the satisfaction of the Director-General.
- (c) To provide and pay for all good soap polishes and other consumable stores from time to time required for consumption or use in the said Home and to pay one-fifth of the cost of electric power and fuel consumed therein.
- (d) To refund to the Department the cost of all personal toll calls, telegrams etc incurred in the telephone account.
- (e) To keep the said home in clean and tidy condition and during cold weather to keep the same adequately heated to the satisfaction of the Director-General.
- (f) To keep all children from time to time residing in the said Home clean and tidy; and to watch closely the health of all such children and to report immediately to the Director if any such child appears to be in need of dental or medical treatment.

In case of emergency where it is not practicable to report to the Director that any child requires urgent medical treatment the foster-parents shall themselves arrange for such treatment to be given but shall at the first available opportunity report the circumstances to the Director. The cost of all dental and medical treatment provided for the said children shall be paid by the Director-General.

- (g) To give the children from time to time residing in the said Home such training in good manners and behaviour, good habits and ethics as is appropriate to the ages of the said children, and to co-operate in arrangements made by the Director to ensure that the children receive religious instruction.
- (h) Not to allow any person (other than the children from time to time admitted to the said Home and children of their own) to reside in the said Home permanently or temporarily without the prior written permission of the Director-General or of the Director.
- (i) To foster and maintain a family atmosphere in the said Home to the intent that the children from time to time residing therein shall come to regard themselves rather as members of a large family than as inmates of an institution.
- (j) Generally to comply with all directions (not inconsistent with these parents) given by the Director-General or by the Director in connection with the management of the said Home and the care and maintenance of the children from time to time residing therein.
- (k) To ensure that any vehicle being used by them at the time for the conveyance of children is not overloaded beyond the approved passenger capacity of the vehicle.
- (l) To respect the confidential nature of the work with the children in the said Home.

4. THE said _____ shall devote the whole of her time to the upkeep and management of the said Home and the care and training of the children from time to time residing therein. The said _____ shall maintain the grounds attached to the said Home in good order and condition, shall carry out such minor repairs to the said Home and to the buildings used in conjunction therewith and such other odd jobs of a similar nature as shall be within his capabilities and shall assist with the upbringing and training of the children from time to time residing in the said home but he may engage in such weekday employment as he thinks fit.

5. THE foster-parents shall not be required to provide any clothing for the said children but shall as often as may be necessary report to the Directory any deficiency in the clothing of any child for the time being residing in the said Home. Provided however that should the foster-parents elect to receive a clothing grant they shall thereafter assume responsibility for clothing the said children.

6. THE Director-General shall provide all furniture, bed-linen, china and glassware, kitchen utensils, garden tools and all other articles (other than food and consumable stores) required for the efficient management of the said Home and shall replace all such articles as shall from time to time be or become broken, worn out or otherwise unserviceable PROVIDED THAT the foster-parents shall themselves provide the furniture required to furnish the two bedrooms set aside for their personal use.

7. THE Director-General shall keep the said Home and all buildings used in connection therewith in a good state of repair and condition. The foster-parents shall from time to time report to the Director any repairs which are required to the said home and other buildings.

8. THE Director-General shall not be obliged to admit any children whatsoever to the said Home.

9. THE Director-General shall pay to the foster-parents in respect of all children from time to time admitted to the said Home fees according to the scale approved from time to time.

10. THE Director-General, the Director or any officer of the Department of Social Welfare duly authorised by the Director-General or by the Director on that behalf and any medical practitioner in the company of any of the persons aforesaid shall be entitled to enter the said Home (including the rooms set aside for the personal use of the foster-parents) at any time by day or by night for the purpose of inspecting the state and condition thereof and of the inmates therein and the foster-parents shall immediately carry out any directions which may be given by any person so entering the said Home with respect to the rectification of any default which may have been made by the foster-parents in carrying out their obligations under these presents.

11. IF the foster-parents shall make default in the performance of any of the agreements herein contained on their behalf the Director-General may immediately determine this agreement without notice to the foster-parents.

12. IMMEDIATELY upon the termination of this agreement whether pursuant to notice given by either party under the provisions of paragraph 1 hereof or pursuant to the provisions of the last preceding paragraph 11 hereof the foster-parents shall quit and deliver up to the Director possession of the said Home and of all land and buildings used in connection therewith and of all furniture, bed-linen, china, glassware, kitchen utensils, garden tools and all other chattels which have been supplied by the Director-General for use in the said Home and shall immediately remove therefrom all their own furniture and personal belongings.

13. NO rental shall be paid by the foster-parents in respect of their occupancy of the said Home or any part thereof and it is hereby agreed and declared that the right of the foster-parents to occupy the said Home has been granted solely for the purpose of enabling the foster-parents to carry out the duties and obligations undertaken by them under these presents.

IN WITNESS whereof these presents have been executed the day and year first before written.

SIGNED by)
 Director of Social Welfare for)
 and on behalf of the Director-General)
 of Social Welfare in the presence of:)

Witness:

Occupation:

Address:

.....

SIGNED by the said)
 and)
)
 in the presence of:)

Witness:

Occupation:

Address:

.....

DEPARTMENT OF SOCIAL WELFARE



DISTRICT OFFICE

Dr

Telephone:

Telegrams: Distwel

If telephoning or calling
about this letter please
ask for

Reference (Please quote)

Dear Dr

ADOPTIVE/FOSTER PARENT APPLICATIONS

Mr and Mrs.....
have applied to this Department to adopt/foster a child. In support of their application we have asked that they obtain a report on aspects of their present health and health history relevant to their application. They have given your name for this purpose and this request is made on their behalf.

As you will appreciate caring for another person's child is a great responsibility and this is particularly so when a child needs a long term commitment from new parents. It is important that the people caring for the child are able to totally accept the child and are able to play a full and active part in the child's development.

Should you wish to discuss aspects of this application you should contact.....
..... Social Worker, during office hours at the Department's
office in..... telephone.....

The form when completed should be returned to me at the above address.

Yours faithfully,

Director

We/I have read this form and authorise..... to complete it.
We/I will pay any fee involved.

Applicant/s signature:

MEDICAL REPORT ON ADOPTION/FOSTERING APPLICANTS

To be used in respect of the application dated

Information received is confidential to the Department of Social Welfare and to the Court in the event of an adoption order being sought.

1. Name..... Date of birth:.....

Address.....

Name.....

Address.....

2. How long have you known the applicant/s?.....

3. Please comment on present general health and health history with reference to physical, psychological and emotional aspects.

(A) Wife:.....

(B) Husband:.....

4. Please comment on any significant medical/psychological treatment, currently or previously received.

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5. Please comment on any aspects of the applicants' personalities and/or parenting abilities which would make you favour or oppose this application.

(A) Wife:

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(B) Husband:

[The page contains faint horizontal lines, suggesting it was part of a lined notebook or document.]

6. Please comment on any reason why these applicants in your opinion may be unable or unsuitable to care for a child until that child becomes independent?

(A) Wife:.....

.....

(B) Husband:.....

.....

**QUESTIONS BELOW TO BE COMPLETED BY MEDICAL PRACTITIONER IN THE CASE
OF ADOPTIVE APPLICANTS ONLY**

7. Do applicants desire to adopt because of—

(a) medical reasons for not wanting natural children (please comment on reason).....

.....

(b) inability to conceive (if so for how long?).....

.....

(c) desire to increase family.....

.....

8. Is inability to conceive due to—

(a) male/female infertility (please detail tests carried out and suggested reasons for infertility)?

.....

(b) non consummation of union?.....

.....

(c) sterilisation?.....

.....

(d) any other cause (e.g. fear of further pregnancy) psycho/sexual difficulties)?.....

.....

(continue to page 4 if necessary)

9. From your professional opinion or from your knowledge of the applicants are there any other factors that would make it unwise or inappropriate for this application to proceed?.....

.....

.....

.....

.....

.....

.....

.....

Signed:.....
Medical Practitioner

Date.....

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Q1 BASIS OF OPERATIONS

Q1.1 Overview

Residential Care is a specialised resource within the Department's total social work operation. It offers a unique form of interventions for a small percentage of the Department's clientele. It provides group care and planned individual assessment and treatment programmes for children and young persons whose community living situations have broken down or whose lifestyle is detrimental to their well-being, and to enable them to return to their community, with enhanced prospects of effective functioning.

If effective social work is to be practised with children, young persons and their families, co-operation between Residential and Field Social Workers, together with a mutual understanding of the different skills and methods each uses, is essential.

In order to make appropriate use of any of the Department's residential facilities, Social Workers need to be familiar with the various institutions and their programmes so that recommendations for admission can be based on a proper understanding of their respective roles and function, and thus enable the accurate matching of the child or young person's needs with the available resources.

Residential Care is based on a welfare perspective which focuses on the needs of children and young persons admitted.

Accordingly, it is committed to:

- providing a protective environment that respects the dignity of the individual, promotes physical and emotional well-being, and assists, encourages, and motivates each individual to develop his/her potential; and
- recognising that each child and young person forms part of a wider family/community system and network which may require support and assistance in order to fulfil its responsibilities.

The focus of residential intervention is the individual within a group living situation in an institution. The planned environment, close interdependence of staff and residents, detailed knowledge each acquires of the other, and the opportunities for both individual and group therapeutic interventions make residential care a potentially powerful social work setting.

There is also the opportunity to work with family and other social relationships by including the individual's family, significant others, social environment, school or work peer group, neighbourhood and community as a focus of intervention.

Whilst the roles and functions of the Department's institutions vary according to size, geographical location and need, they should all share a common commitment to good social work practice.

Q1.2 Legislative

Section 69 of the Children and Young Persons Act, 1974 provides for the establishment of a range of residential facilities to cater for the variety of special needs of children and young persons coming into the care or custody of the Department.

Q1.3 Regulative

The Children and Young Persons Act 1974 (as amended by the Children and Young Persons Amendment Act 1983) in s.105(1) empowers the promulgation of regulations which:

- define the rights of children and young persons placed in any institution (established pursuant to section 69 of the Act)
- limit the powers of the staff of any institution (established pursuant to section 69 of the Act) to confine, punish or discipline the children or young persons placed in the institution.

It is the Government's intention to issue regulations regarding the abovementioned aspects of residential care in due course.

Q1.4 Professional

Residential care is a social work operation and therefore is bounded by the ethics of the social work profession. The Code of Practice for Residential Care details the Department's aims in terms of standards, individual rights and service delivery. The implementation of these requirements is determined by each institution and its staff in consultation with its various professional and departmental support systems, and is subject to annual monitoring and review.

Q2 SHORT-TERM RESIDENTIAL CAREQ2.1 Selection of Appropriate FacilityQ2.1.1 Overview

The department's short-term institutions have two major functions which can appear to be in conflict. They are a means of bringing about a positive early intervention, or they are a necessary option for those children and young persons who have not been helped, or who cannot be contained, by any other placement. The majority of children and young persons are admitted as a result of a legal warrant or arrest pending a Court appearance or following a Court decision to remand them in the Department's custody. Other admissions relate to placement breakdowns, or the need to reassess placement options. Under present law, the decision to place a child or young person in an institution once he or she has been placed in the custody of the Director-General, is one which rests with the Department. Accordingly, residential care should not be regarded as the first, or only, option for all children and young persons who have been arrested, taken on warrant, or remanded in departmental custody, although it may well be the only reasonable or best option for some youngsters, and a last resort option for others. Social Workers who work in Courts or communities close to short-term residential facilities particularly, need to guard against the tendency to rely more heavily on such resources than is desirable.

Short-term facilities aim to provide neutral, relatively ordered and predictable environments for children and young persons undergoing some sort of change process in their lives. The residential task varies from providing nurturing care, boundaries and some basic social training for some young people, to undertaking systematic needs and placement assessments for others. While short-term care has been traditionally provided from separate regional institutions, both Kingslea and Weymouth are now providing short-term as well as extended care on the one campus. (See Appendix - Fig 1. for details of Departmental institutions).

Q2.1.2 Contributing Districts

Although each regional home is controlled by the local Director, (Regional Director for the Auckland Homes) all Principals have delegated authority to approve admissions to their own institutions. Each home also serves surrounding districts from which children/young persons may be admitted. (See Appendix - Fig. 2.)

Q2.1.3 Casework criteria for admission

Short-term residential facilities are intended to cater for:

- (a) those for whom a specific need can be met through contracted use of residential intervention.
- (b) young people who have been apprehended by the Police either because of offences committed, running away from home, being found on ships, etc., who require to be held pending further Court action, a return home, or as the case may be;

- (c) those whose behaviour has been so difficult, or home circumstances so bad, that removal from home and a period of residential care is indicated. (Frequently these children will be admitted to the home on warrant (ref. S.28, C & Y.P. Act 1974), or from the Court following a guardianship order);
- (d) those who, on coming into care, are so neglected, unkempt, or distressed that it would be unfair to place them in private residences or Family Homes;
- (e) children who have handicaps which make it difficult to decide whether they are suitable for foster care, adoption, etc;
- (f) those who have proved too difficult for the alternative caregivers with whom they have been placed and the placements have broken down;

Social Workers should note that children/young persons requiring shelter care only will not normally be admitted to short-term care facilities, as Family Homes or private foster placements are generally more suitable options for them.

Q2.1.4 Legal provisions for admission

Admissions to a short-term facility are possible under the following legal provisions in the Children and Young Persons Act 1974:-

Section 7 Warrant Admissions (Form S.W. 663)

These cover ill-treatment or neglect. For the Residential Social Worker, sighting a warrant is sufficient authority to hold. Holding is authorised only, if within the three days allowed under the warrant:

- (a) a complaint under Section 27 is made, AND
- (b) a court directs the Child or Young Person be held in Social Welfare custody, pending the hearing of the complaint.

Section 8 Admissions

A child or young person may be admitted without warrant if the Police believe that the child or young person is in need of care and protection. A residential worker must always confirm with the Police Officer that the admission is under Section 8, and take the officer's name and number. The Child or Young Person may be held only if, within three days;

- (a) a complaint under Section 27 is made, AND
- (b) a court directs the Child and Young Person be held in custody, pending the hearing of the complaint.

Section 11 Admissions

A child or young person who is the subject of a S.11 agreement may be admitted without any further documentation, and without time constraints, other than the term of the Section 11 agreement.

Section 12 Admissions

A child or young person may be admitted without warrant where he/she is found unaccompanied by parent or guardian or any other person who has the care of him/her and he/she is:

- (a) associating with known criminals or drug addicts, OR
- (b) in an environment detrimental to his/her physical or moral well-being.

Section 12(1) empowers the Police to take the child or young person and, forthwith, deliver him/her into the custody of his/her parents or guardian or any other person who has the care of him/her. If none of these people can be found, the Police may seek to deliver the child or young person into our care under Section 12(2) (b). "Not finding" involves search and inquiry and it is the residential worker's responsibility to check that these prerequisites have been followed. Under Section 12(2) (a) the Police may deliver the child or young person to any person who, having regard to the circumstances, is able and willing to care for him/her.

A child or young person may be detained until:

- (a) a parent or guardian or person having care of the child or young person is found;
- (b) a complaint is made under Section 27, and the child or young person is brought before the Court to determine whether custody pending disposal of the complaint is appropriate;
- (c) the expiry of 3 days;

whichever occurs first. The residential worker must confirm with the Police that the admission is under Section 12(2) (b) and take the Officer's name and number.

Section 12(4) empowers the Police to uplift any school age child or young person (6-15 years) from any public place during school hours, where the child or young person is unable to give Police a satisfactory explanation for absence from school, and to deliver him/her to their school or home. There is no provision for an admission to an Institution under this Section.

Section 28 Warrant Admissions (Form S.W.505)

If the Police or a social worker makes a complaint under Section 27, and can satisfy a J.P., Judge or Registrar that there are reasonable grounds for removing a boy/girl from his/her current living situation, they may obtain a warrant under Section 28, and request admission. The Warrant is sufficient authority to hold the child or young person until:

- (a) he/she is brought before the Court, or
- (b) the expiry of 7 days.

whichever occurs first.

Section 31 and 36 (Guardianship) Admissions

Any child or young person subject to a Guardianship Order under Section 31 or Section 36, may be admitted without any further documentation or time constraint while the Guardianship Order is in force.

Section 31 and 36 (Postponement) Admissions

A Social Worker may request the admission of a child or young person on Postponement, under Section 31(3) or 36(6) of the Act. The Postponement Order will have a date for the child or young person's return to Court for final decision by the Judge. The period of postponement can be extended by the Court, but the total period of postponement, including extensions, cannot exceed 3 months.

Section 43 (Arrest) Admissions (Form S.W. 673)

When a child or young person is arrested and the Police believe it is impracticable or undesirable to return the child or young person home, or release with or without bail, they must deliver the child or young person to a Social Worker within 24 hours and institutional admission may be sought. At the time of admission the Police need to provide:

- (a) identifying details of the child or young person, and
- (b) the circumstances of the arrest of the child or young person; and
- (c) the date and time of the intended Court appearance.

The Residential Social Worker needs to confirm with the Police or Social Worker that admission is under Section 43(2) and that the Police have attempted to exercise their powers in Section 43(1) to release the child or young person or deliver into custody of parents or guardian or any other person approved by a member of the Police for the purpose, which then becomes sufficient authority to hold the child or young person until:

- (a) in the case of a young person, he/she is brought before the Court to answer the charge.
 - (b) in the case of a child, he/she is the subject of a complaint under Section 27 and is brought before the Court for a custody decision, or
 - (c) the expiry of three days after the day of arrest
- whichever occurs first.

Section 43 (Custody) Admissions (Form S.W. 672)

Under Section 43(6) the Court may direct that any child or young person appearing before it by way of complaint under Section 27, or following his/her arrest, is to be held in custody, pending the disposal of the charge or the complaint.

An order made under this section is sufficient authority to hold the child or young person until the date specified on the order.

Temporary/Informal Admissions (ref H7.4 re delegation)

In special circumstances Principals may authorise the admission of a child or young person without any legal procedure. No child should be taken into temporary care unless there is a definite emergency and such cases must be kept under review. No informal admission is to exceed 14 days.

Special Circumstances Admissions (see also A2.6)

(i) Under Section 47 of the Criminal Justice Act 1954, young people on remand from the Courts, (other than the Children and Young Persons Court) e.g. ship deserters awaiting deportations, may be remanded in the custody of the Director-General. Such admissions are subject to the agreement of the Director-General.

(ii) Under Section 103A of the Children and Young Persons Act 1974 (as amended by Section 18 of the Children and Young Persons Amendment Act 1977), provision is made for sentences of imprisonment to be served in Social Welfare institutions. Decisions regarding when and where the sentence is to be carried out are taken at Head Office levels, between the Departments of Justice and Social Welfare.

Q2.1.5 Delegation to admit (ref H7.4 re delegation)

Principals approve admissions to short-term care with the exception of those under S47 of the Criminal Justice Act or S103A of the Children and Young Persons, which are approved by the Director-General.

For District office delegation see H7.4. Officers with this delegation must ensure that the admission is appropriate before the Principal is approached for approval. (see also Q2.2.2).

Principals may delegate authority to approve admissions to short-term institutions to officers graded no less than 322.110 under the following Sections of the Children and Young Persons Act 1974:

- (a) Section 7 Warrant
- (b) Section 8
- (c) Section 12
- (d) Section 28 Warrant
- (e) Section 43 (Arrest)
- (f) Section 43 (Custody)

Temporary/informal admissions (to be confirmed by Principal or Asst. Principal within 24 hours).

Emergency admissions of Wards or those under Section 11 Agreements.

Principals or Assistant Principals only may authorise planned admissions under the following Sections:

- (a) Section 11
- (b) Section 31 and 36 (Guardianship)
- (c) Section 31 and 36 (Postponement)

Q2.1.6 Needs that can be met in Short-term residential care

Crisis intervention.

Nurturing (nourishment, culture, recreation, clothing, education, shelter, health).

Neutral environment.

Planned intervention.

Assessment.

Containment (including secure care).

Behaviour management/social skills training.

Specialist services.

Counselling (re court appearances etc.).

Safe time for child.

Respite for community.

New experiences.

Some work experience.

Community contact.

Family work.

Phased return to community.

Q2.1.7 Needs that cannot easily be met in short-term residential care

Family life experience.

Keeping siblings together.

Development of long term substitute relationships.

Punishment for offending behaviour.

Substitute for community placements.

Long term interventions.

Long term educational needs of intellectually disabled children.

Flexible, individual choice programmes.

Protection for the child or young person who is markedly different; and likely to become scapegoated in group living situations.

Q2.1.8 Unnecessary admissions

It is clear that there are reasons, other than a child's or young person's own misbehaviour, for admissions to an institution. In practice, however, it is usually found that admissions for delinquency or difficult behaviour predominate, and that even among children or young persons admitted for other reasons, there is a comparatively high incidence of difficult behaviour.

It is important that children or young persons should not be admitted to institutions unnecessarily, nor held in them for longer than is necessary. A child or young person should be placed from an institution as soon as he or she is no longer deriving benefit from residential care and in this respect it is most important that the Director responsible for initiating the child or young person's admission, having maintained contact with the Principal throughout, is able to assume responsibility for the child or young person's placement when the time is appropriate.

Q2.1.9 The Liaison Senior Social Worker

In the larger Districts where the Assistant Director (SW) is not personally involved in liaison with the institutions, a Senior Social Worker will be given specific responsibility for such liaison. Tasks are:

- (a) receiving details from institutions of all new admissions from the district;
- (b) ensuring that Social Workers are promptly allocated to new admissions;
- (c) advising the institutions of the name of the Social Worker and supervisor allocated to each new case;
- (d) receiving advice from institutions on case matters prior to the allocation of a Social Worker;
- (e) ensuring casework follow-up.

Q2.2 Preparation for Admission

Q2.2.1 Overview

In considering any residential programme as an interventive option, the essential concern is that of meeting a child/young person's particular needs in an appropriate and timely manner. Consequently, the residential programme is best used when admission to an institution represents a planned action in collaboration with the significant people involved. However, in many cases this will not be possible due to the emergency or crisis situation which precipitates admission and many of the actions described below as desirable pre-admission activity, will take place retrospectively.

Where a Social Worker is beginning to consider the placement of a child or young person in a residential care facility, it is desirable for both the field and residential social work staff to be involved in the planning process.

Where a District Office is situated in the same locality as an institution, it is possible for both the field and residential social work staff to work together during the pre-admission stage, in assessing whether or not admission is appropriate.

Q2.2.2 Admission proposal (ref H7.4 re delegation)

Before any formal approach is made to an institution, approval for the use of short-term residential care must be sought in the District Office.

The proposal for admission must be approved in principle by a Senior Social Worker before being negotiated with the Principal. The Senior Social Worker must ensure that adequate information on the child/young person is available for the Principal, and that adequate documentation about the need for the admission is placed on the personal file. In the Auckland Region, all children/young persons proposed for admission to short-term residential care must first be referred to the Community Care Unit at Cornwall Park Reception Centre, which will negotiate with the Institution if a community placement is not practicable.

Q2.2.3 Maatua Whangai to be considered (see also A12)

In principle, any Maori children/young persons being proposed for admission to a short-term institution should first be referred to Maatua Whangai.

Q2.2.4 Consultation with the institution

In order to determine the appropriateness of a placement and the availability of accommodation, consultation with the institution needs to take place.

Q2.2.5 Admission approval/non-approval

Prior to giving admission approval, the Principal is to ensure that the child/young person meets the general criteria for short-term residential care, and that the correct legal status for admission has been determined.

In the event of a Principal not being able to admit, but where the child/young person meets the casework and legal provisions, there is an onus on the Principal to indicate when an admission may be possible and to assist the District in arriving at an alternative placement in the interim.

Q2.2.6 Procedure when application declined

When an application is declined, the Assistant Director (Social Work) may ask the Principal to review the decision. In the event that the application is further declined, the Director of the District in which the institution is situated may be asked to review the appropriateness of the decision. If there is further dispute between districts, Head Office may be asked to review the decision, in which case copies of all correspondence relating to the decision should be forwarded to Head Office, (for attention: Director, Social Work Services) where the decision about admission will then lie.

Q2.2.7 Documentation

Once admission approval has been given, the following documentation needs to be forwarded to the Principal, preferably prior to, or at the point of admission, but in any event not later than 72 hours after admission (see Q2.3.3 for unplanned admissions)

- (a) written proposal for admission
- (b) completed SW 542A and SW542C (see Figs 9,10 Appendix)
- (c) up to date case history e.g. recent case report.
- (d) child's or young person's file which will be returned following perusal and the copying of any relevant information.
- (e) schooling information.
- (f) any known health details.

Q2.2.8 Travel arrangements (ref H7.4 re delegation)

The institution should be notified of the travel arrangements and proposed time of arrival. Approval may be given at District level for payment of the return fare of one parent who escorts a child to a regional institution, for admission.

Q2.2.9 Clothing

For District office responsibilities regarding clothing see N8.3 (a) (b).

Q2.2.10 Recording emergency contact details

At the time a child or young person is to be placed in an institution the Social Worker should discuss with the parents the possibility of having to get in touch with them in the event of sickness or other emergency, and find out where and how they may be contacted in such circumstances. Some parents should be able to give a work or other telephone number where they may be contacted if not at home.

Such information is to be prominently recorded for easy reference on the personal file. If the personal file leaves the District this information should also be recorded on the District office shadow file. The computer records should also be noted.

Q2.3 Admission Process

Q2.3.1 Overview

Residential admission indicates breakdown, either of a temporary or permanent nature, at three interacting levels. First, there is the personal experience of breakdown for the individual concerned. Secondly, the meaning of the admission for him/her in terms of his/her own functioning, behaviour, relationships and life situation. Thirdly, there are the breakdowns at the interpersonal and the social/familial levels the breakdowns between the individual and his/her family, important others, social environment, school or work, peer group, neighbourhood and community.

At the point of admission the child/young person is taken from the known to the unknown; from a position of familiarity to one of uncertainty and accordingly, strong feelings of anxiety, possibly a sense of dread and even of panic at the thought of prospective changes, can occur. In addition, the child/young person is confronted with the need to undergo a change process which will require that he/she settles in and adapts to the demands of a new environment, and recovers from the distress caused both by the crisis which led to admission and by the actual process of transfer and separation.

Often a child/young person is in a very vulnerable state, and every possible attention must be given to assisting him/her through the change process in the most sensitive and caring manner, recognising also, that this is often the time when the Social Worker's influence will be the greatest and have the most enduring effects.

Admission procedures have been identified as having a significant contribution to subsequent intervention effectiveness and therefore must be formulated in such a way as to ensure that the transfer between the two agencies takes place as smoothly and warmly as possible, and in a way that minimises the trauma related to admission.

Q2.3.2 Escorting of child/young person

Where a Field Social Worker escorts a child/young person to a residential facility, he/she can provide invaluable support and assist in managing the impact of admission. All new admissions are to be escorted.

Q2.3.3 Provision of essential information (Unplanned/temporary admissions)

Where action to place the child/young person in Departmental custody is arranged by Police and the child/young person is not previously known to the Department, the essential background information must be provided within three working days of the date of admission. The early provision of essential information about a child/young person and the family is imperative, and where necessary should be obtained by Social Workers, either from Departmental records, a home visit or, if appropriate, by telephone. Ultimate responsibility for ensuring the information is provided within the three days will rest with the Senior Social Worker from the child/young person's Primary District.

Where there is a temporary admission, an interim S.W. 542A and C must be completed by the admitting social worker. No temporary admission is to exceed 14 days. By this time it is expected that an initial casework plan should have been developed indicating whether return to care of parents, Section 11 Agreement, referral to the Children's Board, or complaint action is the most appropriate course of action.

Q2.3.4 Provision of health/medical details

Full health/medical details concerning the child/young person must be made known to the Principal prior to, or at least at the point of admission. Particular mention should be made of any potential suicide or self mutilation risk.

Q2.3.5 Assignment of District Office Social Workers to children and young persons in short-term facilities.

On admission each child or young person should be assigned, in the same way as any other "case", to a particular Social Worker - not necessarily the one responsible for his/her admission - who accepts for the child all those responsibilities which are not properly those of the Principal. This helps to personalise for the child what might otherwise be a dim and vague "they" in District Office and provides the essential link between the residence and the family. Social Workers are to arrange early visits to those children/young persons to whom they have been assigned. It needs to be clearly understood that while a child or young person is in short-term residential care, his/her district of origin maintains casework responsibility for him/her, and a social worker from that district is to be assigned to manage the case and liaise with the institution.

Q2.3.6 Admission procedures

Because of the variety of circumstances in which children and young persons may be admitted, particularly to a short-term facility, it is difficult to lay down a specific admission procedure.

Each Principal is responsible for establishing a procedure and providing written instructions appropriate to his/her own facility.

Principals should guard against the development of ritualistic admission procedures. Some matters need to be attended to, but when and in what order will vary according to the circumstances and emotional state of the child or young person.

Q2.3.7 Reception

The first priority in admitting a child/young person to a residential facility is that of being sensitive and receptive to his/her needs. Children/young persons will react in different ways when being admitted. All however will experience feelings of uncertainty and some degree of apprehension or hostility. Accordingly, the initial period should be spent helping him/her to feel welcome, to relax and settle in, before any routine matters are attended to.

Ensuring the safety of the child/young person being admitted, and other residents, is also a priority at this point. A staff member should remain with the new admission throughout this period thereby avoiding the possibility of harm occurring through any contraband items being used or distributed, and to manage initial peer interactions.

Q2.3.8 Initial interview

An initial interview should be quiet and objective, with every effort being made to put the child/young person at ease. Any necessary information required from the new admission should be obtained in a friendly, unhurried way, and the reasons for taking it should be explained.

Often the admitting staff member will already have learned from the escorting Social Worker all that is necessary to know for the meantime and further information can be obtained from the personal file. In such cases there is no need to ask redundant questions, but enough should be said to let the child/young person know that he/she is recognised as an individual, different from others, with a name and story of his/her own.

The admitting staff member should introduce him/herself and some of the other staff and residents, and should also indicate how he/she and staff members are to be addressed.

Depending on the child's/young person's needs, time should be made available for him/her to discuss any immediate concerns. A child/young person should always know why he/she is being detained and what is likely to happen to him/her.

Q2.3.9 Listing of clothing/possessions/tattoos

Except where children or young persons are being admitted for very short periods, it is necessary to take a list of a new admission's clothing and other possessions, and wherever possible this list should be taken in his/her presence and the reasons for this explained. Potentially dangerous items, valuables and money should be put away for safe-keeping and a record made in the child/young person's presence.

Tattoos are often the subject of Ministerial or Ombudsman enquiries when it is alleged they are inflicted while in residence and for this reason some documentation is required. Principals should ensure that a child/young person's tattoos are recorded as soon as possible after admission so that any complaints can be adequately investigated. Research evidence indicates that tattoos are most often applied outside of the residential facility whilst the individual is on home leave or has absconded, therefore on their return, children/young persons should be queried regarding new tattoos.

Q2.3.10 Completion of admission form

An admission form must be completed for each child/young person admitted, and each admission is to be recorded in the Occurrence Book. Principals may want to include a check list on the admission form to ensure admitting officers attend to various internal administrative matters e.g. pocket money, recording tattoos, etc. (The admission form or card must be completed on the reverse side when the child/young person is placed from the institution and kept in the institution's records).

Q2.3.11 Familiarising of child/young person with residential facility

The child/young person should be shown his/her own room and the geography of the institution, and the more important rules, such as the hours of rising and retiring, should be explained.

Q2.3.12 Health and hygiene

The arrangements for the child/young person to have a bath or shower and change of clothing will depend on his/her physical and emotional condition. Undressing and bathing in a strange place and in the presence of a stranger is a strain for most, and very upsetting for some, and if it is not practicable for the child or young person to bath and change on his/her own, it may be desirable to postpone this step, or even abandon it, leaving it until, say, next day at a routine occasion when others are bathing.

The admitting Residential Social Worker should, as unobtrusively as possible, observe the presenting physical state of the child/young person, and record any unusual signs or symptoms which may indicate health difficulties or risks.

As soon as practicable after admission, the child/young person should be asked, and his/her records noted accordingly, if s/he is taking any medication or has any known health problems. Also, an early explanation should be given about the reasons for the medical examination which will be available within a few days of admission.

While each child/young person should be encouraged to undergo the examination, none is to be forced to have any medical or other examination against his/her will unless the Medical Officer has reason to believe that s/he is in a life-threatening situation or condition, or unless it may be compelled under the provisions of the Health Act 1956 or regulations made under that Act.

Where it seems likely that a child or young person has been sexually active, this matter should be discussed between him/her and a staff member in a sensitive and caring manner, with the opportunity being given for him/her to undergo a Sexually Transmitted Diseases (S.T.D.) clearance check. Under no circumstances are such checks to be routinely required or compulsorily carried out. If a child/young person responds that s/he is not sexually active, this statement is to be accepted. If a child/young person has been sexually active prior to admission but does not wish to have a S.T.D clearance check, this is to be accepted and the file noted accordingly.

Q2.3.13 Allocation of Residential Caseworker

A Residential or Assistant Residential Social Worker is to assume casework responsibility while the child/young person is in the facility. The child/young person should be made aware of his/her caseworker as soon as possible after admission.

Q2.3.14 Casework responsibility - advice to District

The Principal must advise the District of the name of the Residential or Assistant Residential Social Worker and the Senior Residential Social Worker with casework responsibility.

Q2.4 Assessment/Casework Process

Q2.4.1 Overview

Assessment is an integral part of the Residential Social Worker's task. It involves a process of collaboration between Field and Residential Social Workers, child/young person, his/her parents, and significant others.

The Residential Social Worker's main contribution to the assessment process is in observing, understanding, recording, reporting and reviewing, in relation to the child/young person in residence. The child/young person's thoughts, feelings and aspirations become known to the Residential Social Worker and over a period of time, knowledge and an understanding of the individual's perceptions are built up.

Residential placement also provides the opportunity for particular assessment resources - psychological, psychiatric, educational - to be co-ordinated and focused on an individual while at the same time, meeting his/her care and custody needs.

The information which becomes available as a result of any assessment helps to provide a basis from which present and future planning can be undertaken.

Q2.4.2 Assessment Considerations

While assessment is an ongoing process throughout the period of residence, any formal assessment required, should be undertaken as soon as the child or young person is settled enough to contribute to the process.

It is the responsibility of the Field and Residential Social Workers involved in any case, to record essential case information throughout the assessment process.

Q2.4.3 Type of Assessment Required

Whilst a preliminary assessment will have been undertaken in some cases prior to the placement of a child/young person in a short term facility, it will often be incomplete due to the crisis situation which has precipitated admission. Consequently, the assessment goal may become that of producing a comprehensive picture of the child/young person, the past history and family background, his/her physical, educational, social and psychological development, and formulating an intervention plan. Alternatively, an assessment may be required in relation to a specific need of the child/young person, e.g. placement.

In other cases, a child/young person may be admitted for the sole purpose of having his/her care and custody needs met while other processes take place, e.g. court action. Accordingly, no formal assessment is required.

It is important for the Field Social Worker to promptly advise the Principal of the assessment objectives to be met, together with any requirements in terms of the assessment format and the specific purpose for which it may be needed.

At the same time, a decision should be made regarding the co-ordination of the assessment process, i.e. who will assume responsibility for ensuring that all relevant information is assembled in written reports and that different perspectives are included.

Q2.4.4 Liaison between Field/Residential Social Workers

Frequent liaison between Field and Residential Social Work staff is essential throughout the assessment process. Only by regular discussion between the residential and field staff responsible for a case, by the inclusion of residential staff in planning, and by the sharing of information both verbally and in writing, will staff be able to integrate their work more fully.

Residential Social Workers, working continually with children in all sorts of situations (but having little or no opportunity to see much of the family at home) are able to keep Field Social Workers advised concerning the progress, behaviour and perceptions of the children and young persons in their care.

In the same way, Field Social Workers who will be in touch with the home, will be able to help Residential Social Workers by keeping them informed and up to date with the situation as it exists in the child's/young person's home.

There should be a free interchange of opinions and findings between them, and Residential staff should have free access to any files, and be supplied with copies of Field Social Workers' reports and Specialists' reports. It should be standard procedure for copies of notes for file to flow between the residence and the District office.

Q2.4.5 Assessment reporting

All short term residential facilities will provide Districts with fortnightly written casenotes on all children/young persons in residence two weeks or more.

Q2.4.6 Case conferences

Where a formal assessment is being undertaken, it is recommended that a case conference be held as a means of bringing together the various interested parties, including the child/young person and important others. Ideas and issues raised during the course of the assessment process can be clarified and discussed. Future planning and intervention recommendations can also be considered.

Q2.4.7 Social Workers attending case conferences

Field Social Workers should make determined efforts to attend discussions held within the short term facility, in order to counteract a tendency for the two groups of staff to work in isolation from each other, as well as for the practical value of their contributions to the assessment process.

Q2.4.8 Casework programmes

Where a child/young person is admitted for a formal assessment and on-going short-term care, it is essential that a written casework programme is formulated in consultation with the Field Social Worker and child/young person on the basis of his/her needs and other relevant data. Such a programme should clearly state objectives, i.e. what is to be achieved in what period of time, and must relate to the overall casework goal. The initial casework plan should be formulated within two weeks of admission.

Q2.4.9 Schooling

All children and young persons of school age are required to attend school. Most institutions have a school on the premises and children/young persons who cannot attend outside schools for one reason or another, attend the home school. Principals should encourage those aged 15 years or more, to continue or review their involvement in an educational programme while in residence, as teaching resources permit. Teaching staff in the schools work in close co-operation with institution staff and provide a programme specially adjusted to meet the needs of the children and young persons in residence. Teacher/pupil ratios are such that more individual attention can be afforded than is normally the case in the ordinary school situation. Opportunities to allow children and young persons to attend ordinary schools in the community should be sought where practicable.

In those homes where there is no school it is the responsibility of the Principal to make appropriate arrangements for school age children and young persons to attend school outside the institution.

Q2.4.10 Home leave

Where no legal impediments exist to the granting of home leave, e.g. remands from the Court in Social Welfare Secure custody, Principals in short term facilities should negotiate with admitting districts the duration and frequency of home visits for the child or young person.

Q2.5 Placement Process

Q2.5.1 Overview

Just as admission procedures have been identified as having a significance for subsequent intervention effectiveness, placement procedures have been identified as critical factors in ensuring that benefits derived by the individual from being in residential care are not negated or reversed.

The child/young person's time in residential care needs to be viewed as a finite period, and accordingly casework plans should be directed at preparing the individual for leaving, from the earliest days of admission.

When facing placement, the child or young person's feelings can fluctuate between anxiety, stress, and powerlessness on the one hand and pleasure, hope and optimism on the other. Opportunities need to be given for these feelings to be faced and resolved as they will affect the individual's motivation for and resistance to change and transfer to a new environment. Like admission, placement can represent a time of crisis and therefore every possible attention needs to be given to assisting the individual through this change process in the most sensitive and caring manner.

Q2.5.2 Arrangement of alternative placement

Where it is considered inappropriate for the child or young person to return to his/her previous living situation and an alternative placement needs to be found, this decision should be made following collaboration between the Residential and Field Social Worker, the child or young person, and any significant others, but is the responsibility of the Field Social Worker to arrange.

Q2.5.3 Preparation of placement

In order to facilitate the smooth transfer of the child or young person from one environment to another, the Field Social Worker should give priority to preparing for, and supporting those involved, in the process, and encouraging a gradual transition from the institution to the next caregiver.

Q2.5.4 Approval and agreement for placement

The need for placement will be indicated by the Principal usually, but will be by negotiation and consultation with the District concerned.

Q2.5.5 Procedure in event of disagreement

If there is any disagreement about placement from the institution, the Director either of the District in which the institution is situated or the District to where it is proposed to return the child or young person, may be asked to review the decision in dispute. If the dispute cannot be resolved at this level, the matter is to be referred to Head Office (for attention, Director, Social Work Services) where the decision will then lie.

In any event, no child or young person is to be returned to his/her District without the prior agreement of the District to accept the child or young person, or a Head Office direction, as the case may be.

Q2.5.6 Placement report

It is the responsibility of the Residential Social Worker having casework responsibility to forward a report through the Principal, to the District prior to placement. The report should include a summary of the residential period, the gains made and a recommendation for placement. In instances when the period spent in residential care is short, and placement arrangements are negotiated daily, a confirming written report should be forwarded to the District as soon as possible after discharge. Owairaka and Bollard Remand Centres are exempted from the provisions of this formal reporting requirement, for stays of less than 2 weeks duration.

Q2.5.7 Travel

It is the responsibility of the Principal to make appropriate travel arrangements for the child or young person.

Q3. EXTENDED RESIDENTIAL CAREQ3.1 Selection of Appropriate FacilityQ3.1.1 Overview

More seriously disturbed children or young persons, or those involved in persistent misconduct or serious offences, may be more suitable for admission to an extended care facility. Generally, these facilities provide care for children and young people whose behaviour has become too difficult to allow them to remain in the community - whether at home, at board, at work, in a foster home, in a Family Home, or in another type of institution. It is desirable that prior assessment of the child or young person take place in a Regional Institution, (less usual for potential admissions to Group Homes) and that admission be sought on the basis of his/her need for intensive social work intervention in order to meet the overall casework goal.

As admission to an extended care facility represents a major intervention in the life of a child or young person, Social Workers should carefully weigh the advantages and disadvantages before proceeding with a recommendation. Whilst immediate admission to an institution may solve a pressing problem it may not necessarily be in the best or long-term interest of the child or young person.

The following sections apply to the extended care facilities at Allendale, Weymouth, Hamilton Boys Home, Beck House, Hokio, Kohitere, Kingslea and the Group Homes.

(See Appendix - Fig 1, Fig 3 for details of Departmental residential facilities).

Q3.1.2 Casework criteria for admission

Broadly speaking, children and young persons admitted to an extended care facility fall into one or more of the following categories:

- (a) those, who during a period in a short-term facility, are assessed as needing intensive social work intervention, and for whom specific achievable tasks have been determined, e.g. skills acquisition, behaviour/attitudinal change;
- (b) those who are experiencing such difficulties that they would be 'at risk' should they remain in or return to the community;
- (c) those who are too difficult for any other "caregivers" to provide for in the immediate future;
- (d) those in need of specialist services on a consistent and sustained basis, which are not readily available in their community;
- (e) those in need of a "controlled" setting with clear limits for a period longer than can be provided for in short-term facilities.
- (f) those for whom no other facility or community placement is possible.

The encompassing criteria is that casework aims, inclusive of care and control factors, cannot be reasonably achieved in any less restrictive environment.

Principals should guard against the development of narrow admission selectivity.

Q3.1.3 Legal provision for admission

Children or young persons in extended care facilities will either be under Guardianship or subject to a S.11 Agreement.

While many of the children and young persons being considered for an extended care programme will already be under the guardianship of the Director-General, it should not be viewed as being a pre-requisite for admission. In many situations, entering into a Section 11 agreement with the parent/s may be more appropriate, especially in those cases where it appears that the casework goal is achievable within a set period, and the parents are willing participants.

Q3.1.4 Delegation to admit (ref H7.4 re delegation)

Before any formal approach is made to an institution, approval for the use of extended care must be sought in the District Office. The minimum delegation level is S.S.W. 105.

Only the Principal of an extended care facility is authorised to approve admissions, with the exception of any admissions authorised under section 103(a) of the Children and Young Persons Act, 1974 (prison sentences to be served in Social Welfare institutions) which are authorised by Head Office.

Q3.1.5 Needs that can be met in an extended care facility

Nurturing.

Neutral environment.

Planned intervention.

Assessment.

Containment (including the use of secure care as part of a planned intervention programme).

Behaviour management.

Specialist services.

Safe time for child.

Respite for community.

New experiences.

Work experience.

Community contact.

Work with families.

Range of intervention strategies.

Ongoing supportive social work relationships in a planned environment.

Ongoing supportive social work programme.

Offender intervention.

Phased return to community.

Q3.1.6 Needs that cannot easily be met in an extended care facility

Family life experience.

Keeping siblings (family) together.

Substitute for community placements.

Protection for the child who is 'different'.

Punishment of offending behaviour.

Educational needs of intellectually disabled children.

Q3.2 Preparation for Admission

Q3.2.1 Overview

The same considerations identified in relation to preparation for admission to a short-term institution also apply to planning for admission to an extended care institution. (Please refer to Q2.2.1.)

In addition, telephone consultation with an institution prior to writing the admission proposal may be desirable in some cases. Similarly, referring a personal file to an institution for perusal may assist in determining whether or not a child or young person meets the general criteria for admission, and whether the institution has the capacity to meet the child/young person's needs.

Q3.2.2 Case Consultation

Before a decision is made regarding the admission of a child or young person to an extended care facility, consultations should be held to consider all the possible options. (See Q3.4.1)

Q3.2.3 Maatua Whangai to be considered

In principle, any Maori children and young persons being proposed for admission to an extended care facility, should first be referred to Maatua Whangai. Proposals for admission should record this involvement with Maatua Whangai.

Q3.2.4 Priority to be given to preparation of submission to Principal

Social Workers are to ensure that, once a decision has been taken at District level to propose a child or young person for admission to extended care, priority is to be given to preparing the submission and ensuring it reaches the relevant institution at the earliest possible date, for consideration by the institution's Admissions Committee. (See Q3.2.9.)

Q3.2.5 Admission proposal - content

The admission proposal should include the following:

- (a) the outcome of the Maatua Whangai consultation;
- (b) the Social Worker's analysis of the difficulties presented or faced by the child or young person;
- (c) a clear outline of the work to be carried out by the institution in achieving the goal of the casework plan;
- (d) positive as well as negative aspects of the child's or young person's personality and behaviour;
- (e) proposed placements in the home district for holidays
- (f) a tentative plan for the young person's future rehabilitation and the envisaged placement at the point of return from the extended care facility;
- (g) any other supporting information which will assist the Admissions Committee in making their decision.

It is of great assistance to Residential Social Workers in constructing a realistic programme for a young person to have some information on the following:

- (h) a pen picture of the child/young person and his/her relationships within his/her familial/social/cultural context;
- (i) Alternative proposals and full reasons if the District anticipates that the child/young person will not be returning home or to the home area (where applicable);
- (j) Details of any community resources which may assist the child/young person during his/her stay or upon return;
- (k) A report from a regional institution if the child/young person has recently been in residence.

Q3.2.6 Endorsement of admission proposal by Senior Social Worker

The proposal for admission must be supported by a clear and fully substantiated case, and before it is sent to the Principal, it must be endorsed in writing on the personal file by a Senior Social Worker, who is to ensure that all relevant documentation is included. (See Q3.2.8).

Q3.2.7 Acceptance of written submissions only

Principals may only accept admissions on the basis of a written submission, unless authorised by Head Office in special or emergency situations.

Q3.2.8 Documentation

The admission proposal is to be forwarded to the institution together with a copy of the SW 515 plan, health records, school report and copies of any other relevant documents, including psychological reports if available. Particular mention should be made of any potential suicide or self-mutilation risk or outstanding medical matters requiring attention.

Note: (a) The school report provided for a Court is not sufficient educational information for a teacher in an extended care institution.

(b) The advice of the Psychological Service is frequently sought by Social Workers when considering a recommendation for placement in an extended care facility. Such advice has two major purposes:

(i) To help decide on the appropriateness of the placement;

(ii) To provide practical guidelines for the treatment programme.

(c) As the use of an extended care facility for a relatively young child is a major decision, where the proposed placement is at Beck House, Allendale or the Group Homes the advice from the Psychological Service should be in the form of a written report. In all other cases, a written report is not mandatory, but is to be supplied if any one of the three parties involved (the Psychologist, the Social Worker, or the Principal of the institution) considers that it is necessary. A request from the Social Worker or Principal for a written report should specify the particular information which is considered most relevant.

The most useful information will include:

- (d) Data on the child's level of ability and academic skills. This may not involve detailed testing and assessment, but should be designed to assist the institution and its school to provide a suitable, practical, programme of education.
- (e) Comments on behaviour. These provide useful background data to assist in programme planning. Recommendations about appropriate handling methods can be most helpful especially if they are made with the practical limitations of the particular institutional setting in mind.
- (f) Interventions tried previously, and the results.
- (g) Clear recommendations adequately supported by the appropriate data.

If a written report is not supplied, the placement recommendation from the Social Worker should record the oral advice which has been received from the Psychologist.

Q3.2.9 Admissions Committee

Principals are required to establish an Admissions Committee which will study all admission proposals, and make recommendations to the Principal. Committees should include at least one senior member of the Institution's social work staff, the Head Teacher, and may at the Principal's discretion, include such personnel as the Visiting Psychologist.

Q3.2.10 Notification to District

Once an admission has been approved, the District is to be notified promptly of the decision together with a likely admission date.

Q3.2.11 Procedure when applications declined

When an application is declined, the Assistant Director (Social Work) may ask the Principal to review the decision. In the event that the application is further declined, the Director may request Head Office to review the decision, in which case copies of all correspondence relating to the decision should be forwarded to Head Office, (for attention: Director, Social Work Services) where the decision about admission will then lie.

Q3.2.12 Travel/escort arrangements

Once an admission has been approved, suitable travel arrangements need to be made, and the institution advised of them, i.e. means of travel, arrival time, who will be escorting the child or young person and any accommodation requirements.

- Note:
- (a) Any child or young person being admitted to an Extended Care facility must be accompanied by either a Social Worker, parent or both. Approval may be given at District level for payment of the return fare of one parent escorting a child for admission to an extended care facility. It is the responsibility of the District to decide who are the most appropriate people to undertake the task.
 - (b) There may be occasions where it is desirable, for the well-being of the child or young person, for both parents to escort him/her, and approval for the payment of any additional fare must be sought from Head Office. (See also N7.8). Air travel should not be used if the child is likely to prove difficult, either because of behaviour or illness. Escorting officers must ensure that the child or young person is escorted to the institution. Travel schedules should permit the escort to spend some time helping to settle the child in the new environment. It is quite unacceptable, for example, for an officer to place a child or young person on his or her own in a taxi to be taken to the institution.

Q3.2.13 Clothing

For District Office responsibilities regarding clothing see N8.3(a).

- Note:
- Clothing for the child or young person should be adequate, seasonal and appropriate in relation to the locality of the extended care facility. Any clothing purchased, should not be in excess of what would be provided by a parent of average means in an average community. Care should be taken not to distance a child from his/her family by expensive or excessive clothing purchases.

Q3.2.14 Recording emergency contact details

At the time a child or young person is to be placed in an institution the Social Worker should discuss with the parents the possibility of having to get in touch with them in the event of sickness or other emergency, and find out where and how they may be contacted in such circumstances. Some parents should be able to give a work or other telephone number where they may be contacted if not at home.

When such information is obtained it is to be prominently recorded for easy reference on the personal file. If the personal file leaves the District this information should also be recorded on the shadow file. The computer record should also be noted.

Q3.2.15 Personal file

The personal file should be sent to the institution ahead of the child or young person concerned or, at the latest, must be handed over by the person escorting (provided the escort is not the child's or young person's parent). Personal history cards and any other records should preferably be sent with the file. Delay in sending a file can have serious consequences. The Principal must have the benefit of the information the personal file provides in meeting the problems of the early settling-in period and in dealing with any emergencies which may arise. The Principal should be alerted by the escorting person, of any special consideration (e.g. life-threatening psychological or medical condition). Districts are to maintain a shadow personal file for any child/young person whose main file will be held at the extended care facility.

Q3.2.16 Preparation of child/young person

Field Social Workers have an important role to play in preparing the child/young person for admission to a residential facility.

The child or young person should be aware of the planning being undertaken on his/her behalf. Children and young persons being admitted to extended care facilities must be told where they are going, and the reasons for this step. They can be told the normal length of stay in the institution concerned, but it must be made clear that the duration of their own stay cannot be forecast with any accuracy as this will depend very largely on their casework programme. They should also be given frank and accurate answers to questions they may ask about the Institution. Any available written or photographic material regarding the extended care facility should also be made available to the child/young person (and parents or substitutes, where applicable) to read or view prior to admission.

Note: Regional institutions normally hold photographic material in relation to the extended care facilities to which they contribute.

Q3.2.17 Required residential preparations

Within the extended care facility the following preparations for the admission of the child or young person should be undertaken:

- (a) a unit or area is nominated for his/her residence.
- (b) a Residential or Assistant Residential Social Worker is appointed as the caseworker;
- (c) arrangement for the child's or young person's arrival at the extended care facility to coincide with a duty of his/her Residential Social Worker;
- (d) preparing other children/young persons in the unit for a new member;
- (e) ensuring that a room is ready for him/her with something welcoming included e.g. flowers, poster, reading material.

Q3.3 Admission

The same process and procedures identified in relation to admission to a short-term institution apply in regard to admission to an extended care institution. Please refer to Q2.3.

Q3.4 Assessment/Casework Process

Q3.4.1 Assessment considerations

In the case of admission to an extended care facility, an assessment will have already been undertaken and on this basis, a casework plan (SW 515) formulated. Residential Social Workers are often involved in this pre-admission planning process.

The early period spent in extended care will involve some re-assessment. In particular, the Residential Social Worker needs to be satisfied about the appropriateness of the casework plan (SW 515) "goal and objectives", and re-negotiate where necessary. In this regard, the Residential Social Worker may need to advocate for the child or young person, if the goal or objectives appear inappropriate or unrealistic. Such assessment is an on-going process throughout the period of residence.

Q3.4.2 Liaison between Field/Residential Social Workers

If the goal and tasks set by the Field Social Worker are to be realised during a child's or young person's period of residence in an extended care facility, frequent liaison between the Field and Residential Social Worker is essential.

In extended care facilities, the Residential Social Worker assumes primary casework responsibility for the child or young person, while the Field Social Worker remains the primary caseworker for the family. In Group Homes, however, where practicable residential workers are to undertake family work, either in conjunction with the field worker, or as the 'key worker' where this is agreed between the Group Home and the District.

Q3.4.3 Residential care programmes

It is the responsibility of the Residential Social Worker assigned casework oversight, in conjunction with the child or young person and the Field Social Worker where possible, to formulate a Residential Care Programme.

This programme should be based on the child/young person's needs, related to the objectives and goal of the "Casework Plan" (SW 515), and should define:

- (a) Residential target areas: These will state what issues need to be addressed by the institution during the residential care period.

- (b) Residential short-term objectives: These will be related to each target problem and should detail what needs to happen over specified time periods, i.e. some estimate of how much change or development can be expected, and what time this is expected to take.
- (c) Residential intervention methods: This will specify how each objective is to be achieved.
- (d) Residential tasks: The programme will allocate tasks to be undertaken by the child or young person, the caseworker, the teacher and any other residential resource person involved in the programme. Programmes should be reviewed and evaluated at regular intervals, and where necessary, amended to take into account changed circumstances and/or progress made.

As a minimum requirement, residential care programmes should be available to the Field Social Worker no later than 8 weeks following admission.

Principals are to ensure that all staff involved in planning are aware of what resource personnel, e.g. Senior Counsellor, Psychologist, are available to assist in the formulation of residential care programmes.

Q3.4.4 Casenotes (see also H5.1, H5.4, H6.1)

Residential Social Workers, working continually with children and young persons, build up detailed knowledge about them. Such information can be vital when planning is being undertaken with or on behalf of the child or young person, e.g. transfer from residential care to the community.

Therefore, in the interests of the child or young person, it is essential that regular, accurate recording takes place. It is suggested that daily casenotes are kept, and then periodically summarised and interpreted, with the summary being sent to the child's/young person's District, at not more than four-weekly intervals. Recorded information which will prove to be the most valuable in subsequent reporting will include comments on the child's/young person's behaviour and mood, health, contact with home, and response to the programme.

In addition, incidents out of the ordinary, e.g. absconding, warrant a special note for file which should be dispatched to the District immediately.

Q3.4.5 Progress reports (see also M3.5)

Principals must schedule progress reports to reach District Offices no later than two weeks prior to Planning or Review Panel meetings.

These reports will include comment on:

- (a) appropriateness of S.W. 515 Goal;
- (b) appropriateness of the Residential Care Programme, i.e.

- (i) relevancy of residential target problems;
 - (ii) which residential short-term objectives have been met and/or what has hindered progress;
 - (iii) comment on the efficacy of the intervention methods chosen;
 - (iv) comment on the response of all parties to the assigned residential tasks.
- (c) summarise suggested amendments to:
- (i) Case Plan SW 515.
 - (ii) Residential Care Programme for the next period of residential care.

Q3.4.6 Home leave: policy

All children and young persons in extended care programmes may have home leave subject to certain conditions.

The granting of home leave is not entirely contingent on the individual's progress within the institution, but rather relates to his/her capacity to cope with and benefit from the leave, and the need to keep, build and enhance family, kinship and community ties. Such visits can help the individual to view his/her home more realistically, provide the opportunity for working through issues within the family, or foster placement, and help in assessing the potential of a home as a suitable place for placement from the institution. In general, the individual should spend home leave with those who are likely to have care of him/her on leaving. However, if this is not possible a suitable placement should be arranged elsewhere e.g. with relatives, ex-foster parents or in another private home.

While a policy of home leave involves risks, these can be minimised by the Residential and Field Social Worker co-operating together in preparing the child or young person for the home leave period, and then providing adequate supervision once at home.

If the young person has no home or if it is clear, after consultation with the Director, that the home is quite unsuitable even for a brief holiday, then the Director should arrange some other placement. This might be in a district which the young person has some acceptable reason for wanting to visit or where he/she is likely to be placed on leaving the institution. There should be full consultation with the Director concerned in all cases and it will be an advantage if the young person is able to make some acquaintance during home leave with the Social Worker who will supervise him/her on leaving the institution. This meeting should be arranged if at all possible. If there is a difference of opinion between the Director and the Principal, about the advisability of a particular placement, the matter should be referred to Head Office (for attention; Director, Social Work Services) for decision.

Q3.4.7 Home Leave: Principal's responsibility (ref H7.4 re delegation)

It is the Principal's responsibility following consultation with the district, to decide when to grant leave, to whom and for how long within the following limits:

- (a) all boys and girls in extended care programmes have home leave while in residence, usually in periods of up to 3 weeks at a time although longer periods may be negotiated with a Director, in appropriate cases;
- (b) where it seems appropriate because of home circumstances, leave can be taken outside school holidays, but for the children and young persons who are at school full-time, school holidays are in general the proper time for home leave. Unless there are special circumstances which are known to present real dangers to the well-being of the child/young person, the Christmas period is one when home leave should be arranged, if a resident is eligible for it;
- (c) in those cases where the home of a young person is close enough to warrant weekend leave this may be granted.

It is emphasised that no child or young person is to be returned to his/her district on home leave without the prior agreement of that district.

Q3.4.8 Home Leave - travel

It is the responsibility of the Principal to make the travel arrangements considered appropriate. Children and young persons may travel unescorted at the discretion of the Principal. Where a group is travelling to a particular city, it is usual for an escort to be provided. Often it is possible for the escorting officer to combine his/her escort duties with attendance at case planning meetings.

Q3.4.9 Home Leave - visits and reports

Social workers must visit children and young persons on home leave from extended care programmes and report within three weeks on the outcome of the holiday to the Principal. If there have been any major upsets or disturbances, e.g. an absconding, family bereavement, the facts must be given to the Principal by telephone, before the child or young person returns to the institution.

Q3.4.10 Special leave (ref H7.4 re delegation)

Principals may grant special leave in cases of a serious illness or death of a relative of a child or young person in residence, or in order to attend a sibling's wedding.

Q3.4.11 Reports on casework with families

Just as Principals supply Directors with regular progress reports about children and young persons in residence Directors should ensure that Principals receive regular feedback about the work being done in the district in relation to the child or young person's family. Directors

are required to send reports where it is clear from the institution's progress report that consideration is being given to the child's returning home on placement from the institution.

In addition, a report should be sent if there are circumstances or changes in the home situation or in family relationships which the Director considers the Principal should know in the interests of the young persons concerned.

Q3.5 Placement Process

Q3.5.1 Introduction

The same process identified in relation to placement from a short-term institution also applies in regard to placement from an extended care institution. Please refer to Q2.5.1.

Q3.5.2 Approval and agreement for placement (ref H7.4 re delegation)

Placement considerations will be initiated by the Principal but placement will be by negotiation and consultation with the District concerned.

No child or young person is to be returned to his/her Home District without the prior agreement of the District to accept the child or young person.

Q3.5.3 District's responsibilities

The District which arranged the admission of the child or young person is obliged to take him/her back. If s/he is to return home then a good deal of preparatory work with the parents should have been done first. This should be based on the progress reports provided by the institution and will require regular visits to the home by the Social Worker concerned.

If an alternative to placement at home is proposed the Principal should be given full information so that the child or young person can be properly prepared.

Q3.5.4 Procedure in event of disagreement

In the event of a disagreement regarding the placement of a child or young person, the Principal, or the Director of the admitting District, may request Head Office to review the decision in dispute, in which case copies of all correspondence relating to the decision should be forwarded to Head Office, (for attention: Director, Social Work Services) where the decision about placement will then lie.

Q3.5.5 Placement report

It is the responsibility of the Residential Social Worker assuming casework responsibility to forward through the Principal, a placement report to the District one month prior to the intended placement date.

The report should:

- (a) provide a summary of the residential period in relation to the Case Plan (S.W. 515) goal and objectives;
- (b) include recommendations for placement;
- (c) identify any other objectives which will contribute to goal achievement;
- (d) provide relevant information for any future caretaker, related to management of the child;
- (e) be specific about planned date of placement.

Q3.5.6 Arrangement of alternative placement

Where it has been decided, in accordance with the planning and review process, that a child or young person will not return to his/her previous living situation, an alternative placement will need to be found. Such arrangements should be made well in advance of placement, so that he/she could have time to understand and accept the change.

Q3.5.7 Preparation of placement

In order to facilitate the smooth transfer of the child or young person from one environment to another, the Field Social Worker should give priority to preparing for, and supporting those involved in the process. Where a child or young person is returning to a dependent living situation, every reasonable attempt should be made to adequately prepare the parent(s) or caregivers.

Where possible, arrangements for education or work should be made prior to the individual's return. Providing the child or young person with helpful contacts with clubs and individuals in his/her home area, is also of importance.

Q3.5.8 Preparation of child/young person

Social work tasks identified in relation to preparing individuals for placement include:

- (a) ensuring their maximum involvement possible in planning for placement so that they can develop an investment in, and sense of mastery over, the future direction of their lives.
- (b) using the group living situation, circumstances and resources to help control their fears and fantasies, and adjust their perception of things in order to face what will be the reality of leaving for each of them;

- (c) continuously involving them in preparing for leaving, by promoting feelings of self-worth and adequacy, and helping them to tackle tasks and fulfil roles that are important to them, so that rather than barely surviving, they can learn to master their new environment;
- (d) considering the appropriateness or otherwise of formally acknowledging the departure of the individual.

Q3.5.9 Travel

It is the Principal's responsibility to make appropriate travel arrangements for the child or young person. Usually, young persons would travel unescorted, except when a large group is travelling together. Whether children should travel unescorted will be at the discretion of the Principal.

Q3.5.10 Clothing

Children and young persons being placed from an extended care facility are entitled to a full outfit of clothing relevant to the situation and placement they are going to.

Q3.5.11 The period after placement

No matter how well a boy or girl progresses during residence at an institution, he or she encounters many difficulties during the first few months after placement and requires close and understanding supervision and guidance over this transition period. One of the aims of the institution is to explain to the young persons the true function of a Social Worker and to help them realise that the Social workers are able and anxious to help them, rather than merely check up on them after they return to the community. The initial interview between the newly placed boy or girl and the supervising Social Worker can be crucial and should be conducted at the earliest possible opportunity, emphasising the availability of friendly guidance rather than the authority of the Social Worker.

Unless there is a valid reason why it is not possible, the Social Worker must visit the child or young person at his/her home on the day of his/her return.

If placement is other than to home the Social Worker must meet the child or young person on arrival and assist him/her in settling in.

Delay in making contact results in the Social Worker being unable to establish a good working relationship and the preparatory work carried out by Residential Social Workers being rejected as untrue.

Social Workers should understand that for most young people, a close tie with the institution is natural enough for a time after placement but this should diminish fairly rapidly if a good working relationship is established with the child or young person.

Q3.5.12 Joint supervision following placement

An increasing practice, and one which the Department supports, is to place a child or young person provisionally, with the option of any one of the parties being able to negotiate re-admission. Where practicable, periods of joint supervision for 2-3 months following placement, are to be encouraged. Distance from the residential facility may render joint supervision impractical, but would not preclude a regular field/institution consultation on progress and adjustment, or telephoned or written support to the young person from the Residential Social Worker. It is important, however, that Districts be kept fully informed of any such contacts. (See also Q3.4.2)

Q3.5.13 Supervision and support of children and young persons placed outside of home district

A limited number of young persons from extended care facilities choose to settle independently in cities, particularly Auckland and Christchurch, from which they did not originate.

It is expected that the District Offices will assume the planning and review responsibilities, together with oversight of these young persons. The immediate supervision may be retained by the Residential Social Worker, if the district office agrees.

Q3.5.14 Follow-Up reports

Districts are required to forward to the extended care facility, a report on the progress of the child or young person six months after placement.

Principals should devise a method of monitoring the receipt of follow-up reports, and advising Directors when this requirement is not being met.

Q4. THE RESIDENTIAL PROGRAMME

Q4.1 Overview

The effective practice of residential social work within the Department's facilities, is dependent upon staff establishing and maintaining good staff/child relationships, and the purposeful use of planned environments which have the capacity to care for, influence and control children and young persons, as well as the capacity to deliver specialist and resource services.

In order to promote an effective residential programme, this section of the Manual seeks to:-

- (a) establish guidelines regarding staff/child relationships
- (b) define the main elements for programme planning and provision
- (c) prescribe a range of policies, procedures and activities, and
- (d) set certain minimum practice requirements.

Note: Guidelines by the Ministry of Community and Social Services, Ontario, 1978, are used throughout this section.

Q4.2 Staff-child Relationships

Q4.2.1 Overview

Staff interacting with children in care on an ongoing basis need to have a high level of personal awareness, competence in human interaction, patience, genuineness, warmth and empathy.

The cumulative patterns of staff-child relationships are powerful forces in the growth and development of the child and care must be given to the conscious and purposeful development of these patterns. Acknowledgement must also be given to the importance of spontaneous and intuitive responses.

The essential elements of human caring need to be recognised and fostered to a high degree in any residential care programme, no matter the stage of development of the children.

Caring is also more than good intentions. As one author (Mayeroff, 1971) points out:

"We sometimes speak as if caring did not require knowledge, as if caring for someone, for example, were simply a matter of good intentions or warm regard. But in order to care, I must understand the other's needs and I must be able to respond properly to them, and clearly good intentions do not guarantee this."

and further:

"I cannot care by sheer habit; I must be able to learn from my past. I see what my actions amount to, whether I have helped or not, and, in the light of the results, maintain or modify behaviour so that I can better help the other."

Q4.2.2 Staff attitudes and awareness

Staff attitudes should be, in general, warm, friendly and accepting. Staff should attempt to express themselves positively wherever possible, and be aware of the effect on the children of voice quality, tone and non-verbal gestures while providing appropriate structure and limits.

Q4.2.3 Staff attributes

All those involved in caring for or providing service to children in care should exhibit a high level of personal awareness, competence in human interaction and those traditional human qualities such as patience, honesty, trust, humility, hope and courage considered essential to the development of good caring relationships.

Q4.2.4 Staffing patterns

Principals should ensure that staff are not switched arbitrarily between different residential units, but are rostered to provide for a continuity of child staff relationships wherever practicable.

Q4.3 The Definition of Programme

For the purposes of this Section of the Manual, the term "programme" is used to refer to "a combination of activities or procedures carried out with the purpose of enabling the children and young persons in care to function successfully within the community; or in a manner reasonably commensurate with their potential development; or in a less restrictive environment." (Kamerman, 1975).

Q4.4 Programme Principles

Important principles in the development of a residential programme include:-

- (a) Family Integrity: Residential programmes should support rather than compete with the family unit wherever possible;
- (b) Individualization: Residential programmes should strive to provide care in a manner that recognizes and addresses the unique capacities, needs and situations of the individual child in care;
- (c) Continuity of Care: Residential programmes should strive to ensure that the care provided is appropriately integrated into the rest of the Department's Social Work Services;
- (d) High-Quality Care: Residential programmes should be of the highest quality possible within existing levels of funding;

- (e) Fairness and Humanity: Residential programmes should emphasize qualities of fairness and humanity rather than expediency or narrow notions of efficiency in the provision of service;
- (f) Normalization: Residential programmes should reflect and support patterns of behaviour characteristic of normative, family and community living;
- (g) Involvement in Decision Making: Residential programmes should inform and involve the children in care and their families in decisions relating to the children's stay in residential care, to the maximum feasible extent;
- (h) Accountability: Residential programmes should be planned and implemented with appropriate reporting and provision of information to enable practice to be monitored;
- (i) Evaluation: Residential programmes should assess regularly the effectiveness, appropriateness and efficiency of their activities, and the results of the evaluations should be communicated to those responsible for supervising the programmes.

Q4.5 Programme Development

In order to create and maintain a residential environment which:

- * provides a consistent, well-structured yet flexible framework for daily living;
- * emphasizes social learning and rehabilitation, and
- * includes reasonable control boundaries,

Principals of each residential facility must plan and programme accordingly, ensuring that both the needs of the individual and the group are taken into account.

Programmes need to be organised around the daily experiences of community life and should involve the development of those skills and knowledge needed to live in harmony with oneself and others. Important dimensions of residential programme development include:

(a) The daily routine:

Daily routines must be developed to include such elements as self-care skills, communication skills, decision making, co-operation, assertiveness skills, skills in dealing with authority, leisure time skills, and any other activities required for effective social functioning;

(b) Skill assessment:

In order to provide effective on-going programmes, staff need to observe the individual's capacity to live within the routines established, thereby identifying his/her strengths and weaknesses in terms of social functioning;

(c) Incorporating casework objectives:

Through the process of observation and on-going assessment, staff become aware of the individual and his/her ability to live in harmony with other people, his/her attitudes and self regard. Daily programmes should allow for the incorporation of activities which will assist towards meeting individual casework objectives e.g. providing a small group activity for an individual having difficulty in interacting with peers;

(d) Life skills enhancement:

This dimension of programme development includes identifying those activities through which new skills and behaviour will be taught most effectively. Methods ranging from individual to collective learning need to be considered and should be congruent with the day to day life of the home;

(e) Staff training:

Crucial to the effective operation of programmes, is the provision by Principals, of opportunities for staff to receive training and supervision. Also, opportunities should exist for staff to reflect and receive feedback regarding practice and performance.

Q4.6 Planning the Living Group

Despite the varying functions of the Department's residential facilities, Principals should ensure that the living group is planned to provide maximum opportunity for:

- (a) appropriate and ample ongoing personal and special attention for each child and young person from the staff;
- (b) the child and young person to experience security and comfort through experiencing the staff as physically close and available both day and night;
- (c) the child and young person to confront, cope with, and resolve personal problems and conflicts at his or her own level of maturity, competence, understanding and pace;

- (d) the child and young person to express and share excitement, warmth, joy, success, and other positive interactions with both children and staff;
- (e) the child and young person to experience himself or herself as unique, valued and competent, and as a significant contributing member of a larger group;
- (f) the child and young person to exercise and develop confidence and responsibility in undertaking and pursuing routine activities of daily living and special projects;
- (g) the flexible adjustment of routines to take into account special or extraordinary situations or events.

Short-term facilities

While it is recognised that in high turnover short-term facilities there are difficulties in providing alternatives in the organisation of the daily programme, opportunities should be provided for small group interaction among the residents.

Extended care facilities

In order to provide a stable living environment where child/child and child/staff relationships can be maintained and supported, children and young persons should be admitted into the unit, house or area where they are going to remain throughout their period of residence. In this regard, Principals are urged to resist methods of organisation which reflect a 'progressive' or 'staircase' system of promotion between houses on behavioural grounds. Similarly, it is no longer considered helpful to group children or young persons of like problems or disposition together in the one living unit, but rather a balance of these should be sought.

Q4.7 Daily Living Experience

It is within the residential environment itself that many opportunities for planned intervention take place. In the process of providing food, shelter, a structure of routines, opportunities for enjoyment of leisure, a framework of feeling secure and exercising freedom of choice, someone with whom to talk, to test out ideas on, and with whom to try out the limits of behaviour, each situation has the potential to be used as a means of enhancing the individual's development.

To enhance each individual's development it is important that the daily activities within each residential facility are flexible and take into account individual needs and differences. Areas that need to be addressed in a personal and supportive way are: waking, dressing, personal care, preparing for school or work, eating appropriately and sufficiently, keeping appointments; socializing with others, initiating, maintaining, and developing family relationships; playing; following hobbies; getting adequate exercise and rest; recognizing, coping with and resolving personal problems; preparing for bed and sleeping.

Opportunities should also be provided for children and young persons to experience, express and develop their own individual needs, interests, aptitudes and abilities, and to participate in individual and group problem-solving and decision-making processes. Implicit throughout the programme's daily activities must be a concern for the development of ethical, spiritual and moral values, respecting the beliefs and values of each child's and young person's family.

Q4.8 Daily Routines

Daily routines should be established in each residential facility in order to provide children and young persons with a sense of security, continuity and stability. Where possible, children and young persons should participate in the planning of the routines and in making changes as they become necessary. Routines should not dominate but should be interspersed in a day full of other activities. Routines should be flexible and able to be adapted to meet the needs of a variety of children and young persons in many different circumstances. There should be a variation of routines between weekdays and weekends e.g. getting up time, mealtimes.

Q4.9 Daily Chores

Children and young persons should have the opportunity to share in the maintenance (i.e. order and cleanliness) of the residential facility via the completion of daily or weekly chores. Tasks assigned should be similar in both quantity and content, to the normal expectations of children living in a family.

Q4.10 Personal Care

Standards of personal hygiene and grooming in relation to bathing, brushing teeth, care of teeth and nails, and toilet habits should be maintained so that children and young persons can develop habits of personal care as an accepted routine and a pleasurable experience. On admission each child/young person may need to be issued with a toothbrush and toothpaste must be supplied.

In addition, health and personal care instructions should be provided to help foster each child's and young person's recognition of:

- (a) the need for personal care, cleanliness and regular change of clothing to become an accepted routine;
- (b) the need for positive attitudes towards safe and healthy living;
- (c) the individual's responsibility both for his or her own health and safety and for the health and safety of others;

- (d) the structure, functioning, maturation and growth processes of his or her own body;
- (e) his or her sexuality, sexual attitudes and behaviour;
- (f) the need for adequate physical exercise.

Q4.11 Sleeping and Opportunities for Rest

Routines in respect to getting up in the morning and going to bed, should be established to ensure that each child and young person has the amount of uninterrupted sleep he or she requires, and should be adapted to individual needs, as required.

Each child and young person should be woken individually.

Staff should be available to provide individual attention for each child and young person at bedtime.

Supper should be offered before bedtime.

Where possible, single bedrooms should be provided for those individuals who need extra sleep, whose sleep is easily disturbed, or who need greater privacy because of their age, emotional upset or adjustment problems.

Enforced bed rest is not permitted.

Q4.12 Meals and Diet

Principals must ensure that:-

- (a) each child and young person is provided with a nutritious and well-balanced diet. (Health Department dietitians are available for consultation);
- (b) each child and young person is provided with at least three meals each day, each with a different menu;
- (c) between-meal and evening snacks are available;
- (d) special diets are provided for children and young persons who require them;
- (e) cultural differences of children and young persons are respected.

In addition, staff should ensure that mealtimes are a pleasurable experience in a relaxed atmosphere. Staff should sit with the children and young persons at meals and normal conversation at the table should be encouraged.

Food should be well prepared and attractively served. Tableware that adds aesthetically to mealtime should be used. Staff should encourage rather than coerce children and young persons to eat as many different foods as possible, whilst recognising individual tastes and differences in quantity of food required.

Food should be of sufficient quantity to allow for second helpings.

No child or young person should be forced to eat. In circumstances where a child or young person continuously refuses to eat, a Doctor should be consulted.

Dietary restriction is prohibited as a disciplinary measure.

Q4.13 Clothing (see also N.8)

Each child and young person should have an adequate supply of personal clothing which is well-fitting, appropriate to seasonal weather conditions and activities, and non institutional in appearance (apart from school uniforms).

Children and young persons should always wear their own clothing, providing it meets generally acceptable standards of dress.

Where additional clothing is required, children and young persons should participate in the choice and purchase of these items.

Children and young persons should be taught where practicable, basic procedures in clothing care, cleanliness, washing and simple repairs.

Q4.14 Pocket money

Each child and young person in residence is entitled to receive a weekly pocket money allowance.

Pocket money should not be withheld but spending may be delayed or curtailed with unspent money banked in the child's name as a means of punishment. Reasonable deductions may be made to pay for wastage or damages caused by the child or young person.

Q4.15 Privacy and Free Time

Each child's and young person's right to privacy should be respected, to the maximum extent compatible with care and safety and the proper functioning of the residence.

Children and young persons should have periods of free, unplanned time during the course of the day's activities.

Wherever an infringement of normal privacy seems warranted, the child/young person should be informed of the reasons for it, e.g. need to search through a bedroom for contraband. Where a search of a bedroom is necessary, staff should conduct it with or in the presence of the child/young person. Where a full search of a residential unit is necessary, children/young persons should be told of the search and the reasons for it, preferably before it takes place, or as soon as practicable afterwards.

Q4.16 Personal Belongings and Living Space

Children and young persons are to be allowed to bring personal belongings to the residential facility and to acquire belongings of their own. However, staff shall, as necessary, limit or supervise the use of these items while the child or young person is in care. Where, in the interests of safety, limitations are imposed the child or young person must be informed of the reasons for this.

Each residential facility should provide individual and private storage space for the children's and young persons' belongings.

Children and young persons should be allowed to decorate, in a manner easily altered by future residents, their own sleeping area or bedroom, and areas should be made available in bedrooms for this purpose.

Q4.17 Recreation and leisure activities

A range of indoor and outdoor recreational and leisure opportunities is to be provided as an integral part of the residential programme, and these are to be based on the individual interests, needs and abilities of the children and young persons.

Q4.17.1 Programme guidelines

The recreational and leisure programme should:

- (a) ensure appropriate staff involvement in the activities;
- (b) provide experiences that stimulate interests and skills having carry-over value for the children's and young persons' future life;
- (c) ensure that opportunities are provided to develop physical co-ordination, individuality, leadership and teamwork abilities;
- (d) use the recreational resources of the community;
- (e) allow time for spontaneous individual and group activities such as singing, dancing, playing, reading and listening to records;
- (f) provide opportunities for camping and travel;
- (g) ensure that instruction is available in a wide range of cultural and artistic endeavours such as music, dance, arts and crafts. Sufficient supplies, tools and equipment for such activities should be made available;
- (h) ensure that each child's and young person's birthday, and special occasions such as traditional festive holidays are celebrated. Recognition should be given to ethnic, cultural and religious customs of children and young persons in residence.

Q4.17.2 Planning

In respect of planning outings and recreational activities, Principals should ensure:

- (a) that such events are pre-planned;
- (b) that children and young persons are involved to the extent possible;
- (c) that formats are developed for display of the programme;
- (d) that the programme is displayed in the view of children and young persons;
- (e) that the programme includes contingency plans should circumstances e.g. weather, necessitate change;
- (f) that staff evaluate the success or failure of the activities. (Programme resource kits should be built up within each residential facility, based on these evaluations).

Q4.18 Religion

Principals should ensure that children and young persons are given the opportunity for religious experience and affiliation, within the local community, if possible, in accordance with their personal preferences or in accordance with the preference of their parents where the children/young persons are under 16 years of age. Staff must not engage in religious persuasion in the residence.

Q4.19 Family Involvement

Q4.19.1 Overview

A child/young person's problems, needs and patterns of behaviour cannot be understood apart from his or her family history and present family/whanau context. The provision of residential care necessarily involves sensitive and complex relationships with parents, and professional liaison with the Field Social Worker working with that family. Where foster parents are involved with the child/young person many issues and concerns similar to those encountered with natural parents need to be addressed and worked through if the child/young person is to be able to return to them, and if they are to be ready to successfully accept him/her back into their home.

Frequently a child/young person's problems or maladaptive behaviour patterns reflect dysfunction in the family unit. It is highly desirable to extend services to such a family in consultation with the Field Social Worker and to ensure that these services form an integral part of the child/young person's plan of care.

The parents of a child/young person requiring residential care, for whatever reason, will often experience a mixture of feelings including a sense of loss, failure, anger, guilt and rejection.

They may also go through periods of idealizing the placement, overindulging their child, disparaging the programme, or attempting to sabotage the placement. In some cases their children are committed to care through the courts and against their wishes.

Though the importance of the family in a child/young person's life has generally been well recognized, residential programmes have too often neglected the delicate and often difficult task of attempting to connect with the parents and, where appropriate, the siblings, in a sincere and ongoing relationship. Too often, an initial negative contact with a child/young person's parents is accepted as closing the door on any constructive working together.

Except in those instances where no relationship is possible, due to abandonment or total unavailability, or where the best interests of the child/young person indicate the need to be protected from parental contact, the positive involvement of the child/young person's family is a sufficiently critical factor to be worth considerably more attention and effort than is sometimes given.

4.19.2 Guidelines

The programme's plan for family involvement should be designed to:

- (a) preserve, maintain and develop the child-family relationships;
- (b) facilitate family contacts including correspondence, telephone calls and home visits;
- (c) enable parents and siblings to recognize and involve the child/young person as a continuing member of the family;
- (d) ensure that parents exercise their rights and responsibilities in a manner compatible with the child/young person's best interests;
- (e) encourage independent functioning of the family by recognizing its strengths and assisting it to function with minimal outside intervention;
- (f) facilitate the return of the child/young person to his or her family.
- (g) regular consultation with the Field Social Worker working with the family.

The special needs of children/young persons without families or without regular family contact should be recognized. The programme should consider the involvement of community families and volunteers to provide additional supportive relationships for the child.

Q4.20 Community Involvement

Q4.20.1 Overview

Principals must seek to establish and foster a positive relationship between the residential facility and community. Opportunities should be taken to create an awareness within the community on the nature and functioning of the facility. The support and involvement of interested individuals and groups from the community should be encouraged.

Children and young persons in care should be encouraged to maintain and develop positive community involvements and friendships outside the residential facility. Where practicable, they should be involved in normal aspects of community life, including recreational, educational spiritual and cultural outlets, activities and events and the use of community facilities, organisations and resources.

Q4.20.2 Volunteers (see also Part A)

Principals are encouraged to use departmental volunteers as a resource within the residential programme, particularly in the following areas:

- (a) remedial tuition;
- (b) additional one to one involvement;
- (c) additional support to the programme;
- (d) post placement support/contact;
- (e) involvement in admission and follow-through support, where there is no family involvement.

Work which is usually the responsibility of a Residential Social Worker is not to be undertaken by a volunteer.

Q4.20.3 Visitors/students

Where professional organisations request to use departmental residential facilities for student placement and observation purposes, Principals are encouraged to meet this need.

Students should be incorporated into the residential programme in ways that avoid disruption for the children/young persons in care, but provide nonetheless, positive experiences for them.

Q4.21 Visitors

Q4.21.1 Visitors: policy

All residential facilities should provide a warm and accepting environment which welcomes and encourages any visitors who will contribute to the well-being of the residents, at all reasonable times.

Each child and young person is entitled to have any of the following persons visit him/her whilst in a residential facility.

- (a) his/her family;
- (b) those with whom s/he has formed a psychological attachment and who may be described in the ordinary meaning of the word "family" or "whanau";
- (c) his/her Minister of Religion; and
- (d) his/her Doctor, lawyer or social worker;

subject to any limitation (see Q4.21.3) which may restrict or deny any one of those persons access to the child or young person.

4.21.2 Visitors: management

Principals should ensure that flexible visiting times are maintained, within the limits of the residential programme, which take into account the circumstances of those visitors significant to the child and young person.

Set visiting times may be necessary in short-term facilities with a high turnover, but there should always be some latitude to allow for the circumstances of the individual, e.g. travelling distance, shift-work.

Except for high turnover facilities, visitors' rooms should be avoided and visitors should be encouraged to share the facilities of the total living unit, but with opportunities to withdraw to some private area, if so desired.

Principals should ensure that relatives of the child and young person and any significant others, are aware of the visiting arrangements.

4.21.3 Limitations on visiting

Principals have the authority to deny visiting privileges to any person, where it has been previously determined by way of an agreed management plan, or as part of a Court ruling, but any persons so affected must be notified, in writing, of the reasons for this decision. In addition, if there is evidence to suggest that contact with a particular person, or persons, may result in harmful consequences to the child/young person or residential facility, the Principal has the right to prohibit contact pending an investigation.

4.21.4 Supervision of visiting

Visits should not be supervised unless such supervision has been agreed to as part of the casework plan, and the persons affected have been informed of the reasons for supervising the visit.

4.21.5 Enquiries from parents

Principals should ensure that parents are informed of to whom they may direct any enquiries regarding their child's progress.

4.21.6 Accommodation and assistance for parents

Where parents are unable to visit because of financial limitations and a visit is considered important to the child/young person's well-being, Directors and Principals of National Institutions may authorise travel costs as a charge against their travel allocation.

In addition, the provision of accommodation and meals in order to minimise cost, is encouraged where possible.

4.21.7 Recording of visits

The name and relationship of any person visiting a child/young person should be recorded in the Occurrence Book, and any significant occurrence during, or outcome of, the visit should be recorded on a note for file.

4.21.8 Contraband

In cases where it is suspected that harmful or illicit material e.g. drugs, solvents, etc are being brought into the institution, the procedures developed to enable some control to be exercised should be carried out as sensitively as possible. Clear reasons and explanations should be given on all occasions when such actions are considered necessary, and the Occurrence Book noted accordingly.

Q4.22 Correspondence

4.22.1 Correspondence: policy

Unless clear reasons exist to indicate otherwise (see Q4.22.3) Principals are to encourage free and uncensored communication between children/young persons and their families and other persons with whom there is a significant psychological attachment.

Whilst this policy will allow children and young persons to write and send letters containing such things as bad language and plans for escape, and may result in complaints from the receivers of such communications, the Department respects the individual's basic right to privacy.

Under no circumstances shall mail addressed to the following be interfered with:

- * the Ombudsman,
- * Minister of Social Welfare,
- * a Lawyer,
- * a Social Worker,
- * a Minister of Religion or,
- * a member of a Visiting Committee.

There should be few reasons for opening any other outgoing correspondence, but where these exist in the Principal's judgement, clear reasons and explanations are to be given to the child or young person, and the Occurrence Book noted accordingly.

Q4.22.2 Correspondence: management

At the earliest possible opportunity, the child or young person's caseworker should explain the mailing system within the residential facility, including where stationery supplies are available.

NB The use of O.H.M.S. envelopes for personal correspondence is prohibited. Normal envelopes and stamps should be provided in all facilities.

As part of the on-going assessment/casework process, it is important that the caseworker is aware of and records in some suitable way with whom the child or young person is communicating, and the frequency and quality of such contacts as impressions are built up about these.

Should any complaints be received regarding the contents of an individual's mail, the caseworker should use the opportunity to discuss with the child or young person the appropriate use of this form of communication.

Q4.22.3 Limitations on correspondence

Principals have the authority to deny, restrict or oversee correspondence between an individual and the child or young person where it has been determined as part of a casework plan or as part of a Court ruling.

If there is evidence to indicate that the receipt of particular correspondence may result in harmful consequences to the child or young person or residential facility, the Principal has the right to prohibit contact pending an investigation.

Children and young persons are not permitted to correspond with residents of penal institutions unless permission has been granted by the Prison Superintendent.

Generally, the Department discourages correspondence between children and young persons in different residential facilities, unless there is a family tie.

Q4.22.4 Contraband

In cases where it is suspected that harmful or illicit material, e.g. drugs, are being sent into the residential facility, the child or young person should open his/her incoming mail in front of a staff member. A staff member may examine the contents of an envelope or parcel but not the substance of the correspondence.

Clear reasons and explanations should be given on all occasions when such action is considered necessary.

Q4.23 Telephone Use

Q4.23.1 Telephone: policy

Unless clear reasons exist to indicate otherwise, Principals are to encourage children/young persons to maintain telephone contact with their family, other persons with whom there is a significant psychological attachment, and friends.

Q4.23.2 Telephone: management

Each residential facility is to provide an area where children/young persons can lodge phone calls in private. This does not mean the unrestricted use of a telephone, but rather that all normal requests to make phone calls should be facilitated by staff.

In residential facilities where there is a high turnover, phone calls may need to be restricted to the child/young person and his/her close family members.

In facilities, such as Group Homes, where children/young persons are likely to be involved in the local community, they should be encouraged to use the telephone in order to develop and maintain friendships.

Q4.23.3 Cost of toll calls

The costs of private toll calls are not usually a charge on the Department but there may be exceptions in special circumstances.

Usually, where a family wishes to maintain long distance telephone communication with a child/young person, arrangements would be made for the individual to make collect calls home at certain intervals.

Q5. BEHAVIOUR MANAGEMENT

Q5.1 Overview

A tenet of residential child care is that it should provide real experiences of good care, comfort and control. Accordingly, part of the residential social work task is to provide children and young persons with external controls, whilst fostering the internalisation of self-controls and enriching behavioural repertoires. Therefore, what is required is the establishment of clear boundaries and behavioural limits coupled with warm relationships with caring adults. Control is best maintained on the basis of good personal and professional relationships between the staff and children in residence.

Many of the children in care will have experienced negative responses to their personalities and behaviours in their past, and may have experienced various forms of corporal punishment and abuse. These may be a major contributing factor to their placement in residential care. It is important that such negative experience is not continued in the residential programme, and that more creative and positive responses are developed with specific attention to each individual's unique situation, stage of development, and perception of authority. There exists a wide range of possible responses to rule violations or undesirable behaviour, and actual punishment or deprivation should be used only after more positive and non-punitive approaches have proven ineffective.

A major part of the Residential Social Worker's task will be the management of very difficult and disturbed children and young persons, and the Department has clear expectations that this work will be handled in a sensitive and professional manner.

Q5.2 Guidelines for Behaviour Management

Principals must ensure that written policies and procedures regarding discipline, punishment and control are available to all staff members.

Q5.2.1 Forms of discipline, punishment and control not permitted

The following forms of discipline, punishment and control shall not be used in any residential facility:

- (a) Corporal punishment, including but not limited to the following:
 - (i) striking a child or young person, directly or with any physical object;
 - (ii) shaking, shoving, spanking or other forms of aggressive physical contact;
 - (iii) punishment of a child or young persons by another resident or group of residents condoned by, or at the instigation of, staff;

- (iv) requiring or forcing the child or young person to take an uncomfortable position, such as squatting, bending or standing against a wall;
- (v) requiring or forcing the child or young person to repeat physical movements.
- (b) Harsh, humiliating, belittling or degrading responses of any form, including verbal, emotional and physical.
- (c) Deprivation of what the child or young person is entitled to, or what is necessary for proper development, care or treatment, including but not limited to:
 - (i) family visits;
 - (ii) food, shelter, clothing or bedding.
- (d) Extensive withholding of emotional response or stimulation.
- (e) Placing or keeping a child or young person in a locked room except in those cases where secure admission is sought and approved.
- (f) Requiring the child or young person to remain silent or standing for long periods of time.
- (g) Excessive physical restraint.
- (h) Requiring a child/young person to remain outdoors.
- (i) Assignment of unduly physically strenuous harsh work or exercise.
- (j) Prolonged confinement to bed.

Q5.2.2 Use of physical force

No child or young person shall be restrained by the application of physical force to his/her person unless it is reasonably necessary:

- (a) to prevent him/her from doing harm to him/herself, or to the person or property of others; or
- (b) from running away from an institution; or
- (c) for the purpose of securing his/her containment in secure care;

and then only to the minimum extent necessary to achieve that end.

Q5.2.3 Measures for discipline, punishment and control

Consideration should be given to the following measures for discipline, punishment and control:

- (a) bringing attention to the action;
- (b) expression of disapproval;
- (c) discussion of the incident, including the child's explanation and the staff person's reason or reasons for disapproval;
- (d) giving direction, or placing limits on behaviour;
- (e) removal of privileges;
- (f) assignment of appropriate and reasonable extra duties that are not part of the regular routine and yet constitute a contribution to the total group or community;
- (g) reparation for damage;
- (h) temporary removal from the situation or group;
- (i) grounding (limitation on out-of-residence activities);
- (j) physical restraint, only for the purpose of protecting people and/or property, and only to the degree necessary for such protection.

Q5.2.4 Imposing disciplinary measures

Staff should ensure that disciplinary measures are:

- (a) administered as soon after the offensive behaviour as possible;
- (b) reasonably related to the nature of the offence, and are not excessive;
- (c) motivated by the desire to assist the child to learn from the experience, and not by hostility.

Q5.3 Grievance procedure

Q5.3.1 Overview

When children/young persons are placed in any type of residential care they frequently view themselves as being at the mercy of the system. Unfamiliar rules and routines are imposed on them "for their own good" and frequently they have no method or means of questioning these decisions.

There are multiple benefits in having a grievance procedure in institutions both for the residents and the programme.

By the introduction of a grievance procedure through which a child can voice disagreements and problems in an appropriate way, behaviour can be channelled away from outbursts caused by frustration and a sense of helplessness. The very introduction of a children's grievance procedure implies that a given programme operates in a just manner and eliminates such rationalizations as "because that's the way it's always been done" and "because that's the rule". Experience, where such procedures have been introduced, has demonstrated that the vast majority of grievances are resolved at the residence level.

If a child/young person defines himself or herself as powerless to affect situations he or she perceives as unfair, such as the inequitable application or abuse of authority, the child/young person may be less motivated to change. If, however, a child/young person is taught that to challenge and criticize is an acceptable part of social life, he or she may be more open to self-criticism and the ideas and suggestions of others.

Q5.3.2 Staff as advocates

The successful operation of a grievance procedure within an institution will be very dependent on the openness and acceptance by staff that such a system is a just and reasonable process. In this regard, it is important that where necessary, and to ensure that a child/young person's justice needs are met, Residential Social Work Staff, assume the role of advocate on behalf of the 'aggrieved' individual.

Q5.3.3 Principals to develop formal grievance procedure

The Principal of each institution must develop a formal grievance procedure which may include some or all of the following:

- (a) regular opportunities, such as unit/house meetings or discussion periods, for airing general complaints or disagreements in the presence of other children/young persons in care and Residential Social Work staff;
- (b) facilitating the formalisation of any complaint by ensuring direct access to the person in charge of the residential programme;
- (c) facilitating contact with Visiting Committee members,
- (d) ensuring unrestricted opportunity for a child/young person to correspond with public officials e.g. The Ombudsman, The Minister, a lawyer or Social Worker.

Q5.4 Absconding

Q5.4.1 Overview

Absconding is a common behaviour amongst many of the children/young persons admitted to residential care. Often it is a habit which has been formed prior to admission and may intensify and continue following admission as a result of peer group pressure and in response to feelings of anxiety or boredom.

The Residential Social Worker's task is to try and understand what the motivating factors are which precipitate a child/young person absconding, focusing on the underlying reasons as opposed to the presenting behaviour. Consequences of absconding should be addressed within the bounds of the relationship between the caseworker and child/young person rather than by the imposition of arbitrary punishments and sanctions. The routine admission of all absconders to secure units on their return to the institution is not permitted.

Whilst absconding is not to be regarded as too abnormal, neither is it an activity to be regarded lightly. It is clear that young people are exposed to considerable risk while they are missing either of the possibility of accident or death, or of the possibility that their life circumstances will be complicated by offences against law and order or by the formation of damaging relationships. Communities also, have a right to as much protection as we can give them, from young people's offending.

Principals should have a concern to reduce absconding opportunity by ensuring the existence of good quality activity programmes, the elimination of boredom, and by helping staff develop effective, unobtrusive supervision skills.

Q5.4.2 Parents to be advised

When a child or young person absconds and is not located within a few hours the Principal will advise the Director of the home district, who will then be responsible for seeing that the child's or young person's parents are notified.

It is not expected that advice to the parents should necessarily require a visit from a Social Worker although, in some cases, this may be desirable. A telephone call or telegram should generally be sufficient. When a telegram is sent the parent could be asked to telephone a senior officer.

When parents have been advised that their child has absconded it is equally important that they should also be told when he/she is located. Therefore the Principal of the institution will notify the Director as set out above once the child or young person is located.

In the event of a child or young person being missing for a long period, the home district should be kept informed of the situation so that the parents may be made aware of the current position.

Q5.4.3 Notification of Police

Principals of institutions are responsible for notifying the Police when children/young persons abscond and similarly when they are located (but see also Q5.5).

Q5.4.4 Advertising for absconders

Consideration should be given to advertising for children/young persons missing for protracted periods. Parents approval for advertising must be sought and gained. The Director General's approval is necessary to advertise without parental consent.

Q5.4.5 Apprehension of absconders

Except at Owairaka and Bollard Ave, Auckland, where high turnover conditions may make it impracticable, the attempt to recover absconders is not to be left solely to the Police. Residential staff are expected, as time and the circumstances of the group left in residence permit, to undertake searches of local areas, in an attempt to regain custody of the child or young persons as quickly as possible.

No child or young person is ever to be used to chase after, or look for, absconders.

Staff members who locate or meet an absconder away from the institution should endeavour to return him/her to the residential facility. If the child/young person refuses to return, the Police should be notified of his/her whereabouts. Physical confrontations with children/young persons in public should be avoided.

From time to time Field Social Workers may be called upon to make some enquiry or investigation with regard to children or young persons who have absconded from an institution. When a Social Worker makes contact with the child or young person or learns of the whereabouts of a person who has absconded from an institution, the Social Worker has the responsibility for the immediate return of the young person to the appropriate institution.

The C. & Y.P. Act 1974 makes it clear that an absconder may be detained without a warrant by any member of the Police or a Social Worker (S. 104), but a warrant may be obtained under the provisions of Section 104A if there are reasonable grounds for suspecting that the child/young person is for the time being at any known premises or place.

Q5.4.6 Harbouring absconders

Section 103(2) of the Children and Young Persons Act 1974 states that it is an offence for a person to incite or assist a child/young person to depart without proper authority from a residence, to remove a child/young person from a residence, or to harbour or conceal a child/young person who has departed without proper authority from a residence.

In an instance where it is a Social Worker, not the Police, who locates a child or young person who has absconded, and who appears to have been harboured, it is the duty of the Social Worker to notify the Police of the details, so that an investigation of the circumstances could be initiated under this section of the Act.

Q5.4.7 Director-General to be advised of some abscondings

In the event of any absconding where circumstances are unusual or publicity is likely to result, Head Office must be immediately notified by telephone (using after hours numbers where necessary) followed by a written report outlining the relevant details.

In all other cases of multiple absconding, (i.e. involving 3 or more children/young persons) where the circumstances are not unusual or publicity is not likely to result, a written report is to be forwarded to the Director-General within 5 working days.

Any unusual spate or developing pattern of absconding must be reported to the Director-General.

Q5.4.8 Removal of absconders from institutional nominal rolls

When a child/young person has been missing one calendar month from a short-term care institution, or 3 calendar months from an extended care institution, he/she is to be removed from the institution's nominal roll and the District advised accordingly. Responsibility for further decision making about that child/young person thus rests with the District.

Q5.5 Absent Without Leave

From time to time children/young persons run away or go missing from a residential facility for brief periods of time. Where such incidents occur it is not necessary to initiate the procedures specified in relation to abscondings (see Q5.4.2 - Q5.4.3) unless the child/young persons is unaccounted for and missing for a period of two hours or more.

Q5.6 Use of "Timeout"

Timeout is a recognised management technique for decreasing unacceptable behaviour and to be implemented successfully needs to form part of a well managed and documented intervention strategy. Accordingly, it is the Principal's responsibility in any residential facility adopting this technique, to establish clear guidelines for the usage of timeout and to ensure that these are adhered to.

Q5.7 Serious Incidents

Where any serious incidents occur relating to a child, young person, staff member, or the institution itself, and the circumstances are unusual or publicity is likely to result, Head Office must be notified immediately by telephone, (using after hours numbers where necessary) followed by a written report outlining the relevant details.

In all other cases of serious incidents, a written report is to be forwarded to the Director-General within 5 working days.

Q5.8 Assaults

Procedures to follow when an assault has occurred or been attempted, are as follows:

Q5.8.1 Assault by a resident against a staff member

A deliberate physical attack by a child or young person against a staff member whether attempted or successful is cause for the following actions:

Staff Member

Report the incident to the Senior Officer on duty immediately after the assault has occurred and in writing (if possible) prior to going off-duty.

Senior Officer

Investigate the incident, collecting reports from all concerned (i.e., staff involved, children or young persons, witnesses, nurse, etc.) and forward any reports regarding the incident to the Principal.

Principal

Review the reports, discuss with Controlling Officer and take appropriate action.

Staff Member

May lay an assault charge with the Police.

Q5.8.2 Assault by a staff member against a resident

Assault of children and young persons involving improper physical force or improper physical contact (e.g. slapping, striking or sexual advances) will be viewed as a serious matter and may result in disciplinary action.

A child or young person may make a complaint to any staff member, who must report any accusation of assault to the senior officer on duty.

Senior Officer

Assess the situation, and ensure that the staff and resident are dealt with appropriately (e.g. redeploy staff member to another unit) and that the shift remains properly supervised. The child/young person should be medically examined (see Q7.1.13(c)).

Obtain statements from the child or young person and any other witnesses, staff or residents who have observed the incident.

Submit report of findings and assessment of the facts surrounding the incident to the Principal.

Principal

Review the reports discuss with Controlling Officer and proceed according to departmental instructions on disciplinary actions.

Child/Young Person

May lay an assault charge with the Police.

Q5.8.3 Assault by a resident against a resident

A deliberate physical attack by a child or young person against another resident whether attempted or successful calls for the following actions:

Child/Young Person

May make a complaint to any staff member who must respond seriously and report any accusation of assault to the senior officer on duty.

Senior Officer

Assess the situation and ensure that the protection needs of the residents are met.

Obtain statements from the child or young person and any other witnesses, staff or residents who may have observed the incident, and arrange medical examination (see Q7.1.13(c)).

Submit reports of findings and assessment of facts surrounding the incident to the Principal.

Principal

Review the reports and take appropriate action.

Child/Young Person

May lay an assault charge with the Police.

Q5.8.4 Allegations of mistreatment by Police

Any allegations made by a child or young person regarding mistreatment by Police must be immediately reported to the Senior Officer on duty. A medical examination of the child or young person should be arranged as soon as possible and a report made to the Principal. (See Q7.1.13(c)).

The child or young person should provide a signed statement regarding the alleged mistreatment. The Principal should review the documentation and take appropriate action.

Q5.8.5 Complaints by children/young persons against staff

Where a child/young person makes a complaint against a staff member, even although the complaint may be unfounded, the matter should be investigated to ensure that the child/young person's justice needs are met, and also to provide an appropriate problem solving model.

The staff member receiving the complaint needs to determine if the child/young person wants to pursue the matter by means of a formal complaint, and if so, a report in writing should be made to the Senior Officer on duty. In other cases, the child/young person may simply want to discuss or complain about a certain matter without any formal action being taken. Staff members should be open to giving children/young persons the opportunity to do so, and at the same time use the situation to help the child/young person learn appropriate ways of resolving the matter.

Where a Senior Officer receives a formal complaint, he/she should investigate the situation and collect reports from all concerned i.e. child/young person, staff involved, witnesses, and forward the reports to the Principal. The Principal should review the reports and take appropriate action.

Q5.9 Life Threatening Behaviours - Management

Q5.9.1 Importance of documentation and mechanisms for sharing information

Where it becomes apparent that a child/young person is exhibiting obvious signs and behaviours which indicate that s/he is experiencing considerable stress and may have suicidal intent, it is essential that all residential, supervisory and teaching staff be made aware of his/her suicidal ideas and tendencies and be kept aware of any relevant developments.

Accordingly, accurate and full documentation is of critical importance, as is ensuring that there are adequate mechanisms for sharing the information amongst staff.

Q5.9.2 The role of staff

Following any threat, gesture or merely suspicion of suicidal intent, immediate counselling should be provided. This can be given either by the residential caseworker involved or by some other staff member skilled in such situations. In the case of a new admission, when a resident is feeling particularly helpless or hopeless, a trusting relationship should be pursued by at least one staff member, without delay. Intensely depressed children and young persons can benefit from having a non-judgmental person who is prepared to listen, understand and acknowledge the extreme frustration the resident is experiencing. Claims made for this approach are that suicide risk decreases in direct proportion to the client's opening up, because this enables the off-loading of piled-up inwardly-directed aggression.

Q5.9.3 Determining self-destructive intentions

During a carefully constructed interview it is particularly important to discover the intentions of young people who may be unwilling to talk about their self-destructive thoughts because they are ashamed, and to look for non-verbal as well as verbal responses to the questions.

Sometimes the interviewer will need to pursue doggedly a line of questioning and ask outright such questions as "Do you sometimes wish you could end it all?" In evaluating suicidal thinking, it is essential to ask if s/he had a plan for killing himself. When and where does s/he intend to do it and by what method? Is the plan likely to succeed? Does s/he have the means to kill himself? What meaning does he feel that his/her death will have personally, and to others?

What is the extent of the connection s/he feels with family, friends, other residents and community? There is no justification for the view that such questioning encourages suicidal behaviour - unless the social worker fails to show concern and willingness to assist. Even moderately depressed residents should be asked if he or she has considered suicide and, if so, what means, if any, have been considered. Generally speaking, the more lucid and sensible the person is of the consequences of their self-destructive behaviour, the greater will be the possibility of death.

Q5.9.4 Suicidal gestures

In some cases, it may be suspected that the resident's intention is not suicide, but non-fatal self-harm, predominantly on the rather dubious grounds that he made "suicidal gestures" in the past. This may well be so, but the danger remains that on the next occasion, either his/her intention might be more serious or s/he might kill him/herself by mistake.

Q5.9.5 Reducing external stresses

It is important to examine regularly the possibility that the institution programme or procedures may impose further stress on children and young persons who are in an already stressed condition. Examples would be:

- (i) The automatic placement in secure of returned absconders or new admissions. This is contrary to Departmental policy and is very often quite inappropriate; (See Q 5.4.1)
- (ii) The inflexible practice of subjecting returned absconders to a routine of showering, shampooing and treating with various medication is questionable. It is essential here to state that the priority is for staff to calm the resident and the time this takes is not at issue. Of course, if the child or young person is relatively settled and feels more comfortable attending to personal hygiene matters first, then s/he should be given the opportunity to do so.

Q5.9.6 Psychiatric/Psychological referrals necessary

A psychiatric or psychological referral must be made, not only after a suicide attempt, but whenever there is evidence of suicidal ideas and behaviour. Staff approaches and treatment can be guided by the clinician. The Department has Regional Psychologists who can be called upon in such cases.

Q5.9.7 A management plan to be developed

In consultation with other staff members and the specialist(s) involved, a professional plan and guidance in approach should be developed and followed by all staff consistently between shifts.

Q5.9.8 Close supervision to be provided

A child or young person who is believed to be an imminent suicide risk should not be left alone, and if necessary, one-to-one coverage should be provided. Dangerous instruments or other items which could be used to harm oneself must be removed. This would include potentially dangerous fittings in secure rooms.

Q5.10 Smoking

Although there is no longer any legal prohibition regarding smoking by children and young persons under the age of 15, smoking is recognised as a distinct health hazard and should be discouraged wherever possible.

Generally, young persons who are earning and wish to smoke, may be allowed to do so providing they purchase their own cigarettes. Every effort should be made to discourage them from doing so.

Young persons aged 15 or over who are still at school and wish to smoke, may be permitted to use their pocket money for this purpose, though every effort should be made to have them defer such a decision.

Children and young persons under 15 should not be permitted to smoke unless there are clear indications that a smoking habit is well established, and their parents have signified approval for them to smoke whilst in residence.

Smoking should be prohibited in bedrooms, confined or small areas.

Principals should satisfy themselves that adequate supervision exists of those children and young persons who choose to smoke.

Principals may decide not to allow smoking on the premises. In institutions where children and young persons are not permitted to smoke, clear prohibitions on staff smoking in front of residents should also exist.

Q5.11 Tattooing

Non-professional tattooing is a form of self-mutilation often associated with an individual's poor self concepts, feelings of boredom, anger or rebellion, and a situational context where the presence and influence of peers results in the act of applying tattoos. It is not readily prevented or controlled by threats of punishment, retribution or undesirable after effects but rather by focusing on self concept raising and enabling the child/young person to resolve some of the underlying issues and feelings confronting him/her. At the same time, it is important to control access to the materials used to apply tattoos e.g. felt tips, indian inks and needles. (see also N11.23 and Q17.1.16)

Q.6 Secure Care

Q6.1 Overview

Under section 69 of the Children and Young Persons Act 1974, the Director-General is required to establish and maintain a range of institutions to cater for the variety of special needs of children and young persons coming into his/her guardianship or care. Secure units are one type of facility within this provision.

Whilst the Department acknowledges that the use of secure facilities is a practice which severely limits the freedom of children/young persons, it accepts that it is necessary and/or of benefit for a specified minority of individuals. Two general principles underly this acceptance:

- (a) that children/young persons whose needs can be met elsewhere, or whose behaviour can be contained by a less restrictive alternative are not admitted to secure care; and
- (b) that secure care is restricted to the minority of children/young persons who may benefit from this setting.

Secure care therefore can fulfil either of two functions - catering for those who for their own safety, or for that of their community, need to be detained in a more secure environment than that provided in the 'open' part of a residential facility or providing for those who require a controlled environment whilst undergoing some planned treatment programme.

Residential facilities providing secure care are responsible for maintaining a safe, humane and secure programme for children/young persons who are deemed to be a danger to themselves or others or for whom other less secure options are found to be unsuitable. All efforts should be made by persons working on the child/young person's behalf to minimize the length of stay in secure care, and move him/her to a less controlled environment as soon as s/he is reasonably able to cope with that greater degree of freedom.

While secure care may provide an opportunity to stabilize and assist the child/young person in developing internal controls, it is a powerful control instrument with considerable potential for abuse in the name of the "best interests of the child". Programmes provided in a secure care context must take special precautions to protect the rights of the child/young person in addition to protecting the child/young person and community. Every effort must be made to develop programme practices that are fair and reasonable, and do not degrade or demean the child/young person for the sake of improving security.

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The fact that the child/young person is in a locked setting often reinforces a poor selfconcept. This can be overcome somewhat by a balance of appropriate limitations on behaviour on the one hand, and reinforcement for progressive and responsible attitudes and behaviour on the other. Children/young persons in secure care should be encouraged to express legitimate feelings without fear of excessive or punitive consequences. The staff in secure care programmes face an unusually difficult task because of the artificiality and restrictiveness of the environment. Their discretion and awareness are crucial to the development of a positive climate in the programme.

Q6.2 Use of Secure Care/Close Custody

Q6.2.1 Definition of Secure Care

Secure care means admission to the premises designated as the institution's secure unit.

Q6.2.2 Definition of Close Custody

Close custody means locked in a secure room within a secure unit. The requirement that a child/young person stay in his/her room in the secure unit with the door unlocked and open is not regarded as close custody within the meaning of this definition.

Q6.2.3 General Principles of Secure Care

- (a) The well-being of the child/young person shall be the first concern;
- (b) Planned induction of a child/young person to an institution which has secure facilities should include a familiarisation with the concept of secure care, and under what circumstances it might be used;
- (c) Placement of a child/young person in secure care/close custody is usually a professional, rather than a judicial decision, although recommendations of Courts for secure custody in certain remand situations, are to be accepted.
- (d) A complete current set of the principles and instructions governing the use of secure care/close custody must be displayed prominently in secure unit duty room;
- (e) The senior staff member responsible for the secure unit must regularly review with unit staff the policy and instructions governing secure care/close custody use;
- (f) Staff deployed in secure unit work, are to be selected on the basis of their sympathy with, and acceptance of, the instructions developed. Principals are to ensure that personal and specialist support is readily available to them.

Q6.2.4 Use of Close Custody

It is the Department's wish that children/young persons admitted to secure care are not further confined, but that during normal hours reasonable freedom of movement and association is permitted. However it is recognised that this constitutes a difficult management situation and it may be necessary to use close custody both as a sanction against breaches of rules in the unit, or as a means of protecting a child/young person, or others in the unit. Therefore, the use of close custody will clearly be related to the need to maintain order or to provide protection.

Q6.3 Admission Criteria

Criteria for admitting a child/young person to a secure facility are as follows:

- (a) at a child/young person's own request;
- (b) to prevent a child/young person absconding;
- (c) to prevent a child/young person behaving in a manner likely to cause harm to him/herself or any other person, or damaging property;
- (d) the child/young persons behaviour is so disruptive/disturbed that only secure care can contain it;
- (e) as a temporary refuge from others;
- (f) the secure unit constitutes the best environment in which to carry out a treatment programme;
- (g) in compliance with a recommendation on a court-custody order.

(Although this criterion conflicts with general principle (c) in Q6.2.3, Principals are to comply with Court recommendations that a young person on remand is to be held in secure custody. Should the Principal subsequently determine the secure care is not justified under normal admittance criteria the matter should be taken back to Court for direction.)

Q6.4 Admission Approvals

Delegated authorities to admit to secure care and close custody are deliberately set at different levels of responsibility as an indication of the seriousness of the step of placing a child/young person in isolation for even short periods.

Q6.4.1 To Secure Care (ref H7.4 re delegation)

Delegation to admit a child/young person to secure care will not extend below the Senior Residential Social Worker level of authority or the Assistant Principal where no Senior Residential Social Worker position exists. It is preferable for officers at the Senior Residential Social Worker level to be making decisions to admit to secure, so that Assistant Principals and Principals are able to carry out review procedures (see Q6.9).

Q6.4.2 To Close Custody (ref H7.4 re delegation)

Locked confinement of a child/young person to his/her room for periods not exceeding 15 minutes outside of normal sleeping hours is permitted at the S.R.S.W. level.

Close custody for periods longer than 15 minutes must be approved by the Assistant Principal or Principal.

Q6.4.3 Between the hours of 10.00 p.m. and 6.30 a.m.

In short-term institutions a child/young person may be admitted to the secure unit providing the criteria are met, between the hours of 10.00 p.m. and 6.30 a.m. after telephone consultation with the on-call approving officer (usually a Senior Residential Social Worker rostered for that purpose).

Q6.5 Child/Young Person's Right on Admission

On an admission that is longer than 1 hour (i.e. admission to secure, not time out) the child/young person is to be informed at an age-appropriate level of the reasons for his/her admission to secure and his/her right to challenge the justification for confinement by means of initiating an interview with the Principal which when requested must be held as quickly as possible, and preferably within 24 hours. Where the Principal is unavailable, the most senior officer on call is to conduct the interview.

Q6.6. Admission/Reception

Children/young persons being admitted to a secure unit will react in different ways depending on the events and circumstances which have precipitated admission. Often admission will represent an intervention in a crisis situation and accordingly the child/young person may be in an angry or depressed state. The first priority is that of being sensitive and receptive to the child/young persons needs. It should also be recognised that the social worker's influence can often be the greatest and have the most enduring effects when an individual is undergoing a crisis situation.

Q6.7. Admission Procedures

Q6.7.1 Principal to establish procedures

Each Principal is responsible for establishing admission procedures and providing written instructions appropriate to the secure facility. Any safeguards established to ensure the physical and medical safety of the child/young person, other residents and staff, must be carried out in such a way as to respect and protect the dignity and rights of the child/young person being admitted.

6.7.2 Dangerous items

Because of the potential for an individual to inflict self-harm when involved in a crisis situation, staff need to ensure that children/young persons being admitted are not carrying items likely to be harmful to themselves or others. Lack of staff vigilance in this respect is a threat to life and safety. Previous experience has shown that where dangerous items have been found or used within a secure unit it has been because elementary precautions were not taken. Generally, some examination or search procedure is going to be necessary.

Q6.7.3 Search procedures

The general and preferred method of searching on admission is to incorporate search procedures with the child/young person having a shower or bath and change of clothing prior to him/her entering the main part of the secure unit. The child/young person should be permitted to undress in privacy behind a screen and should pass his/her clothing out to a staff member of the same sex to be thoroughly searched. A bath robe should be available to use until such time as bathing or showering takes place. After the child/young person has showered or bathed the bathroom area should be searched for any articles which may have been secreted.

Q6.7.4 Procedure if child/young persons refuses to co-operate

Where a child/young persons refuses to undergo the admission search procedures the safest way to ensure his/her and others' physical safety, is to place the child/young person in a secure room with a staff member in attendance, until s/he has calmed sufficiently to undergo the procedure. Following the bath or shower s/he should be placed in another room so that the previous room can be searched for articles which may have been secreted.

Q6.8 General principles relating to the post-admission process

- (a) In providing nurture, protection and treatment, no person or institution shall impose a greater restriction on freedom to the child/young person than is necessary to achieve those objectives.
- (b) All decisions relating to admission, to treatment in, and discharge from secure care/close custody, are to be subject to automatic and regular review by a designated Senior Officer, who does not have direct responsibility for the day to day operation of the secure unit.

Q6.9 Secure Care Reviews

Q6.9.1 Daily Review

A daily review of all secure placements should be carried out by the officer, (Principal or Assistant Principal) with management responsibility for the secure unit. Secure unit records are to be noted to this effect. Daily reviews during weekends are to be carried out by the senior officer on duty.

Q6.9.2 72 Hour Review (ref H7.4 re delegation)

An extension of secure placement beyond 72 hours may be approved by the Principal only, (formal case documentation required), giving reasons for the decision. In the cases of Kohitere, Hokio, Kingslea, Owairaka and Weymouth this decision will rest with the first Assistant Principal.

Q6.9.3 Seven Day Review (ref H7.4 re delegation)

An extension beyond seven days should be approved by the Principal only, but justified in writing, to the Director. At Kohitere, Kingslea, Hokio, Owairaka and Weymouth, approval may be given by the first Assistant Principal and justified, in writing, to the Principal.

Q6.9.4 14 Day Review (ref H7.4 re delegation)

An extension beyond 14 days may be approved by the Director him/herself, (or the Principals, Kohitere, Weymouth, Hokio, Owairaka and Kingslea,) and justified to Head Office, (for attention: Case Section) in writing, and within 5 working days of that decision being taken.

Q6.10 Secure Care Register (see also Q10.6)

Each Principal is responsible for the maintenance of a secure register. For details see Q10.6.

Q6.11 Secure Care Programmes

Q6.11.1 Overview

Young people in secure will always need to be managed, even if they cannot be treated.

Staff in secure units are constantly confronted with a dual focus, i.e. the establishing of trust relationships, while also maintaining authority and the ability to control a child/young person's behaviour. While there may then be obvious conflict between the social work and custodial tasks which face secure unit staff, it must also be recognised that secure placement offers residential social workers an alternative and controlled environment where intensive skilled social work intervention can take place.

The admission of a child/young person to secure care represents an extraordinary procedure and every advantage must be taken of the opportunity to work with him/her on the precipitating behaviours which necessitated secure care. Effective programming is required if the general aims of secure care are to be realised i.e.

- (a) to accommodate a child/young person in a setting where his/her behaviour can be observed and assessed, and to prevent the reoccurrence of dangerous and/or violent acts;
- (b) to work towards planned change in attitude and behaviour which can be generalised to other living situations;
- (c) to intervene at the time of crisis when the child/young person is vulnerable and most open to change.

Q6.11.2 Conditions for success in Secure Care

The following conditions have been identified in successful intervention programmes within secure units:

- (a) that the child or young person, their families, field social workers and other significant people understand what is happening (even if they do not agree) to the child/young person;

- (b) the basic aims and methods used in the unit are made clear to the child/young person;
- (c) treatment provides specific experiences for individuals or groups which are intended to lead to the adjustment of maladaptive behaviour and to personal development. Short term achievable targets of a specific and tangible kind should build progressively towards the desired improvement goals. Limited objectives can help a child/young person manage his/her time better as well as offering understandable rewards for success;
- (d) planned care is offered within a management framework which in its turn provides a structured and stable environment.

The success of a secure unit is measured on its ability to help as many of its residents as possible to live outside its walls.

Q6.11.3 Programmes/Unit Organisation

Finding ways of occupying time usefully is a constant challenge to secure staff. It is important to have different tempo/rhythms operating throughout periods of the day. These should include activities which involve fun and excitement, calm and reflective times, as well as physically active periods. Evaluation of the day individually or in groups is also an important part of the programme.

Q6.11.4 Educational

The secure unit is an environment where major educational advances can be made. Small numbers and individual attention can foster a positive response from children/young persons and can assist in meeting their educational needs. Remedial teaching should be a feature of the secure education programme. Where secure placement is a planned part of a treatment programme, specific educational goals can be set as part of that programme. Alternatively, an assessment of a child/young person's educational strengths and weaknesses, and planning for remedial programmes can be undertaken.

Q6.11.5 Occupational

Principals are responsible for ensuring that a varied and interesting programme of occupational activities is available for up to 4 hours per day in the secure unit.

Q6.11.6 Recreation

Because of the restrictive movement within the secure area physical exercise is an important outlet for energy. Principals are responsible for ensuring that a selection of recreational activities, ranging from vigorous physical activity to quiet solo games, are available for all children/young persons for a least 2 hours per day. All occupants should be encouraged to take part but should also be free to decline if they so desire.

Q6.11.7 Individual counselling

Within the secure programme opportunities need to be provided for the child/young person to spend time with his/her caseworker and/or the staff member with responsibility for him/her while in secure.

Q6.11.8 Use of groups

The ability to express freely, feelings, in an atmosphere of trust and security leads to greater self acceptance and to the acceptance of others. Opportunities should be provided in a secure unit for members of a living group or sub-group to come together to deal with a particular problem of one of the members or an issue that concerns the whole group. Problem orientated discussions provide an outlet for the exploration of feelings, the development of behavioural alternatives, and can provide group support and encouragement as well as criticism. An important function of the problem orientated group is to provide positive feedback to individual members on progress made towards change goals. The living group is a support group, perhaps the most important resource available to the child or adolescent and should be used as such. The group leader's task is to elicit positive feedback rather than, or prior to, criticism. S/he may also model the desired behaviour by praising individual members and the group as a whole for hard work on difficult problems and by offering support and encouragement to members who are facing particularly difficult situations.

Q6.12 Duration of Secure Care

Children/young persons are to be transferred from the secure unit at the point it becomes clear that their behaviour can be managed in a less restrictive environment.

Q6.13 Transfer from Secure Care

Q6.13.1 Transfer approval (ref H7.4 re delegation)

The decision to transfer is the responsibility of the Senior Residential Social Worker or the Assistant Principal where no Senior Residential Social Worker position exists.

Q6.13.2 Transfer procedures

Principals are responsible for establishing transfer procedures which take into account the following points:

- (a) transfer is a point in the social work process that involves important changes for the child/young person;
- (b) the child/young person should have been fully involved in all the step-by-step plans that will lead to his/her transfer;
- (c) the child/young person's fears and anxieties about what will happen after s/he leaves secure should be acknowledged and dealt with;
- (d) the child/young person must be given information about decisions s/he has not been involved in making and the rationale for them;
- (e) if the child/young person is going into the open institution s/he should be informed of rules and expectations and should be assisted in familiarising him/herself with the facility;
- (f) if the child/young person is leaving the institution s/he must be told where s/he is going, what is going to happen (or is likely to happen) and who s/he can look to for support and assistance.

Q6.14 Secure accommodation and physical care

Q6.14.1 Buildings

In keeping with the objective of providing a rehabilitative/therapeutic yet secure environment, every effort should be made to create and maintain surrounds within secure facilities, that present as warm, safe and accepting.

Q6.14.2 Temperature and ventilation

Principals must regularly check that the air temperature within the secure unit is comfortable for all of the occupants and that there is an adequate flow of fresh air to enable easy, comfortable breathing.

In particular, periodic checks should be made in regard to the following:

- (a) the effectiveness of the unit's insulation;
- (b) that the heating units and thermostats are functioning satisfactorily;
- (c) that the ventilation unit is functioning satisfactorily and if it is motorised, that its noise is not unduly disturbing to occupants.

Q6.14.3 Noise

Staff should be sensitive to the level of noise in a secure unit and should endeavour to maintain a moderate level, easy of hearing, and reflecting the positive on-going interaction and communication between people.

Q6.14.4 Bedding

All beds must have firm and comfortable mattresses to provide restful sleep. Pillows likewise should be firm, and linen and blankets should be clean and laundered as required. Attention needs to be paid to the warmth of bedding and individual preferences need to be catered for. (See also Q9.2.11)

Q6.14.5 Clothing

Where it is possible, children/young persons should wear their own clothes. Where this is not possible, provided clothing should be properly fitting, comfortable and in good repair. Clothing which distinguishes children/young persons in secure, from other residents is not permitted. It should also be consistent with the climate and temperature of the time.

Q6.14.6 Meals

Meals need to be nutritious and attractively presented 3 times a day. Attention must be given to the differing appetites of individual children/young persons so that each has had sufficient to eat and drink at the end of each meal.

The following instructions must be adhered to at all times:

- (a) food must never be withheld as a form of punishment,
- (b) meals should usually be taken in the dining area of a secure unit unless a child/young person is sick, or is likely to cause behaviour management problems in a group situation,
- (c) no child/young person should be required to eat on his/her own in his/her room, but may be required to eat in his/her room if accompanied by a member of staff,
- (d) no meal is to be served in the child/young person's room where there is an open toilet.

Q6.14.7 Privacy

The Department's policy is that there should be only one bed/one person to each secure room. Where doubling up occurs, other than very temporarily, Head Office (for attention: Director, Residential Services) is to be notified with details of the circumstances. Every effort should be made to ensure that individual differences and privacy needs are met. Owairaka is exempted from this reporting requirement, while its secure rooms contain two provided beds.

Q6.14.8 Toileting

The toilets in individual rooms are primarily for use at night. Children/young persons should have access to the main toilet block in the secure unit throughout the day. The toilet in individual rooms should be covered when not in use.

Q7 MEDICAL AND SPECIALIST SERVICES

Q7.1 Health Services

Q7.1.1 Authority for medical treatment (ref H7.4 re delegation; see also N11.7)

Principals of National Institutions have delegated authority in relation to medical treatment, including specialist treatment, and expenditure. For institutions under the control of a District Director, authority in relation to medical treatment and expenditure should be delegated to the officer in charge of the institution in keeping with his/her seniority.

Q7.1.2 The role of the Chief Medical Officer in relation to Institutions

The Department employs a Chief Medical Officer, based in Head Office, who is responsible for the appointment and professional oversight of institutional Medical Officers. The Chief Medical Officer should also be consulted on the appointment of nurses. Accordingly, s/he should be notified immediately where there are any difficulties in relationship and service which indicate that a change of a Medical Officer may be necessary.

The Chief Medical Officer is also available to monitor and provide advice regarding the health and medical services within an institution.

Q7.1.3 Medical Services

The availability and efficiency of medical services to institutions will vary from one locality to another but ideally institutions should have a regular visiting service from a general medical practitioner. In some institutions this may not be practicable and satisfactory alternative arrangements will need to be negotiated by the Principal. Arrangements for medical services should be discussed with the Chief Medical Officer. Institutions will normally have one member to staff (usually the Nurse or Domestic Services Supervisor) who has designated responsibility for the medical room and health services.

Q7.1.4 Role of Medical Officers

Each institution has a Medical Officer appointed to provide general medical services. Principals are encouraged to involve the Medical Officer in other areas in addition to the practice of general medicine, e.g. health education, teaching staff basic home nursing procedures, as an evaluator of the health and well-being of the institutional community.

Q7.1.5 Medical Rooms

In each institution there must be at least one room set aside as a medical room and the Chief Medical Officer can advise whether existing or proposed rooms and equipment meet Department of Health standards. Ideally, a medical unit will comprise an examination room, a consulting room, a dispensary and a patient waiting area. Where these functions must be contained in a small space, distinct working areas should be preserved.

Q7.1.6 Equipment and supplies

In considering equipment and supplies requirements, factors such as the size of the institution, the age of those in residence, the availability of a nurse, the proximity of hospital facilities and the personal preferences of the Medical Officer who attends the institution will all need to be taken into account. Equipment for medical rooms should be decided, after consideration of these factors, by the practitioner providing medical cover and the Principal.

Q7.1.7 Medication

Admitting staff should check with a child/young person if s/he is currently taking any prescribed medication. As the contents of bottles may not always be true to label, it is preferable that the Doctor sight the tablets before the child/young person continues with the medication. The wishes of Medical Officers in this respect should be sought.

Any prescription medication given in institutions must always be under staff supervision and on medical advice. No child/young person is to be given prescription medication not prescribed for him/her. Care must be taken to ensure that medication is administered to children/young persons in the presence of staff so as to avoid any medication being stored for mis-use at a later stage. No staff member has authority to stop a prescribed course of drugs.

No staff member employed in a non-nursing capacity is to administer injections.

Q7.1.8 Security of drugs/medication

Dangerous drugs e.g. morphine are required by law to be contained in a locked cabinet attached to an interior wall of the residence. The keys of this cabinet should be held by the Principal, and a senior staff member on duty.

Prescription drugs e.g. antibiotics, must also be contained in a locked cabinet. Other non-prescription medication (proprietary medicines) e.g. cough medicine, must be kept in a secure location. All medication must be kept in an area limited to staff access only.

Q7.1.9 Continuing medication for children and young persons on holiday or transferred

Any medication prescribed by a doctor for a child/young person in residence should be reviewed before the child/young person goes away on holiday, home leave, or is transferred to another placement. If it is essential that medication be continued, the controlling officer who receives the child/young person should be advised of the drug and dosage prior to the arrival of the child/young person. The controlling officer should also be advised whether or not the child/young person can be trusted to have the medication in his/her possession. Care should be taken to ensure that there is an adequate supply of medication for the home leave period. This information should be incorporated:

- (a) in progress reports from extended care facilities recommending home leave or placement; and
- (b) in reports originating from Districts (including regional institutions) where any change of placement is recommended.

Q7.1.10 Health records (see also N11.5)

To be used effectively, health records must always be where the child or young person is and available for access to those dealing with him/her. The practice of maintaining a separate health file in institutions, the basis of which should be the Health sheet form SW 593, plus a copy of the initial medical report from SW 608, and copies of any specialist or pathology report, has evolved out of this need. Health and personal files are to be amalgamated at the point the child/young person leaves the institution.

Q7.1.11 Using health information

Although confidential, health records should be used in the most constructive manner for the child or young person. For example, when a child is being escorted to a consultation outside the institution, or being admitted to hospital, it is permissible for the escorting officer to take the health file for perusal by the person who may require a health history. That officer must never part company with the original file but may, with the controlling officer's consent, arrange for copies of important reports to be made available. Any interchange of importance between staff and medical people working with a child/young person should be recorded in a note for file. A copy should be made for the health file and the health sheet noted with the folio number of the copy on the personal file. In regional institutions a third copy should be made for the personal file held in the local district office, minuted through the Principal. Staff who prepare progress and other reports must consult the health file regularly.

Q7.1.12 Home nursing

Staff within each residential unit should have the capacity to meet ordinary medical needs. All staff need to be basically competent to render first aid, and to undertake basic home nursing procedures. Unit staff should be the first and only recourse for minor complaints.

Q7.1.13 Cases for urgent examination

Medical Officers need to be made aware of the following situations where their services may be required with some urgency:

- (a) Where it is suspected that a child/young person, taken on warrant, is a victim of neglect or ill-treatment, a member of the Police or a Social Worker may request the help of the institution in having the child/young person seen by their Doctor either at his/her surgery or at the institution.

Having regard to the needs of the child/young person the Doctor should see him/her in the condition s/he was admitted, therefore staff should refrain from cleansing and dressing unless delay in attention makes this impracticable.

Soiled clothing or belongings must not be washed or destroyed but given over to the investigating officer who may need to produce such exhibits in a defended complaint or for use by the Police in any subsequent criminal charges.

- (b) Where it is suspected that a child/young person returned from absconding may have suffered personal injury including sexual assault or any other misadventure, consideration should be given to having him/her undergo medical examination.
- (c) Any resident who formally complains of assault, by a peer or adult, must be presented for medical examination even if the treatment can be handled domestically. (See also Q5.8.)

Q7.1.14 Admission to hospital (ref H7.4 re delegation; see also N11.9)

The authority for anaesthetic and the admission papers for a child/young person in the Department's custody to go to hospital on a doctor's or dentist's recommendation, may be delegated to RSW 107. In an emergency situation, any member of staff may give these authorities.

Where a child/young person is a ward, care must be taken to ensure that the hospital record shows the Principal as next-of-kin. This overcomes confusion about discharge or progress notifications, provides a round-the-clock contact, and allows the institution access to those caring for the child/young person where this is restricted to next-of-kin. Institution staff should visit the child/young person as appropriate and comforts from stock or the Recreation Fund may be provided.

Q7.1.15 Advice to parents (see also N3.4)

Principals should ensure that parents are advised as soon as possible of the ill-health of their children or of any accidents they have had. In many cases a telephone call to the home District is desirable. This should be followed up by a memorandum. If for any reason it is felt that the parents should not be notified, then the Principal should forward his/her reasons to the Director-General for consideration. Parents should be kept advised of the child/young person's progress. District Directors may delegate to Principals the responsibility for advising contributing districts and/or parents outside of office hours.

Q7.1.16 Tattoo removal

Tattoo removal can be an important rehabilitative milestone for an individual. Accordingly, Principals should investigate their local situation in regard to making arrangements for the surgical removal of tattoos. In those localities where public hospitals are unable to be utilized due to long waiting lists, private medical assistance can be sought. All such referrals, to public or private specialists, are to be made by the institution's Medical Officer. Careful budgeting will be needed in order to meet such expenses. Where an individual requests tattoo removal, the Principal should satisfy him/herself that the child/young person is ready for, and committed to, undertaking such surgery. The child/young person should be encouraged to contribute to the overall cost. (See also Q5.11)

Q7.2 Specialist Services

Q7.2.1 Departmental Specialist Services Teams

In recent years the Department has begun to build up Specialist Services teams within the Department comprising Clinical Psychologists, Psychotherapists and Counsellors as full time resources, and a network of Psychological and Psychiatric consultants working on a part-time basis.

Professional responsibility for the teams rests with the Director, Specialist Services, Head Office. Currently, Specialist Services teams exist in Auckland, Hamilton, Wellington and Christchurch and Principals are urged to enter into a process of regular consultation with, and engage the support of, the team personnel in respect of staff training, casework and treatment programmes and the residential programme generally.

Q7.2.2 Psychological services (see also N11.15)

A valuable resource, to the social work staff and Principal of each institution is the service offered by the Department of Education Psychologists. In order to be utilised effectively it is essential that Principals formally consult with the Psychologist on a regular basis i.e. at least annually, so that the nature of the service required can be determined, e.g. in relation to programme development, staff training, psychometric testing, etc..

Q7.2.3 Private specialist services (See also N11.7)

Access to all specialist medical services is provided through the institution's Medical Officer and should be, in the first instance, to the public health system. Authorities exist for the employment of private specialists in certain circumstances.

Q9. SAFETY STANDARDS

Q9.1 Overview

Adequate measures and procedures must exist at all Institutions so that health and safety hazards are recognised and responded to in an appropriate manner, and accidents prevented.

The overriding concern in establishing these, is to ensure the maximum safety of children and young persons in the Department's care.

All such measures and procedures must comply with codes, standards and specified regulations set by local authorities and the Fire Service.

Each Principal is responsible for providing written safety instructions and ensuring that all staff are made aware of them.

All staff are responsible for familiarising themselves with the safety instructions for their particular institution, and for ensuring that children and young persons are aware of safety precautions and procedures.

Q9.2 Health and safety hazards

All staff should be aware of, and take whatever precautions necessary to avoid, accidents or harm resulting from the following health and safety hazards:

Q9.2.1 Electrical/Mechanical equipment

Children and young persons must be closely supervised when they are using such equipment as woodwork, laundry and kitchen machines.

Tradesmen entering any institution must be instructed to maintain close control of their tools and equipment at all times.

Q9.2.2 Faulty equipment

Staff must ensure that all equipment in use is in good repair. Where faults become apparent e.g. frayed cords, warmth in the wiring of leads, the appliances must be withdrawn from service until such time as they have been repaired. Principals are to ensure that all mechanical and electrical equipment is subject to an annual check by the Ministry of Works and Development.

Q9.2.3 Hazardous Substances

Where solvents, inks, dyes, glue or other hazardous substances are in use, staff are to maintain very close supervision of all children and young persons. When these items are not in use, they are to be kept in a secure location.

Q9.2.4 Medication (see Q7.1.7)

Q9.2.5 Plastic bags

Misuse of plastic bags can lead to accidents causing death. The storage, issue and disposal of plastic bags must be closely monitored by staff.

Q9.2.6 Electric irons

While it is being used, an electric iron is normally hot enough to set fire to wood and a suitable metal stand must be provided.

Power points for appliances, such as irons, which do not glow when hot must be provided with a red pilot lamp to indicate when turned on. Where the appliance itself is equipped with a pilot light, this will suffice.

Q9.2.7 Airing of clothing

Airing of clothing before an open fire, radiator, panel wall heater, or in a boiler room is completely forbidden. Only natural drying or the use of specially designed equipment is permissible.

Q9.2.8 Cigarette butts and matches

Ashtrays must be provided in the staff room, office or any other room where people are likely to be smoking. Smoking by children and young persons can be a very real fire risk and for this reason strict discipline must be kept in this matter.

Q9.2.9 Accumulation and storage of combustible material

Principals must ensure that combustible materials are not allowed to accumulate in out of the way places such as basements or roof voids. Combustible materials such as paint, diesel, oil, kerosene, turpentine, petrol, etc must be stored in a detached, preferably fireproof shed. Utmost care must be taken in the storage of cleaning materials, such as inflammable cleaning liquids which contain highly combustible solvents.

Q9.2.10 Staff supervision

In order to ensure the maximum safety of children and young persons in institutions, it is essential that staff supervision be maintained at all times, especially when a resident is at risk of doing deliberate harm to him/herself.

Residents should feel safe and protected in the Institution, and this is best achieved when staff maintain proper control of the group.

Q.9.2.11 Mattresses

Only approved safety standard mattresses contained in the G.S.B. Mattress Contract are to be used. (See also Q6.14.4)

Q9.3 Recreational Safety

Recreational safety procedures must be developed in each institution and determined according to the age/capabilities of the children/young persons resident.

Q9.3.1 Principles to minimise recreation hazards

The following principles minimize hazards:

- (a) activity areas should be free of obstructions and projections,

Note: (i) large apparatus should be stored well out of the way,
 (ii) Small equipment should not be left out,
 (iii) Seasonal equipment should be removed from activity areas and stored when not in use;

- (b) inside areas should have sufficient lighting and the floors should be clear of slippery materials;
- (c) outside grounds should be free of potholes and obstructions;
- (d) equipment should be adjusted when necessary to meet the needs of the individual participant;
- (e) before any equipment is purchased, it should be evaluated for safety. All equipment must be maintained in good condition and should be checked regularly. All broken equipment should be removed from the activity area. Preference should be given to toys bearing the N.Z. safety standard;
- (f) equipment with known hazards, such as trampolines, should be guarded by protective padding;
- (g) staff should determine that children and young persons have a reasonable level of fitness in order to undertake the recreational pursuits chosen. Fatigue should be watched for in participants;
- (h) a method of notifying staff of those residents not permitted to participate on temporary or permanent grounds, must be devised.
- (i) staff supervising any indoor or outdoor swimming must have ready access to a resuscitator, and be trained and competent in its use.
- (j) footwear, clothing and sports gear, appropriate to the activity, must be worn;
- (k) basic recreational/game skills should be taught and practised before progressing to complex skills;
- (l) practice of procedures for prompt and effective action in emergency situations (e.g., resuscitation) should be undertaken.

Q9.3.2 Rules of the game/activity

Only staff members with knowledge or experience in the activity should be designated as a referee/supervisor.

All leaders and participants in the activity must be aware of the rules and regulations of the game.

All rules should be strictly enforced, especially those which deal with safety (e.g. only one person on a trampoline at a time).

Q9.3.3 Outdoor programmes

The following conditions are to be met when swimming, canoeing, camping or any other outdoor pursuits events are being planned and implemented.

- (a) there is a minimum staff/child ratio of 1:6, except for any outdoor activities away from the institution which involve potentially dangerous pursuits - e.g. camping, tramping, canoeing when a minimum of 2 staff is to be present;
- (b) all staff and residents are to be instructed in safety, and in the proper handling of all equipment;
- (c) supervising staff must have relevant first aid/life saving qualifications and outdoor's experience;
- (d) prior to undertaking any camp in a remote area, checks should be made with the Lands and Survey Department, and the local Search and Rescue Organisation, to ensure the appropriateness and suitability of such a campsite;
- (e) full details regarding any camp, including exact whereabouts, contact person and phone number, names of all residents and staff in attendance, must be provided to the Principal;
- (f) children and Young Persons must wear only approved swimwear when swimming;
- (g) if Children and Young Persons are involved in swimming in any river or beach, a minimum of two staff must be present, with one watching from the shore, or riverside, and the other in the water. In the Institution, or public swimming pools, one staff should be at poolside for up to 6 swimmers, and more staff thereafter;
- (h) first aid equipment must always be taken by staff to any outdoor events.

Q9.4 Accident and Injury Reports

An incident report must be completed for all injuries to children and young persons. The procedure is:

- (a) the staff member witnessing the accident initiates and completes the report;
- (b) the Principal reviews the report, and undertakes any local inquiry indicated. In circumstances where it appears that negligence on the part of staff caused or contributed to the accident, a copy of the report is to be forwarded to Head Office (for attention: Divisional Director, Administration), and the staff member informed accordingly;
- (c) where the injury requires more than first aid treatment, ensure that the child/young person's parents, and district social worker, are informed;
- (d) place a copy of the report on the child/young person's file.

Q9.5 First Aid

- (a) Emergency first aid kits must be available in each major activity area. This includes each departmental vehicle used for the transportation of children and young persons;
- (b) all staff should be aware of the locations of the kits;
- (c) Kits should be inspected regularly by a designated senior officer and any missing items should be replaced;
- (d) staff and children/young persons should be encouraged to undertake first aid certificate courses. Staff should be competent in cardiopulmonary resuscitation techniques, and Principals are authorised to include such training in normal staff training programmes.

Q9.6 Fire Prevention and Emergency Procedures

The Principal of each institution is responsible for consulting with the Ministry of Works and Development fire protection officers together with the local Fire Service, in order to devise a written plan which sets out both preventative and procedural details in relation to fire hazards and emergencies. A separate plan should also be devised in conjunction with local Civil Defence Authorities in relation to other types of emergencies e.g. earthquakes.

Such plans must include information in relation to the following:

- (a) fire precautions and prevention e.g. position and use of fire doors;
- (b) use, maintenance and inspection of fire fighting equipment;

- (c) evacuation procedures i.e. the alarm system, routes of escape; assembly points and roll calls, during the day and night time from both open and closed custody units;
- (d) fire and earthquake drill; and
- (e) the tasks of staff in emergencies.

Principals are to ensure that an easily portable chart or board, noting the bed location of each child and young person in residence, is maintained by night staff, and is readily available to fire fighters in the event of emergency.

The fire plan is to be approved by and registered with the Fire Service and is to be reviewed annually.

Each Principal must ensure that procedures regarding fire regulations are posted in prominent locations throughout the institution and that children and young persons are familiar with these procedures in the event of a fire or emergency.

Q9.6.1 Drills

Because of constantly changing populations in many institutions, regular evacuation drills involving children are usually not possible. Accordingly the emphasis must be on ensuring that all staff are prepared and able to act decisively in the event of an emergency requiring evacuation of buildings. Principals are to ensure that

- (a) staff receive instruction in the use of equipment
- (b) staff practise regularly evacuation procedures they are to follow, contained in the written plan
- (c) residents are told at regular intervals, what to do in the event of emergency evacuation.

Q9.6.2 Reporting of fires

All outbreaks of fire in institutions, no matter how minor, must be promptly reported by telephone to the Fire Safety Officer, Ministry of Works and Development for the area in which the Institution is situated. This telephone report must be confirmed in writing within a day or two and a copy forwarded to Head Office (for attention: Buildings Section). If the fire is major, Head Office should also be informed immediately, at the same time as the Ministry of Works and Development. The District Commissioner of Works and Development will arrange for his District Fire Protection Officer to visit and prepare a "Fire Report" which will be forwarded to Head Office through the Commissioner of Works and Development, Wellington.

Q9.6.3 Reporting earthquake damage

Notification of earthquake damage should be made as follows:

- (a) Fire brigade,
- (b) Police,
- (c) Head Office, and
- (d) Ministry of Works and Development.

Q10 ACCOUNTABILITY AND MONITORING

Q10.1 Overview

In seeking to provide a professional social work service within the residential services, the Department acknowledges its responsibility and need to be accountable through both external and internal monitoring procedures. Departmental officers should welcome any means by which current practices and methods are evaluated, confirmed and improved, and should ensure that accurate records are maintained to enable this to be done.

Requirements for accountability and monitoring are set down by the legislation governing this aspect of the Department's operations; the Code of Practice and Social Work ethics. Specific provisions for accountability and monitoring are made through the following means:

Q10.2 Admission Register

The Principal of each institution is to ensure that an Admission Register is maintained in which certain details regarding each admission of a child or young person must be entered. These include:

- (a) the child's or young person's full names;
- (b) the child's or young person's age at his/her last birthday, and his/her birth date;
- (c) The authority for his/her admission;
- (d) discharge date (if known); and
- (e) (where they are known or can be reasonably obtained) parents' or guardians' full names, addresses and telephone number (including where possible a telephone number where a message can be left if the parent or guardian is not available at home).

Other details may be included at the discretion of the Principal.

Q10.3 Personal Files

Each social worker is responsible for ensuring that all relevant personal information in respect of a child or young person on his/her caseload is recorded on that individual's personal file. This information should include, but not be limited to:

- (a) particulars of his/her level of formal education;
- (b) particulars of religious belief and church associations;
- (c) the particulars of the medical practitioner who usually attends him/her;
- (d) name of any social worker involved in his/her case outside the institution; and
- (e) particulars of any chronic illness and prescribed treatment (and where necessary, name and address of medical attendant and his/her telephone number).

Q10.4 Occurrence Book (Daily Log)

In order to facilitate communication between shifts and enable the monitoring of daily occurrences, the Principal of each institution is to ensure that an Occurrence Book is maintained to cover the 24 hour period of each day.

Short, descriptive details regarding the following events which happen to any child or young person while in an institution, should be entered in the Occurrence Book:

- (a) departure from the institution for any purpose;
- (b) any accident or illness;
- (c) any serious breach of discipline or disruptive or destructive behaviour;
- (d) introduction to or removal from any form of social control programme;
- (e) absconding and return;
- (f) any request to contact or meet with the Visiting Committee;
- (g) any significant event affecting life in the institution;
- (h) a daily roll count.

Any other details included are at the discretion of the Principal.

Q10.5 Punishment Register

The Principal of each institution is to ensure that a Punishment Register (which could be a part of the Occurrence Book) is maintained in which is recorded:

- (a) any sanction imposed by way of a period of extra work or activity,
- (b) any deprivation of a privilege (or privileges) which exceeds one day in duration,
- (c) any occasion where full loss of privileges occurs.

The following details should be entered in the register:

- (a) the child's or young person's name; and
- (b) the nature of the punishment; and
- (c) the name of the officer applying the punishment; and
- (d) the reason for the punishment.

It is preferable that such entries are endorsed by the child/young person.

Q10.6 Secure Care Register

The Principal of each institution is to ensure that a Secure Care Register is maintained in which the following details are recorded:

- (a) date and time of placement, in or out of the unit;
- (b) names of each child or young person and his/her age at the time of placement;
- (c) reason for placement;
- (d) details of secure placement reviews;
- (e) any form of intervention plan to be applied to the child or young person; and
- (f) name of specialist practitioner examining, or treating, the child or young person; and
- (g) details of observable condition of physical or mental health.

Q10.7 Social Work Supervision

In order to facilitate the professional monitoring of Social Work practice and to ensure the entitlement of each social worker within an institution to regular individual supervision sessions each Principal is to establish a formalised supervision programme.

Institutions with (three or more) Senior Residential Social Workers must provide a minimum of one hour's supervision for each worker each 3 week roster cycle.

Institutions which have less than full cover of Senior Residential Social Workers should endeavour to meet the above standard, by involving the Assistant Principal, and the Principal if necessary, in providing social work supervision.

In addition, regular shift and/or team supervision is to be encouraged.

Those staff providing social work supervision should also have regular opportunities for formal individual consultation with non-rostered Principals or Assistant Principals.

Q10.8 Formal Visits, Reviews and Reports by Advisers

Each institution is allocated a Social Work Adviser by Head Office who is responsible for visiting the institution in order to assist with any management issues, to assess and review the programme, and to report the findings to Head Office, and to the Principal.

A formal review of the operations of each institution is conducted every 3 years by an Adviser in conjunction with an Officer of the Residential Services Section, Head Office, and attempts are made to co-ordinate these formal reviews with the triennial inspection of Institution schools by the Department of Education.

Q10.9 Visiting Committees

Q10.9.1 Appointment

Visiting Committees are appointed by the Minister of Social Welfare under the provisions of Section 70A of the Children and Young Persons Act 1974. Each departmental institution has a separate Visiting Committee.

Q10.9.2 Authority and procedure

Members of a Visiting Committee are required to visit the institution from time to time and at least once every three months. Members may inspect any part of the institution; examine the state and condition of any child or young person in the institution; communicate with any child/young person and with any member of the staff and examine any document or records relating to the children/young persons in residence.

The Committee is required to report annually in June to the Minister on its activities and may report to the Director-General at any time on any specific matters relating to the care, treatment or control of the children/young persons or on any matter relating to the institution.

The Visiting Committees are empowered by Section 70A(6) to regulate their own procedures.

Q10.9.3 Role of the Visiting Committee

The role of the Visiting Committee is to ascertain through visits, inspections and contact that the children and young persons in departmental institutions are receiving an acceptable standard of care in suitable surroundings.

It is of considerable importance that an independent group of responsible local citizens has access to departmental institutions and to the Director-General as one means of monitoring the quality of care.

Q10.9.4 Visiting

Committees are free to visit either collectively or individually and at any time, with or without notification. Although some Committees prefer to give prior notice, others do not. As a matter of courtesy some Principals prefer to be present when the Committee or a member visits. However, it is not considered necessary for the Principal to be available on all occasions.

When a Committee visits under Section 70A(1) it is required to ensure that the date and time of the visit is made known to the children and young persons in residence, and that they are aware that they may discuss matters with a Committee member.

Q10.9.5 Access to the Visiting Committee

It is important that children/young persons in residence, parents and families, staff and any interested citizen be aware of the existence of a Committee, of its membership and of how contact may be made. Notices are displayed in all institutions giving the name and contact phone number of each Committee member. It is also important that the children/young persons know who the Committee members are, and that staff on duty, including new staff members, are able to recognise Committee members and facilitate their visits.

Q10.9.6 Contact with the Principal

To operate effectively each Visiting Committee will need support from the institution's Principal. Accordingly, Principals are to encourage Visiting Committee members to embark on regular audits of institutional practices e.g. using the Code of Practice as a guide, so that the Committee can satisfy itself regarding the quality of care being provided.

Principals will welcome the opportunity to discuss matters of general or specific interest or concern with members of the Visiting Committee. Generally it is to be expected that most matters can be dealt with on this basis, but on any matter of continuing concern the Visiting Committee may wish to communicate direct with the Director-General.

Q10.9.7 Reporting to the Director-General

It is for each Committee to decide whether to report formally and regularly to the Director-General. There is opportunity at any time for Committee members to make comment to the Director-General about specific or general matters.

Q10.9.8 Access by the Committee members to children/young persons in residence

It is important that children/young persons have an opportunity to speak to any member of the Committee who visits. The most natural way for this to happen is during informal gatherings. The Committee member, unless already well known to the staff and children, may prefer a staff member to introduce him/her to a group and then be left alone with the children to allow for a private discussion.

Q10.9.9 Responsibilities of the Principal

In order that the Visiting Committee of each institution is able to fulfil its role and function i.e. regularly visiting, being available to children and staff to discuss any matters, monitoring practice, and reporting annually on its activities, the Principal of each institution is to ensure the following:

- (a) that the names, addresses and telephone numbers and, if possible, photographs of Visiting Committee members are displayed in a prominent place within the institution,
- (b) that a method is devised which explains the role and function of the Committee to all children and young persons in the institution, in a manner which they understand.

- (c) that any requests by children or staff to contact or meet with the Visiting Committee are arranged. Such requests should be recorded in the Occurrence Book.
- (d) free accessibility to all records relating to children and young persons, to Committee members.

Q10.10 Planning and reviews for Children and Young persons

The formalised Departmental planning process in relation to all children and young persons in care, enables accountability and monitoring to take place, especially in regard to the fulfillment of those tasks prescribed by the case plan and assigned to the residential social worker.

Accordingly, the Principal of each institution is to ensure that the operation and environment of his/her residence, facilitates the meeting of the prescribed tasks.

In the annual review of each plan, the work of the Department, including that carried out by its residential services, is formally reviewed by the Assistant Director (Social Work) and a community member, from the child/young person's primary district.

Q10.11 Progress Reports for Children and Young Persons

All extended care facilities are to provide reports on the progress of children and young persons, at intervals consistent with the Department's planning and review process. These reports must address the issue of progress in relation to the goal, objectives and tasks set out in the Case Plan, (SW 515), including the institution's progress in fulfilling the specific tasks assigned to it.

Q10.12 Principal's Annual Report

The Department requires each Principal to provide an Annual Report on the institution which he/she manages, by 28 February each year.

Reports should analyse the institution's residential programme, and in particular, identify trends and developments and comment on these in relation to role and function.

As reports are seen by a wide range of Head office staff, they constitute an important vehicle for expressing concerns and notifying trends and issues to the Department.

Q10.13 Monthly Statistical Returns

Each institution is required to furnish monthly statistical data to Head Office on prescribed forms.

Q10.14 Code of Practice

The Code of Practice for Residential Institutions sets out the standards sought by the Department in the fulfilment of the residential social work task. Incorporated in the Code of Practice are evaluation requirements to be met annually. (ref. Appendix fig.20)

Q10.15 Regulations

The Children and Young Persons Act, 1974 (as amended by the Children and Young Persons Amendment Act 1983) S.105 (1) empowers the promulgation of regulations which:

- (a) define the rights of children and young persons placed in any institution (established pursuant to section 69 of this Act)
- (b) limit the powers of the staff of any institution (established pursuant to section 69 of this Act) to confine, punish or discipline the children or young persons placed in the institution.

Regulations are in the process of being formulated.

Q10.16 General

Ultimately any action by an officer in the Department (or complaints or concerns regarding the Department's residential services,) can be subject to review by the following regulatory agencies:

- (a) The Director-General
- (b) The State Services Commission
- (c) The Minister,
- (d) The Ombudsman,
- (e) Human Rights Commission,
- (f) Race Relations Conciliator.

Q11 RESERVED

Q12 RESERVED

Q13 RESERVED

Q14 RESERVED

Q15 RESERVED

Q16 ADMISSIONS TO WAIMOKOIA AND MCKENZIE SCHOOLS FOR MALADJUSTED CHILDREN

Q16.1 Function of Schools

Waimokoia Residential School, Auckland and McKenzie Residential School, Christchurch are special schools run by the Department of Education for maladjusted boys and girls who have serious emotional difficulties and whose rehabilitation requires an integrated educational, counselling, and residential programme.

They aim:

- (a) to provide each child with a temporary substitute for his/her own home in which s/he can feel personally secure, establish positive and rewarding relationships with adults and other children and master the social skills necessary for successful rehabilitation in his/her own home and community;
- (b) to develop for each child a teaching programme which is suited to his/her needs, and which will assist him/her to make the best possible progress in his/her school work;
- (c) In association with the Department of Education Psychological Service, and other specialist services, to provide each child, and his/her parents with the guidance which will help them to resolve the difficulties which led to an admission.

Q16.2 Criteria for Admission

Boys and girls from 7 to 13 years are eligible for admission, but preference is given to children in the middle years of this age range. The Professional Committee will consider for admission those recommended by Department of Education psychologists.

The Committee considers:

- (a) A child's need for the re-education programme provided by the school. A child should not be admitted unless it is agreed that alternative placements or methods of treatment are not adequate for his/her needs.
- (b) A child's suitability for the programme offered by the school, and his/her assessed ability to profit from it.
- (c) The current composition of the school population and, in particular of the group in which a child will be placed if admitted.
- (d) The likelihood of effective parental co-operation when it is expected that a child will live with his/her parents when s/he leaves the school.

Q16.3 Children Not Suitable for Admission

The schools are not intended to cater for children who are:

- mentally retarded
- unlikely to adapt to residence in an open institution in which they will live as a member of a group and be expected to develop personal control over their own behaviour.
- unlikely to be ready for placement from the school within two years of their admission.

Q16.4 Admission Procedures (ref H7.4 re delegation)

- (a) Pupils who are not Wards, where Social Welfare involved:

When recommending admission of children who are not Wards, the referring psychologist sends a medical report and 7 copies of his/her psychological report to the psychologist servicing the school, and a copy to the local District Senior Inspector of primary schools, and the Director of Social Welfare for his information. The Director, Social Welfare should provide copies of a Social Worker's report for the psychologist to include in support of the application.

If the Professional Committee approves the child's admission, the Principal will inform the Director, and the head teacher of the child's present school of the date on which the child will be admitted.

- (b) Pupils who are Wards:

The Director will recommend to the Professional Committee the admission of Wards. If a Director and a psychologist agree that a Ward should be considered for admission the Director provides a medical report, together with 8 copies of a Social Worker's report. The referring psychologist then sends 7 copies of his/her report to the psychologist associated with the school, one to the District Senior Inspector of primary schools, and 2 copies to the Director.

The Committee should inform the Director of the district concerned and the referring psychologist of its decision. When an admission date is set, the Principal will advise the Director responsible for the child, and the head teacher of the child's present school. After an admission has been approved and arranged for McKenzie School, the personal file should be forwarded to the senior Social Worker, Hornby Area Welfare Office.

Q16.5 Withdrawal of Pupils

(a) Non Wards:

The Principal and psychologist working in the school recommend to the Professional Committee a child's withdrawal after consultation with the referring psychologist.

If the Committee decides that a child should be withdrawn, it will inform the referring psychologist and the Principal will arrange the date of withdrawal with the child's parents.

The Principal will inform:

- (a) the Director of the child's home district;
- (b) the referring district or senior psychologist;
- (c) for pupils leaving Waimokoia School - Director, Social Welfare, Auckland
- (d) for pupils leaving McKenzie School - Director, Social Welfare, Christchurch

The Principal will arrange for the head teacher of the school which the child will attend after his/her withdrawal, to be informed of the likely date of his/her enrolment.

(b) Wards:

If the Committee decides that a child should be withdrawn it will inform the referring psychologist and the Director, who will arrange for the child's placement. The Director will then contact the Principal and arrange the child's travel arrangements etc.

Q16.6 School Terms and Holidays

The residential schools observe the school terms and holidays set down for the primary schools in the Education Board districts in which they are located. Children return home for holidays and whenever possible, for all long weekends.

The Principal arranges each child's holiday travel with the parents in the case of non-Wards, with the Directors of the child's home district in the case of Wards.

Q16.7 Visits by Parents

The Principal advises parents on the timing and duration of their visits to the school. Some assistance towards the cost of certain visits may be available from the McKenzie Trust. Applications for this assistance should be made through the chief psychologist by the psychologist in contact with the parents concerned.

Q16.8 Parent Counselling

The referring psychologist shares with the school staff and the psychologist associated with the school, the responsibility for the continued counselling of parents while their children are attending the school. When appropriate, this counselling may be provided primarily by other specialists or Social Workers who have already established effective links with the parents. However, in all cases, the referring psychologist will be responsible for informing the Professional Committee on all matters relevant to its decisions, and when children should return home.

Q17 SPECIAL SCHOOLS: CAMPBELL PARK, HOGBEN AND SALISBURY GIRLS' SCHOOLQ17.1 Background

Campbell Park, Hogben and Salisbury Girls' School operate under the administration and control of the Department of Education. They provide education for backward children or young persons who require special education in a residential programme in order to develop adequate personal and social skills. Under Section 115 of the Education Act 1964 the Director General of Education may enter into a written agreement with the parents of a child or young person who needs to be admitted to a special school.

Q17.2 Criteria for Admission

Children will be considered for admission to Campbell Park, Hogben and Salisbury Schools only if:

- a) they are educationally backward and their needs cannot be met by the resources of a primary or secondary school in their local area;
- b) they need to be placed in a residential institution either to help develop adequate personal or social skills or to remove them from an unsatisfactory environment;
- c) they are aged between 8 and 15 years, or in some exceptional circumstances, 16 years, for Hobben and Sailsbury Girls' School.
- (d) They are aged between 12 and 17 years for Campbell Park School.

Only children who are likely to adapt successfully to the environment of the schools and benefit from their programmes should be recommended for admission. These schools do not have the resources to cope with pupils who have a history of violent behaviour or who have serious psychiatric or medical disorders.

Children who live in localities where there is no suitable special education service and who cannot be boarded in a locality reasonably close to their home where such education is available, may also be recommended for admission.

Experience has shown that those who are admitted between the ages of 8 and 12 years have the greatest chance of making behavioural changes and educational progress to enable them to re-establish themselves successfully in their own environments.

For each child in its care the school will formulate a basic plan to meet his or her special needs. Specific goals are set for the child in school work, personal and social skills, work experience, and leisure pursuits.

The development of these skills and interests, together with significant changes in attitudes that may be necessary, are seldom possible in short periods of time. While it is desirable for a period in residential schools to be as brief as possible, parents or guardians of each child should be aware that admission for between one and two years is usually required for a child's personal programme to be effective.

A prospectus and other publicity material is available from the respective schools. Social workers intending to make an application for admission should familiarise themselves with this material and ensure that a copy is available to the child and his/her parents at an appropriate time prior to admission.

Q17.3 Application Procedures (ref H7.4 re delegation)

All admission applications should be forwarded to the Executive Officer (Special Schools) at Head Office, Education Department, Private Bag, Wellington. All papers should be in duplicate, and no documents should be sent to the schools until approval for admission has been received from the Department of Education.

A psychologist of the Department of Education may recommend the admission of a child to a residential school in terms of section 115 of the Education Act 1964 at the request of his or her parents, guardians, school, or Department of Social Welfare. Parents should be consulted and briefed thoroughly about the residential school system and the reason why placement is being considered. Their consent should be obtained before proceeding with the documentation for making the recommendation. To this end the school's prospectus should be obtained. Both the social worker and the parents need to be well informed about the school in order to prepare the child adequately prior to admission.

Social workers may recommend directly to the Director-General of Education admission of children in terms of section 115. In these cases psychological service will add its recommendation to the proposal. Directors may recommend the admission of Wards and children in care under section 11.

A psychologist or social worker who is uncertain whether to recommend the admission of a child to a residential school may wish to discuss the case with an officer of the Special Education division of the Department of Education before coming to a decision. She/he may also be able to advise of the likely delay before admission to a school can be effected. For boys, the decision of placement either at Campbell Park or Hogben school will be made at Education Department Head Office after consultation with the recommending psychologist. Recommendations for admission with supporting documents, all in duplicate, should be addressed in the first instance to:

Director-General of Education,
Department of Education,
Private Bag,
Wellington.

ATTENTION: Executive Officer (Special Education)

The supporting documents required are:

- 1 full medical report (see figure 13);
- 2 dental report (see figure 19);
- 3 school report on form SW 514 (without the front sheet)
- 4 psychological report on form E 20/26;
- 5 form of consent to immunisation and medical treatment (see figure 18).

Other information which must be supplied with the recommendation for admission comprises:

- 1 holiday arrangements;
- 2 religious affiliation and consent to attendance at the services of a particular religious denomination.

The report of any specialist who may be treating the child at the time of recommendation should be included among the supporting documents. If available, the family report prepared by the social worker should also be included with the documents. All reports should be current, i.e. they should reflect the position of the child at the time of recommendation for admission.

The Department of Education (Head Office) will advise:

- 1 the recommending officer of the acceptance of the child for admission;
- 2 the School Principal when all documentation is complete and for him to proceed with the admission.

The School Principal will contact the recommending officer direct to arrange the date of admission, travel tickets, and escorts.

Q17.4 Subsequent Changes in Circumstances

It is important that any incident involving the child or young person that occurs after the admission application is lodged and is relevant to the application, should be reported to the Department of Education, Head Office, and to the appropriate Principal, as it may warrant a re-appraisal of the child's suitability for admission.

Q17.5 Travel and Escorts

A child travelling to or from these residential schools must be escorted by an adult.

When appropriate, parents should be encouraged to escort their children on first admission. The return airfare of one parent or guardian acting as escort, together with his or her actual and reasonable accommodation expenses, if an overnight stay is required, whether at the school or at a motel or hotel, may be paid by the Department of Education.

At the beginning and end of each term the schools provide escorts for children travelling to and from the schools. For admissions and withdrawals during the term the Department of Social Welfare provides escorts for State Wards and children in care under the provision of section 11. The Department of Education provides escorts for all other children, if parents are not available.

Generally an overnight stay is not necessary at Salisbury School, but if it is, the escort should make prior arrangements with the Principal for accommodation at the school. Usually one night's stay in a hotel is necessary at Kurow (Campbell Park School) because of travel connections and no visitors' accommodation is available at the school at present. An "Adult" includes the parent of a child.

Many new admissions can of course be effected at the beginning of the term when the main parties of children return to the schools, in which case an escort is not required as the school staff carries out escort duty. (See also N7.8.)

Q17.6 Medical Examination

The cost for this is the responsibility of the Department of Social Welfare in the case of a Ward, and of the parent in the case of a Section 115 admission. In cases of proven hardship the Department of Education has authority to pay medical expenses. In these cases, the doctor's account should be sent to the nearest office accompanied by full details concerning the parent's ability to pay.

Q17.7 Clothing

A list setting out clothing requirements (to be paid for by the parent in the case of Section 115 admissions and by this department in the case of Wards) will be forwarded to the referring agency when approval for admission is given.

Q17.8 Holidays (ref H7.4 re delegation)

Pupils in these schools have holidays at Christmas, May and August coinciding with the normal school vacation periods.

The pupils' home districts (not necessarily the districts from which they are actually admitted, if held temporarily in another district) are responsible for making holiday placements. With recommendations for admissions of Wards, details of where the pupil is to go for holidays must be included. If the proposed placement becomes unsuitable or unavailable by the time the holidays are due, the responsibility will be on the Director of the home district to ensure that an alternative placement is found. Details of new arrangements must be forwarded to the Principal of the school and to the Director-General.

Bookings are made by the Principals at least two months before the date of travel. Unless otherwise instructed Principals will book pupils to travel to the districts nominated at admission and will send to each Director a schedule of the pupils travelling to his/her district. The schedule will include full details of any special needs - medication, spectacles, hearing aid etc. - so that Social Workers and parents or foster parents are forewarned.

At least a fortnight before the children travel, the Principals must advise the Directors of names, ages, destinations and bookings made.

Directors must arrange for notification of parents or foster parents with whom holidays have been arranged. The Department of Education will:

- (a) Provide travel tickets and make bookings on the transport to be used;
- (b) Provide staff members for escort duty on the journeys on main routes including Gisborne, New Plymouth, Rotorua, north to Whangarei, and south to Invercargill;
- (c) Make provision for all meals on the journeys for all children (irrespective of status) travelling to and from these schools at the beginning and end of the school terms.

Staff of this department will not be required to assist in any escort, travel or meal arrangements in respect of the children passing through these main centres at school holiday time. However arrangements may have to be made for the escorting of Wards joining or leaving the main parties at main centres and who reside in these metropolitan areas.

There are difficulties with children leaving or joining the main parties at intermediate points and smaller centres where the Department of Education has no suitable facilities or services available. This department therefore will assist with any escorting arrangements involved in collecting children from the main party at these points and seeing that they reach their final destination and on return to the schools that the children join the main party at these points or centres. Parents or foster parents should be encouraged to assist in the escort of children.

The Principals of the schools or Department of Education officers will advise the Director of the district involved of the full travel arrangements being made so that children may be collected from or delivered to the escorting officer in charge.

Board payments in respect of a holiday placement for a Section 115 pupil may be authorised by the Director.

All Wards should be visited at least twice during the long summer vacation; the first early in the holidays to ensure that the placement is satisfactory, the second just prior to return to the school, to check that travel arrangements are understood and clothing is in satisfactory condition.

Q17.9 Holiday Reports

It is essential that the school be given some idea of the child's behaviour during the holiday period. Ideally this should be a specially prepared report covering any significant events and a general assessment of the progress made. At the very least, the school should get a copy of the note for file written following the Social Workers visits. Reports should be sent to the school not later than 2 weeks following the pupil's return.

Q17.10 Withdrawal of Pupils

Children or young persons other than Wards, who have been admitted to these schools with the consent of the parents can also be removed at the parents' request. Wards are withdrawn (discharged) from these schools when they appear to have gained all that the school can give them by way of education, stability and work habits.

Q17.11 Progress Reports

Progress reports which are sent direct to districts regularly and the placement report form the basis as to whether a pupil should be withdrawn from the special school, and if so, whether s/he should return home or be placed elsewhere.

Q17.12 Payment of Family Benefit

The parents of a child or young person admitted under a Section 115 agreement continue to receive family benefit.

Q17.13 Loss of Clothing or Personal Effects of Pupils

When admissions of pupils to special schools are being arranged under the provisions of Section 115 of the Education Act parents or guardians are to be informed that the Department of Education does not accept responsibility for loss of clothing or personal effects of pupils. They should be advised to take out appropriate insurance cover to guard against loss.

Q17.14 Personal Files

When a child or young person is admitted to Salisbury, Campbell Park or Hogben and is under the guardianship of the Director-General or is the subject of a Section 11 agreement, the personal file is to be forwarded to the Principal of the institution concerned either before admission or it is to accompany the escorting officer.

Q17.15 Maintenance

Before any child is admitted to a special school in terms of section 115 of the Education Act 1964 an agreement for the payment of maintenance needs to be prepared. Details are available from the Psychological Service.

Q18 PSYCHIATRIC HOSPITAL ADMISSIONS

Q18.1 Introduction

There are four main ways in which patients can be admitted to psychiatric hospital - as:

1. Informal patients - refer Q18.3
2. Formal patients under Section 19 Mental Health Act 1969.
Refer Q18.8
3. Formal patients under Section 21/22, Mental Health Act 1969.
Refer Q18.8.
4. Special patients under the Criminal Justice Amendment Act 1969 - refer Q18.15.

Note: To be admitted formally the person must be considered mentally disordered as defined under Section 2 of the Mental Health Act 1969:

"Mentally disordered in relation to any person, means suffering from a psychiatric or other disorder, whether continuous or episodic, that substantially impairs mental health so that the person belongs to one or more of the following classes namely:

- (a) mentally ill - that is requiring care and treatment for a mental illness;
- (b) mentally infirm - that is, requiring care and treatment by reason of mental infirmity arising from age or deterioration or of injury to the brain;
- (c) mentally subnormal - that is, suffering from subnormality of intelligence as a result of arrested or incomplete development of the mind.

Q18.2 Methods of Arranging Admission to Psychiatric Hospital

The method used would be the one which appeared to be most appropriate for the particular case. Below is a summary of the main methods.

Q18.3 Statutory Provisions for Informal Admissions to Psychiatric Hospitals

Sections 15 and 16 of the Mental Health Act 1969 are the main ones relating to informal admissions, and for the sake of convenience they are quoted in full below:

"Section 15:

Treatment of Outpatients and Admission of Informal Patients

- (1) The Superintendent of a hospital may in his discretion, pursuant to any arrangements made with him in respect of any person who in his opinion would benefit from psychiatric care and treatment whether or not he is mentally disordered within the meaning of the Act.
 - (a) Treat that person without admitting him to that hospital.
 - (b) Admit him to hospital for treatment without any reception order or request that would render him liable to be detained under this Act; or
 - (c) Permit him to remain in the hospital for treatment after he has ceased to be liable to be detained in hospital.
- (2) In the case of a minor who has attained the age of 16 years and is capable of expressing his own wishes, any such arrangements as are mentioned in sub-section (1) of this section may be made, carried out and determined notwithstanding any right of custody or control vested in law in his parent or guardian."

"Section 16:

- (1) The Superintendent of a hospital may at any time, in his discretion, apply pursuant to Section 21 of this Act for a reception order in respect of any person who has been admitted to the hospital under this part of the Act, whether or not the person is within the hospital when the application is made.

Provided that if the person is not within the hospital, whether his absence is intended to be temporary or permanent, an application under this sub-section shall not be made more than 72 hours after he has left hospital.

- (2) The fact that an application for a reception order in respect of any person admitted under this part of the Act has been forwarded to the Registrar shall be sufficient authority for the Superintendent to detain the person (if he is within the hospital) until the application is finally determined.

- (3) Where an application for a reception order has been so made, the Superintendent, if he has reasonable cause to believe that the conditions set out in paragraphs (a) and (b) of Section 35 of this Act exist in respect of the person, shall have the same power to apprehend him and bring him before a Judge as is conferred on Medical Officers of Health by that section."

Section 35 referred to in (3) above provides that any Medical Officer of Health or Police officer -

"who has reasonable cause to believe that any person (a) is mentally disordered: and (b) is neglected or cruelly treated by any person having the care or charge of him, or is suicidal or dangerous, or acts in a manner offensive to public decency, or is not under proper oversight, care or control - may if it appears expedient for that person's good or in the public interest, make or cause to be made an application for a reception order in respect of the person and may, if necessary apprehend any such person found wandering at large and bring him before a Judge."

- Q18.4 Medical Superintendent May Refuse Admission On Informal Basis (and in Section 19 but not in Section 21/22 unless he admits and discharges on the spot)

The Medical Superintendent may in his discretion refuse admission on an informal basis if he is of the opinion that the case is not a proper one for treatment in his institution, or that the person ought more properly to be received under a reception order.

- Q18.5 Criteria for Informal Admissions to Psychiatric Hospitals
(ref H7.4 re delegation)

Criteria for hospitalisation vary for each hospital. This to some extent depends on the facilities offered. In general, some children need admission because of the severity of symptoms such as frequent and marked changes of mood, pronounced states of inappropriate elation or depression, delusions, hallucinations, confused thinking, bizarre or violent behaviour, suicidal attempts. However, with less bizarre and serious symptoms, the indications are less obvious. The basic criteria for the anti-social and less severe group of disturbed adolescents are those who lack the personality strength to control their own tensions, and the relationship capacity to compensate for their weaknesses.

Where possible, with these informal admissions Social Workers should seek some psychiatric advice or screening of the child psychiatrically. If this is not available, the case should be discussed with the Medical Superintendent of the hospital, or the duty Medical Officer.

Q18.6 Procedure for Admission of a Ward as an Informal Patient

There will be occasions when a Ward may be quite satisfactorily treated under these provisions; for example, where s/he is amenable, and convinced of the need for treatment, where it seems certain that s/he will be content to remain in the hospital on the authority of medical advice alone, and where the parents are co-operative and are unlikely to try to upset this arrangement.

If a Social Worker believes that a Ward should be considered for admission to a psychiatric hospital as an informal patient, the following steps should be taken:

1. Case history: A Social Worker's report should be prepared giving an adequate but concise account of the Ward's background and stating clearly the Social Worker's view of the problem.
2. Psychological examination: If the Ward has not been seen by a psychologist of the Department of Education within the last two or three years s/he should be referred, if time will permit this, so that a reliable and up to date psychological assessment is available. The proposal of psychiatric hospital admission should be discussed with the psychologist.
3. Psychiatric examination: When the results of psychological testing are available the Social Worker should arrange for the Ward to be examined by a psychiatrist. The proposal of psychiatric hospital admission should be discussed beforehand with the psychiatrist who should, like the psychologist, be supplied with a copy of our Social Worker's report.
4. Consultation with Medical Superintendent: If the psychiatrist recommends admission to a psychiatric hospital, then s/he should seek acceptance of the referral with the Medical Superintendent or duty Medical Officer.

Where there are no medical facilities for psychiatric examination, the medical practitioner who visits the home should be called in to assess the situation. If s/he supports hospitalisation, then s/he should contact the hospital and arrange admission. The Director should discuss the case with the Medical Superintendent of the psychiatric hospital concerned only when s/he has been unable to get the child examined medically or psychiatrically, or if s/he considers admission to be necessary, in spite of differing medical or psychiatric advice.

5. Medical examination: The purpose of this examination is to determine whether a doctor will support the proposal by completion of an admission letter. Wherever possible the Social Worker will approach a doctor who has knowledge of the Ward already, e.g. a doctor who attends cases at the Social

Welfare institution in which the Ward is resident. It is desirable for the Social Worker to take a copy of his/her report to the examination in case the doctor wishes to see it. If the doctor agrees that the child or young person should be admitted s/he will prepare a letter and hand it to the Social Worker; with acute or urgent admissions will inform the hospital concerned.

6. Admission: When the child or young person is admitted a copy of the Social Worker's report prepared for the purpose of psychological and psychiatric examination, and copies of the psychologist's and psychiatrist's reports should be made available to the Medical Superintendent provided these papers have not been received by him earlier. Travelling arrangements and actual admission will be the responsibility of our district office. Parents should be notified in advance of admission.

The less formal procedures outlined in preceding paragraphs for admission as an informal patient will meet adequately most of the admissions with which Social Workers are concerned, (but see Q18.20(7) for major disadvantages of informal admission). There will however be cases where because of the degree of urgency and the difficulty of the Ward's behaviour or the severity of his/her symptoms admission by the following procedures will either be necessary or more appropriate. The two procedures outlined below involve the making of a formal reception order by a Judge supported by two medical certificates. The patient is then detained at the discretion of the Medical Superintendent or the psychiatrist in charge of the patient (refer Mental Health Act 1969 (Sections (4) and (5))).

Q18.7 Formal Admissions under Section 19 Mental Health Act 1969

Section 19 of the Act provides as follows:

Where it is expedient that a person who is not less than ten years of age and who is alleged to be mentally disordered should be placed under care and treatment in a hospital either -

- (a) In the interests of the welfare of that person; or
- (b) In the public interest before a reception order can be obtained -

any person who is not less than twenty years of age may sign a request, addressed to the Superintendent of the hospital named in the request, that the person so alleged to be mentally disordered be received into that hospital.

The request of form H.19 (refer Fig. 14) must be supported by two medical certificates on form H.20 (refer Fig. 15) and the three documents must be delivered to the Medical Superintendent when the person is admitted to the hospital. The request and both medical certificates must have been signed within seven days of admission - in practice they will usually have been signed the same day or the previous day.

If only one medical certificate accompanies the request the Medical Superintendent may still receive and detain the person if he is of the opinion that a refusal to do so would expose the person or any other person to hardship or danger, but in that event a further certificate signed by another medical practitioner must be submitted within 72 hours, and if it is not the patient may not be further detained.

Within 21 days of receiving the patient under Section 19 of the Act, the Medical Superintendent is required to forward to a Judge a notification of the patient's reception in the hospital. If, however, the patient, or any relative of the patient requests that such a notification be sent, the Medical Superintendent must send it within 48 hours of the request. The Judge is required "as soon as practicable after the receipt of the notification" to make inquiry and proceed in accordance with Sections 22 to 24 of the Act as if the request were an application for a reception order made under Section 21 of the Act. The usual procedure is for the Judge to visit the psychiatric hospital at regular intervals to hear and determine these applications. (All forms relating to this section are printed in black type.)

Q18.8 Formal Admissions Under Section 21/22 Mental Health Act 1969

Applications may be made to the Court for a reception order under the terms of Section 21 of the Mental Health Act 1969 which provides that:

1. Any person who is not less than twenty years of age may apply to a Judge for a reception order in respect of a person who is not less than ten years of age and is believed by the applicant to be mentally disordered.
2. The application shall be made in writing in the prescribed form H.21 or in a form to the like effect, and shall be lodged with the Registrar. (Refer Fig. 16.)
3. The application shall contain a statement -
 - (a) Of the grounds on which the applicant believes that the person in respect of whom the application is made is mentally disordered; and
 - (b) Of the degree in which the applicant is a relative of the last-mentioned person, and if he is not the nearest relative, the reason why the application is made by the applicant instead of by a nearer relative; and

- (c) If the applicant is not a relative of the person, the reason why the application is made by the applicant instead of by a relative; and
 - (d) That within the three days preceding the day on which the application was signed the applicant has personally seen the person in respect of whom the application is made.
- 4. The application may be accompanied by one or two medical certificates in the prescribed form (refer Fig. 17) each bearing a date not earlier than three days before the date of the application.
 - 5. The application shall be lodged with the Registrar on the day it is signed, or within seven days following the date.
 - 6. All statements contained in the application shall, if required by the Judge, be verified by the statutory declaration of the applicant or of some other person.
 - 7. For purposes of this section the degree of relationship shall be determined in the following sequence:
 - (a) Husband or wife
 - (b) Father or mother
 - (c) Son or daughter
 - (d) Brother or sister
 - (e) Grandfather, Grandmother, Grandson, Granddaughter
 - (f) Any other relative.

Since the Director-General cannot comply with sub-section 3 it will be necessary to include some form of words such as : "I, N.F. Shorthand, Director, Department of Social Welfare, Whareiti, apply for the granting of an order for the admission of this child/young person to a psychiatric hospital. He is a Ward of the State (in proof of which I attach a copy of the guardianship order) and the Director-General, the child's/young person's guardian has not had an opportunity to see the child/young person himself within the last three days. He has authorised me to sign this application on his behalf".

Once a reception order has been made the Ward should be admitted to the psychiatric hospital as soon as possible, preferably on the same day.

Q18.9 Examination By Judge and Two Medical Practitioners

Section 22 of the Act states that:

- 1. On the lodging of the application for a reception order a Judge shall examine the person alleged to be mentally disordered at his residence or elsewhere, and for the purpose of further inquiry shall call to his assistance two medical practitioners, ... and those medical practitioners shall either together or separately examine the person.

2. Unless in the opinion of the Judge there is sufficient reason to the contrary, one of the medical practitioners called to his assistance shall be the usual medical attendant of the person alleged to be mentally disordered.
3. The Judge may also summon as witnesses such persons as he thinks fit to give evidence touching the mental condition of the said person.
4. If after such examination the medical practitioners are of the opinion that the said person is mentally disordered and requires detention as such, or one of them is of that opinion, each of them, or the one that is of that opinion shall sign and deliver to the Judge a certificate to that effect in the prescribed form, setting forth in the certificate the facts observed by him upon which his opinion is based.
5. Every such medical certificate shall bear the date of the day on which the certifying medical practitioner last examined the person alleged to be mentally disordered before the signing of the certificate.
6. If after such examination either of the medical practitioners is of the opinion that the said person is not mentally disordered, or that he may be mentally disordered, he shall sign and deliver to the Judge a statement in writing of his opinion, and, except as provided in sub-section (7) of this section or in section 23 of this Act, the Judge shall not accept in substitution for that opinion the opinion of any other medical practitioner.
7. Notwithstanding anything in this section, in any such inquiry the Judge may if he thinks fit accept a medical certificate accompanying the application as if the medical practitioner who signed it had been duly called to his assistance under this section

Q18.10 Adjournment Of An Application

Section 23 of the Mental Health Act 1969 permits a Judge to adjourn an application for periods not exceeding a month at a time where either he or one of the certifying doctors is in doubt whether a person should be the subject of a reception order. During such adjournments the Judge may "..... make such order as he thinks fit for the care, control and detention of the person to whom the application relates" A reception order cannot be made until two medical certificates are available stating that the person to whom the application relates is mentally disordered and requires detention as such.

Q18.11 Action on a Reception Order

A reception order directs the person named in it to take the subject of the order to the institution named and must be acted on within seven days. Section 25(2) of the Act provides that the reception order, medical certificates, and copy of application must accompany the patient on admission unless they have already been delivered to the Medical Superintendent of the psychiatric hospital.

Q18.12 Judge May Issue Warrant to Apprehend

As provided by Section 36 of the Act any Judge to whom application for a reception order is made may, if s/he thinks it necessary, issue a warrant requiring the Police to apprehend the subject of the application and bring him/her before the Judge so that examination may be effected and the application dealt with.

Q18.13 Procedure in the Case of a Ward

The requirements for a Ward's admission under a reception order are as set out above but for convenience are crystallised in the following procedures:

(a) Psychiatric examination:

Unless in an emergency a Social Worker would not file an application for a reception order at the Court without first having the Ward seen by a psychiatrist. Failing this, if time and opportunity permitted, the case would be at least discussed with a psychiatrist or a medical practitioner.

(b) Medical examination:

There is no need for the Social Worker filing the application to file the medical certificate with it but this can be helpful to the Court and does not involve any extra trouble if the Ward has been examined by his/her usual doctor (or any other doctor) in connection with the symptoms or behaviour which have caused the application.

(c) Preparation of application: (Refer Fig.14)

This should be completed carefully as it is a legal document. Names should be stated and spelled correctly. Particulars should be completed as fully as information from the file, or relatives, or other informants, will permit.

The form when completed should be taken to a Justice of the Peace for signing of the statutory declaration.

(d) Filing the application and subsequent action:

Once the application is filed at the Court the responsibility for proceedings from that point rests with the Court, though as a department we naturally assist as far as we can. For example the Social Worker may:

- bring the Ward for medical examination at a time and place arranged by the Court.
- bring the Ward before the Judge at the time arranged for the hearing.
- produce a copy of a case history and/or a psychiatric report for the Judge's information and perhaps give oral evidence
- escort the Ward to psychiatric hospital.

On the other hand, where the Ward is intractable, dangerous, or has committed offences, the escorting may be done entirely by the Police who are holding the Ward in custody, or who take him/her into custody at the Judge's request once the application is filed.

(e) Parent willing to make application:

Even though a young person is one of our Wards there is no reason why parents cannot make the application on form H.21 and if they are willing to do so the Social Worker should give them the opportunity and should assist with completion of the application form and with all other aspects of the application. Whether or not they are making the application parents should receive a careful explanation of what is happening.

Q18.14 Psychiatric Treatment of Wards

Once a Ward has been admitted to a psychiatric hospital there are constraints on the psychiatric treatment that can be given. Under the provision of Section 49A(2) of the Children and Young Persons Act a young person in guardianship who is 16 years of age or older must consent him/herself to any psychiatric treatment. In the case of young persons and children under 16 such consent must be given by a parent or guardian (not being the Director-General) or under certain circumstances a substitute of the parent.

Q18.15 Admissions under the Criminal Justice Amendment Act 1969

Occasionally an adolescent commits a serious crime, and is obviously under disability, and may have a psychiatric disorder. It is urgent that he/she therefore be hospitalised for a psychiatric report, rather than be admitted on warrant or remand to one of our institutions. The procedure for this is to request the Judge at the sitting of the Children and Young Persons Court to make an order removing the child/young person to a psychiatric hospital, to be detained there for observation and report.

Each order may be for the maximum period of one month, and the total period with extensions is two months. Section 39b of the Criminal Justice Amendment Act 1969 states that its provisions may be used only "where any person is charged with any offence punishable by imprisonment or death" and is in custody pending a hearing or trial before any Court.

Section 39b (9) states that while any person is detained in a hospital pursuant to an order under this section, s/he shall be deemed to remain in the legal custody of the Superintendent of the penal institution or of the Police station in which s/he was confined before his/her removal to the hospital pursuant to the order.

Q18.16 Special Provisions Regarding Children

It is permissible (Section 18) to admit young children, who are themselves well, when it is considered undesirable to separate them from their mother, and this is likely to apply particularly to cases of puerperal psychosis. A prior arrangement with the hospital concerned will be necessary in these cases. The provisions of the section are limited to children under the age of 5 years.

There is nothing to prevent the superintendent of a psychiatric hospital admitting informally any child over the age of 5 years, if the child is in need of treatment.

As already noted no reception order may be made in respect of a child under the age of 10 years.

Q18.17 Length of Stay

In the case of a young person admitted informally s/he or someone acting on his/her behalf can terminate his/her stay at will. However the Medical Superintendent has the power under the Act to exercise discretion, if he considers the patient requires continued psychiatric care or treatment, to apply for a reception order in respect of the patient whom he can detain until the application has been determined.

With admissions under Section 19 and 21/22 of the Mental Health Act 1969 once the Court issues a reception order the patient's stay is subject to the discretion of the Director of Mental Health but a patient's continued stay in hospital is nevertheless subject to regular review. There is also provision for application by relatives or others for review of the continuation of a reception order where it is felt that a person is being wrongfully or unnecessarily detained. The patient himself/herself may, at any time after six months and at intervals of no less than six months thereafter, apply to the Minister for a review of his/her case.

Q18.18 Admission of Mentally Subnormal Children

Generally the reason for making a case a formal one instead of an informal one, is because the patient is dangerous or suicidal. It is not a good idea to certify subnormal children, but if they are, they may not be accepted by a hospital unless the I.Q. on test is less than 70 (i.e. mild mental retardation category I.C.D.). Approximately 80 - 90 per cent of children in psychopaedic hospitals are informal admissions.

Q18.19 Procedure with Non-Wards

If a child or young person appears to require admission to a psychiatric hospital and the parents seek our help; or if, where the case has otherwise come to notice, they are agreeable to admission, the procedure followed is similar to that outlined for Wards. The parents would make application and our role would be to help them to do this. We may accept responsibility for arranging the psychiatric examination, and help with completion of the application form itself where the admission is not to be an informal one. In all cases the Social Worker should at the outset obtain the parents' signatures to a simple statement requesting our help in making the application. An example follows:

We Raymond Howard WEST and Frances Ethel WEST have asked the Director, Department of Social Welfare, Whareiti, to assist us in making application for the admission of our son Barry Stephen WEST to a psychiatric hospital.

Signature: R.H. West Frances E. West

Signatures witnessed by _____

Occupation: _____

Address: _____

Date: _____

The original should be signed and placed on the district office file.

Although it is said that the majority of admissions to psychiatric and psychopaedic hospitals can be arranged with no more formality than is required at a general hospital it should be remembered that some of the people seeking our help would obtain little comfort from this thought. Where the request is for help to obtain an informal admission support can be given in helping the person obtain a doctor's admission letter and, if practicable, in arranging for prior consultation with a psychiatrist.

Q18.20 Procedure After Ward Admitted To Psychiatric Hospital

The procedure for Wards following admission is set out below:

1. When a Ward is admitted to a psychiatric hospital the file and cards should be forwarded to the district in which the psychiatric hospital is situated. A notification slip should be sent to the Director of this district advising him/her of the position. This Director should direct one of his/her Social Workers to visit within a reasonable time and ascertain that the chief clerk of the hospital records the correct position with respect to guardianship.

Contact between the district office in which the hospital is situated is essential so that progress reports can be obtained, whether verbal or written for relaying to the home district so that where necessary visiting of the Ward can be arranged, and so that ample forewarning of the person's discharge can be notified to the home district, and placements arranged.

It is of benefit for the district in which the psychiatric hospital is located to make a list of all the Social Welfare patients in the hospital and for this list to be reviewed with the hospital preferably fortnightly. After such reviews, a copy of the note for file, if not a memo should be referred to the home district of the Ward.

2. A Ward in a psychiatric hospital is not discharged from the Director-General's control but is kept on our books and visited at least once every visiting term (4 months) until our control terminates on his/her reaching the age of twenty years (refer Part N21, Discharge of Wards). If s/he is discharged from the institution before his/her twentieth birthday we would resume supervision and guidance until s/he is settled into the community and can be discharged, or until s/he reaches the age of twenty. The Social Worker visiting a Ward in a psychiatric hospital should endeavour to obtain accurate information regarding the welfare of the Ward. The Social Worker at the hospital (if there is one) will be a helpful contact. Where necessary the chief clerk will be able to advise the Social Worker of any movements of Wards who are in residence. An arrangement should be made with the Medical Superintendent to make sure no Ward is discharged from the hospital without the Social Worker being given prior notice.
3. Often, almost immediately after admission, the Director of the district from which the Ward has been admitted will receive a request for additional information about the Ward's health history and social background, or will be asked to complete a printed form. In completing this form the Director can make it clear that s/he (or if the psychiatric hospital is in another district, the local Director) will wish to be advised of any change in the Ward's circumstances, e.g. transfer to another institution, etc. If s/he has not already done so, the Director must also despatch a copy of a Social Worker's report direct to the Medical Superintendent of the psychiatric hospital to which the Ward is admitted. This report may be one which has been prepared for recent psychiatric examination of the child or young person before admission, or may be a copy of a recent report held on file. Any brief supplementary notes which will bring the report up to date with regard to the child's or young person's behaviour, circumstances, or home background, should be added. All subsequent communications with the hospital (except in emergency) should be made through the Director in whose district the hospital is situated. Any such correspondence should be in duplicate so that it can be forwarded promptly to the hospital concerned.

4. If a Ward is placed out from the psychiatric hospital in a private home on trial leave the Director should be aware of this and should co-operate with the psychiatric hospital authorities in making necessary arrangements. Until the Ward is actually discharged from treatment the main status will be I.p.h., and will be qualified by a Board or Work status as appropriate (B.n.p.), I.p.h. (W.p.), etc.
5. Some Hospital boards provide a 'comfort allowance' for Wards in psychiatric care. Directors have authority to supplement this allowance by a suitable amount up to the approved pocket money rate for children in Department's own settings (extended care facilities). This should be paid to the hospital authority for each child in guardianship under the age of 16 years who is capable of handling the money. In making such payments the hospital authority needs to be advised that the purpose is to supplement the 'comfort allowance' of the appropriate patients and that it is payable to (specified) individual children. Clothing remains the responsibility of our department, notwithstanding the fact that hospital boards can provide clothing for patients who are unable to provide their own. It is increasingly recognized that individual clothing improves a patient's sense of worth and dignity and therefore prospects of recovery. Most hospitals have a Welfare Officer who is able to take patients shopping, and the purchase of clothing can, therefore, be arranged by means of form Ty.125 after discussion of the Ward's needs with the Welfare Officer. If the Ward is over 15 years of age and eligible for a sickness or emergency benefit¹, the benefit should be used to purchase clothing. At or just before the time of discharge the Director will ensure that the Ward has an adequate outfit with which to resume life in the community.
6. When a Ward in a psychiatric hospital is approaching twenty years of age Social Workers should ensure, in co-operation with the psychiatric hospital authorities that:
 - (a) if the Ward is being discharged from the psychiatric hospital he or she will be given the assistance of an interested person or organisation in becoming established in the community, or that
 - (b) if the Ward is remaining in the psychiatric hospital contact with relatives or other interested persons is established if it does not already exist.

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1. For the first 6 months following admission to psychiatric hospital a limited benefit is usually payable. Wards who are over 15 years may qualify and this should be arranged through Benefits and Pensions Division. Emergency benefits are also paid on occasions to young people who are unfit to work and who are on long leave from the hospital.

7. If a Ward who was admitted to a psychiatric hospital informally absconds from the hospital before s/he is ready to be discharged the Medical Superintendent is not obliged by law to readmit him/her when found. He may do so if the Ward is prepared to return and appears to need further treatment but he has complete discretion to decide the matter. If a Ward is refused readmission the Director responsible will have to make other arrangements for the Ward's care. In an extreme case, where a Director is convinced that the absconding patient needs to be in a psychiatric hospital for his/her own sake or for the protection of the community but the Medical Superintendent concerned refuses readmission, application should be made to a Judge for a reception order (see Q18.8) or, if necessary, the Ward should be admitted urgently without an order through the procedure described in Q18.6.
8. The District Public Trustee normally administers the estate of persons admitted as formal patients to a psychiatric hospital. For Wards the following arrangements have been made between the department and the Public Trust:
 - Any Trust Account opened for a Ward in the name of the Director-General will not be treated as part of the Ward's estate and no action will be required by the Public Trustee.
 - If the Ward has a personal P.O.S.B. account in his/her own name but the balance does not exceed \$20 the pass book may be retained by the local Social Welfare office.
 - If a personal P.O.S.B. account for more than \$20 is held this will be handed to the District Public Trustee who is authorised to make payments for comforts, etc., when requested to do so by the Director. District Public Trustees also have instructions that if funds are available it would be reasonable for the local Social Welfare office to hold \$20 for this purpose. District Public Trustees will not be concerned about the detail of disbursement of funds made available in this way but the monies will be accounted for in the usual way by the Director as part of the Ward's funds.

Q18.21 Committed Patient Absent Without Leave

Section 67 provides that any committed patient who becomes absent without leave from the hospital in which s/he is detained may, on the day such absence commenced or at any time within three months immediately following the date, be retaken by any person and returned to the hospital in which s/he was detained or may be taken to any other hospital.

Any committed patient who is not retaken within the period of three months shall be deemed to have been discharged on the expiration of that period. The patient may at any time while s/he is absent without leave be discharged on the receipt by the hospital superintendent of a medical certificate that the patient is no longer mentally disordered, or that s/he no longer requires to be under oversight, care, or control.

Q18.22 Discharge of Committed Patients

1. Discharge by Medical Superintendent: Section 73 provides that a patient is said to be fit to be discharged when his/her detention as a mentally disordered person is no longer necessary either for his/her own good or in the public interest. When the superintendent of the hospital is of this opinion about a patient who is in the hospital or is absent without leave, he shall discharge him/her accordingly.
2. Others may apply: When the superintendent is not of this opinion but an inspector (Mental Health) or official visitor appointed under the Mental Health Act 1969 or any relative or friend of the patient is of a contrary opinion, "the inspector or official visitor shall and the relative or friend may" report the matter to the Minister of Health.
3. Patient may apply: Any committed patient who is subject to a reception order may, at any time within six months after the date of the making of the reception order and from time to time thereafter at intervals of not less than six months between each application made by him, apply to the Minister of Health for the holding of an enquiry by a Judge as to whether the patient is fit to be discharged.

Q18.23 Discharge Summaries

Copies of discharge summaries from the hospital in respect of committed Wards should be forwarded to this department, but they frequently are not. Directors should remind the hospital concerned to provide these and also to make it clear about what follow-up treatment is recommended and what drugs should be continued etc.

Such information should be supplied to the medical practitioner involved with the Ward.

Q18.24 Placement Under Guardianship of the Director-General to be Avoided If Admission to Psychiatric Hospital Is Likely

Where psychiatric hospital admission seems likely to be the most appropriate way of meeting the needs of a child/young person who comes to notice, Social Workers must not take action leading to guardianship if the parents will agree to psychiatric examination. Should this result in a recommendation for admission to a psychiatric hospital and the parents are prepared to accept this the Social Worker's role is to facilitate the procedure while avoiding unnecessary Court action (see also Q8.19).

Q19 SCHOOLS FOR THE DEAF: KELSTON AND VAN ASCH

Q19.1 Background

Kelston and Van Asch Schools for the Deaf operate under the administration and control of the Department of Education. They provide education for deaf children whose needs will best be met in a residential setting.

Kelston's contributing area covers an area north of a straight line drawn between Gisborne and New Plymouth and Van Asch's admissions come from the area south.

Q19.2 Admission Procedures (ref H7.4 re delegation)

The local District Adviser for the Deaf recommends to the Principal of the appropriate school that a deaf child would benefit from admission. An admitting panel, including the Principal and the District Senior Inspector of Schools makes the decision as to which children are suitable.

Districts with deaf Wards should work closely with the local Adviser. Approval to initiate admission procedures in cooperation with the local Adviser may be delegated down to SSW 104.

Q20 PLACEMENTS WITH VOLUNTARY ORGANISATIONS OF CHILDREN UNDER THE CARE OR GUARDIANSHIP OF THE DEPARTMENT

Q20.1 Procedure Necessary Before Placement With Voluntary Agency Is Finalised

In requesting a voluntary agency to place a child/young person, we must be clear as to the objectives of the placement and the precise nature of the responsibilities to be assumed by us and the agency. The following matters must be emphasised:

- (a) The Director-General retains legal guardianship and the agency acts as his agent in making placements.
- (b) Those day-to-day casework decisions which are normally the responsibility of a basic grade Social Worker may be delegated to a voluntary agency. Other decisions are to be made in consultation with the appropriately graded Social Worker in this department.
- (c) At the earliest stage practicable and preferably before any approach is made to the agency a statement will be prepared setting out the objectives it is hoped to achieve and what the department requests of the agency in achieving these objectives. This statement, plus a Social Worker's report is to form the basis for discussion with the agency, aimed at reaching mutual agreement on the objectives and acceptance by the agency of the proposal.

This process should be part of, and not additional to or instead of, the normal planning for children in care system.

The agreement reached will then be recorded for the department's and the agency's files and must include specific reference to:

- (a) The degree and nature of any consultation required about a particular placement or any changes of placements proposed.
- (b) The frequency and duration of any contact with natural parents and on whose authority such contacts can be made.
- (c) Any matters relating to schooling such as special educational needs, referrals to psychologists and/or psychiatrists, etc.
- (d) The source of authority for and responsibility for approving medical and dental treatment.
- (e) The nature of any consultation or the source of any authority in relation to such matters as leaving school, employment, entering armed forces, apprenticeships, purchase of cars or motorbikes or firearms, allocation of wages and supervision of savings, return to natural parents, abscondings. If a placement selected by a voluntary agency is not located in the originating district we must obtain the consent of the district in which the placement is proposed, and an agreement arrived at as to which district is to have the casework responsibility.

Q20.2 Registered Children's Homes (ref H7.4 re delegation)

Directors may approve admission to a voluntary agency's institution which is registered as a Children's Home under Part IX of the Children and Young Persons Act 1974, receiving capitation subsidy, etc.

Status is Ip, and Family Home board rate including bed availability rate is paid, plus pocket money allowance. The organisation includes these children in its normal capitation claim, and from this is expected to maintain the child's clothing and pay for all normal incidental expenses, doctor's bills, etc.

Social Workers should ensure that the child/young person is fully outfitted according to the clothing list provided by the controlling authority on admission.

Exceptional expenses - i.e., those which it would not be reasonable to meet from the capitation subsidy. Examples of expenditure under this heading are; orthodontic treatment, specialist medical treatment, education tuition, psychological/psychiatric therapy not available free. Such items remain the responsibility of this department. (See also N8.8 for special clothing requirements.)

Q20.3 Foster Care Placements Supervised by Voluntary Agency (ref H7.4 re delegation)

Before placing a child or young person who is in our care or guardianship in foster care under the control of a voluntary agency, the agency concerned must be recognised under Section 86(4) Children and Young Persons Act 1974.

A Ward placed by a voluntary agency in a foster care placement has the status B.p. If a Ward moves from a registered children's home to a private foster home, status changes from Ip to B.p. On status B.p., normal foster home board payments including incidentals allowance on the rate for age scale, plus pocket money is paid to the voluntary agency. Higher board rate where appropriate should be sought and is paid to the voluntary agency. Capitation is paid at normal or handicapped rate. No clothing allowance or other ordinary expenses are payable, but extraordinary expenses will be payable (refer Q20.2).

Every child/young person on status B.p. is to be included in the planning for children in care system, and the respective casework responsibilities will be detailed there.

Q20.4 Other Institutions (ref H7.4 re delegation)

The following provisions apply to private institutions not registered as children's homes, including I.H.C., Crippled Children's facilities, institutions, hostels, group homes, boarding establishments for adolescents, etc., but excluding boarding school placements.

Admissions to such establishments may be approved, status is B.r., and the department pays the asking rate and meets all expenses including pocket money, clothing, medical and incidental expenses.

Before approving such placements, the senior social worker should satisfy himself/herself that no appropriate departmental facility is available and that the fee being asked is a reasonable one for the service being provided.

Capitation subsidies are payable to approved organisations caring for disabled children (up to the age of 16). This subsidy reduces the board rate for wards so that board rate plus subsidy equal the asking rate.

In the case of I.H.C. the capitation subsidy is paid direct from Head Office to the Society's National Office and Districts must therefore ensure that the board rate has been adjusted to allow for this. Where, in the case of other organisations it has been confirmed that capitation subsidy is not being claimed the full asking rate is paid as board.

Q20.5 Registration of Homes

For registration of homes operated by voluntary agencies and the department's statutory responsibilities in this respect refer to Circular Memorandum 1982/46.

APPENDIX TO PART Q

	<u>Form</u>	<u>No.</u>	<u>Ref</u>
Fig 1	Departmental Residential Facilities		Q2.1.1 Q3.1.1
Fig 2	Contributing Districts		Q2.1.2
Fig 3	Details of Extended Care Programmes		Q3.1.1
Fig 4	Section 7 Warrant	SW 663	Q2.1.4
Fig 5	Section 25 Warrant	SW 505	Q2.1.4
Fig 6	Notice of Placement in Custody of Director-General of Child or Young Person Who Has Been Arrested	SW 673	Q2.1.4
Fig 7	Certificate for Detention in Police Custody of Young Person	SW 672	Q2.1.4
Fig 8	Section 11 Agreement	SW 511	Q2.1.5
Fig 9	Personal and Family Information	SW 542A	Q2.2.7
Fig 10	Regional Residential Placement Info.	SW 542C	Q2.3.3
Fig 11	Case Plan	SW 515	Q3.2.8 Q3.4.1 Q3.4.3 Q3.4.5 Q3.5.5 Q10.11
Fig 12	Monthly Statistical Returns		Q10.13
	12(a) Monthly Statistical Returns		Q10.13
Fig 13	Medical Report (for admission to Department of Education School)		Q17.3
Fig 14	Request for Reception into Hospital under S.19, Mental Health Act 1969	H19	Q18.7 Q18.13
Fig 15	Medical Certificate under Section 19	H20	Q18.7
Fig 16	Application for Reception Order under S.21, Mental Health Act 1969	H21	Q18.8
Fig 17	Medical Certificate under S.19 & 22, Mental Health Act 1969	H23	Q18.8
Fig 18	Parents' consent to Medical/ Dental Treatment		Q17.3
Fig 19	Dental report		Q17.3
Fig 20	Code of Practice		Q10.14

DEPARTMENTAL RESIDENTIAL FACILITIESShort term facilities are:Boys' Homes

Cater for boys basically of the 12-16 years age group (but younger and older admissions may be negotiated should circumstances dictate):

	Capacity		
	Open	Medium-Secure	Secure
Owairaka Boys' Home, 56 Owairaka Avenue, AUCKLAND. (14-16 year olds)	43		18
Weymouth, 400 Weymouth Road, Manurewa, AUCKLAND. (12-14 year olds)	12		19*
Hamilton Boys' Home, 67 Mount View Road, Melville, HAMILTON.	40	5	4
Epuni Boys' Home, 441 Riverside Drive, LOWER HUTT.	42		4
Christchurch Boys' Home, 300 Stanmore Road, CHRISTCHURCH.	29		5
Dunedin Boys' Home, Caversham Valley Road, Lookout Point, DUNEDIN.	18		5

Girls' Homes

Cater for girls in the 12-16 years age range.

Bollard Girls' Home, 56 Bollard Avenue, Avondale, AUCKLAND.	30		4
Weymouth, 400 Weymouth Road, Manurewa, AUCKLAND.	20		19*

* Secure facilities are shared with the extended care programme.

Fig 1. (contd)

	<u>Capacity</u>		
	Open	Medium-Secure	Secure
Hamilton Girls' Home, 419 Dey Street, HAMILTON.	30		4
Wellington Girls' Home, 41 Camperdown Road, Miramar, WELLINGTON.	36		4
Kingslea, Horsehoe Lake Road, Shirley, CHRISTCHURCH.	18		13*
Dunedin Girls' Home, 40 Elliot Street, Andersons Bay, DUNEDIN.	14		2

* Secure facilities are shared with the extended care programme.

Children's Centres

Children's centres provide facilities for young children of both sexes placed there for observation, assessment and short-term training.

	<u>Capacity</u>
Tower Hill, 9 Ruakiwi Road, HAMILTON.	22
Otamatea Children's Centre, 136 Great North Road, WANGANUI.	20 (includes 10 Cottage based beds for extended care)

Extended care facilities are:

	<u>Normal Capacity</u>	<u>Secure</u>
Weymouth, 400 Weymouth Road, Manurewa, AUCKLAND (girls 13-16 years)	40	19*
Beck House, Eskdale, HAWKES BAY (boys 9-12 years)	24	

*Secure facilities are shared with the short-term care programme.

Allendale Road Girls' Home, 44 Allendale Road, Mt Albert, AUCKLAND. (girls 10-14 years)	23	3
Kohitere, C.D. Farm Road, LEVIN (boys 14-16 years)	90	12
Hamilton Boys Home, 67 Mount View Road, Melville, HAMILTON. (boys 12-14 years)	5	4*
Hokio Beach School, Hokio Beach, LEVIN (boys 12-14 years)	60	2
Kingslea Horseshoe Lake Road, Shirley, CHRISTCHURCH. (girls 13-16 years)	75	13*
<u>Group Homes</u>		
Te Atatu Group Home, 168 Te Atatu Road, Te Atatu South, AUCKLAND. (boys and girls 9-12)	10	-
Otamatea Children Centre, 136 Great North Road, WANGANUI. (boys and girls 9-12)	10	-
Opawa Group Home, 5 Ensors Road, Opawa, CHRISTCHURCH. (boys and girls 9-12)	10	-

* Secure facilities are shared with the short-term care programme.

<u>Boys', Girls' Homes or Children's Centres</u>	<u>Contributing Districts</u>
AUCKLAND	Kaitaia Whangarei Auckland Takapuna Otahuhu Papakura Henderson Manukau New Lynn
HAMILTON	Gisborne Paeroa Hamilton Tauranga Whakatane Rotorua Taumarunui New Plymouth
WELLINGTON/ LOWER HUTT	Wairoa Napier Hastings Masterton Palmerston North Wanganui Lower Hutt Wellington Porirua Blenheim
CHRISTCHURCH	Nelson Greymouth Christchurch
DUNEDIN	Timaru Dunedin Invercargill

DETAILS OF EXTENDED CARE PROGRAMMESWeymouth

- (a) Weymouth is situated near the coast about 3 km from Manurewa in the South Auckland area and about 40 km from Auckland city. Three hostels can accommodate 60 girls and each girl has a room of her own.

- (b) Purpose:

The school which was opened in 1973, aims to provide custodial control and rehabilitation for difficult, disturbed and delinquent 13 - 16 year old girls. It is recognised that unless the programme is directly relevant to a girl's life in the open environment, it is unlikely that improvements in behaviour will generalise from institution to community. Staff try to provide the girls with a sufficient range of experiences for them to learn many of the skills for successful functioning in the community.

- (c) Length of training:

This varies depending on each individual girl's progress and behaviour but generally it could be expected that a girl would spend 9 - 12 months at the school.

- (d) School/Vocational:

While at Weymouth girls under 15 years of age are required to attend school classes in the usual way. Those over 15 years are encouraged to attend classes if they choose, or (during their first few months) they are occupied in various duties around the hostel and grounds. After their first few months, girls may be given the opportunity of attending schools out in the community being included in a work experience programme or seeking employment in the nearby districts.

- (e) Recreation/Outings:

Facilities for leisure hours are considered of great importance and every effort is made for girls to lead happy and active lives while they are at the institution. From time to time visitors take girls who are employed for sewing and dressmaking. Weymouth has a well equipped gymnasium and teams are entered in local softball, netball and indoor basketball competitions. Picnics and camping expeditions are undertaken throughout the year.

- (f) Religion:

Arrangements are made for girls to receive instructions or attend local churches if they so request.

(g) Visitors/Correspondence:

Girls are encouraged to write to their families and parents are encouraged to reciprocate. Within reason girls are allowed to make and receive telephone calls from their families. Parents are encouraged to visit and these should be arranged with the Principal. Girls receive pocket money and any money or parcels which parents wish to bring should first be given to the staff on duty. When a girl's parents live within a reasonable distance from Weymouth she may, if her progress and response warrants, make occasional day or weekend visits home or to relatives.

(h) Specialist services:

The institution's full time counsellor arranges psychiatric and psychological referrals as required. There is a qualified nurse who attends to day to day requirements and arranges specialist consultations as well as assisting the doctor the dentist and the venereologist, who visit regularly.

(i) Future developments:

By the end of 1985, Weymouth will be a multi purpose campus providing an extended care programme as described above, for up to 40 girls aged 13-16 years, a short term remand/assessment programme for South Auckland girls aged 12-16 years, and a short-term remand/assessment programme for 12-14 year old boys.

Beck House:

(a) Description:

Beck House is situated at Eskdale 15.5 kilometres from Napier and 4.5 kilometres along the Napier-Taupo Road from the turn off on the Napier-Gisborne main highway. It provides schooling and full residential accommodation for 24 boys.

(b) Purpose:

This school provides for boys in the 9 - 12 age range who are very disturbed and who need the environment and programme associated with a special school for maladjusted children with serious emotional difficulties and who because of extremely tenuous or non-existent family links are not accepted for admission to either Waimokoia or McKenzie.

The aim of Beck House is to stabilise children so that they can in the majority of cases return to a Family Home or if they cannot be stabilised, the need for further psychiatric care will be evident. It is hoped that admission to Beck House will prevent inappropriate admissions to psychiatric units.

(c) Length of Training:

On average, boys will be in residence for 15 - 20 months. Admissions and discharges will normally occur at the beginning and end of school terms. The Principal will decide whether or not a boy is stable enough to be placed in a local school.

(d) School:

There is provision for three primary/intermediate school teachers. There are no facilities on the campus for secondary school level boys, although this can be arranged with local secondary schools where required.

(e) Material required:

- (i) full social history, including a developmental history from birth;
- (ii) medical report, included a statement on the physical level of maturity;
- (iii) psychological report (a report should be along the same lines and as full as the psychologists report on children proposed for admission to Waimokoia and McKenzie Schools);
- (iv) psychiatric report (where applicable);
- (v) Boys' Home report (where applicable);
- (vi) details of holiday placements;
- (vii) comment on placement proposed on discharge. On the assumption that a child being admitted will probably return to a Family Home, proposals should where appropriate include comment on the Family Home foster parents most likely to be able to give the necessary support to boys being discharged. This will focus attention on mind the need for a bed at holiday times and when final placement is proposed. It is envisaged that Beck House should be able to build in better support for these Family Homes foster parents who are nominated as having the qualities necessary to provide successful after care for boys from Beck House.
- (viii) Recent S.W. 515.

(f) Medical/Psychological/Psychiatric:

The Napier Psychological Service provides back-up support and a psychiatrist is available for consultation if required.

(g) Visitors/Correspondence

Families are encouraged to correspond regularly with boys; and a flat which can accommodate four people is available for overnight visits by parents or foster parents of boys in residence. Advance bookings are necessary.

Allendale Road Girls' Home:

(a) Description:

Situated at 44 Allendale Road, Mount Albert, Auckland, the Girls' Home has a capacity of 23.

(b) Purpose:

Allendale provides assessment and extended care for disturbed and delinquent girls whose ages range from 10 - 14 years. The girls come mostly from within the Auckland region.

(c) Length of Stay:

This depends on the needs of each girl and her home circumstances. The average length of stay is three school terms. Generally, stays of less than two terms will not be considered.

(d) Schooling:

The school is staffed by a senior teacher and one other teacher. Specialist teachers are used on a part-time basis.

(e) Recreation/Outings:

In addition to the normal sports, games and activities organised by the staff as part of the institution programme, girls are also involved in a local marae. Numerous community groups are also involved in the programme.

(f) Religion:

Girls are able to attend local church services according to their religious affiliation. Two spiritual counsellors spend one day each week visiting the institution and spending time with the girls.

(g) Family and Correspondence:

Contact with the families is important and encouraged in every possible way, where this is consistent with the casework plan.

(h) Specialist Services:

Medical and psychological services are available as required.

Kohitere:

(a) Description:

Kohitere is three kilometres south-west from Levin. The main campus area covers about five hectares surrounded by a mixed farm area of some 110 hectares. Kohitere has two large accommodation villas and eight cottages. In addition there is a separate secure unit with rooms for up to 12 boys. In the foothills of the Tararua Ranges, 16 kilometres from the institution is Kohitere Forest, approximately 800 hectares, and "Camp Peek" a thirty bed complex used for periodic camps by Kohitere and other departmental institutions.

(b) Purpose:

The age range at Kohitere is 14 - 16 years. The prime criteria for admission are delinquent and difficult behaviour for which residential care seems indicated.

(c) Length of Training:

Over the past few years the period of time spent in residence has been reduced to 6 - 9 months. Plans for a boy's discharge begins with him the day he is admitted and he is kept aware of how his progress is seen at all times. In the fifth and eighth months of his stay each boy attends a progress review chaired by the Principal. Length of stay depends on individual response and may be as short as three months or as long as twelve months.

(d) School/Vocational Training:

The training programme at Kohitere is structured around the following three stages:

Stage One centres on the school, which all new boys attend initially regardless of age or ability. Scholastic and social maturity testing help to decide in both the treatment plan and placement. Some boys may remain in school for their whole stay, some may spend only a brief time but most spend up to one term. School work is geared to the needs of individuals with a strong emphasis on education for social competence.

Stage Two encompasses a wide variety of work training under the tuition of instructors, including forestry, farming, gardening, carpentry, painting and catering. Boys may elect specific courses of instruction and attain a certificate of proficiency in elementary skills. External examinations such as New Zealand Wool Board Shearing certificates and motor drivers licences are also offered.

Stage Three is work experience with private employers in the Levin community. A number of boys have the chance to work in jobs of their choice in the last months of their residence at Kohitere, although this depends on the employment situation.

Apart from the social and vocational advantages of experiencing the work environment, boys can make substantial savings. Working boys are charged board and thus cease to be a charge upon parents who may be contributing to their keep. As a transitional step, work experience has proved to be one of the most successful elements of the Kohitere programme.

Like any rehabilitation enterprise the Kohitere programme is subject to continual evaluation and revision in matching resources to needs.

(e) Recreation/Outings:

Kohitere has considerable interaction with the local community. The work experience scheme, church and club attendance, assistance in community projects, and sporting fixtures all bring boys into contact with local people. Kohitere has a long tradition of voluntary work from small assignments such as firewood for the frail aged to larger projects for non-profit organisations.

Similarly, with the new gymnasium/swimming pool complex and extensive grounds, Kohitere hosts sports clubs, schools, service clubs and youth groups for social and recreational events at the centre.

Hokio Beach School:

(a) Description:

Hokio is on the coast approximately 13 km from Levin and has about 10 hectares for recreational purposes, much of which consists of sandhills and scrub but this provides an ideal playing area. Accommodation is provided for 60 boys. The accommodation wing is connected to the dining room and kitchen. Adjacent to the kitchen are administrative offices and various other rooms. The school rooms are a short distance from the accommodation block and include a well equipped gymnasium and manual training rooms. These buildings open on to a playing field and a larger play area has been developed on the further side of the Hokio stream which runs through the property and provides an additional play amenity for the boys.

(b) Purpose:

Hokio is concerned with the social and cultural re-education of delinquent boys between the ages of 13 and 14, and like Kohitere is conducted on 'open' lines. All boys are given experiential opportunities to extend their knowledge in a bi-cultural learning environment. The aim is to provide a stable living environment with the emphasis on creating an atmosphere in which the boys can relax and learn to cope with the pressures and tensions they experienced in the community. Every effort is made to provide them with opportunities to experience success in areas where they have previously failed, both social and educational.

During week days all boys attend school. Boys take part in various cultural and recreational activities out of school hours. On the department's property in the hills behind Levin a camp known as "Camp Peek" has been established where some Outward Bound type training is given under supervision of Hokio staff.

(c) Length of Residence:

Length of stay is partly determined at the initial case planning meeting by the case worker, social worker and parents. The goals and objectives established for this purpose is reviewed after 6 months. The progress report and the caseplan (SW515) can be updated by the social worker while the child or young person is at home for holidays with the aid of the Institution progress and school report. A full case conference attended by both residential social worker and teaching staff toward the end of the boys stay helps determine whether the goals and objectives have been satisfactorily met.

(d) Schooling:

The school is staffed by a senior teacher, four classroom teachers, a metal and a woodwork manual training teacher and caters for all boys. Supplementary to this basic core is a part-time remedial reading teacher and a part-time Maori teacher. Importance is attached to a bi-cultural input. Except for Wednesday, every other morning (1/2 - 3/4 hour) of the school day involves learning/presenting aspects of Taha Maori and also acquiring knowledge and understanding of basic etiquette procedures within a marae situation. The programme is designed so that all learning is meaningful, interesting, non-competitive and geared to meet the requirements of the individual. Each pupil's progress is measured against his own former standards of achievement, not in relationship with the rest of the class. Within the manual training block emphasis is placed on a general training in manual skills. Because of the need for social education among most boys admitted to the institution, appropriate time and emphasis is given to this subject in the school syllabus. The teachers join with other staff in the running of courses at "Camp Peek".

(e) Recreation:

In addition to general sports and games organised on the property the boys are able to take part in local competitions organised by the associations for rugby, soccer, softball, indoor basketball and athletics. Although Hokio is on the coast it is not considered a safe beach for swimming and the institution has its own swimming pool.

The boys take part in many local community projects sponsored by various organisations to the mutual benefit of boys and the people of Levin.

(f) Visitors/Correspondence:

There is no restriction on inward and outward correspondence and certainly no restraint on family communications. Parents are encouraged to visit especially when the boy first arrives and this has a threefold purpose - it provides opportunity for an initial case conference; it allows the parents to see where their son is going and to meet those who will be caring for him; and finally it eases the transition stage for the boy. Parcels are permitted but apart from birthday gifts those containing foodstuffs are not encouraged. Reading material, comics etc., games, craft materials etc., can be received at any time.

(g) Religion:

Boys are free to attend religious services of their own creed. Interdenominational services are available in town to all boys each Sunday and arrangements are made with a local interested group to facilitate their attendance and social interaction with Church members.

(h) Specialist Services:

A visiting psychologist from Levin Psychological Services attends the institution from time to time and psychiatric referrals are directed to Palmerston North Hospital.

(i) Submission material required:

- (i) submission outlining full social history including what involvement has occurred with Maatua Whangai;
- (ii) medical report;
- (iii) psychological report;
- (iv) Boys' Home report (current);
- (v) any other relevant specialist reports;
- (vi) a home leave report to arrive at Hokio no later than 3 weeks after the boy has returned.

Kingslea:

(a) Description:

Kingslea is situated 5 km from the city centre of Christchurch in a quiet residential suburb. The buildings, hall, gymnasium, technical rooms, school, medical clinic, staff houses, residential units and administration block are nestled in attractive grounds covering approximately 11 hectares.

(b) Purpose:

Kingslea is a residential treatment facility for girls between the ages of 13 and 16 years, who are facing major problems or difficulties in their lives. Kingslea serves two main functions:

- (i) it provides short-term care and assessment facilities for girls from the top half of the South Island. Girls whose community living situations break down, who are offending, or who are living a life-style detrimental to their overall development, may be admitted to Kingslea for a residential assessment of their social, emotional and educational needs;
- (ii) it provides facilities for the extended care of girls whose difficulties are such that a reasonably lengthy period of residential care, away from their own homes and social environment, is considered necessary. Extended care is provided for girls from all over the South Island, and the lower half of the North Island.

(c) Length of Placement:

- (i) Short Term Care:
The length of stay can vary from a few days to several months.
- (ii) Extended Care:
Can vary in length from several months to two years. The average stay is about 12 months.

(d) Schooling/Vocational Training:

The school is staffed by a Head Teacher, five classroom teachers, a homecraft and recreation teacher and some specialist teachers coming on a part-time basis for such things as typing, remedial work etc. The school also provides instruction in gardening, sewing, woodwork and pottery. The Head Teacher co-ordinates all the teaching activities and calls in psychological services when necessary.

All core subjects are taught, English, Maths, Social Studies, basic Science and Biology, Typing, Art, Homecraft, Phys-ed and Health. There are two full-time sewing instructresses. The school caters for educational needs from primary school to University Entrance standard. The learning experiences often take girls into the community to study activities and contribute to society.

Vocational training is planned to teach a variety of subjects and skills which will fit the girls when they leave the institution. The training provides for a wide variety of experiences and includes opportunities for outside work experience. Many of the girls are involved in a work exploration programme being employed for set periods two days a week in a large variety of work areas.

(e) Recreation/Outings:

Groups from the neighbourhood, Service Clubs, University, Training College, trade hostels, high schools and church youth groups share with the girls their own educational facilities, group activities and homes. In return they are invited to join the girls in evening activity, for competitive sport, picnics and dances. Employers from the work placements often contribute far more than just the job opportunity and experts from a variety of fields are invited in on winter evenings to share their knowledge with the girls. The girls are also encouraged to help within the community at play centres, I.H.C. and other projects.

Sports teams are entered in city and inter-school competitions in netball, indoor basketball, softball and swimming.

(f) Religion:

Groups from interested churches conduct a Sunday morning service on a regular basis. Girls are encouraged to keep their affiliation with their family's religion if they show inclination this way and community contact for this is then sought.

(g) Family and Correspondence:

Contact with the girls' families is important and encouraged in every possible way. Active involvement with local families is undertaken by institution staff where it is seen that this will have a positive influence. The girls can be visited any weekend at Kingslea and girls who have family or relatives in Christchurch are allowed weekend leave, dependent upon behaviour, every three weeks. Visits by parents or relatives from out of Christchurch are welcomed and at times actively sought. People wishing to visit the girls who are not relatives are welcomed only when it is assured that they will be helpful towards the girl's future.

(h) Family Home Flats and Alternative Opportunities:

A Family Home adjacent to Kingslea is operated on the same basis as others in the Department of Social Welfare with foster parents in charge, one of the parents maintaining a full-time job. The girls selected to go there are those who stay long-term, are still relatively young or who are ready to try going to a high school within the community. They are encouraged to take a full part in the community but have the facilities of Kingslea nearby if needed.

Kingslea has two flats, ex staff units, which are used by girls as part of the training programme. Supervision of this area is undertaken by senior staff.

(i) Medical/Psychological/Psychiatric:

Kingslea has a full-time nurse, medical doctors on regular visits and dental facilities on the property. Good psychological support is available, while a psychiatric consultant visits weekly.

(j) Secure Care:

The Secure Unit is operated as much as possible along the lines of a therapeutic or intensive care unit. The policy is to have an optimum amount of freedom of movement and activity within the building and yet with rooms that are safe for secure custody if necessary.

(k) General:

Each girl in an open unit is delegated to one section of the staff team who become responsible for developing an individual programme for her and seeing that it is instituted and adhered to after submitting it to the Senior Residential Social Worker. There are regular casework meetings and overall supervision comes from the Assistant Principal.

The afternoon, evening and weekend programme in the residential units is aimed to provide as many cultural, craft, recreational, sporting and educational opportunities as possible for the girls to enable them to grow in confidence, social maturity and responsibility.

GROUP HOMES

(a) Introduction

Group Homes have been established at Te Atatu (Auckland) and Opawa (Christchurch), Wanganui (Otamatea). They provide an extended residential care programme in a community setting. By having smaller institutions with a regional rather than a national catchment area, the Group Home concept permits Residential Social Workers to work more closely with a smaller group of children and provides greater opportunities for retaining close family links where this is part of the casework plan.

(b) Purpose

The Group Homes cater for up to 10 boys and girls aged between 9 - 12 years inclusive and who are pre-adolescent at the time of admission. They aim to provide a comprehensive social, educational and recreational programme for difficult and disturbed children who are still at a pre-delinquent stage. The children who could be considered for admission will have shown a pattern of inappropriate behaviour in their home situation and/or at school. If such a pattern of behaviour were to

continue, it would be likely to result in a breakdown of the present placement. The Group Homes are looking at early intervention in a community based programme. A child who needs total removal from the community would probably be inappropriate in a Group Home.

Experience has shown that where planning documentation and clear placement goals have been agreed to prior to admission, the child has been much more settled in the Group Home.

(c) Length of Stay

The normal length of stay will be up to twelve months.

(d) Schooling

A classroom is located within the Group Home and is staffed by a teacher who is on secondment from a local intermediate school. Most of the children commence their schooling within the Group Home with the emphasis being on early integration into a local school.

(e) Casework Responsibilities

In conjunction with the field Social Worker, the Residential Social Worker is expected to play a full part in family therapy where this is possible and appropriate. Care needs to be taken to clarify who the primary caseworker will be and what the respective social work roles and responsibilities are. Wherever possible the department would like the residential worker to undertake work with the family or any child in residence.

(f) Admission Procedure

Applications for admission should be forwarded to the Principal of the Group Home concerned.

WARRANT TO SEARCH FOR CHILD OR YOUNG PERSON

Section 7, Children and Young Persons Act 1974

To every Social Worker and to every member of the Police (or to

(1) Full name.

(¹)
Social Worker (or member of the Police)).

(2) Full name of
child or young
person.

I am satisfied on an application in writing made on oath that there is reasonable
ground for suspecting that a child (or young person), namely (²)

.....
is being ill-treated (or neglected in a manner likely to cause unnecessary suffering or is
living in an environment injurious to his (or her) physical or mental health) and is living

(3) Give address or
description of
dwelling house,
building, aircraft,
ship, carriage,
vehicle, premises, or
place.

(or is to be found) at (³)

.....
This is to authorise you at any time or times within one month from the date of this
warrant to search for the said child (or young person) and ascertain whether there are
grounds for making a complaint under section 27 of the Children and Young Persons Act
1974.

In exercising the authority conferred by this warrant you may:

(4) Give address or
description of
dwelling house,
building, aircraft,
ship, carriage,
vehicle, premises,
or place in respect
of which the
search is authorised.

(a) Enter and search, by force if necessary, (⁴)

and

(b) If in your opinion the child (or young person) is seriously at risk of ill-treatment or
neglect or needs to be detained to protect his (or her) physical or mental health, remove
the child (or young person), using such force as may reasonably be necessary, and place
him (or her) in a residence within the meaning of the Children and Young Persons Act
1974.

Dated at, this day of

....., 19.....

.....
District Judge (or Justice of the Peace,
or Registrar (not being a member of the Police)).

**Statement of Date that Child or Young Person was Removed and
Placed in a Residence (for purpose of section 7 (5) of the Children
and Young Persons Act 1974).**

I declare that the child or young person
....., named in this warrant,
was removed by me and placed in a residence (as specified in the
Children and Young Persons Act 1974), on
.....

Signed:
Constable/Social Worker.

WARRANT TO REMOVE A CHILD OR YOUNG PERSON FROM HIS SURROUNDINGS**Section 28, Children and Young Persons Act 1974**To every Social Worker and to every member of the Police (or to ⁽¹⁾.....

(1) Full name Social Worker
(or member of the Police)).

(2) Full name of child or young person A complaint has been sworn that ⁽²⁾.....
a child (or young person), is in need of care, protection, or control, and I am satisfied on application made on oath that there is reasonable ground for suspecting that the said ⁽²⁾.....
..... is likely to be ill treated, or neglected, or subject to inadequate care or control, or is seriously disturbed as to be likely to act in a manner harmful to himself or the person

(3) Give address or description of dwelling house, building, aircraft, ship, carriage, vehicle, or premises or place or property of others and is living (or is to be found) at ⁽³⁾.....
.....
This is to authorise you at any time or times up to 21 days from the date of this warrant to remove

(2)
into your custody and convey him (or her) to a residence designated under the provisions of the Children and Young Persons Act 1974.

In exercising the authority conferred by this warrant you may –

(a) Enter, by force if necessary, ⁽³⁾.....
where the child or young person is believed to be living (or may be found).

(4) Enter dwelling-house, or building, aircraft, ship, carriage, vehicle, premises or place as the case may be (b) Enter by force any other ⁽⁴⁾.....
in which you may reasonably suspect that the child or young person may be found.

Dated at....., this day of
..... 19.....

.....
District Court Judge (or Justice of the Peace or Registrar (not being a member of the Police)).

NOTICE OF PLACEMENT IN CUSTODY OF DIRECTOR-GENERAL OF SOCIAL WELFARE OF CHILD OR YOUNG PERSON WHO HAS BEEN ARRESTED

Section 43(2)(b), Children and Young Persons Act 1974

Identifying Details of Child or Young Person Arrested

Full name:

Sex: Male/Female

Date of birth:

Permanent address:

Date of arrest:

Time of arrest:

Circumstances of Arrest

(including brief particulars of the offence for which the child or young person has been arrested)

.....

Date and Time of Intended Appearance before the Court

The above-named child or young person is due to appear on day, the day of 19.... at a.m./p.m. in the Children and Young Persons Court at

Placement of Child or Young Person

I, ..., a member of the Police, holding the rank of am placing the above-named child or young person in the custody of the Director-General of Social Welfare by delivering the above-named to, a Social Worker, at on at a.m./p.m.

Signed:

Date:

NOTES

(1) The member of the Police who delivers the child or young person to the Social Worker must present a completed copy of this form to the Social Worker to whom the child or young person is delivered.

(2) Placement of a child or young person in the custody of the Director-General under section 43(2) of the Children and Young Persons Act 1974 (which placement is recorded by this form) is sufficient authority for the detention of the child or young person by a Social Worker or in a residence under that Act, or under the care of any suitable person approved by a Social Worker, until—

- (a) In the case of a young person, the young person is brought before a Children and Young Persons Court to answer the charge; or
 - (b) In the case of a child, the child is made the subject of a complaint under section 27 of the Children and Young Persons Act 1974 and is brought before a Children and Young Persons Court so that the Court may determine whether the child is to be held in custody pending the disposal of the complaint; or
 - (c) The expiry of a period of 3 days after the day on which the child or young person was arrested—
- whichever first occurs.

CERTIFICATE FOR THE DETENTION IN POLICE CUSTODY OF A YOUNG PERSON

Section 43(3), Children and Young Persons Act 1974

I, ... , a senior Social Worker, and
(Full name)

I, ... , a Senior Sergeant (or Commissioned Officer) of Police,
(Full name)

being satisfied –

(a) That , a Social Worker, has good cause to believe
(Full name)

that , a young person who was born
(Full name of young person)

on and who was arrested on at
(Day, month, year) (Day, month, year)

for the offence of , is likely to abscond (or be violent);
(Describe offence)

and

(b) That suitable facilities for the detention in safe custody of that young person are not available to the Director-General of Social Welfare in the locality in which that young person is detained, –
certify that that young person may be detained in Police custody for a period exceeding 24 hours and until appearance before the Court.

Signed: Signed:
(Senior Social Worker) (Senior Sergeant/Commissioned Officer)

Date: Date:

NOTE: Where a senior Social Worker and a member of the Police issue a joint certificate in this form, there shall, within 3 days after the day on which the certificate is issued, be furnished by the senior Social Worker to the Director-General of Social Welfare and by the member of the Police to the Commissioner of Police–

(a) A copy of the certificate; and

(b) A written report on–

(i) The circumstances in which the certificate came to be issued;

and

(ii) The duration of the period for which the young person has been detained, or is likely to be detained, in Police custody.

**AGREEMENT FOR CONTROL OF CHILDREN OR YOUNG PERSONS
BY DIRECTOR-GENERAL**

(Children and Young Persons Act 1974, Section 11)

AGREEMENT made between the Director-General of Social Welfare (in this agreement called "the Director-General") and

(Names)

of

(Address)

(Occupation)

*Cross out
those that
do not apply.

(in this agreement called "the parent") the *father/mother/guardian/person having custody and control of the *child(ren)/and/or young person(s) whose name(s) and date(s) of birth are in the Schedule of this agreement (in this agreement called "the child(ren)").

BY WHICH IT IS AGREED

1. That the parent gives, and the Director-General assumes, control of the child(ren) as provided for by Section 11 of the Children and Young Persons Act 1974.
2. That the Director-General will have control of the child(ren) from the date of this agreement until the end of calendar months or until either the Director-General or the parent revokes this agreement, whichever happens first.
- *3. That the following terms will apply to the control of the child(ren) namely:

*Cross out
if there
are no
special
terms.

DATED this

day of

19

SCHEDULE

Names

Date of Birth

Names

Date of Birth*

*Write in
father/mother
guardian or
person having
custody and
control as the
case may be.

SIGNED by

the *

of

the child(ren).

SIGNED by the Director-General by

(Names)

acting under delegation
authorised by Section 12
of the Department of Social
Welfare Act 1971.

The Director-General of
Social Welfare by

**PERSONAL AND FAMILY INFORMATION ON CHILD OR
YOUNG PERSON IN CARE AS AT**
(Date)

CHILD:
(Forenames) (Surname)

also known as

Birthdate: Place: Race (and tribe):

Date of entry to care: Status: Ward/S.II/Rem/Post/War/
(Other)

PARENTS: Father: Age: Race:
Natural/ Address: Phone:
Adoptive

Occupation:

Known to child as: Brief description: (Appearance and personality)

Mother: Age: Race:

Address: Phone:
(If different to father)

Occupation:

Known to child as: Brief description: (Appearance and personality)

Step-parent: Age: Race:

Address:

Known to child as: Brief description: (Appearance and personality)

SIBLINGS: Brothers/Age/Whereabouts Sisters/Age/Whereabouts

**OTHER
SIGNIFICANT
PEOPLE:**

Name/Relationship/Address/Significance

RELIGION: Importance to Family:

Attendance:
(Church, Sunday School, Frequency)

Significant Steps (Baptism, Confirmation, Dedication)

When and Where?

HEALTH AND DEVELOPMENT:**1. Innoculations (due at) (cross out as completed):**

Triple (3 months) Polio (3 months) Polio (5 months) Measles (12 months) Double (18 months) Polio (18 months) Polio (5 years)
 Rubella (girls 11 years) Tetanus (15 years)

2. Illnesses in past 12 months:**3. Present medication: (Specify)**
 prescribed by: Family Doctor (if different):**4. Allergies:****5. Health History (include references to physical or psychiatric disorder, TB, eye or hearing defects):****6. Dentist:** last visit:

Any problems:

Enrolled in Dental Benefits Scheme? Yes/No

7. Feeding (include likes and dislikes, pattern, special diet, etc):**SCHOOL:****1. School:** **Class:****2. Aptitude and Progress (include reference to any special difficulties):****3. Present schooling plan:****GENERAL:****1. Behaviour patterns (include positive and negative):****2. Intellectual abilities (strengths and weaknesses):****3. Sporting and Cultural Interest and Aptitudes:****4. Special Needs (e.g. lifting at night, special toy):****5. Any property which is of significant value to child (e.g. watch):**

Social Worker

Regional Residential Placement Information

(Copy to Institution with S.W. 542A, and D.O. File)

Child:

Home District:

Social Worker:

Supervisor:

Liaison social Worker (if applicable):

Purpose of Admission to Institution (Assessments, training, security etc. Specify in detail. Include date of Court hearing if applicable):

Arrangements For Contact/Visits With Parents/Siblings/Significant Others (indicate travel arrangements and district/institution responsibility for same)

Short Term Plans (specify work with family while child in institution):

Initial Casework Goal:

Admission Date.

Date of Despatch:

Life History: (Childhood experiences, personality development, social maturity, special abilities, previous placements and reasons for breakdowns.) Attach any recent specialist reports and include a physical description of child with a photo if available.

Family History:

Reason for Coming into Care:

Current Offences:

Previous Offences:

Date of Court Hearings:

Current:

Previous:

CASE PLAN

S.W. 515

Reg. No

Child's Name: Born:

Identifying Information

(Attach a copy of S.W. 542A and S.W. 542B or C
for information of Review Panel)

A SUMMARY GUIDE TO COMPLETING THE CASE PLAN

THIS PAGE — Attach S.W. 542A and latest B
or C to give identifying and
background information when
case referred to review panel.

INSIDE PAGES —

- The maximum period of any plan is 6 months.
- Persons consulted should be named and those who have agreed to it should be underlined.
- The Goal should be the special long-term casework objective.
- The Target Problems are those which are identified as being an impediment to achieving the goal and which have been selected for social work intervention.
- The short-term Objectives should flow from the Target Problems and summarise what needs to happen in the next six months.
- Tasks are those specific actions expected to be undertaken by each person e.g. parents, child, foster parents, social workers (list tasks for each separately, to achieve the short term objectives during the period of the plan.
- The Contingency Plan is the alternative that may need to be considered if short-term objectives are not being achieved.
- Progress Report section allows the Social Worker to assess the appropriateness of the goal and the relevancy of the target problems, to indicate which short-term objectives have been achieved and/or what has hindered progress, and to comment on the response of all parties (including the social worker) to the assigned tasks.

SOCIAL WORK PLAN FOR

AGE:.....

FOR PERIOD TO

PERSONS PRESENT AT THE MEETING (underline those who have agreed to plan)

PERSONS ALSO CONSULTED

GOAL (i.e. where should this child live permanently)

TARGET PROBLEMS (i.e. why can't he/she live there now)

SHORT TERM OBJECTIVES* (i.e. problems we will work on in the next six months)

TASKS* (i.e. jobs we each have to do)

CONTINGENCY PLAN

(A) If the goal cannot be achieved.

Contact Social Worker

(B) If present living arrangements do not work.

**Approved
for A.D. S.W.**

Date:

***If insufficient space use comments p: ge**

PROGRESS REPORT FOR PERIOD TO

GOAL AND TARGET PROBLEMS (How realistic was the goal and how relevant were the Target Problems?)

THE OBJECTIVES (which have been achieved?)

RESPONSE TO ASSIGNED TASKS

MONTHLY RETURN OF MOVEMENT

TO: The Director-General
(Through the Director
where applicable)

INSTITUTION: _____

Month & Year: _____

For Attention : Senior Institutions Officer

Day	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Nominal Roll																															
Absconders missing																															
Still out on leave																															
In residence 6.30 a.m.																															
Admitted during day																															
Discharged during day																															
Sub Total																															
Started on leave during day																															
Returned from leave during day																															
Sub Total																															
Absconded during day																															
Absconder returned during day																															
In residence 10.00 p.m.																															
Admitted during night																															
Absconded during night																															
Absconder returned during night																															
In residence 6.30 a.m.																															

REMARKS:

MONTH & YEAR

[illegible]

Police War (P.W.), Soc Mx War (SSW), Sec 11 (S 11), Remand (R), Ward (W), Temp Adm (TA)

FIGURE 1

DEPARTMENT OF EDUCATION

MEDICAL REPORT ON CHILD BEING REFERRED FOR ADMISSION TO A

DEPARTMENT OF EDUCATION RESIDENTIAL SCHOOL

Name: _____
(Christian names) (Surname - block type)

Date of Birth: / / Age: _____ years _____ months _____

Present address: _____

Known health history

(a) Family:

(b) Personal:

General appearance and physique (note any deformities, markings, etc.):

Note any disorder complained of at present:

Examination:

Height: _____ metres: Weight: _____ kilograms Chest expansion _____

Skin and Scalp:

Cleanliness:

Ears:

Nose:

Throat:

Eyes:

Teeth and gums:

Palate:

Glands:

Hernia:

Systems:

Circulatory:

Respiratory:

Alimentary:

Nervous (include any comment on special senses such as vision and hearing)

Urogenital (enuresis?):

Locomotor (Limbs, feet, etc.):

Inoculations (specify) dates:

Any history of mental illness, psychiatric examinations and reports,
psychotropic medication.

Comments and Recommendations (please include detail of any treatment given or
prescribed, of any special tests, examinations, x-rays, etc. undertaken or
indicated and any suspected or established disease or disorder not already
detailed above).

Signature of Doctor _____

Address: _____

Date: _____

REQUEST FOR RECEPTION INTO HOSPITAL

Under Section 19 of the Mental Health Act 1969

To the Superintendent of the at
(Name of Hospital)

I, ...
(Full name)

a of
(Occupation) (Address in full)

being not less than 21 years of age, hereby request you to receive

..... a
(Full name) (Occupation)

of being a person not less than
(Address in full)

10 years of age, (hereinafter in this request referred to as "the said person") in the above-named hospital on the grounds that the said person is mentally disordered and that it is expedient that he/she should be placed under care and treatment in a hospital either (a) in the interests of his/her welfare or (b) in the public interest before a reception order can be obtained.

1. I believe that the said person is mentally disordered and that his/her placement in a hospital is expedient as aforesaid on the following grounds (*set out in full the reasons for the applicant's belief*):

.....
.....
.....

2. I am to the
(Insert degree of relationship, if any, or words "not related")

said person, and this request is made by me*

*Insert "because I am the nearest relative", or if applicant is not a relative or nearest relative, state why request is made by the applicant instead of by a relative or a nearer relative, the degree of relationship being determined in the following order: (1) Husband or wife; (2) father or Mother; (3) son or daughter; (4) brother or sister; (5) grandfather, grandmother, grandson or granddaughter; (6) any other relative.

3. I last saw the said person on the day of 19.....
(The date herein inserted must be within 3 days of the application.)

Dated at the day of 19.....

Ordinary signature of applicant:

*NOTE: Except as provided in subsections (4) and (5) of section 19 of the Act, this request must be accompanied by two certificates in the prescribed form, each signed by a medical practitioner. No person is to be received into a hospital in pursuance of such request after the expiration of 7 days from its date or from the date of either of the accompanying medical certificates, whichever date is the earlier.

**FURTHER PARTICULARS TO BE SUPPLIED BY APPLICANT AS TO PERSON IN RESPECT OF WHOM
REQUEST IS MADE**

(These particulars are not part of the prescribed form but their completion, as far as practicable, will be of assistance to the patient and to the Hospital.)

Previous attacks (if any) and where treated:

Date of Birth (or age): Sex: Marital State:
(S. M. Sep. Wid. Div.)

Country of Birth: New Zealand Race:

Overseas—Where?

Length of stay in New Zealand? year

Ordinary resident of New Zealand? ☐ Yes. ☐ No.

NEXT OF KIN: Name and address	Relationship	Phone Number
PERSON TO WHOM OFFICIAL COMMUNICATIONS SHOULD BE ADDRESSED (If not next of kin): Name and address:		Phone Number

Name and address of patient's usual doctor:

MEDICAL CERTIFICATE UNDER SECTION 19 OF THE MENTAL HEALTH ACT 1969

Before completion of certificate please refer to the optional additions on page 2 and the excerpts on page 3

I, ... being a medical practitioner duly registered
(Name in full)

in New Zealand, and residing at
(Address in full)

hereby certify that I have this day personally examined
(Name in full)

a of
(Occupation) (Address)

..... at a.m./p.m. and am of opinion that he/she is mentally
disordered within the meaning of the above-mentioned Act, and should be placed under care and treatment
in a hospital:

(a) in the interests of his/her welfare; or

(b) in the public interest before a reception order can be obtained.

(Strike out (a) or (b) if inappropriate).

1. The following are the facts observed by me on the occasion of the said examination, on which my opinion is based.
(Set out facts observed):

2. In pursuance of section 31 of the said Act, I make this further statement with respect to the said person:

(a) The following facts, indicating mental disorder on the part of the said person, have been observed by me on
occasions other than the date of the said examination. (Set out date of observation and facts observed):

(b) The following facts concerning the said person, indicating mental disorder, have been communicated to me by
(Set out facts communicated by other persons, together with the names and addresses of such persons):

(c) In my opinion the said person may be properly classified as being mentally ill (or mentally infirm, or mentally
subnormal). (Please delete inappropriate classifications):

(d) In my opinion the said person suicidal.

In my opinion the said person dangerous.

Insert (as appropriate)
"is" or "is not".

(e) The following treatment has been employed for the said person in respect of his/her mental condition. (Describe
treatment, if any):

(f) The said person's present bodily health and condition are as follows:

.....
.....
.....

3. In my opinion the said person should be placed in a hospital because *(State reasons)*:

.....
.....

*I hereby declare that I am not prohibited by the Mental Health Act 1969 from signing this certificate.

†Dated at this day of 19.....

.....
Signature of Medical Practitioner.

*See section 32 (1) and (2) of Act.

†"Every such medical certificate shall bear date of the day on which the certifying medical practitioner last examined the person alleged to be mentally disordered before the signing of the certificate." (Section 22 (5).)

OPTIONAL ADDITION

Section 19 (4) of the Mental Health Act 1969 provides that a person may be received into and temporarily detained in a hospital on one medical certificate only if the Superintendent of the hospital is satisfied, for reasons to be stated in writing by the certifying practitioner, that a refusal to receive the person would expose him/her or any other person to hardship or danger and that it has been impracticable, since the expediency of immediate admission became apparent, for any other medical practitioner to be consulted as to the person's mental condition. If the certifying practitioner so wishes he may use the following form for this purpose:

1. The following are the reasons why a refusal to admit to hospital the person who is the subject of this certificate would expose that person or some other person to hardship or danger. *(Set out reasons in full)*:

.....
.....
.....

2. The following are the reasons why it has been impracticable, since the expediency of immediate admission to hospital of the said person became apparent, for any other medical practitioner to be consulted as to the mental condition of the said person. *(Set out reasons in full)*:

.....
.....
.....

Dated at this day of 19.....

.....
Signature of Medical Practitioner.

APPLICATION FOR A RECEPTION ORDER

Under Section 21 of the Mental Health Act 1969

To a District Court Judge at

I, ...
(Full name)

a of
(Occupation) (Address in full)

being not less than 21 years of age, hereby apply for an order for the reception and detention of

..... a of
(Full name) (Occupation) (Address in full)

..... being a person not less than 10 years of age (hereinafter in

this application referred to as "the said person") in the
(Name of Hospital)

at or in such other hospital under the Act as may
be directed.

1. I believe that the said person is mentally disordered on the following grounds *(set out in full the reasons for the
applicant's belief)*:

.....
.....
.....

*2. I am to the
(Insert degree of relationship, if any, or words "not related")
said person, and this application is made by me

(Insert "because I am the nearest relative", or, if applicant is not a relative or nearest relative, state why
application is made by the applicant instead of by a relative or a nearer relative, the degree of relationship being
determined in the following order: (1) Husband or wife; (2) father or mother; (3) son or daughter; (4) brother or
sister; (5) grandfather, grandmother, grandson or granddaughter; (6) any other relative).

*3. I have seen the said person within three days from the date of this application — namely on the
day of 19

14. This application is made by me in pursuance of section 16
or section 35
or section 42
of the Mental Health Act 1969.

(Strike out sections which
do not apply.)

Dated at the day of 19 ..

Ordinary signature of applicant:

* If application is made under section 16 or section 35 or section 42 of the Act, paragraph 2 should be deleted and paragraph 3 need
not be completed.

† Delete this paragraph if inapplicable

‡ "Every application shall be lodged with the Registrar of the District Court on the day it is signed, or within 7 days following
that date". (Section 21 (5).)

STATUTORY DECLARATION*

Under Section 21 (6) of the Mental Health Act 1969

I, ...
(Name in full)a of
(Occupation) (Address)

solemnly and sincerely declare that the statements contained in the foregoing application for a reception order are true.
And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and
Declarations Act 1957.

Declared at
this day 19 }
(Signature)

before me —

A Justice of the Peace
or Solicitor
or (Deputy) Registrar of the District Court
(or other person authorised to take statutory declarations.)

*To be completed if required by Magistrate hearing application.

**FURTHER PARTICULARS TO BE SUPPLIED BY APPLICANT AS TO PERSON IN RESPECT OF WHOM
APPLICATION IS MADE**

(These particulars are not part of the prescribed form but their completion, as far as practicable, will be of assistance to the patient
and to the Hospital.)

Previous attacks (if any) and where treated:

Date of Birth (or age): Sex: Marital State:
(S. M. Sep. Wid. Div.)

Religion:

Country of Birth: New Zealand Race:

Overseas — Where?

Length of stay in New Zealand? years

Ordinary resident of New Zealand? ☐ Yes. ☐ No.

NEXT OF KIN: Name and address	Relationship	Phone Number
PERSON TO WHOM OFFICIAL COMMUNICATIONS SHOULD BE ADDRESSED (If not next of kin): Name and address:		Phone Number:

Name and address of patient's usual doctor:

MEDICAL CERTIFICATE UNDER SECTIONS 21 AND 22 OF THE MENTAL HEALTH ACT 1969

Before completion of certificate please refer to the optional alternative
on page 2 and the excerpts on page 3

I, ... being a medical practitioner duly
(Name in full)
registered in New Zealand, and residing at
(Address in full)

hereby certify that I have this day personally examined
(Name in full)

....., a of
(Occupation) (Address)

..... and am of opinion that he/she is mentally disordered within the meaning of the
above-mentioned Act, and requires detention as such.

1. The following are the facts observed by me on the occasion of the said examination, on which my opinion is based.

(Set out facts observed):

2. In pursuance of section 31 of the said Act, I make this further statement with respect to the said person:

(a) The following facts, indicating the mental disorder on the part of the said person, have been observed by me on
occasions other than the date of the said examination. (Set out date of observation and facts observed):

(b) The following facts, concerning the said person, indicating mental disorder, have been communicated to me by
(Set out facts communicated by other persons, together with the names and addresses of such persons):

(c) In my opinion the said person may be properly classified as being mentally ill (or mentally infirm, or mentally
subnormal). (Please delete inappropriate classifications.)

(d) In my opinion the said person suicidal

In my opinion the said person dangerous

} Insert (as appropriate)
"is" or "is not".

(e) The following treatment has been employed for the said person in respect of his/her mental condition. (Describe
treatment, if any):

(f) The said person's present bodily health and condition are as follows:

.....
.....

3. In my opinion the said person requires detention because *(state reasons)*:

.....
.....
.....

*I hereby declare that I am not prohibited by the Mental Health Act 1969 from signing this certificate.

†Dated at this day of 19

.....
Signature of Medical Practitioner.

*See section 32 (1) and (2) of Act.

† "Every such medical certificate shall bear date of the day on which the certifying medical practitioner last examined the person alleged to be mentally disordered before the signing of the certificate". (Section 22 (5).)

OPTIONAL ALTERNATIVE

Section 22 (6) of the Mental Health Act 1969 provides that if a medical practitioner called to the assistance of the Magistrate is of the opinion that the person in respect of whom the application is made is not mentally disordered or may be mentally disordered, he shall sign and deliver to the Magistrate a statement in writing of his opinion. If the medical practitioner elects to use this form for this purpose, he should—

- (a) Delete, from the introductory paragraph on the first page, the words, "is mentally disordered within the meaning of the above-mentioned Act, and requires detention as such", and substitute the words, "is not mentally disordered within the meaning of the above-mentioned Act", or the words, "may be mentally disordered within the meaning of the above-mentioned Act and that his/her mental condition should be under observation for the purpose of ascertaining whether he/she is mentally disordered", as the case may require:
- (b) Complete as much of paragraphs 1 and 2 on the first page as he considers it proper and useful so to do.
- (c) Date and sign the form.

CERTIFICATE AS TO DETENTION IN A PRIVATE HOUSE

(Complete only if required and appropriate)

I hereby further certify that it would be safe and convenient that the said person should be received and detained as a single patient under the said Act, instead of in a hospital.

.....
Signature of Medical Practitioner.

We, ..., and
..... the parents
of
born hereby consent to him/her.

- (a) receiving any vaccinations, immunizations or anaesthetics thought necessary by a registered medical practitioner; and
- (b) undergoing any psychological or psychiatric examinations considered necessary in the best interest of the child; and
- (c) receiving dental treatment as considered necessary by a registered contract dentist.

Signature: _____ Date: _____

Signature: _____ Date: _____

Date

DENTAL REPORT CONCERNING : _____

(Please tick)

At present he/she (a) is dentally fit ☐
(b) has work to be completed ☐

If (b) applies please indicate
expected completion date : _____

(c) will require orthodontic
treatment ☐

Comments :

Dental Nurse

A CODE OF PRACTICE
FOR RESIDENTIAL INSTITUTIONS

Produced by

Head Office,
Department of Social Welfare,
Private Bag 21,
WELLINGTON, N.Z.

1 April 1985

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PURPOSE

THE DEPARTMENT OF SOCIAL WELFARE, to promote the well-being of families and communities, provides services for children and young persons who need care, protection or control, and who are, or are at risk of becoming, deprived, neglected, disturbed, ill-treated or offenders against the law.

SECTION 69 OF THE CHILDREN AND YOUNG PERSONS ACT 1974 provides for the establishment of a range of residential facilities to cater for the variety of special needs of children and young persons coming into the care or custody of the Department.

THE OPERATION OF SUCH INSTITUTIONS is a matter for public accountability. The code of practice is one instrument of accountability. In it, the Department of Social Welfare:

- (i) Commits itself to a written philosophy of residential care
- (ii) Sets the Objective for residential care
- (iii) Sets a requirement for regular evaluation of the code.

THE CODE OF PRACTICE achieves its complete form when each Institution controlled by the Department:

- (i) Completes the Information Section
- (ii) Amplifies, as far as possible in specific and measurable terms, the methods it employs to achieve the Department's objective for residential care.
- (iii) Records, as an addendum to the code and by notification to Head Office, those practice guidelines which, having regard to the role and function of the institution, are not reasonably attainable in the view of the institution's management.

IMPLEMENTATION

The Code of Practice is a statement of standards sought rather than being an assertion of actual practice at any particular point in time. Against this code, Institutions evaluate their practices and make whatever adjustments are indicated and practicable, having regard to the role and function of the facility.

INSTITUTION INFORMATION

1. NAME OF INSTITUTION
2. LOCATION
3. PHYSICAL DESCRIPTION
 - CAPACITY
 - LAYOUT
 - FACILITIES/RESOURCES
4. PURPOSE (Statement provided by Head Office)
5. STAFFING - STRUCTURE
 - NUMBER
 - ROLES
6. SPECIAL PROGRAMMES
7. RESOURCES AVAILABLE - PROFESSIONAL SERVICES
 - EDUCATIONAL
8. LINES OF RESPONSIBILITY - DISTRICT
 - REGION
 - HO
9. THE VISITING COMMITTEE

NOTE: Each institution will set out its own data under the headings listed above.

B. PHILOSOPHY OF RESIDENTIAL CARE

1. In any residential placement the interests of the child or young person must be given priority and any action by staff or the administration must have the resident's best interests as the basis for that action.
2. Each individual has positive attributes which can be used as a basis for positive development. It is the function of the institution to provide a supportive and caring environment in which each child or young person has the greatest possible opportunity for positive growth, and within which his/her emotional development is protected and promoted.
3. Residential placement is only a part of the individual's total life experience. It is not separate from it and the ultimate aim of intervention is to return him/her to the community as personally and socially well adjusted as is possible.
4. Children and young persons placed in residential care are not necessarily responsible for the problems which have brought them there and as such should not be labelled or scapegoated. It is recognised that the individual's behaviour is the product of a wider environment over which he/she may have little control. It is also accepted that a task of the institution will be to assist the young person towards taking responsibility for his/her own actions.
5. Each child or young person is an individual with rights and responsibilities, has individual needs which must be considered, and worth and dignity which must be respected.
6. No discrimination is to be made on the basis of sex, sexual orientation, ethnic background, religion, social or economic circumstances.
7. In all matters the human and legal rights of the individual will take precedence over other considerations.

THE OBJECTIVES OF RESIDENTIAL CARE ARE:

To provide in both open and secure settings, group care and planned individual assessment and treatment programmes for children and young persons whose community living situations have broken down or whose lifestyle is detrimental to their well-being and to enable a return to their community, with enhanced prospects of successful functioning.

These objectives are realised by:

1. Protecting the rights and dignity of the individual child or young person.
2. Maintaining a cared for and attractive environment.
3. Providing suitable nourishment and clothing.
4. Providing quality health care and health education.
5. Meeting each individual's educational and vocational needs.
6. Developing leisure and recreation skills.
7. Helping children and young persons to develop an appreciation of their own, and others' culture.
8. Providing opportunities to participate in religious and/or spiritual activities.
9. Making a full assessment in consultation with parents and other significant persons, of the client's personal, social, emotional and physical needs, and on the basis of this developing a plan which will best meet the individuals needs, and regularly reviewing this planning.
10. Giving high priority to delivery of social work services, therapeutic interventions and counselling.
11. Maintaining contact and co-ordination between field and residential social work staff.
12. Maintaining contact with family, significant others and the community, and assisting parents and others in discharging their responsibilities.
13. Catering for special individual needs.
14. Using a positive approach to discipline.
15. Providing adequate management safeguards over the use of secure facilities.

1. PROTECTING THE RIGHTS AND DIGNITY OF THE CHILD OR YOUNG PERSON

through

1. Being sensitive to the personal rights of clients and ensuring these are protected.
2. Ensuring rights of confidentiality and making available written information on the resident only to those with a professional interest in the child.
3. Acknowledging the individual's right to courtesy.
4. Making grievance procedures available to residents and making residents aware of these.
5. Ensuring necessary contact, with the minimum degree of censorship, between residents and their families during placement.
6. Respecting rights to privacy.
7. Subjecting routines to yearly review and ensuring that they are consistent with good residential care practice and meet the needs of individuals.
8. Assisting the individual to consider the rights and responsibilities of others.
9. Ensuring that residents and their families are aware of the existence and function of a Visiting Committee for each institution and that residents are made aware of when Committee members are visiting.

2. MAINTAINING A CARED FOR AND ATTRACTIVE ENVIRONMENT

through

1. Ensuring grounds and buildings are maintained at all times.
2. Using preventative measures to keep littering and defacing to a minimum.
3. Providing recreational areas and equipment.
4. Supplying suitable and appropriate furnishings.
5. Respect for property.

3. PROVIDING SUITABLE NOURISHMENT AND CLOTHING

through

1. Providing regular meals that are nutritious, ample, varied and well presented.
2. Adjusting meals to medical requirements if necessary.
3. Assisting in the development of good table manners.
4. Accepting that meal routines may be varied from time to time.
5. Maintaining high standards of hygiene and giving practice in methods of hygienic food preparation.
6. Making meal times a relaxed and enjoyable period.
7. Giving training in maintaining an adequate diet.
8. Ensuring that clothing provided is adequate, well fitted, personal, appropriate and non-institutional in appearance.
9. Teaching basic procedures in clothing care and cleanliness, washing and simple repairs.
10. Meeting clothing needs as quickly as possible.
11. Providing suitable clothing for special activities.

4. PROVIDING QUALITY HEALTH CARE AND HEALTH EDUCATION

through

1. Providing regular health and dental treatment as required.
2. Providing an initial medical inspection according to the needs of the person concerned.
3. Maintaining records of all health problems, medication and treatments.
4. Establishing procedures for dealing with special medical problems and making staff aware of appropriate actions.
5. Providing for special staff attention in times of illness.
6. Providing for adequate supply, supervision and control of medical supplies.
7. Assisting with the correction of any physical condition which can cause embarrassment or requires attention.

8. Respecting individual rights and preparing residents for accepting medical inspection and treatment.
9. Making appropriate specialist referrals when required.
10. Providing first aid training for staff, knowledge of appropriate action in emergencies and reporting procedures.
11. Advising field social workers and parents of any medical requirements on discharge and of any significant medical problems arising or discovered during placement.
12. Making menstrual requirements available readily and without difficulty or embarrassment.
13. Enabling appropriate sleep patterns to be established.
14. Teaching good standards of personal hygiene and appropriate routines, as they apply to daily living, and independence.
15. Providing, at the appropriate level, and within the requirements of departmental policy and the law, education in development (physical, emotional and sexual), and on the use of medication and drugs.
16. Assisting individuals confidentially with any personal health problems e.g. obesity, acne, body odour, etc.
17. Fostering good relationships between residents and medical personnel.

5. MEETING EACH INDIVIDUAL'S EDUCATIONAL AND VOCATIONAL NEEDS

through

1. Assessing and identifying individual educational and vocational needs.
2. Providing suitable programmes to meet these needs.
3. Setting realistic goals in terms of individual abilities and skills.
4. Providing individual or small group remedial programmes if required.
5. Having school and residence to work together on a regular basis in providing for appropriate programmes and sharing of information.
6. Providing suitable reports on discharge.
7. Providing opportunities for creative activities and development of particular skills and talents.

8. Providing outside advisors, visitors and specialists.
9. Providing informal opportunities for self development e.g. libraries, resource activities, off campus experiences.
10. Providing, if appropriate, basic training in work and social skills e.g. telephone manners, interview presentation, punctuality, employer requirements, form filling, benefit routines, budgeting, seeking assistance, social skills, unemployment survival.
11. Making contact with and arranging for placement on various work and training schemes if appropriate and at the appropriate level.
12. Emphasising the role of success in developing appropriate motivation and using a positive approach based on strengths rather than weaknesses.
13. Maintaining firm, fair and consistent discipline.
14. Developing a positive attitude towards education, both formal and informal.

6. DEVELOPING LEISURE AND RECREATION SKILLS

through

1. Recognising individual personal skills and providing opportunities to develop these.
2. Recognising the need for individual and team recreational activities.
3. Providing guidance for leisure within and outside the residence and introducing residents to a range of interests they might wish to pursue following discharge.
4. Providing and maintaining adequate recreational equipment and a variety of pursuits.
5. Providing opportunities for exposure to the cultural arts.
6. Providing for physical fitness through opportunity for regular exercise and activity.
7. Providing a planned recreation programme and encouraging residents to assist with planning.
8. Providing time and resources for free play.

7. HELPING CHILDREN AND YOUNG PERSONS TO DEVELOP AN APPRECIATION OF THEIR OWN, AND OTHERS' CULTURE

through

1. Providing opportunities to learn, through experience, about his/her own and other cultural backgrounds.
2. Recognising the demands and expectations of other cultural backgrounds and being aware of these in daily communication.
3. Developing pride in cultural identity.
4. Making practicable allowances for cultural demands, rituals, mores etc.
5. Recognising and accepting that the individual's own background may contain few elements of traditional cultural identity, and thus carefully balancing the individual's needs with expectations of cultural background.

8. PROVIDING OPPORTUNITIES TO PARTICIPATE IN RELIGIOUS AND/OR SPIRITUAL ACTIVITIES

through

1. Allowing for participation in requested religious or spiritual activity, within the bounds of good parenting.
2. Recognising that staff do not have the right to impose their own religious beliefs on any resident.

9. MAKING A FULL ASSESSMENT IN CONSULTATION WITH PARENTS AND OTHER SIGNIFICANT PERSONS, OF THE INDIVIDUAL'S PERSONAL, SOCIAL, EMOTIONAL AND PHYSICAL NEEDS, AND ON THE BASIS OF THIS DEVELOPING A PLAN WHICH WILL BEST MEET THE INDIVIDUALS NEEDS AND REGULARLY REVIEWING THIS PLANNING

through

1. Ensuring that any assessment take place as soon as possible following admission, taking into consideration school, psychological, medical background and other professional reports.
2. Making no assumption concerning the child's problems until all organic, psychological or psychiatric possibilities have been considered.

3. Ensuring that assessment results are factual and non-judgemental.
4. Recognising that the individual may act and behave differently within the institution from his/her normal environment.
5. Involving the resident in any assessment of needs and resulting decision making.
6. Reviewing assessments regularly on a scheduled basis.
7. Observing departmental planning procedures.
8. Parental involvement in any planning.
9. Involving local district social workers in any planning.
10. Maintaining adequate case records and keeping them up to date.
11. Taking into consideration, when planning, the individuals home, social and community background and the resources which will be available.

10. GIVING HIGH PRIORITY TO DELIVERY OF SOCIAL WORK SERVICES, THERAPEUTIC INTERVENTIONS AND COUNSELLING

through

1. Providing as wide a range as possible of therapeutic interventions, taking into account the skills and preferences of staff.
2. Providing staff with a working knowledge of various intervention techniques, and an awareness of their use and value.
3. Reviewing and evaluating programmes and procedures regularly.
4. Developing positive communication with residents and establishing positive casework relations.
5. Allocating a residential caseworker to each resident and making the resident aware of his/her caseworker as soon as possible after admission.
6. Providing opportunities for regular, individual caseworker/resident contact.
7. Planning objectives within the capabilities of the resident.

8. Assisting the resident to work through any painful experiences necessary for growth and adjustment.
9. Treating residents with dignity and respect, developing skills of empathy and listening, especially in times of emotional stress.
10. Accepting and respecting each person's individuality and uniqueness irrespective of background or behaviour.
11. Maintaining the agreements established in any contract.
12. Ensuring conformity of practices in working with individuals through staff preparation.
13. Rewarding achievements as they occur.
14. Ensuring each resident has an individual casework plan and discussing this with the resident.
15. Respecting the the established requirements governing confidentiality of discussion between resident and caseworker.
16. Allowing residents access to information about themselves unless such information is likely to be harmful to the resident or others.
17. Keeping residents informed of developments as they occur.
18. Taking cognisance of individual wishes regarding placement on discharge.
19. Recording responses to treatment programmes.
20. Undertaking no therapy or intervention which is not in the best interests of the resident.
21. Seeking more intensive intervention programmes if required.
22. Giving trust until such time as it is lost and at such times providing opportunities for trust to be regained.
23. Providing back-up caseworkers at times when the residential caseworker is not available.
24. Recognising that residents have the right to just decisions without undue delay.
25. Making special efforts to cope with client stress, anxieties and fears on admission.

11. MAINTAINING CONTACT AND CO-ORDINATION BETWEEN FIELD AND RESIDENTIAL SOCIAL WORK STAFF

through

1. Instituting a procedure to obtain up to date, accurate and full information from districts - reports, background, personal files, court reports etc.
2. Involving social workers from districts in the planning process and expecting and assisting them to pursue the suggestions made in each individual plan.
3. Defining responsibility for keeping the local district advised of developments and planning.
4. Welcoming district social workers' visits to the residence and making a conscious effort to maintain good relationships with field colleagues.
5. Stressing the need for co-ordination of agencies involved with the resident.

12. MAINTAINING CONTACT WITH FAMILY, SIGNIFICANT OTHERS AND THE COMMUNITY AND ASSISTING PARENTS AND OTHERS IN THE DISCHARGE OF THEIR RESPONSIBILITIES

through

1. Ensuring residents keep in regular contact with families and significant others by encouraging communication, parent visiting and home visits.
2. Providing the opportunity for residents to prepare for home visits and to discuss any matters which arise as a result of home visits.
3. Being aware of the family stress which may be caused by residential placement.
4. Showing courtesy to parents.
5. Providing parents with adequate and honest information to assist them in managing their child.
6. Allowing parents and children to meet in privacy unless there are clear reasons why this should not be permitted and communicating any such reasons to the people concerned.

7. Involving parents in planning and seeking their comments on any recommendations made.
8. Welcoming and using community groups in the residence where appropriate.
9. Developing a positive public and parental understanding of the role and practices of the institution.

13. CATERING FOR SPECIAL INDIVIDUAL NEEDS

through

1. Referring the child or young person when appropriate to specialist or advisory services.
2. Making staff aware of the range of services available and the right to recommend referral.
3. Making residents aware of the reasons for specialist referral.
4. Allowing staff input into any specialist assessment and giving them the opportunity for discussion of cases.
5. Ensuring staff question, follow up or discuss specialist recommendations or seek other opinions if required.

14. USING A POSITIVE APPROACH TO DISCIPLINE

through

1. Ensuring residents behave appropriately through the use of positive reinforcement by staff, and training staff in the use of such techniques.
2. Avoiding any practices which tend to degrade, dehumanise, abuse, harm or humiliate a child.
3. Using physical restraint only when absolutely necessary. All staff should be aware as to when such measures can be used and expected to record all instances when it is used.
4. Emphasising inter-staff consistency in disciplinary methods, standards, and treatment of specific behaviour.
5. Defining consequences of behaviour so the child is aware of expectations, rules and requirements.
6. Ensuring staff are fair and impartial in disciplining, and are aware of their personal feelings towards any individual.

7. Emphasising encouragement and motivation of individual residents to develop and exercise their own controls.
8. Seeking professional help should behaviour consistently fail to respond to treatment or indicate emotional distress.
9. Creating opportunities for residents to discuss their problems with staff, developing suitable staff attitudes and providing necessary facilities.
10. Making sure that any use of a behaviour management procedure follows the appropriate techniques and that staff are trained to utilise such techniques correctly.
11. Ensuring that behaviour goals are within the capacity of the individual to achieve.
12. Keeping any contracts made with residents.
13. Taking care to avoid seeing isolated incidents of problem behaviour as typical of the whole individual.
15. PROVIDING ADEQUATE MANAGEMENT SAFEGUARDS OVER THE USE OF SECURE FACILITIES

through

1. Controlling admission to any secure unit carefully by appropriate delegation within the institution.
2. Observing departmental policy regarding length of secure placement.
3. Recognising that secure placement is a special situation requiring more intensive oversight and social work involvement and providing a programme of counselling work for every placement.
4. Considering the possibility of spending time in the open institution during secure placement.
5. Reviewing each secure placement at least daily.
6. Accepting that admission to secure should not be an automatic procedure under circumstances other than a direct order of the Court.
7. Making recreational and educational activities and resources available.

8. Making regular checks on the secure area, not less than half hourly when in use.
9. Keeping a full record of behaviour and background to secure placement.
10. Providing normal meals at normal times.
11. Implementing return to the open institution at the earliest possible opportunity.
12. Seeking guidance or support if the resident in secure does not respond to such placement.
13. Using the minimum degree of physical restraint or force necessary to achieve placement in secure.
14. Ensuring that reasons for secure placement are limited to:
 - (a) A child's own request,
 - (b) When it is the least restrictive alternative to:
 - (i) Prevent absconding
 - (ii) Prevent him from behaving in a way which may be reasonably believed will result in physical harm to himself, or person or property of others, OR
 - (c) His behaviour is so disruptive or disturbed, that it is not reasonable to permit him to remain uncontained in an institution.
 - (d) An order of the Court.
15. Making clear to the individual concerned the reason(s) for secure placement.
16. Providing an opportunity for each child or young person to seek a personal review by the principal of his/her placement.

STAFF AND MANAGEMENT

It is recognised that the staff of a residential institution are the major resource in working with children and young persons and that the professional and personal wellbeing of staff is vital to the wellbeing of residents. Accordingly, achieving the objectives of residential care will be assisted by:

1. Operating effective residential services.
2. Providing for the development of staff.
3. Providing adequate resources, physical and psychological working conditions, facilities and services to enable staff to work effectively.
4. Protecting the rights of staff.
5. Providing clear lines of responsibility and accountability, awareness of relevant procedures, regulations, legislation and policy.
6. Involving staff in policy and goal setting.
7. Recruiting quality staff.

1. OPERATING EFFECTIVE RESIDENTIAL SERVICES

through

1. Accepting accountability to the controlling officer and to Departmental rules and regulations and to Public Service and legislative requirements.
2. Being responsible for working towards the provision of a professional residential social work service which reflects the intent of the C and YP Act and is based on the best principles of social work.
3. Providing a service which meets the needs of clients and districts served.
4. Being aware of the high costs of residential services and making the best use of all resources.
5. Having an expectation that staff and management have a primary obligation to the objectives of the institution.
6. Respecting the rights of all involved in providing and receiving a service to and from the institution.
7. Acting with the highest standards of professional integrity.
8. Ensuring that all Acts and legal requirements are fully understood by staff.

2. PROVIDING FOR THE DEVELOPMENT OF STAFF

through

1. Setting up and operating an inservice training programme which will involve staff in its planning.
2. Providing for staff release to attend inservice training and other relevant courses.
3. Allowing for informal support and help between staff and helping them to develop an attitude that is conducive to this.
4. Ensuring that supervisory staff are equipped to carry out their role.

5. Identifying and acknowledging individual skills and strengths among staff and providing opportunities for these to be utilised.
6. Setting up supervisory contracts between supervisors and supervisees and renegotiating these as appropriate.
7. Ensuring that training is pertinent, interesting and meets current needs.
8. Providing avenues for training in administration, management and other specialised areas.
9. Establishing methods for evaluating the effectiveness of training programmes.
10. Requiring appropriate standards for staff in behaviour and performance.

3. PROVIDING NECESSARY RESOURCES, FACILITIES AND SERVICES TO ENABLE STAFF TO WORK EFFECTIVELY

through

1. Providing adequate working conditions and supplies of equipment, information and resources.
2. Promoting teamwork and understanding the role of fellow workers.
3. Supporting staff when acting within their area of responsibility.
4. Treating staff and colleagues with respect.
5. Treating staff as individuals and maintaining a positive and satisfactory degree of personnel management, awareness of needs - professional and personal - and providing support in times of stress.
6. Recognising that staff morale is closely related to the effectiveness of their work.
7. In calling staff to account, doing so on the premise that staff act with integrity and that mistakes are usually unintentional.
8. Promoting positive relationships between staff and catering for any inter-staff differences.

4. PROTECTING THE RIGHTS OF STAFF

through

1. Recognising it is the function of management to support staff and to be aware and to make them aware of their rights as well as their obligations.
2. Considering individual needs when arranging roster/routines and activities.

5. PROVIDING FOR CLEAR LINES OF RESPONSIBILITY AND ACCOUNTABILITY

through

1. Providing staff with adequate job descriptions and desk files which will define their roles and relationships to others.
2. Making staff aware of lines of communication.
3. Providing staff with written notification of conditions of employment, areas of possible advancement etc.
4. Providing an induction programme for new staff.
5. Giving adequate information regarding duties, rosters etc.
6. Consulting with staff concerned before undertaking changes in routines/requirements.
7. Providing every staff member with an opportunity for honest personal assessment at least once a year.

6. INVOLVING STAFF IN POLICY AND GOAL SETTING

through

1. Actively involving staff in planning and development within the institution and at regional and Head Office levels.
2. Establishing procedures whereby staff suggestions can be given adequate consideration.
3. Involving staff in reviews of programmes on a regular basis.

7. RECRUITING QUALITY STAFF

through

1. Pressing for and maintaining sufficient members of appropriately qualified and graded staff in the institution.
2. Selecting new social work staff in accordance with criteria laid down by the Department.
3. Selecting the most suitable and best qualified staff for positions at all levels.
4. Advising, encouraging and counselling staff who are not performing to normal expectations.

EVALUATION

Each institution is to devise and carry out an evaluation of its practice, in relation to the standards set in the Code of Practice. It is important that Principals foster a climate of reasonable criticism and willingness on the part of staff, to examine practice openly.

Evaluation procedures could well involve staff, outside personnel and children and young persons in residence.

As a minimum evaluation requirement the Department expects each Principal to:

- (i) Identify in his/her annual report each year, those aspects of the code which are intended as a special focus for evaluation in the coming year.
- (ii) Report on that evaluation in the subsequent annual report.

PART R

PART R: CONTRACEPTION, STERILISATION AND ABORTION

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PART R: CONTRACEPTION, STERILISATION AND ABORTIONR1 INTRODUCTIONR1.1 Laws Involved

The law in relation to contraception, sterilisation and abortion is contained in the Contraception, Sterilisation and Abortion Act 1977 and (in relation to abortion alone) the Crimes Act 1961 as amended in 1977. Staff should make themselves familiar with the relevant parts of these Acts quoted in R2.1, R3.1, R4.1.

R1.2 Ethical Considerations

While the law offers a certain protection to Social Workers and others involved in abortion and contraceptive counselling and the supply of contraceptives this does not mean that they must, or even should, take full advantage of this in every case. It is certainly not the Director-General's wish that staff who have religious or conscientious objections to contraception, sterilisation or abortion, or who do not wish to offer advice on these subjects, should feel obliged to counsel clients on these matters or to arrange or advocate any course of action which is morally unacceptable to them. It is expected that in cases of this kind a solution could be arrived at locally by discussion but if this is not possible the case should be referred to Head Office. Apart from Social Workers' personal views there are a number of other important considerations to be taken into account. These include questions of individual liberty, social work ethics, the need for public servants to have proper regard for generally accepted community standards, the responsibility and moral obligation towards the parents of children with whom Social Workers deal and the special role of the Director-General as guardian to youngsters placed in his care by the Courts. These factors and others need to be considered alongside the purely legal questions of what the law permits or prohibits.

R2 CONTRACEPTIONR2.1 The Law

The relevant sections of the Act are the following:

Section 3: Sale or disposal etc., of contraceptives to children -

- (1) Every person commits an offence who sells or gives or otherwise disposes of any contraceptives to any child under the age of 16 years, or offers to sell or give or otherwise dispose of any contraceptive to any child under that age, unless that person is:
 - (a) The parent or guardian of that child, or is acting in the place of a parent of that child: or
 - (b) A registered medical practitioner or a person acting under his supervision and with his authority: or
 - (c) An authorised representative of any family planning clinic, or any agency or association from time to time approved for the purpose by the Minister of Justice by notice in the Gazette*: or
 - (d) A registered pharmacist, or a person acting under his supervision and with his authority and he sells or gives or otherwise disposes of, or offers to sell or give or otherwise dispose of, the contraceptive in accordance with -
 - (i) the written prescription of a medical practitioner: or
 - (ii) what he believes to be the written authority of any person referred to in paragraph (a) or paragraph (c) of this subsection.

Section 3(2): Every person commits an offence who directs or persuades or attempts to direct or persuade any child under the age of 16 years to use any contraceptive unless that person is -

- (a) The parent or guardian of that child, or is acting in the place of a parent of that child; or
- (b) A registered medical practitioner or a person acting under his supervision and with his authority; or
- (c) An authorised representative of any family planning clinic, or of any agency or association from time to time approved for the purpose by the Minister of Justice by notice in the Gazette.

* These currently include: The Department of Justice; The National Marriage Guidance Council (NZ); YWCA; Department of Health; every Hospital Board within the meaning of the Hospitals Act, 1957; Nurse Maude District Nursing Association and the Royal New Zealand Nursing Society (Plunket).

Section 3(3): Every person commits an offence who sells or gives or otherwise supplies instruction in the use of contraceptives to any child under the age of 16 years, or offers to sell, to give or otherwise supply any such instruction to any child under that age, unless that person -

- (a) Is the parent or guardian of that child, or is acting in the place of a parent of that child; or
- (b) Is a registered medical practitioner or a person acting under his supervision and with his authority; or
- (c) Is an authorised representative of any family planning clinic, or of any agency (including any agency of the Crown) or association from time to time approved for the purpose by the Minister of Justice by notice in the Gazette; or
- (d) Is a registered pharmacist, or a person acting under his supervision and with his authority; or
- (e) A Social Worker, pastoral worker, or other counsellor professionally concerned with the child; or
- (f) Does so to any pupils of a school with the prior approval of the Principal or Head Teacher of that school given after agreement with the School Committee or Board of Governors and the Proprietor.

Section 3(4): Notwithstanding anything in subsection (2) of this section every person referred to in paragraph (a) or paragraph (b) or paragraph (c) of the subsection commits an offence who, in any school, directs or persuades or attempts to direct or persuade any child under the age of 16 years to use any contraceptive.

- (6) Every child under the age of 16 years who, knowing its purpose, procures or attempts to procure any contraceptive from any person other than a person who is authorised under this section to supply the contraceptive to that child commits an offence.

Section 4: Administering of contraceptives to mentally subnormal females -

- (1) Subject to subsection (3) of this section, a parent or guardian of any female, or any person who is acting in the place of a parent of any female, or any person otherwise having the custody or care of any female, or any registered medical practitioner in the course of treatment of any female, may, if that female is mentally subnormal and it is considered in the best interest of the female to do so, administer any contraceptive to that female.

- (2) For the purpose of subsection (1) of this section, a female is mentally subnormal if she is suffering from subnormality of intelligence as a result of arrested or incomplete development of mind to the extent that she is incapable of living an independent life or of guarding herself against serious exploitation or common physical dangers or to the extent that she is incapable of understanding the effective use of contraceptives or the desirability or need for their use.
- (3) Nothing in subsection (1) of this section shall authorise any person who is not a registered medical practitioner to fit an intra-uterine device or to administer any contraceptive by injection.
- (4) Every person who, with reasonable care and skill, administers any contraceptive in accordance with this section is protected from criminal and civil responsibility in respect thereof.

Section 5: Supply of contraceptives to rape complainants -

- (1) Where any person makes a complaint of rape to any member of the Police and that member, or any other member of the Police, calls a registered medical practitioner to examine the complainant, it shall be the duty of that medical practitioner (unless the complainant expresses a contrary wish) -
 - (a) To advise the complainant of a contraceptive precaution she may take in order to avoid the risk of pregnancy, and to supply to her or authorise the supply to her of any contraceptive for that person:
 - or
 - (b) To advise her of her right to obtain such service from another registered medical practitioner or a family planning clinic.
- (2) Without limiting subsection (1) of this section, where any patient complains of rape to any registered medical practitioner (whether or not she also lays a complaint of rape with the Police), it shall be the duty of that medical practitioner to comply with the terms of that subsection.
- (3) Without limiting section 43 of the Medical Practitioners Act 1968, every registered medical practitioner who fails to comply with subsection (1) or subsection (2) of this section is guilty of professional misconduct and shall be dealt with under subsection (2) of that section accordingly.

R2.2 Legal Comment

"The Contraception, Sterilisation and Abortion Act prohibits certain actions relating to contraception by all persons save those people who fall within the generic categories set out in the Act; that means the otherwise prohibited acts are permitted to the persons in the categories specified. They are simply lawful if performed by those persons. That does not speak for their appropriateness, nor is there any obligation created (for persons in the named categories) to perform these acts."

"A stranger commits an offence if he (or she) instructs a youth in contraceptive practices. A parent may do so with impunity but does not have to if he (or she) does not want to or simply does not advert to the "need" or does not recognise there is a "need"."

There are three actions that are prohibited. In each case the doing or the attempting (or offering) without necessarily succeeding are prohibited. They are however "lawful" to limited categories of person. These actions are:

1. Selling, giving, disposing of any contraceptive to any child under 16 years or offering to do any of those things.
2. Directing or persuading a child under 16 years to use any contraceptive or attempting to do either of these things.
3. Selling or giving or supplying instructions in the use of any contraceptive to any child under 16 years or offering to do any of those things.

Contraceptive is defined to mean "a substance or device or technique intended to prevent conception or implantation."

"As far as the Department is concerned there are three separate categories in which it may find its officers exempted from any of these prohibitions. They are:

1. As guardian of the child who is being given, sold or instructed in the use of contraceptives.
2. As the person "in loco parentis" to the child in all prohibited situations.
3. As a Social Worker (a term not defined in this Act so it is susceptible to its generic meaning as well as its specific meaning under the Department of Social Welfare Act) who sells, gives, supplies instructions in the use of contraception."

"This means that departmental officers acting under general or specific delegation of the Director-General in his guardianship role, MAY within the law supply contraceptives or urge their use or provide instructions on how to use them to WARDS. This includes equally, residential care staff and social work field workers for fostered children."

"In addition residential care staff and foster parents appointed by the Director-General who are in loco parentis to a Ward or Section 11 case MAY within the law supply contraceptives to a child or young person under 16 years of age or urge their use or instruct in their use."

NOTE: As a general rule the Director-General or his agent are in loco parentis to children and young persons who are ordered into the Director-General's custody and care during a period of adjournment or remand. It may however be inadvisable to use that status as the sole basis for, say, directing the use of contraceptives during a short adjournment of a complaint where the department's officers were not seeking guardianship of the child.

"A Social Worker MAY within the law supply instruction in the use of contraceptives to any child (or young person), Ward or not, with whom that Social Worker has an official relationship."

"How departmental officers or foster parents should exercise these powers conferred by the Act is another matter. That obviously will depend upon the circumstances of a particular case."

"There are important considerations of individual liberty and morality which are distinguishable from practical law. It would clearly be wrong, for example, for the sake of administrative or other convenience, to maintain a promiscuous girl in a state of induced sterility by means of contraception without her consent and prior disclosure of intent to her parents."

R2.3 Guidelines in Respect of Children and Young Persons Under Guardianship (ref H7.4 re delegation)

It is hoped that any Social Worker who is asked directly and informally by a Ward about contraception, or indeed about any other matters involving human relationships, would answer as a good parent would, giving information honestly and simply according to the Ward's level of understanding, stressing the need for responsibility, self-discipline and thought for the consequences in sexual as in any other important relationships. For those in stable foster care it would be natural for sex instruction to be given by the foster parents or, if they feel unable to deal adequately with the subject, by some other suitable mature and understanding adult. This may or may not be a Social Worker.

Where a Ward is known to have embarked upon sexual relationships a Social Worker should ensure that the implications of this are discussed with him or her in accordance with N1.4 not overlooking the fact that boys need sympathetic guidance and counselling as well as girls; also that it is an offence for a male to have sexual intercourse with a girl under 16, and that we must not condone a deliberate flouting of the law. If, having regard to all the facts, it subsequently seems appropriate to raise the subject of providing contraceptive protection for a Ward the Social Worker should discuss this with his or her supervisor and a decision (at not less than 320.104 level) should be made about who should most appropriately give the necessary advice. This may be a Social Worker (residential or field), the natural parents, foster parents, a doctor who

knows the youngster or who has special skills in this area or some other competent and sympathetic person. The person chosen needs to be someone who is mature and who feels comfortable in talking about sexual matters. It is important that any firm religious and moral beliefs of a Ward and his or her family are respected, and that Social Workers are careful not to impose their own personal views. Wherever practicable, if the Ward is under sixteen, the natural parents must be consulted before any initiative is taken in arranging contraceptive protection. Such cases should not be frequent.

There may be rare cases where a more directive stance seems to be called for, perhaps in order to protect a disturbed Ward with severely diminished powers of self-control and/or intellect. These cases should be discussed with the Assistant Director (Social Work) (or Principal of a National Institution if the Ward is a resident) and medical advice must be sought before any initiative is taken in this matter. Full records of any decisions made and the reasons for them are to be kept.

R2.4 Guidelines in Respect of Children and Young Persons in Care Under S.11 Agreement, on Warrant or Remand, or as Informal Admissions (ref H7.4 re delegation)

These are not under guardianship and while the law allows any Social Worker professionally concerned with a child or young person under sixteen to give instruction in the use of contraceptives, it does not permit them to supply them or to direct or persuade the child or young person to use them. One could argue that in such cases social work staff (field and residential) are in loco parentis and under S.3(1)(a) and S.3(2)(a) of the Contraception, Sterilisation and Abortion Act we have power to direct, persuade and supply. It can also be said that a doctor has these powers, and we need therefore only take such a child or young person to a doctor to have contraceptive protection arranged. Notwithstanding these possibilities, Social Workers should not initiate contraceptive protection for children or young persons under sixteen who are in care by way of S.11 agreement, remand etc., without parental consent. If there are special and pressing reasons why this is not possible or advisable (especially for long-term S.11 cases) the case is to be discussed with the Assistant Director (Social Work) or Principal of a National Institution, whichever is relevant.

There will doubtless be cases where foster parents or others arrange contraceptive protection for a child or young person through a general practitioner or in some other lawful way or where a child or young person seeks such protection for herself/himself. If he or she is under 16 the parents should be advised of this when we learn of it unless there are good reasons to the contrary. The Assistant Director (Social Work) or Principal is to decide this.

R2.5 Guidelines in Respect of Children and Young Persons Not in Care

While the law allows any Social Worker professionally concerned with a child or young person to give instruction about the use of contraceptives (but not to persuade to use or direct to use or to supply contraceptives), it would be wise for Social Workers of this department not to seek to become directly involved personally in such counselling and certainly not to do so normally for children and young persons under

16 without parental knowledge. This is not to say they should evade the matter if it arises in a counselling situation but the line between information-giving and persuasion may be seen as a thin one by parents of young people who have been given advice by a Social Worker. It is preferable also that departmental Social Workers should not become involved, in their official capacity, in formally speaking to school pupils as covered by S.3(3)(f) of the Act.

R3 STERILISATIONR3.1 The Law

The major of the three short sections in the Contraception, Sterilisation and Abortion Act on this topic (S.7) states:

"Consent to sterilisation operation - notwithstanding anything in any enactment or rule of law to the contrary no person shall have the capacity to consent to the performance on any other person of an operation of sterilisation if that other person lacks the capacity to consent on his behalf by reason only of his age."

This seems to mean that some other person (unspecified) can consent to the sterilisation of another person (age unspecified) if that other person lacks the capacity to consent on his own behalf for any reason other than age.

R3.2 Legal Comment

"The provision for sterilisation (Section 7) means that neither an officer, nor the Director-General may consent to the sterilisation of a Ward, or Section 11 or remand case under 16 years old, or any other child or young person for that matter (other than perhaps a 16 - 20 year old who is mentally defective to the extent that he or she is incapable of giving valid consent). This latter is by no means clear."

R3.3 Action To Be Taken Where Sterilisation of Ward Contemplated
(ref H7.4 re delegation)

Any proposal for the sterilisation of a Ward is to be referred to Head Office for decision - the Director (him/herself) to make a recommendation.

R4 ABORTIONR4.1 The Law

The most important aspects of the legislation are the following:

1. The Crimes Act 1961 (as amended in 1977 and 1978)

Section 187A of the Act sets out the conditions under which an abortion can be considered lawful (applies to pregnancies of up to 20 weeks). These are:-

That the person doing the act believes:-

- "(a) That the continuance of the pregnancy would result in serious danger (not being danger normally attendant upon childbirth) to the life or to the physical or mental health of the woman or girl; or
- (aa) That there is a substantial risk that the child if born, would be so physically or mentally abnormal as to be seriously handicapped; or
- (b) That the pregnancy is the result of sexual intercourse between:-
 - (i) A parent and child; or
 - (ii) A brother and sister; whether of the whole blood or of the half blood; or
 - (iii) That the pregnancy is the result of sexual intercourse that constitutes an offence against section 131(1) of the Act; or
- (c) That the woman or girl is severely subnormal within the meaning of section 138(2) of this Act."

In determining the "danger" referred to in (a) the following may be taken into account: -

- (a) The age of the woman or girl concerned is near the beginning or the end of the usual child-bearing years.
- (b) The fact (where such is the case) that there are reasonable grounds for believing that the pregnancy is the result of rape.

2. The Contraception, Sterilisation and Abortion Act 1977

An abortion may be carried out lawfully only in an institution licensed by the Abortion Supervisory Committee (a body set up by the Act to arrange and supervise the implementation of the legislation) and when authorised by two certifying consultants appointed by the Abortion Supervisory Committee (A.S.C.). A woman seeking an abortion would normally first approach her general medical practitioner and would be referred by him to a certifying consultant.

The A.S.C. is responsible for appointing or approving counselling services for women seeking abortions (Section 31 of the Act). This service is now being developed and I understand guidelines for counsellors, most of whom are Medical Social Workers employed by Hospital Boards, have been drawn up by the A.S.C. Hospital Boards have lists of those already available in each area and are being asked to let medical practitioners know of them.

3. The Guardianship Act 1968

According to Section 25A of the Act (a 1977 amendment) "a female child of any age may consent or refuse consent to an abortion on herself by a person qualified to carry it out."

R4.2 Legal Consent

"The law is clear."

A girl of any age has the legal capacity to consent to an abortion being performed on her (Section 25A Guardianship Act 1968). That means she has the sole determining choice provided all the other requirements of the Act are met - and that over the opposition of her parents or guardian. A doctor would still have to be satisfied that it was "informed" consent however, for his/her own protection under the law. Similarly a girl of any age may refuse an abortion. There is no restraint in the Act against counselling for an abortion within the permitted scope of the Act. On the question of abortions for children and young persons under guardianship there is no special law, only matters of policy to be determined.

R4.3 Guidelines in Respect of Non-Wards

A Social Worker who is asked for assistance or advice in the matter of abortion should know enough (as in any other matter related to community resources) to be able to direct a client to the appropriate service in the area. Normally this would be a general medical practitioner who could arrange counselling and, if there appeared to be grounds for an abortion, referral to certifying consultants. As there are counsellors specially appointed to advise on abortion, it is preferable to leave the task of counselling (especially of clients for whom we have no statutory responsibility) to them. Social Workers should be wary when dealing with very young people that they do not appear to be taking the initiative in helping them seek abortion where the parents of the child or young person concerned have not been involved in discussions. It is understood that the Abortion Supervisory Committee's guidelines to counsellors and certifying consultants make it clear that where a young pregnant woman seeks an abortion she should be counselled to involve her parents in the decision.

R4.4 Guidelines in Respect of Children and Young Persons Under Guardianship (including Section 11 cases) (ref H7.4 re delegation)

If there appear to be grounds under the legislation for a Ward to have an abortion this should be talked out with her by an appropriate member of our staff. The views of her parents should be obtained, if possible. If they are in agreement and the girl wishes it, arrangements may be made for her to see a G.P. and to be counselled by a Social Worker specialising in abortion counselling. If all are in agreement the G.P. would presumably send her case forward for decision by certifying consultants. The Assistant Director (Social Work), or the Principal in consultation with the home district, if the girl is in a National Institution, should be involved in all such decisions.

Any case where parents are opposed to abortion for their daughter or where it is considered impracticable or inadvisable to approach them, should be referred to the Director with a clear recommendation. It should be noted however that the law makes no provision for a parent's or guardian's consent to be sought. Nevertheless as guardian of Wards and as having custody of S.11 cases we have an obligation to involve parents, where possible, in such an important family matter.

There will no doubt be cases where Wards seek and obtain an abortion without prior knowledge. There is nothing unlawful in this.

Where we learn that a Ward under 16 has had an abortion in this way her parents should normally be informed of it, preferably with her consent. If there are apparently good reasons why they should not be so informed or if the girl opposes it the case should be referred to the Director for decision.

Where a Ward over 16 has had an abortion without prior knowledge the Assistant Director (Social Work) or Principal should determine in consultation with her, and having regard to her wishes, whether or not the parents are to be advised.

Because the danger of an abortion operation increases with the degree to which the pregnancy has developed, it is essential that all cases be dealt with as speedily as possible.

All cases are to be fully recorded and documented at district level.

PARTS

1.5 Transport Assistance

(a) Family Homes (from 1.8.86)*

Annual allowance : \$2,231.00
 Paid fortnightly : \$ 85.81
 Special trips : \$ 565.00 per year

(b) Foster Parents (refer to SWM N7.3).

Foster parents may be issued with travel warrants to enable them to accompany a Ward on trips to hospital or for medical or specialist treatment.

If the foster parents use their own car the Director may authorise payment equivalent to the fare for one adult.

(N.B. This provision does not cover foster parents transporting Wards to and from school by car.)

1.6 Capitation Subsidy* (ref. C/M 1986/242)

(a) Children's Homes and Approved Foster Care (from 1.10.86)
 \$73.24 per week

(b) Homes for Handicapped Children (from 1.7.85)
 \$102.53 per week or \$14.65 per day

1.7 Childcare Subsidy* (from 1.10.86)

\$15.90; \$19.50 or \$23.00 per week according to Family income.

* These rates are reviewed annually - check that you have the most recent rates.

1.8 Miscellaneous Rates

- (a) Standard Rate of Maintenance for Children in Care (ref C/M 1984/86)
(from 28.7.83)*
- (b) Reimbursement Grant for Social Welfare Volunteers and Honorary Social Workers (ref C/M 1986/146) (See SWM All.5)
(from 1.7.86)*

\$40.80 per week.

\$100.00 per year. \$50 be paid bi-annually.

- (c) Motor Vehicle Allowance for Social Welfare Volunteers and Honorary Social Workers (see SWM All.3) (ref P.S.O.C. 1987/9)

60.25 cents per km (irrespective of the rating of the vehicle). (This rate also applies to Maatua Whangai volunteers and Budget volunteers).

- (d) Board and Lodgings - Institution Staff and Family Home Relievers (from 19.2.86)* (ref S.S.C. C/M. 1986/22)

Bed per night: \$6.48
Meals : \$2.73 per meal

Board rates for children of Family Home relievers are payable at a percentage of the adult rate according to age:

0-2 years	: Nil
2-5 years (inclusive)	: 25%
6-11 years (inclusive)	: 50%
12 years and over	: 75%

- (e) Fees for Community Members of Review Panels and Children's Boards

Daily attendance fee (from 1.4.85):
(ref Treasury Memorandum T 79/101 of 25.9.85)

Chairman	\$96.00
Members	\$85.00

(Where the attendance is up to four hours in one day the attendance fee is reduced to one half of the daily fee.)

Mileage allowance is payable in accordance with the Fees and Travelling Allowances Act, where no public conveyance is 'reasonably' available.

* These rates are reviewed annually - check that you have the most recent rates.

PART T: SECTION 11 AGREEMENTS

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PART T: SECTION 11 AGREEMENTSTl SECTION 11 AGREEMENTSTl.1 Provision under Children and Young Persons Act 1974
(ref H7.4 re delegation)

Section 11(1) of the Children and Young Persons Act 1974 provides that "The Director-General may, on application in that behalf by either parent or both parents of any child or young person or by his guardian, or by any person having for the time being the custody or control of the child or young person, assume control of that child or young person for such period (which shall not extend beyond the date on which the young person attains the age of 20 years or sooner marries) or on such terms as may be agreed on by the parties". Whilst the agreement is current the Director-General shall have the same powers and responsibilities in all respects as if the child or young person had been the subject of a guardianship order under Section 31(1)(d)(i) of the Act save that the guardianship shall not be vested in the Director-General (Section 11(3)).

Tl.2 Agreement is the Essence of this Provision

A Section 11 agreement is not legally enforceable and can be terminated at any time by either the Director-General or the parent. (Section 11(4).)

While it is quite in order for a Social Worker to make a parent aware of the provisions for a Section 11 agreement where this may seem appropriate and to explain its full implications, no pressure is to be exerted on the parent to enter into such an agreement. This would be quite wrong and, in the end, would in all likelihood prove a complete waste of time.

Tl.3 Parents and Child (Where Practicable) Should Be In Agreement

The Act stipulates that the Director-General should ascertain the wishes of the child or young person wherever practicable having regard to the age and understanding of the child or young person before entering into any agreement.

If only one parent has applied under sub-section (1) of Section 11 Children and Young Persons Act 1974, the wishes of the other parent should be ascertained so far as is practicable and due consideration given to these.

Tl.4 Duration of Agreement (ref. H7.4 re delegation)

A Section 11 agreement can be entered into in respect of any child or young person, i.e. person under the age of 17 years. An agreement entered into before a young person's 17th birthday can quite validly continue to operate beyond the 17th birthday until the age of 20 or marriage as desired by the parents and agreed to by the Director-General. An agreement may be completed for any period of time felt to be suitable by both parties. A period shorter than three months would seem to be of little use and if a period of as long as three years is recommended, placement under guardianship would possibly be a better proposal. Generally, the agreement would be for a year or in some cases two years, at the expiration of which the position can be reviewed. There is no reason why an agreement cannot be renewed for a further period if the parent agrees and if the Director feels that this will effectively meet the needs of the case.

Tl.5 Maintenance

Maintenance is paid by the parent/guardian as if the child/young person were placed under guardianship. Form SW 565 (see Fig.2) is completed for referral to the local Maintenance Officer.

Tl.6 Use of Section 11 Agreements Where Extended Residential Care Is Indicated

Where extended residential care is required, it wastes the time of the institution staff, is bad for the child/young person, and has a detrimental effect on the peer group if a child/young person is removed by parental whim before his/her term of training is completed. Sometimes a child/young person may benefit from placement away from home even after long-term institutional care, and not many parents would be able to see the wisdom of such a course. While many of the children/young persons being considered for extended residential care will be subject to a guardianship order this should not be viewed as a pre-requisite for admission. Bearing the above reservations in mind, there will be some children/young persons for whom a Section 11 agreement would be more appropriate.

Tl.7 Special Provisions (ref. H7.4 re delegation)

The Section 11 agreement may be extended by other clauses where desired by both parties. No clauses sought by the parents either spontaneously or at the suggestion of an officer should be added without the officer obtaining the Director's approval for their inclusion as well as for the conclusion of the agreement itself. Such clauses must in no way negate the purpose of the agreement.

Tl.8 Child/Young Person Under Legal Supervision Can Be The Subject of an Agreement

There is no reason why a child/young person under legal supervision cannot be the subject of a Section 11 agreement if relationships and behaviour at home subsequently deteriorate.

Tl.9 Section 11 Agreement Not To Be Used as a Means of Ensuring Maintenance Payments to Children's Homes

A Section 11 agreement is not to be used as a means of ensuring maintenance payments to Children's Homes. A condition of payment of capitation subsidy to a Children's Home is that the management must give an assurance that "no child otherwise eligible and suitable for admission for whom care and accommodation is available will be refused admission merely because his parent(s) or guardian(s) is/are unable to pay maintenance".

Tl.10 Section 11 Agreement is Not to be Used Solely to Provide Financial Relief

A Section 11 agreement inevitably shifts the financial burden of raising a child to the state in spite of the general acceptance that this responsibility lies with the parents. Directors must therefore be particularly careful that there are sound reasons, other than those of a purely financial nature, for the department entering into such an agreement. This is a difficult area which requires that the Social Worker distinguishes between those cases where financial hardship is the only problem and those where complaint action is likely to be needed if we do not assume control of the child. Directors must be satisfied that a Section 11 agreement is justified for reasons beyond that of providing financial assistance.

Similarly a Section 11 agreement should not be entered into merely because parents who have arranged a private foster placement evade their responsibilities by failing to make appropriate maintenance payments to the foster parents or relatives with whom they have placed the child.

T2 SUBMITTING A PROPOSALT2.1 Procedure (ref. H7.4 re delegation)

If a Social Worker finds that parents seek a Section 11 agreement after its purpose has been explained to them and if it appears that this would be the best course to follow with a particular case, the Social Worker should then discuss the matter fully with his/her supervisor. If it is agreed that the proposal should proceed the senior social worker authorised to sign S11 agreements should be approached for his/her approval. If s/he approves and agrees to accept the amount of maintenance offered the parents' signatures should be obtained on the SW 511 (see Fig.1) Agreement form (in triplicate) and on form SW 565 (see Fig.2) (in quadruplicate). The signed agreement will then be minuted to the appropriate staff member for signing for and on behalf of the Director-General.

Once approved the following steps should be taken:

- (a) A SW 512 should be prepared and forwarded to Head Office for statistical purposes.
- (b) First copy of the Section 11 agreement form SW 511, and maintenance agreement form SW 565 should be delivered or sent to the parent with a covering letter.
- (c) Second copy is placed on child's/young person's personal file together with copy of Social Worker's report, SW 512, school report, maintenance agreement etc.
- (d) Third copy of agreement, Social Worker's report and SW 512 is placed on Master file Section 11 for statistical purposes.
- (e) Two copies of SW 565 are forwarded to local Maintenance Officer for registration.
- (f) A notification slip should be prepared showing the date on which the child assumes status under the agreement.
- (g) A bring-up should be recorded for one month prior to the expiry date of the agreement so that if necessary a recommendation for an extension of the agreement can be organised.
- (h) Extra SW 583 notification slip notifying Family Benefit section that (if applicable) family benefit must be cancelled should be prepared.

T3 STATUST3.1 Status While Agreement is in Force

For such time as the agreement is in force, with the two exceptions mentioned below, the child will be given the same status as a Ward. The general status "S.11" will be added in brackets after the specific status has been given, e.g. "I.b.h.(S.11)".

Exceptions to the principle stated above are:

- a. While a child for whom the Director-General assumes control under a Section 11 agreement can return home for brief periods on 'H. Temp' status (e.g. for a weekend or for a few days at Christmas, etc.) the status of 'H' indicating a definite return home is not appropriate. If a child/young person subject to an agreement is permitted to return home permanently then the Director-General terminates the agreement from the date on which this takes place. Authority to control the child/young person stems only from the parents and terminates when they resume control. If the child/young person's home placement fails a new agreement must be completed.
- b. "Work - Independent" (W.i.) status does not apply in the case of a young person under our control by virtue of a Section 11 agreement. When a young person has progressed to the point where s/he merits an opportunity to exercise the discretion and freedom to manage his/her affairs implied by this status then the supervising officer should recommend that the agreement be terminated. If the Director agrees the Social Worker will notify the parents accordingly.

T4 TERMINATION OF THE AGREEMENTT4.1 Conditions Which Terminate Agreement

As mentioned earlier the agreement can be terminated without notice by either party but for the sake of all concerned it is obviously preferable that reasonable notice should be given. This should be discussed with parents at the time an agreement is being drawn up.

(a) An agreement may be terminated in any of the following ways -

- expiration of the period;
- return of the child to his/her parents during the currency of the agreement either at their request or at the request of the Director;
- release on probation, sentence to youth prison etc. or committal to a psychiatric hospital.

(b) An agreement is automatically terminated in the following ways:

- marriage of the young person;
- death of the child or young person;
- issue of interim order of adoption;
- placement under guardianship of the Director-General as a result of Court proceedings under the Children and Young Persons Act 1974;
- death of the parent/guardian who has entered into an agreement with the Director-General ... in this event consideration may need to be given to the placement of the child on 'informal admission' status prior to a further agreement being negotiated with the person now legally responsible for the child, or the taking of guardianship proceedings in respect of the child.

(c) When the agreement is terminated the case is closed by:

- the issue of a notification slip (copies to Family Benefit section and Maintenance Officer);
- a letter to the parent or guardian from the Director recording the effective date.

APPENDIX T

PART T: SECTION 11 AGREEMENTS

APPENDIX

	<u>Form</u>	<u>No.</u>	<u>Reference</u>
Fig. 1	Section 11 Agreement	SW 511	T2.1
Fig. 2	Maintenance Agreement	SW 565	T1.5, T2.1

Fig 1

S.W. 511

**AGREEMENT FOR CONTROL OF CHILDREN OR YOUNG PERSONS
BY DIRECTOR-GENERAL**

(Children and Young Persons Act 1974, Section 11)

AGREEMENT made between the Director-General of Social Welfare (in this agreement called "the Director-General") and

(Names)

of

(Address)

(Occupation)

*Cross out
those that
do not apply.

(in this agreement called "the parent") the *father/mother/guardian/person having custody and control of the *child(ren)/and/or young person(s) whose name(s) and date(s) of birth are in the Schedule of this agreement (in this agreement called "the child(ren)").

BY WHICH IT IS AGREED

1. That the parent gives, and the Director-General assumes, control of the child(ren) as provided for by Section 11 of the Children and Young Persons Act 1974.
2. That the Director-General will have control of the child(ren) from the date of this agreement until the end of calendar months or until either the Director-General or the parent revokes this agreement, whichever happens first.
- *3. That the following terms will apply to the control of the child(ren) namely:

*Cross out
if there
are no
special
terms.

DATED this

day of

19

SCHEDULE

Names

Date of Birth

Fig 1
Reverse

Names

Date of Birth

*Write in
father/mother
guardian or
person having
custody and
control as the
case may be.

SIGNED by

the *

of

the child(ren).

SIGNED by the Director-General by

(Names)

acting under delegation
authorised by Section 12
of the Department of Social
Welfare Act 1971.

The Director-General of
Social Welfare by

Date of Birth.

SCHEDULE (Continued)

Names

Date of Birth

SIGNED by the parent

SIGNED by the Director-General

by

The Director-General of
Social Welfare by

(names)

acting under delegation authorised by Section 12 of the
Department of Social Welfare Act 1971

EXPLANATORY NOTES

*These notes are not part of the agreement, they are intended only to
indicate the general effect of the Agreement.*

1. The law says that parents of children who are in the care of the Department of Social Welfare must pay whatever they can afford towards the cost of maintaining their children. The simplest way of doing this is by written agreement, but if no agreement is made the Director-General of Social Welfare is bound to apply to the District Court to have a maintenance order made.

2. No accounts for maintenance are sent, but parents are required to make regular payments under the agreement. The money may be handed in personally or sent by mail, and for ease in posting a "remittance card" is available from the local Director, Department of Social Welfare. Using the remittance card saves the trouble of writing a letter to send with the payments.

3. It is important that payments under an agreement should be made regularly. If they are not, the agreement can be registered in the District Court. It will then have the effect of a Court Order and can be enforced by a District Court Judge.

4. This agreement is between the parent and the Director-General. It can be changed at any time so long as both parties (i.e., the parent and the Director-General) agree to the change. If one party wants a change but the other does not, then the matter can be settled by a District Court Judge.

5. If the parents find that they cannot pay the amount regularly, then they must let the local Director, Department of Social Welfare know immediately. It may then be possible because of changed circumstances to change the agreement, or even suspend it altogether for a short while.

6. Parents should ask any Social Worker or, if they prefer, their own solicitor about anything in the agreement which is not clear, or which may be worrying them.

PART U: STATUS TERMS AND NOTIFICATION SLIPS

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PART U: STATUS TERMS AND NOTIFICATION SLIPSU1 STATUS TERMSU1.1 Basic Terms for Children/Young Persons in Care

Four basic terms are used for children/young persons in care:

- Board (denoted by B) placement in a foster home, Family Home, or at boarding school.
- Home (denoted by H) residence with parents, guardians, or relatives.
- Work (denoted by W) placement in various work situations.
- Institution (denoted by I) placement in an institution, either Social Welfare or private.

U1.2 Qualifying Terms

In conjunction with the basic terms, set out in the previous paragraph, certain qualifying terms are used. These are denoted by letters or syllables which must be in small type e.g., B.n.p. for "Board, no payment" or W.i. for "Work independent". B temp - where child/young person is placed at temporary board or in a trial foster placement, and quarterly clothing payment is not made. Qualifying terms are only used where it is apparent that they will serve a useful purpose either in Head Office, in district offices, or both. The main considerations used in selecting these terms have been:

- Payment of board, quarterly clothing payment, wages and maintenance - required by both Head Office and districts.
- Statistics - required by Head Office.
- Case work - required by Head Office, and districts.

Where the qualifying term is the name of an institution or the place at which the institution is situated, no abbreviation is used, e.g., I. Kohitere, I.Hokio etc.

U1.3 Where Two Basic Terms are Involved

In the few cases where a child/young person's situation falls under two basic status terms the most important one will have precedence. The secondary status will be added in brackets and will also be denoted by a capital letter. Thus if a young person is going to work from a Boys' Home the institution status will be the most important. The combined status symbol will be "I.b.h.(W)". Please refer U1.7.

U1.4 "B" Status Terms for Children/Young Persons in Care

<u>Symbol</u>	<u>Status Term</u>	<u>Meaning</u>
B	Board	Boarded in a private foster home. Board is paid by this department by monthly coupon.
B.n.p.	Board, no payment	Placed in a home where the foster parents are willing to keep him/her without cost to the department, e.g. where s/he is placed with people who have known the child/young person or his family over a long period, or where a Ward is placed on trial with a view to ultimate adoption.
B.f.h.	Board, Family Home	Resident in a Family Home.
B.r	Board, resident	At boarding school, or in a private institution where the department pays the asking rate, plus clothing and all other normal expenses (medical, recreational etc.) e.g. I.H. Hostels, some hostels for unmarried mothers (Refer also I.p.).
B.h.e.	Board, higher education	A young person boarding (either in a private home or a hostel) who is a full-time tertiary student and whose board is paid by the department.
B.p.	Board, private (voluntary) agency	Placed and supervised by a Voluntary Agency providing foster care services. Normal board rates according to age together with incidentals allowance are paid to the Voluntary Agency. Capitation is paid at normal or handicapped rate. No clothing allowance is payable, but extraordinary expenses are payable (refer Q10.3).
B temp		Boarded in a private foster home on trial or temporary basis (clothing allowance is not paid).
B. temp. r.h.	Board, Temporary Receiving Home	Placed in a private foster home which has been designated a Temporary Receiving Home.
B int	Board Intensive Care	Placed under the provisions of the Intensive Foster Care Scheme.
B c.c.	Board Community Care	Placed under special 'Community Care' conditions.

U1.5 "H" Status Terms for Children/Young Persons in Care

<u>Symbol</u>	<u>Status Term</u>	<u>Meaning</u>
H	Home	A child/young person returned to parents or former guardians with a view to ultimate discharge. The parents or guardians accept responsibility for the child/young person and board or other payments are not normally made, but the Director-General retains legal control.
H.r	Home, relatives	A child/young person placed with relatives with a view to ultimate discharge. The relatives accept financial and other responsibility for the child/young person but the Director-General retains legal control.
H.temp	Home, temporary	The return of a child/young person to parents or former guardian for a definite period. Normally board payments to foster parents cease during the child/young person's absence. Date of expected return should be noted in the remarks column.

U1.6 "W" Status Terms for Young Persons in Care (ref H7.4 re delegation)

<u>Symbol</u>	<u>Status Term</u>	<u>Meaning</u>
W	Work	A young person placed at work.
W.t	Work, trust	A young person in employment who has part of his/her money allocated each week for banking. When banking money comes in to the district office it is banked in a Trust Account.
W.p	Work, personal	a. A young person at work who receives all his/her wages direct but who is required to pay an allocated amount into a personal account. b. If a young person is apprenticed this should be noted in the remarks column. c. This status will also apply to a young person entering the permanent forces. The particular branch of the forces should be indicated in the remarks column.

W.s	Work, subsidised	A young person in employment but not fully self-supporting. S/he may be assisted by a board subsidy, with clothing, or dentistry, etc. If apprenticed this should be noted in the remarks column.
W.temp B	Work, temporary board	This status will apply to a young person in employment who is accommodated in a private home:- - In the course of moving from one job to another; - During a visit to a place for a reason other than a holiday, e.g., for special dental or medical attention; - Who is temporarily unemployed¹ and where board is being paid by the department because the young person has no funds or where board is being paid by the department from money held on the young person's behalf, or, if eligible from unemployment benefit received on his/her behalf.
W. temp.r	Work, temporary residence	This status is the same as the previous one, except that either no board payments are required or that they are met by unemployment benefit.
W.h.e.	Work, higher education	A training college student, nurse trainee, community nurse, or part-time university student, who is receiving a wage which makes him/her self-supporting.
W.h.e. (s)	Work, higher education (subsidised)	As above but not self supporting.
W.f.h.	Work, Family Home	A young person in employment residing in a Family Home, or Family Home Hostel.

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- This status will also apply to a young person who has just left school and who is placed at board temporarily pending his/her first work placement. Board may be paid by the department until s/he takes up his/her employment and no refund will be expected. The remarks column of the notification slip should indicate that no refund will be sought as the placement is preparatory to taking initial employment. The limits on expenditure set out in Part W, will apply. The Director-General's approval will be required for amounts in excess of this authority.

W.fh.(s)	Work, Family Home, subsidised	A young person in employment residing in a Family Home whose board is subsidised because 25% of net wage is less than full Family Home board rate.
W.i.	Work, Independent	A young person in employment who secures his/her own work and place of board, who handles his/her own wages. S/he is required to keep in touch with his/her supervising officer but is left to manage his/her own affairs as far as possible. When placed on this status his/her discharge is being contemplated. If a young person on this status chooses to live at home s/he may do so. His/her status will not change to "H" for the time s/he is at home but will remain as "W.i."

U1.7 "I" Status Terms

<u>Symbol</u>	<u>Status Term</u>	<u>Meaning</u>
I.	Institution	A child/young person in an institution whether Social Welfare or private.
I.b.h.	Institution, Boys' Home	A child/young person in a Boys' Home.
I.g.h.	Institution, Girls' Home	A child/young person in a Girls' Home.
I.r.c.	Institution, Reception Centre	A child/young person in a Reception Centre.
I. Kohitere	Institution, Kohitere	A boy at Kohitere.
I. Hokio	Institution, Hokio	A boy at Hokio Beach School.
I. Kingslea	Institution, Kingslea	A girl in extended care at Kingslea.
I. Kingslea s.t.	(short term)	A girl in short term care at Kingslea.
I. Weymouth	Institution, Weymouth	A girl at Weymouth.
I. Beck House	Institution, Beck House	A child or young person at Beck House.
I. Te Atatu	Institution, Te Atatu.	A child or young person at the Te Atatu Group Home.

I. Otamatea	Institution, Otamatea Wanganui	A child or young person at the Otamatea Children's Centre.
I. Opawa	Institution, Opawa	A child or young person at the Opawa Group Home.
I. Campbell	Institution, Campbell Park	A child or young person in the care of this Department at Campbell Park School.
I. Salisbury	Institution, Salisbury	A child or young person in the care of this Department at Salisbury Girls' School.
I.p.h.	Institution, psychiatric hospital	A child or young person in the care of this Department who is in a psychiatric hospital.
I.p.	Institution, private	A child or young person in the care of this Department who is resident in a private institution, e.g. one conducted by church authorities. (This term applies to children/young persons who are in a privately conducted institution registered as a children's home and which receive a weekly capitation grant for each child in residence. The department pays board at Family Home rates but supplies <u>no clothing</u> . If a young person living in a privately conducted hostel is paying his/her own way the hostel may reasonably be regarded as a place of board rather than an institution meeting special needs. The more appropriate status in such circumstances would be W.p.)
I.bh(W)	Institution, Boys' Home, Work	Working young person residing in an institution. Board deducted from wages is 25% of net wage, with maximum deduction equivalent to current Family Home board rate. Other possible status terms include I.Kohitere (W), I.Kingslea (W) etc.
I.f.h.(W)	Institution, Family Home, Work	A young person in employment resident in a Family Home under the casework control of the Principal.
I.fh(W)s	Institution, Family Home, Work, subsidised	A young person in employment resident in a Family Home under the casework control of the Principal. Board is subsidised because 25% of net wage is less than full Family Home board rate (see Pl.20).

I.f.h.(B) Institution, Family Home, Board A child/young person at school in a Family Home under the casework control of the Principal.

Note: A young person who is resident in a Boys'/Girls' Home or in a National Institution and who goes out to work or to school, has a basic institutional status and a qualifying occupational status, e.g. I.b.h(W), I. Kingslea (W).

U1.8 Qualifying Status Terms

The following terms will be added in brackets after the basic status, e.g. "B(h)" meaning "holiday from board placement", "I(m)" meaning "missing from an institution", or "W(pc)" meaning "taken into Police custody from work", etc.

<u>Symbol</u>	<u>Status Term</u>	<u>Meaning</u>
(h)	Holiday	On holiday from a Board, Work or Institution status. i. If a child/young person at board or in an institution spends a holiday with a family, the S.W. will record in the remarks column whether or not board payments are to be made. Note: Where a child/young person goes home for a holiday, the status must be H. temp, NOT (h). ii. If a child/young person goes on holiday with his/her foster parents and board payments cease or continue his/her status will be B(h) and the situation regarding board payments will be made clear in the remarks column.
(c)	Camp	Attending camp, e.g. Health Camps, Bible class camp, school cadet camp, Scout camp, etc. Comment regarding board payment should be made in the remarks column.
(s)	Subsidised	On Work status who needs continuing assistance, say with board payments, and/or intermittent assistance, say with clothing, dental, medical or other expenses.

(sp)	Sports	Travelling with a sports club team, school team or social studies group, etc.
(m)	Missing	missing.
(pc)	Police Custody	In police custody (reason for apprehension and place of detention should be included in the remarks column and in the body of the notification slip).
(mw)	Maatua Whangai	On the caseload of the Maatua Whangai Scheme.
(hos)	Hospital	Admitted to hospital. The reason for admission and the name of the hospital should be shown in the remarks column and in the body of the notification slip.
(hl)	Home Leave	On home leave from a psychiatric hospital.

U1.9 Additional Status Terms for Children in Care

The majority of children/young persons in the Department's care are subject to a guardianship order under the provisions of the Children and Young Persons Act. Where this is the case the four basic status terms (B; H; W; I) do not require any further explanatory notation except for the qualifying terms.

However, where the authority for custody and/or guardianship is derived from any other legal provision this needs to be clarified in brackets after the basic status term plus any qualifying terms, e.g. I.r.c. (hos)(S.11) where (S.11) indicates the authority under which the child is in care.

The following symbols are used for this purpose:

<u>Symbol</u>	<u>Meaning</u>
S.11	In care by agreement under Section 11 of the Children and Young Persons Act 1974.
S.12	In care under the provision of Section 12(2)(b) of the Children and Young Persons Act 1974, (child found unaccompanied in a public place).
Ward of Court	A 'Ward of Court' where the Director-General has been appointed agent of the Court. (See Part N.)

<u>Symbol</u>	<u>Meaning</u>
S.8 G. Act	Where the Director-General has been appointed guardian under the provision of Section 8 of the Guardianship Act.
S.7(4)	Where the Director-General has been appointed guardian under the provision of Section 7(4) of the Adoption Act.
arr	Placed in Social Welfare custody by the Police under provision of Section 43(2) of the Children and Young Persons Act following arrest.
rem	Remanded in Social Welfare custody by the Court.
post	In Social Welfare custody during a postponement.
cc	Placed under special 'Community Care' conditions.
adj	Subject to an adjournment in Social Welfare custody.
war	Held on warrant issued and executed under the provisions of Section 43 of the Children and Young Persons Act.
informal	Taken into temporary care on an emergency basis (see Part A4). (This replaces the former symbol ('temp admn').)

U1.10 Status Terms for Children/Young Persons Not in Care But Under Social Welfare Notice

<u>Symbol</u>	<u>Meaning</u>
Sup	A child/young person who is the subject of a Court supervision order.
Sup(post)	Under supervision of a Social Worker during a period of postponement.
Sup(adj)	As above but during adjournment.
Supp. Serv.	Placed on 'supportive service' by decision of the Director.

U1.11 Special Status Terms

<u>Symbol</u>	<u>Meaning</u>
Adopted	A child/young person in guardianship who has been adopted. He/she is automatically noted for discharge when the final adoption order is issued. The remarks column should give details and show the new name.
Married	A young person in guardianship who marries. Discharge is automatic from the date of marriage. The remarks column should give details and show the new name.
Youth Prison, Probation, Corrective Training	These terms should be used as the young person's official status for such time as he/she is not discharged and is subject to a probation order, detained in youth prison or corrective training institution. Some comment on the position relating to discharge should be made in the remarks column at the date of the incident, e.g. 'memo following recommending discharge' or 'discharge not recommended - refer my memo of 10.10.82' or 'recommend the Director consider position re discharge' (e.g. where the matter has been dealt with in a Court away from his/her home district).
'D'	Where a child/young person in guardianship is discharged by the Director-General.
Deceased	Where a child/young person in guardianship dies.
W.O.	(Written off) Used for indicating that a period of supervision with residence, or on agreement under Section 11 has expired or been terminated.

U2 NOTIFICATION SLIPSU2.1 Introduction

Notification slips (SW 583 refer Fig. 1) are used as a convenient and standard means of recording all changes in status and address of children or young persons temporarily or permanently in the Director-General's care and under his control. They are also used to record some changes relating to children or young persons under legal supervision or supportive service of a Social Worker. The slip provides principally for recording the incident, the date on which it occurred, the previous status, and supporting particulars such as address, rate of board to be paid to foster parents, school attending, name and address of employer, wage allocation, names of other districts to be notified, general remarks, etc. In many cases it provides authority to commence, alter, or stop payments for board and/or clothing.

U2.2 When Notification Slips Are Used

Notification slips are issued to record changes in:

- status
- address
- foster parents (in Family Homes)
- board rates (other than automatic changes)
- wage allocation
- school
- employer
- period of supportive service
- renewal of Section 11 agreement, etc.

Where there is a change of school only, the incident will show 'Change of School'. The notification slip in this case will not be numbered and no copies will be sent to Head Office.

Where there is a change of address only (e.g. where the foster parents move) within the same district the incident will show "Ch of add" (change of address). If the foster parents shift to another district the incident will be shown as, for example, 'B. Napier' and the previous status 'B. Wanganui' etc.

The terms 'transferred' or 'returned' will be entered in the remarks column in the case of transfer from one placement to another without change of status or on return to a previous placement after a temporary absence.

In the case of legal supervision or supportive service notification slips are issued for district use only (no copies will be sent to Head Office).

U2.3 Advantages of Use of Notification Slips

For children/young persons permanently or temporarily under the Director-General's care, the notification slip:

- a. provides a definite record, for district and Head Office use, of when a child assumes or ceases to have a particular status with the department and of any change of address;
- b. assists senior officers in districts in maintaining oversight of all placements made;
- c. forms the authority for the use of district office clerical staff in making board payments, and for calculating and collecting wages where these are requested direct from the employer in "W.t" placements;
- d. provides a record for calculating a parent's liability for maintenance;
- e. provides an easily accessible record of a working Ward's wage allocation;
- f. provides additional means of keeping an up-to-date record of a child's personal history;
- g. provides a standard means of ensuring that a variety of matters are attended to promptly. For example, when a Ward is placed at board initials of the clerical officer responsible should indicate that:
 - the personal card has been noted;
 - the 'Foster Parents Index Card' (refer Part P Fig. 2) has been noted;
 - 'Personal and Family Information on Child or Young Person in Care' (SW 542A refer Part P, Fig. 4) has been prepared and posted, or handed to a Social Worker for delivery;
 - the 'Foster Placement Information' form (SW 542B - refer Part P, Fig. 3) has been prepared and despatched;
 - the coupon book containing coupons for the amount indicated by the age of the child has been prepared and despatched to the foster mother; and that
 - the Ward has been noted for visiting by the Social Worker on whose caseload s/he has been placed.

U2.4 Preparation of the Notification Slip

The Social Worker who places a child/young person or who becomes aware that a child's/young person's status or address has changed as a result of some other happening should supply the clerical staff promptly with details which will enable them to prepare a notification slip. These details should be provided on the day on which the incident or placement occurs, or, not later than the next working day.

Each Social Worker should have his/her own pad of SW 583 (refer Fig. 1) forms for drafting notification slips for the typists to complete. Usual practice is that the clerical staff collect the draft books, allocate numbers and calculate the number of forms required before passing them on to the typists.

After the slip is typed on form SW 583 the entry in draft form is cancelled.

The clerical officer responsible will check the previous status against that shown on the personal card and will check other information (e.g., address of foster parent, or employer, etc., from foster parents' or employers' cards). Any entries on these cards required as a consequence of change of status or placement will be made at this juncture and the district office personal file copy initialled to confirm that necessary entries have been made. If the slip is entered to denote an extension of a period of supportive service the clerical officer will note a bring-up for the date of expiry so that the supervising S.W. is reminded to review the need for extension or termination on that date.

U2.5 Particulars Required on Notification Slips

When completing particulars for issue of a notification slip the Social Worker should, where applicable, indicate:

- a. the full name of the child. Initials are not sufficient. Where there is likely to be any doubt about the sex of the child the letters (M) or (F), as the case may be, should be typed in after the christian name;
- b. date of birth (to be included in all cases);
- c. incident (refer Status Terms and their symbols at U1);
- d. date of incident;
- e. previous status;
- f. name and address of people with whom the child is living (relationship to be indicated, e.g., "mother and step-father", "foster parents", "employer", etc.). In cases where a working Ward is not resident with his/her employer the notification slips should show the names and addresses both of the people with whom s/he is boarding, and of his/her employer;

- g. school attending;
- h. wage allocation (net wage, board payment, amount for banking, pocket money, and particulars of any continuing financial assistance being given by the department);
- i. whether advice should be forwarded by the clerical staff to the Family Benefit Section indicating whether the child or young person has become or has ceased to be a charge on public funds and hence whether family benefit payments should be terminated or reinstated. In cases where a working Ward under sixteen is self-supporting (refer Part N), the Social Worker should indicate on the draft notification slip this fact and request that payment of family benefit be accumulated until the Ward's sixteenth birthday and banked or where required expended on the Ward's behalf;
- j. the name of any other district or institution which should be notified either because the Ward has just transferred from there or because it has had extensive dealings with the Ward or other members of his/her family in the past;
- k. that the parents have been advised or at least that the need to advise them has not been overlooked, e.g., when a Ward has been admitted to hospital;
- l. in the case of a Ward who has absconded (or been traced), whether the Police have been notified.

U2.6 Signing of Notification Slips (ref H7.4 re delegation)

After completion of clerical action on the typed slip it is then taken to the authorised officer for signature. The original, and any copy to be acted on by the clerical officer responsible for board payments or for accepting the savings or collecting the wages of Wards on W.p or W.t status, is to be signed in full by the senior S.W. authorised to sign. Other copies may be initialled. Any senior officer specially authorised to sign the notification slips will sign in his/her own name or add his/her own initials over the name (typed at the foot of the notification slip) of the Director, Principal, or officer acting in such capacity.

U2.7 Ensuring Prompt Issue of Notification Slips

In order that delays in the preparation and signing of notification slips will be minimised and that they will be received in Head Office as soon as possible after the incident to which they refer, the Director-General specifically requires that:

- a. notification slips must be prepared daily by clerical staff - preferably at the beginning of each day;
- b. any notification slip showing a difference of more than five days between the date of the incident and the date shown alongside the authorising officer's signature is to contain a brief statement in the remarks column of the reason for delay;

- c. Head Office copies must reach the Director-General not more than five days after the date opposite the signature of the authorising officer.

Sub-paragraphs (b) and (c) above are intended to set reasonable limits and are not to be interpreted as permitting a delay of ten days in all cases from the date of an incident until the notification slip is received in Head office.

U2.8 Number of Copies

The required number of copies of any notification slip prepared will be as follows:

- a. For Wards, Section 11 cases, or children for the time being under the care of the Director-General because they are remanded or postponed in custody, on supervision with residence (S.47(f)) Children and Young Persons Act 1974, informal admissions, on warrant, etc., one copy (the original) will be prepared for Head Office and 4 copies at least for use in the district office - one for filing in serial order on an "Outward Notification Slip" file, one for attaching in date order to a blank sheet at the base of the personal file, one for Maintenance Section and one for Family Benefit Section where applicable. Each slip issued for cases described in this sub-paragraph is allocated a serial number by the issuing office. A new series commences from the first incident occurring on or after 1 January each year. All slips issued after 1 January but relating to incidents in the previous year are given the next number in the older series. In those cases where two incidents are recorded on one slip, only one number is allocated.

Extra copies must also be prepared where appropriate for:

- (i) the clerical officer handling board payments. This officer will need to be reliably and promptly informed of any incident which will involve commencing, adjusting, or ceasing board payments¹;
- (ii) the clerical officer supervising wage allocations, who needs advice of changes in allocations, refunds to be made, amounts of earnings to be deposited and wages to be collected direct from the employer;
- (iii) a district or institution from which the child/young person has transferred temporarily or permanently;

-
1. The clerical officer responsible for these matters will initial the file copy of the notification slip to indicate receipt of the copy s/he is to operate on.

- (iv) any district or institution which has had substantial contact with the child or his/her family so that brothers, sisters and parents may be kept informed, where appropriate, and so that Social Workers who have been responsible for a child/young person in the past are provided with follow-up information about him/her. This will apply particularly to notification slips recording a child's placement under guardianship, transfer to a S.W. institution, sentence to youth prison, discharge, or other major change in status. In every case where a Ward is sentenced to youth prison a copy of the notification slip covering the incident must be sent to the Director of the district in which the institution is situated so that the Director will know the position regarding the Ward's discharge. This will be noted in the remarks column.
- b. Supportive service and legal supervision cases - the original and one copy. The original will be attached in date order to a plain sheet of paper at the base of the district office file. The copy will be placed on the file for notification slips for legal supervision and supportive service cases. No serial number will be allocated. If the incident involves transfer of a child/young person or family from one district to another the original will be sent to the receiving district with the file and an extra copy will be placed on the issuing district's file for general correspondence with the receiving district.

U2.9 Notification Slips for Families on Legal Supervision or Supportive Service

In instances where a family is on supportive service or legal supervision and where they change address within the S.W. district or from one S.W. district to another, or where a period of supportive service is extended, it will not be necessary to issue separate notification slips for each child/young person. The slip will be issued in the family's name, and the first names of the children and their dates of birth will be listed in the remarks column (refer Fig. 1).

U2.10 Separate Slips for Individual Children to be Issued In All Other Cases

With the exception mentioned in the previous paragraph a notification slip must be issued for each child when any incident involving a permanent or temporary change of status occurs. Two incidents may be recorded on the same slip, however. For example, if a Ward absconds and is quickly located, or if s/he returns to his/her parents for just a few days, one notification slip may be used to cover both incidents.

U2.11 The Remarks Column

The remarks column should be used to quote authorities (e.g., "Refer Director-General's approval dated 6 December 1981") or to give supplementary details where these do not justify a separate memorandum. For example, when a child/young person is taken on warrant it is often possible to give the reasons briefly in the remarks column. This will give the Director-General some knowledge of the reasons for the action taken and may avert the need for a separate memorandum when a Social Worker's report will shortly be forthcoming. Where the Director-General's authority is required a recommendation in the remarks column will not suffice unless there is a specific instruction that this will be adequate. Generally, it is also undesirable for one Director to request action to be taken by another Director by way of the remarks column. Requests for action of this type should be sent by memorandum.

The full name of the natural mother or adoptive mother, that is the person in whose name family benefit has been established, should be entered in every instance in which a child becomes a charge on the department, or returns to his/her parents' care.

The name and address of maintenance payor should be entered only after a guardianship order has been issued.

U2.12 Specific Functions Of The Remarks Column

In the following instances Directors are instructed to use the remarks column:

a. Maintenance

In cases where no maintenance payments can reasonably be expected, e.g., where the child/young person is an orphan, or where the parents are Social Welfare beneficiaries, the position should be noted in the remarks column. No other memo or report will then be required.

When entering particulars for the first notification slip to be issued after a child/young person becomes a charge, the Social Worker will enter the statement "Maintenance action noted" in the remarks column. If maintenance inquiries will be the responsibility of another Social Worker the notification slip book or file will be handed to that person who will place his/her initials and the date beside the entry "Maintenance action noted". This will confirm that s/he has noted the matter for action. The completed slip will have "Maintenance action noted" in the remarks column but it will not be necessary for the Social Worker responsible to add his/her initials.

b. Advice to receiving district when child/young person is temporarily transferred

In those cases of temporary transfer when only the "home" district issues a notification slip the remarks column will indicate for the information of the receiving district, the anticipated date of return.

- c. Advice to the Director-General that board payments are to continue during a child's absence from his/her foster home

(Refer Part N) If a foster parent has met expenses in connection with a Ward's absence from the foster home which equal or exceed the board payments involved no adjustment of board payments need be made for the period of absence. The Director-General must be notified of any decision to continue board payments in the child's absence (except in those cases referred to in N6.5) and the reasons stated briefly for making this decision. This information will normally be included in a memo but if a memo is not otherwise necessary it must be included in the remarks column of the notification slip.

- d. Consideration of discharge after sentence to youth prison or corrective training

A Director who feels unable to make a recommendation about discharge (e.g., because the Ward has only recently come to his/her district or has been apprehended and dealt with while passing through) may recommend in the remarks column that the opinion of some other Social Worker be sought.

In every case, comment will be made in the remarks column about the position regarding discharge when a Ward is sentenced to youth prison and a copy of the notification slip will be sent to the district in which the prison is situated.

- e. Adoption of a Ward

On the making of a final order a notification slip is issued showing the incident as "Adopted" and bearing the entry in the remarks column "Final Order, Discharged". (Refer Part E.) Adoptive names should also be included.

- f. Informal admission

When a child, in an emergency, is taken into our care without our taking out a warrant his/her status is shown as "B.(Informal)", "I.r.c. (Informal)", etc. The remarks column should contain the entry "Informal Admission", and a brief statement of the reason for the action taken or, if a few words will not suffice, reference should be made to a separate report which is being sent to the Director-General outlining the circumstances. (Refer Part A.)

- g. Head Office filing

When a child/young person whose case is not known officially in Head Office comes under Head Office notice for the first time the initial notification slip should record in the remarks column, the names of children in the family who have previously come under notice and who are known to Head Office and any other surnames or aliases by which the family may be known.

U2.13 Notification Slip Not Required From Receiving District In Some Cases

When a Ward, or child for the time being in the Director-General's care, transfers to another district for a short period only, does not enter a S.W. institution, and where it is not necessary for the new district to supervise the child during the period (e.g., a Ward on holiday with foster parents, spending a weekend with his parents, attending a scout camp, etc.) the following procedure will apply:

- A notification slip will be issued by the 'home district only'. A copy will be sent to the receiving district conveying, in the remarks column, an indication of the probable date of return. This advice to the receiving district is necessary in the event of any emergency arising which might lead to an inquiry being made at the local office.
- When the Ward returns a further notification slip will be issued by the "home" district and a copy sent for the information of the receiving district.

U2.14 Action To Be Taken When A Ward Transfers To Another District

When a Ward transfers to another district (except for a short casual visit as mentioned in U2.13 above) the following steps must be taken:

- (a) Approval must be sought from the Director of the receiving district before arranging a transfer (other than for admissions to National or Regional Institutions where the Principal approves the placement).
- (b) Notification slips showing a transfer to another district must be followed by an acknowledging notification slip from the receiving district confirming the arrival of the Ward.
- (c) Where the receiving district finds that the transfer cannot be confirmed, communication between the districts and the cancellation or amendment of the original notification slip should clarify the situation promptly.

At all times it must be clear where the initiating casework responsibility rests. Normally responsibility rests in the district where the child/young person is at any particular time. Exceptions to this rule are such instances as casual visits; boarding school placements with frequent returns home for weekends; as yet unconfirmed transfers; etc.

With transfer of casework responsibility inevitably there must be a transfer of the personal file and the Kardex card. Notification slips must therefore state in the remarks column that the file and cards have been forwarded to another district. This confirms the transfer of the initiating casework responsibility.

U2.15 Wards Attending Special Schools

- a. All movements of Wards are recorded by issue of notification slips in the usual manner.
- b. If a child/young person who is subject to the provision of S.115 of the Education Act becomes a charge during a vacation or upon his/her discharge from school (e.g., because board payments are being made for holiday placement, or because of informal admission to a Boys' Home, Girls' Home or Family Home, etc.) notification slips will be issued by the local district office showing the status as "I.b.h. (informal)", etc.

APPENDIX U

PART U: STATUS TERMS AND NOTIFICATION SLIPS

APPENDIX

	<u>Form</u>	<u>No.</u>	<u>Reference</u>
Fig. 1	Notification Slip	SW 583	U2.1, U2.4, U2.9

Surname: _____ Christian Names: _____

District or Institution: _____ Date of Birth: _____ No.: _____

Incident	Date	Previous Status	School	Board Rate

Full Name and Address — State whether address is that of employer, foster parent, etc. in "Relationship" panel.

Relationship: _____

REMARKS: (Include where appropriate full name of natural or adoptive mother and name and address of maintenance payor)

/ /		Signed: _____	
COPY Sent to Head Office ☐		Admin. Section ☐	
and			
Director	☐	District(s)	
Principal or Manager	☐	Institution	
Maintenance	☐	District	
Family Benefit	☐	District	
ADVICE Sent to		WEEKLY WAGE ALLOCATION	
Parents ☐	Police ☐	School ☐	
Department to assist with:		Board: _____	Per. Card _____
		Fares: _____	F.P. or Emp. Card _____
		P.M.: _____	SW546 or SW550 _____
		Bank: _____	SW548 _____
		Clothing _____	Board Payments _____
		Refund: _____	Wages _____
		Net Wage: _____	Restitution _____
			Visiting Book _____

23 DECEMBER 1986

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GUARDIANSHIP OF THE HIGH COURT (SECTION 9, GUARDIANSHIP ACT 1968)
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Introduction

Attached to this Circular Memorandum is a practice paper concerning guardianship of children and young people by the High Court i.e. Wards of Court. The purpose of the practice paper is to clarify for social work staff the various aspects and implications of such High Court guardianship. It considers in particular its functions and the range of roles and responsibilities that Social Workers may have in relation to Wards of Court.

Wardship of the Court is a special form of guardianship in which the High Court intervenes to protect a child or young person, or their property, from a situation held to be harmful and for which there is not a remedy in lower Courts. This type of Wardship is an ancient jurisdiction dating back to the Middle Ages.

The powers of the High Court in respect of Wardship have not been limited and so it can act with maximum flexibility. The best interests of the child or young person concerned is the only issue that the High Court has to address in Wardship proceedings.

A special characteristic of this type of guardianship is that it takes precedence over all others, including that of the Director-General. It does in fact discharge any existing Guardianship Order in favour of the Director-General.

The High Court appoints a person or persons to act as its agent/s for either general or particular purposes. It may also give directions as to custody and access. Sometimes custody and agency are vested in the same person or persons. Major decisions affecting the child's life can only be made by consent of the High Court. The Director-General may be appointed as a general agent, an agent for a particular purpose or purposes, may also be appointed as custodian, or may have no role at all in relation to a Ward of Court.

Traditionally, a Ward of Court, with the Director-General as custodian and general agent was regarded by the Department as 'the same as' a "Ward of the State". However, increasingly our attention is being drawn to the fact that there is a vital distinction between the two Wardships and these must be given more detailed attention. That is to say, the Director-General has no guardianship status in relation to a Ward of Court. It is nowadays increasingly common for the High Court to appoint the Director-General to some role or function short of custodian or general agent. This seems to be in accordance with the general trend to reduce the direct involvement of the State whenever possible. These more

limited functions require Social Workers to take on a range of different responsibilities and role relationships which sometimes resemble those associated with, for example, Supervision Orders, or Supportive Service but which have a different channel of accountability.

The practice paper expands on the issues highlighted in the introduction. It is in two parts:

Part A covers the legal and social meaning and effects of High Court Wardship and various issues and practices in relation to applications to the High Court.

Part B deals with procedural matters for social work staff who are working with Wards of Court and their families.

Any queries regarding the content should be addressed to Casework Services Unit, Head Office.

Delegated Authority

It will be noted that there are two types of authority involved in departmental applications to the High Court:

- (1) The authority of the Director-General to make application to the High Court for Wardship. This has now been delegated to Regional Directors (who may delegate to specific Regional social work staff).
- (2) The authority of the Office Solicitor (in consultation with the Solicitor General if appropriate) for the Department to actually commence proceedings in the High Court.

These aspects are discussed in 4.1

Monitoring Responsibilities

These are stated in Part B.

Amendment to Social Work Manual

It is intended to insert the practice paper in part D: Custody, Guardianship and Access. The present entries D5.5 to D5.9 and the entry in Part N.13 will duly be deleted.

Distribution

To Regional Directors, District Directors, Principals and Area Welfare Officers.

While Part B of the practice paper will have particular relevance for social work staff who are, or will be, carrying out a role in relation to a Ward of Court (or following through on certain Family Court Orders which have some similarities in required roles), Part A should be more widely relevant to those practicing in the care and protection area.

Staff discussions should be arranged for those for whom clarification will be helpful. Directors are to ensure that AD's (SW), AWO's and senior social work staff have a copy of the Paper pending its insertion in the Social Work Manual.

J W GRANT
Director-General

DEPARTMENT OF SOCIAL WELFARE

SOCIAL WORK

PRACTICE PAPER

HIGH COURT GUARDIANSHIP

Prepared by the Casework Services Section, Head Office

with assistance from the Department's

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and

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PART A: HIGH COURT GUARDIANSHIP (GENERAL)

1 Powers of the Court (for further details see section 9 Guardianship Act 1968)

- (a) The High Court may, on application, order that any unmarried child under the age of 20 be placed under the guardianship of the Court, and may appoint any person to be the agent of the Court either generally or for any particular purpose. Those who may apply for such an order may be the parent, guardian, 'near relative' (See Section 2), the Director-General, a child or young person, or any other person with leave of the Court.
- (b) Wardship terminates automatically when the Ward is 20 years of age, or marries under that age.
- (c) The Court may make Wardship orders which include directions relating to custody of and access to the Ward and these have the same effect as similar orders made in the Family Court.

2 Legal and social effects

2.1 General

- (a) The person who is the subject of the application may at the time be in the permanent or temporary care of the Director-General, may be the subject of some legal activity in which the department is involved (e.g. baby being placed for adoption) or may have no status but be the subject of social work concern. On some occasions applications arise quite independently of any departmental involvement.
- (b) From the moment of application the subject's current living arrangement is 'frozen' and all plans and other legal activities are halted from the moment of application.
- (c) If the subject is already under the Director-General's guardianship, this guardianship is suspended at the moment of application. While this precludes the department from any intervention as guardian, board payments and other financial aspects are continued. If the application is successful then the Director-General's guardianship is automatically discharged (i.e. he does not retain residual status).
- (d) From the moment of application the parents who are guardians become residual guardians and this continues until the Court has declined to make an order or until an order if made is discharged.
- (e) In practice, the power of the High Court in respect of Wardship is influenced by the fact that the Children and Young Persons Act 1974 confers wide powers on the Director-General and Social Workers to make decisions as to the welfare of children and young people in care. That is to say the High Court will not allow its jurisdiction to be used simply in order to intervene in the Director-General's exercise of his day to day guardianship responsibilities. (However, High Court jurisdiction can be used to challenge the department's performance when it is believed that it has breached its statutory duties, or when the Court is asked to terminate the Director-General's involvement altogether).

- (f) High Court litigation is, generally speaking, more expensive than that in a lower Court. Legal aid is available to those eligible.
- (g) While parents, agents, custodians, the child or young person or any other person with leave can seek a variation or discharge once an order is made, such High Court orders are not open to the range of challenges available within lower Court jurisdictions. (Appeals can be made to the Court of Appeal.)

2.2 Guardianship Responsibilities

While persons are appointed to carry out various roles and responsibilities in relation to a Ward of Court, major decisions are the prerogative of the High Court itself. These sorts of decisions concern for example:

- travel outside NZ or change of residence from one town to another
- change of placement or caregiver
- proposed adoption
- proposed marriage
- change of school, (other than routine progression)
- leaving school, starting work
- disputes between parties involved
- any other matter which the Court orders to be referred.

In those situations where decisions are immediately required e.g. illness, hospitalisation, breakdown of placement, the custodian, in consultation with the agent (if applicable and if possible) would be expected to obtain the help required and the agent would advise the High Court with the degree of urgency appropriate to the severity of the problem.

2.3 General Agency Responsibility

The relationship between the general agent and the High Court has similarities to that between a Social Worker and the Director-General but without delegation of certain authorities. As will be discussed later, the general agent can be a parent, relative or some other person or Agency apart from the department. Specific directions may be attached to the general agency role.

2.4 Particular Agency Responsibility

This usually takes the form of particular directions which can be variable in their focus. They are frequently allocated to the Director-General. Some examples are:

- a Social Worker is to observe and monitor access
- a Social Worker is to monitor the child's schooling
- a child may leave NZ but is to have an annual holiday in NZ (facilitated by the Director-General)
- the Director-General as general agent is to ensure that the Social Worker gives a written report to both parents every 3 months.

Sometimes the Court makes a request e.g. asking the Director-General to consider making board payments available to a custodian.

2.5 Custodial Responsibility

When the Director-General is custodian, this responsibility is usually linked with that of general agency. The usual range of placement options are available. In other situations, the custodian provides the direct care and attends to all the day to day aspects of the child life.

3 Uses of High Court Guardianship applications and orders

3.1 The Director-General as applicant (general)

- a) It is a rare occurrence for the department to initiate such action. For most of the situations in which the department finds it necessary to intervene to protect children and young people it is adequately empowered under the Children and Young Persons Act 1974. Generally speaking the department strictly confines its applications for Wardship to those situations where it considers that High Court protection is absolutely necessary.

Several examples of situations where the department may initiate High Court action are as follows:

- (i) Where immediate and absolute control of a child or young person is required in order to protect him/her. There are situations where warrant action under the Children and Young Persons Act 1974, which only gives the Director-General a custodial role pending a Court hearing, is inappropriate and insufficient. For example, a Medical Superintendent may ask the Director-General to apply to the High Court in relation to a need of a child for a life saving blood transfusion when the parents refuse their permission. (This is a complex medical/legal matter and while protection from civil and criminal liability is available in some circumstances (see SWM A4.11), some medical practitioners choose to seek High Court protection before proceeding.

- (ii) Where it is considered that the Director-General's guardianship is not sufficiently empowering to allow the pursuit of a particular course of action. For example, it may seek a guardianship substitution in relation to a child whose foster parents wish to reside outside New Zealand for a lengthy period (eg overseas posting) and the parents object (and are seeking return of the child to their care). The High Court would provide a forum for competing claims to be heard. If the High Court permitted the foster parents to proceed, a Wardship Order in relation to the child would protect the arrangement from challenge by the parents. However, the High Court is likely to also make provisions for the parents e.g. annual return of child to holiday in New Zealand.
- b) The department only rarely initiates High Court Wardship action. Situations arise wherein the department, whilst considering it inappropriate for it to approach the High Court, nevertheless encourages others to test their claims in the High Court if this is what they consider their best course of action or means of gaining an impartial review.

Several examples of this facilitatory function are as follows:

- (i) From time to time, disputes arise in relation to children and young people under the Director-General's guardianship. The Director-General's guardianship responsibility and performance is being challenged (e.g. by foster parents). (See Section 3.3.) In the face of such "threat" it would be unlikely that the Director-General would seek the support of the High Court. Rather he would be supportive of the challengers proceeding in that way if they wished.

This support may in due course take the form of assistance with costs, if need be, regardless of whether the applicants are successful in, for example, having the Director-General's guardianship discharged.

- (ii) From time to time, Social Workers are involved in case situations where a parent, a young person, or some other person considers that High Court guardianship would for some reason, be more appropriate to a particular need than the Director-General's guardianship. For example, a person may prefer the processes involved in High Court Wardship to those associated with the Children and Young Persons Court.

The department may consider that the children and young persons legislation provides an adequate remedy and so would encourage the person to make independent application to the High Court in order to test their claim. The department may assist the person to do this and subsequently help, for example, with costs if appropriate.

- c) Having stressed that High Court guardianship application is currently regarded as an act of 'last resort' (i.e. no adequate remedy in lower Courts) it is also important to note that the department recognises the High Court's particular characteristic and potential to provide a flexible and innovative response to a range of situations. The High Court is able to address changing life/social situations, values and philosophies in a manner not necessarily available to lower Courts. Over time, these once innovative responses can be embodied in legislation and precedent which empowers lower Courts. For these reasons, an application for High Court guardianship is always an option that may be considered as a way to address and meet a need in a wide range of human situations.

In a situation of crisis, the same procedures will be followed in principle i.e. the speed of the process may increase, preparatory documentation may be postponed, but a consultative process involving District, Regional and Head Office will be required.

3.2 Other applicants (general)

As well as the Director-General, a parent, guardian, 'near relative', child or young person (up to age 20) or any other person with leave of Court, may apply. Such applications seldom arise in the absence of a dispute of some kind. The application may be made because of dissatisfaction with proceedings in a lower Court, in order to halt other legal proceedings which may or may not have reached a Court, or to address a situation for which the applicant is not able to establish a claim in a lower Court (particularly not able with sufficient speed).

For example, the father of an ex-nuptial child who does not have guardianship status may wish to halt proceedings by the mother to place the child for adoption; a member of a Maori child's extended family may seek to interrupt a plan to place the child in a situation e.g. adoption, foster care, which is considered to be unsatisfactory in terms of Maori values.

3.3 Challenge to the Director General's guardianship

- (a) This is the type of usage with which social work staff are quite likely to have involvement. Such challenges most commonly come from foster parents and parents. Sometimes the concern being addressed has a remedy in a lower Court (e.g. Section 64 Review) and in such cases a High Court Judge in hearing the matter would seek to resolve the issues within other jurisdictions if this would appropriately serve the best interests of the child or young person. As earlier stated, the High Court would make a distinction between an actual breach of statutory duty, and a party's discontent with what can be shown to be an adequate performance. For example, frequent changes of foster home could comprise a failure in performance. The Director-General's refusal to discharge to the parents a young person in institutional care at a particular point could be shown to be in the youth's best interests.
- (b) When faced with such an application by a person with whom one is working it is important to remember that the current situation is 'frozen'. (See part A 2.1 (a) and (b).)

- (c) Such applications that challenge the department do represent a form of accountability that we must recognise. Such challenges, whether successful for the applicant or not, draw acutely to our attention other people's perceptions and the High Court's perceptions of our performance and so shape our philosophies, policies and practices.

4 Procedures

4.1 Applications by the Director-General

(a) Joint Decision-making

Decisions regarding an application by the Director-General are the outcome of a consultative process between social work and departmental legal staff. This consultative process gives recognition to the two components of a decision;

- (i) identification and clarification of the desired social work goal, i.e. the social work perspective;
- (ii) identification of the most appropriate legal process to achieve it, i.e., the legal perspective.

A decision is made on the basis of both perspectives. The approval of the Office Solicitor (sometimes in consultation with the Solicitor-General) is then required for the Department to actually commence High Court proceedings.

(b) Current Procedures

These are stated here because it will be easier to understand future procedures if the present ones are made explicit. Currently, decisions regarding applications by the Director-General for Wardship are made in Head Office. Sometimes, District social work staff present to Head Office a case situation for which they are seeking advice particularly regarding an appropriate legal remedy. On other occasions reports and recommendations come from a District to Head Office. A decision (in consultation with District social work staff and the District Solicitor) is made by Head Office social work staff and the Office Solicitor.

(c) Future Procedures

(i) District Office Role

When considering the relevance of High Court action, a full consultative process should occur to ensure that in a given case situation both the strengths and weaknesses of such action are considered in relation to alternative options. The consultative process will involve senior social work staff, including the Assistant Director (Social Work), and the District Solicitor. On some occasions the REO (SW) may also be consulted. In the absence of a District Solicitor, Head Office solicitors are available for consultation.

From the consultative process should emerge some documentation that addresses in particular:

- the exact nature of the case problems (content and process)
- the changes that need to be effected/secured and by what process
- the nature of attempts so far to solve the problem/s and what has been the outcome/s
- the range of options available now and in what priority order
- the time frame in which the High Court option is to provide a solution e.g., short-term, long-term

This case material, appropriately endorsed by the Assistant Director (Social Work) and the District Solicitor (i.e., the social work and legal perspectives) will be referred to the Regional Director. If a District Solicitor is not available and a Head Office Solicitor is consulted then the Assistant Director should make note of this in the report.

(ii) Regional and Head Office Roles

The Director-General has delegated his authority to approve Wardship applications in principle, to the Regional Director (who may delegate to specific Regional social work staff). This delegated authority includes both the legal and social work components. However, the authority to commence High Court proceedings is retained by the Office Solicitor. Therefore the Regional Director will consult with the Office Solicitor in all cases regarding a decision to actually commence High Court proceedings.

(d) Response to Crisis Situation

In a situation of crisis, the same procedures will be followed in principle. The speed of the process may increase, preparatory documentation may be postponed, but a consultative and decision-making process involving District and Regional staff and the Office Solicitor will be required.

4.2 Challenge to the Director-General's Guardianship

(a) Service of Documents on Director-General

When applications are made to the High Court for Wardship in respect of a child or young person under the Director-General's guardianship, he as party to the action is served with documents pertaining to the application. When these are served on the District Director it is important that the papers are immediately sent to the Office Solicitor (Head Office). This dispatch can be arranged by the District Solicitor, if available. The District Director advises the Regional Director of the situation. Arrangements will be made by the Office Solicitor for the Director-General to be legally represented at any hearing of the application.

(b) District Response

The Director will arrange with the Assistant Director (Social Work) for a recommendation to be prepared, based on the social work perception of the child or young person's needs and the desired goal. This will be conveyed to the Regional Director. A joint consultative and decision making process (social work and legal) will occur as outlined in 4.1(a).

4.3 Appointment of Director-General to a Role

When the High Court is making a particular Wardship Order it is not necessary for the Court or any party's solicitor to seek the Director-General's attitude to the department being ordered a role and responsibilities. Sometimes, as a courtesy, solicitors seek the Director-General's views concerning a certain submission that is to be made to the Judge and sometimes solicitors consult with social work staff when they are closely involved with a case situation. On some occasions, the Judge directs that the Director-General be represented by Counsel when it is proposed that a role be allocated to the Director-General. The High Court will advise the District Solicitor or Office Solicitor of this directive.

5 The Maori perspective

This section has been deliberately placed at the end of Part A in order to highlight for social workers how Western the concepts and processes are when considered in relation to those described in Puao-Te-Ata-Tu, Appendix II. Legal Perspective.

Care, protection and control issues certainly existed in traditional Maori life but the framework for addressing concerns and conflicts was an inherent part of the family and tribal structure itself. (This is not to deny that some Pakeha families also, even today, address and resolve problems within the extended family with minimal State participation). Earlier mention was made of current use of the High Court by Maori people to seek redress from planned or actual interventions by State and Court to determine the future of a child or young person of their whanau, hapu or iwi. While the High Court is not to Maori people the venue or jurisdiction of first choice, it is sometimes seen as the only choice available.

People, in endeavouring to incorporate into their thinking a bicultural approach to problem solving often conjure up in their minds instances which they suspect will defy resolution with the new approach. For example, how will the whanau approach to problem solving work if in fact there is more than one whanau involved in a dispute over possession of a child? Suffice it to say, in this context, that Maori custom also provided a very clear framework in which to address and resolve competing claims to a child. It was usually the role of an Ariki (Chief) to 'arbitrate'. The methods of arbitration were clearly prescribed (as in Western law) but the criteria applied to decision making were also minutely prescribed.

It was not a matter of the Ariki making any 'order' he saw fit. Genealogy and the hierarchical ranking of tribes was the basis of the decision. The issues did not concern the weighting of maternal versus paternal line nor the 'amount' of one tribal blood as against the other. The determining factor was the actual possession of any of a particular tribal blood of high rank as opposed perhaps to a greater amount of blood of a tribe of lower rank. This sort of arbitration highlights the fact that in terms of Maori tradition, any particular Maori person can be as inappropriate as a Pakeha to be involved in conflict resolution. The person to arbitrate is the one with appropriate status within a tribal structure and bearing the knowledge and skill to apply the geneological and status criteria.

How far back Maori people wish to go in seeking to restore traditional ways and values is not clear. However it is helpful at this point for the Social Worker to be able to understand what Maori people are saying when seeking an opportunity to address and resolve concerns and conflicts within their own value framework and this at an early point before a Court, or the High Court, becomes their only option.

PART B: WORKING WITH WARDS OF COURTS AND THEIR FAMILIES

6 Introduction

This section deals with procedural matters in relation to working with Wards of Court and their families. It is important to recognise that Wardship, like the Director-General's guardianship, is not a status that should be allowed to continue beyond the point where it is necessary to ensure the well-being of a child or young person. That is to say, absorption of the child or young person into a family/whanau and the community, without statutory or Court involvement is the general goal that the High Court envisages for its Wards. The High Court has the same commitment as the department to secure the permanency rights and needs of children in particular. It will not, without good cause, allow a child or young person to be separated from natural family/whanau, and if separation does occur it will wish to ensure that return to family/whanau/iwi within a time frame appropriate to the child's needs is properly explored as an option.

7 Clarification of order and planning for implementation

7.1 General

When the High Court makes an order involving the Director-General, it is essential that at a very early point, clarification and planning occurs. The Social Worker seeks clarification of the allocated roles and responsibilities, clarifies mutual expectations with the parties involved and with them plans a course of action that will meet the requirements of the order and include provision for the department's accountability to the High Court. While the planning process is applicable to all Court orders (and is a part of all casework contracts) it is of particular importance when the order is not a routine one but has emerged from a Court's jurisdiction to give any directions it sees fit. (This type of personalised order also often emerges from Family Court proceedings).

7.2 The Social Worker's Role

The steps for the Social Worker in this clarification and planning process are as follows:

(a) Interim measures

Ideally, one has a copy of the Order and Judgement before working on a detailed plan but often they are not available until some weeks after the hearing. Preliminary information about the Order often comes in writing to the Director-General from one of the solicitors involved. The speed with which one proceeds depends on the nature of the role and responsibilities. If for example, a child has been placed in the custody of the Director-General then immediate action is required. Even if one lacks detailed knowledge about the Court's intentions and expectations it is usually appropriate to make contact with the parties and proceed on an interim basis pending a planning meeting of some sort. Departmental solicitors are available to assist in determining the nature of interim measures.

(b) Preparation

As soon as the Order and Judgement are available, (whether interim or final) in consultation with the Senior Social Worker the expectations of the Court and the practice implications are clarified. They are then referred to a departmental solicitor for advice on the correctness of the social work interpretation.

(c) Planning meeting

The nature and extent of the meeting should be determined by the nature of the departmental role, the time frame in which it is to be carried out and the cultural values of the main parties. The frequency of subsequent meetings will also be determined by the nature of the role and its purposes.

(d) The Plan

The type of plan that is drawn up depends on the area and extent of departmental responsibility. For example, when the Director-General is both agent and custodian, or the agent to oversee custodial and access conflict between parents then strict attention to the formal planning process is very appropriate. A very minor role may require only a plan in the form of a brief letter at 6 monthly intervals.

Attention to all these steps will assist and support the Social Worker who is required to carry out what is often a difficult role. It will also provide a practice framework in which to monitor accountability to the High Court.

8 Accountability to the High Court

8.1 Paths of Accountability

There are two paths:

- a) Bringing matters back before the Court.
- b) Reporting - routine and extraordinary.

Sometimes the Court is very specific about its expectations of referral back of matters and on occasions it specifies or implies referral back only if any party becomes dissatisfied or concerned or a decision is required on a major guardianship aspect. However, as a general rule, whenever the Director-General has any role (except very minor) a report is prepared for the High Court annually as a routine and in addition to any referral back for hearing or reporting on a proposed major change.

8.2 Bringing matters back before the Court

- (a) When the Director-General is agent and custodian it is most likely that from time to time it will be necessary to seek direction from the Court regarding a major proposed change. This does not necessarily involve a hearing. In most instances it is sufficient to report to the High Court and make a recommendation. Associated with the recommendation one can state an intention to proceed with the proposed change in for example a period of two weeks, if the Court does not advise to the contrary. If a major change is proposed that involves, for example, placing the child in the custody of a parent then one might recommend that one proceeds on a trial basis with the intention of duly seeking a hearing to allow the Court to consider varying the existing direction. If conflict exists which is hindering the department in its responsibilities then it is often appropriate to arrange a hearing. In all situations regarding proposed change, change that has been made in an emergency, or conflict between parties, a Departmental Solicitor should be consulted regarding the most appropriate approach to the High Court. Hearings are arranged by a Departmental Solicitor.
- (b) When the Director-General is agent and the parents have, in effect, custody and access orders which are creating upset and conflict, it tends to be a parent who arranges for a hearing rather than the Director-General.
- (c) In summary, bringing matters back before the Court can be in direct or indirect form. A hearing can be sought in the first instance or a recommendation can be made about a proposed major change that gives the Court the opportunity to arrange a hearing if it wishes. Very minor changes (e.g. routine change of school from Intermediate to Secondary School) are most appropriately covered in the routine annual report.

8.3 Reporting: routine and extraordinary

The length and detail of the report will depend on the range of responsibilities involved and the extent and complexity of changes, concerns, or proposals that are being reported on.

Briefly stated a report should:

- be directed to the Registrar, High Court
- show Court's reference number
- name, date of birth of child/ren, young person/s
- the present care situation and address of child/ren, young person/s

- the name, address and relationship to the child/ren young person/s of the parties involved
- headings should be used and paragraphs numbered
- initial paragraph states the nature of the Order and directions being reported on
- the body of a routine report will be in the nature of a progress report covering the areas of responsibility in relation to the child/ren or young person/s
- the body of an extraordinary report will focus on aspects of concern, emergency change, or proposed change. This will include comment about the attitudes of significant parties including the child/ren, young person/s
- a general summary with a recommendation in a form that allows one to proceed with change, or maintain the situation that exists at the present time
- a report prepared by a social worker is countersigned by a Senior Social Worker.

9 Emergency Action to Remove Child from Custodian

9.1 Response when Director-General is General Agent

From time to time situations do arise where a Social Worker has grave concerns about the well being of a Ward of Court in the care of a particular custodian.

Concerns about a child's wellbeing can of course be addressed quite adequately when the Director-General is both general agent and custodian. When the Director-General is only the general agent then concerns can be addressed in several ways depending on the degree of imminent danger. An application for a warrant can be made to the High Court (on the same day) and if this is granted, the child can be uplifted from the situation of danger. If it is not practicable to first obtain a warrant from the High Court the Director-General as general agent has sufficient authority to take the necessary steps to remove the child from danger. In the latter case the matter should be brought to the High Court's attention at the first subsequent opportunity.

9.2 Response when Director-General has no General Agency Role

If serious concern arises regarding the well-being of a Ward of Court when the Director-General is not the general agent then Complaint and Warrant action under the Children and Young Persons Act 1974 would be required, if it was considered necessary to remove the child forthwith. In view of the fact that matters can be brought back before the High Court very quickly it would have to be a great and imminent danger that would require the department's statutory intervention. However, given that there is a great and imminent danger then the High Court would expect appropriate protective action regardless of what arrangements it had authorised.

9.3 Support to Social Worker

It is not easy for a Social Worker involved in all the facets of a given situation, and carrying responsibility at the workplace, to assess with objectivity the degree of imminent danger to a child or young person. Hence the importance of ready availability of supportive and consultative resources at all times.

10 Social Workers role in relation to Wardship order

The section below is a brief summary, bringing together some of the main points which have already been touched on in general context.

10.1 Director General as agent and custodian

In these Wardship orders the Social Worker's role on a day to day basis is very like that which he/she has in relation to a child or young person in care (with either the Director-General as guardian or with Section 11 agreements with the parent/s as guardian/s).

Potentially the range of placement options is the same. The major difference is that the High Court holds guardianship rights and responsibilities and this restricts the Social Worker's freedom to implement changes. On appointment of the Director-General, the High Court usually gives a clear direction as to its expectations e.g. short term conflict resolution, long term oversight with the application of permanency planning. However should adoption, for example, emerge as a planning goal, specific authority to pursue such an outcome must first be obtained from the High Court.

If the child or young person is Maori, the Court will take into account cultural needs and rights and the Director-General will follow through within this framework or, if necessary, ensure that this aspect is addressed as soon as the general agency and custodial role is adopted.

Any conflicts that arise and cannot be readily resolved with, for example, the parent, would be referred to the High Court.

The Director-General can seek a discharge order at any time (see Part B.11) if some satisfactory guardianship alternative is available to the child e.g. parents, relatives, foster parents.

10.2 Director General as agent but not custodian

The person/s appointed as custodian/s could be a parent, relative, foster parent or some other person. Generally, the custodian appointed is the one the Court intends to provide stability and permanence of care. (This may have emerged after an interim resolution phase). When the Director-General is appointed agent it is usually because conflict, for example between parents, has given rise to the Wardship Order and the conflict is likely to continue. That is to say, if a situation had become quite satisfactory the child or young person would not need to be a Ward of Court and likewise if the custodian could maintain care and control with a minimal input from the Director-General then the custodian would also be the agent.

Situations where one parent is appointed custodian and the other parent has access are the most difficult and time consuming ones for a Social Worker to oversee. Conflict seemingly escapes resolution and the task of the Social Worker in constantly maintaining the focus on the needs and rights of the child/ren is a difficult one.

10.3 Director-General with particular agency

Sometimes particular directions are attached to other roles i.e. custodian and/or agent but the comment here applies to the Director-General's role with a specific task only. Even though the role is minimal it remains important to clarify early what is required. For example, if the Director-General is requested to pay board, then the Social Worker is expected to set up some minimal oversight to ensure not only that it is paid (and adjusted) but also that this expenditure of public funds is appropriately applied. A visit to the child six monthly may be an appropriate low key monitoring. Sometimes, where for example the Director-General's guardianship has been successfully challenged by foster parents and the department is asked to continue board payments, there may be some discomfort to all parties in monitoring this aspect.

These directions may cover a range of small duties but are intended to be supportive of a situation already satisfactorily established for a child or young person.

11 Discharge

This is most likely to be an issue for the department only when the Director-General has agency and a custodial role. As with any child or young person in care, the aim of facilitating permanency and State and Court withdrawal is a valid one. Clearly the High Court will not discharge its guardianship unless there is someone in place to take up this function effectively. When discharge is sought the normal criteria (and local delegation) do not apply because the Director-General can not discharge the Wardship. A report is prepared, referred through the AD(SW) to a Departmental Solicitor who will consider the situation with a view to approaching the High Court for a discharge order.

If the Ward approaches the age of 20, it is appropriate to advise the Court that discharge will automatically occur, and give some brief account of the present circumstances that prevail.

In an agency only role, it may be appropriate to raise the issue of discharge with the custodian particularly if that person/s already has a residual guardianship role or can obtain one.

12 Status and Administration:

a) DG as Agent and Custodian

Status terms as for C&YP under guardianship with the suffix
(Wd of Ct)

b) DG as general agent. Wd of Ct (G.A)

c) DG with particular agency. Wd of Ct (P.A.)

- d) When board payments are to be made in (b) and (c), as the child will not be on Board status, it will be necessary to make special arrangements to ensure that payments are made and rates adjusted.

13 Monitoring Responsibilities

13.1 District

The central responsibility for the management of individual cases will lie with the Assistant Director (Social Work) who is to establish monitoring and review procedures to ensure that:

- a) current Judgements and Orders are correctly interpreted and implemented effectively;
- b) new Orders are clarified early and a relevant planning process set in place;
- c) accountability procedures are in place (referral and reporting to High Court);
- d) permanency achievement is pursued or maintained as relevant (including timely application for discharge);
- e) social work staff are sensitive and responsive to requests from Maori families to set up mechanisms to address concerns and resolve conflicts in terms of Tikanga Maori, and as a diversion from Court processes. It will usually be necessary for the Assistant Director (Social Work) and the Director to become involved in such issues so that innovative responses, if required, can be pursued through the Regional Director.

13.2 Region

The Regional responsibility has two main aspects:

- (a) creating a knowledge resource for the Region;
- (b) creating a knowledge resource for Head Office.

Regarding (a) it is envisaged that from time to time ADs (SW) will wish to consult at Regional level regarding a proposed application or some other issue associated with High Court Wardship. As Wards of Court are relatively few in number (most Districts have between 1 and 4) and as applications in which the department is involved are not an everyday occurrence, it will be helpful to Regional social work operations if the REO (SW) has the opportunity to build up a measure of expertise in respect of High Court Wardship. This will also assist the Regional Director in the decision making responsibility.

Regarding (b) this practice paper incorporates the current perspective on High Court Wardship which has emerged from the national experience of Head Office in issues regarding Wardship. Like other practice papers of this sort, it will tend to become out-dated and cease to reflect changing values and practices. Therefore it will be essential that REO's (SW) keep Head Office informed of significant comments from the Bench and other significant case information and be able to provide from time to time an evaluation of the guidelines and suggestions for change.

In order to accomplish both (a) and (b) the following procedure should be established:

REO to receive from Districts;

- copies of any current Orders and Judgements
- copies of all future Orders and Judgements
- copies of all future reports by social work staff to the High Court.

There will be elements of monitoring of District practices by REOs' (SW) in this overview function but the main focus will be on the pooling of knowledge that will serve Districts, Region and Head Office.