



Department for Education and Child Development CARE CONCERN INVESTIGATIONS UNIT (CCIU) Information Sheet

About the CCIU

The South Australian Government's Child Protection Reform Program "Keeping Them Safe" established the Care Concern Investigations Unit (CCIU) in 2003 following recommendations contained within the Layton Report. It acts under the authority of the Children's Protection Act (1993) Section 19.

The CCIU was established to *"investigate and act on allegations of abuse and neglect of children and young people in foster care and those in residential and secure care facilities."*

The CCIU operates independently from Families SA and reports directly to the Office of the Chief Executive.

Organisations funded by DECD to provide services have agreed to fully cooperate with investigations and in turn seek the cooperation of their employees, volunteers, agents and sub-contractors.

DECD recognises the difficult and demanding job of carers, and acknowledges they have a unique relationship in providing care for children and young people under the Guardianship or custody of the Minister.

What happens when a notification is received at the CCIU?

Once the CCIU is alerted to a notification of alleged abuse by a Carer, Staff Member or Volunteer (includes Service Provider Staff, Contractors and Agents), the Manager of the CCIU will make a decision as to the seriousness of the notification and determine if it meets the criteria for either:

- a Minor Care Concern
- a Moderate Care Concern
- a Serious Care Concern

The Manager of the CCIU will take into account:

- the seriousness of the notification
- the number of previous matters involving the carer, staff member or volunteer
- the period of time in which previous matters were raised
- the actual harm or risk to the child or young person and any other children in the placement

The Manager may, where appropriate, consult with Families SA, Alternative Care Service Providers (ACSP) and South Australian Police (SAPOL) as well as taking into account any other relevant information.

Minor Care Concern

Minor Care Concerns will be referred to the relevant Families SA regional service area and the ACSP for resolution by way of general practice case management.

Moderate Care Concern

Moderate Care Concerns will be referred to the relevant Families SA regional service area and the ACSP for resolution by way of a Care Concern Inquiry.

Serious Care Concern

If the Manager of the CCIU decides that it is a Serious Care Concern, the Manager will appoint a CCIU Investigations Officer to conduct the investigation.

Information which may be relevant could be provided by other agencies or persons involved with the child, Carer, Staff Member or Volunteer.

During the term of a Serious Care Concern Investigation, a temporary postponement on further placements with the Carer may occur. Staff members may be directed to be absent from the workplace, or assigned other duties, pending the investigation.

The Investigations Officer will make decisions based on whether, on the balance of probabilities, it is more probable than not that abuse or neglect has occurred, or whether a deficit in the quality of care has been identified.

The decision does not require the standard of evidence required by a criminal court, namely beyond all reasonable doubt, but does need to be supported with a sound rationale based on known facts.

The Investigation will also focus on whether there are any deficiencies in programs or systems.

What are the rights of carers, staff members and volunteers when they are the subject of a Serious Care Concern Investigation?

Carers, Staff Members and Volunteers can find themselves facing allegations about the quality of their care. It is always important that such allegations are taken seriously and investigated properly as experience has shown that, on rare occasions, children are ill-treated by the very people who are supposed to care for them.

Becoming the subject of an allegation is always stressful for the individual concerned and their family. The challenge for everyone involved is to ensure that children are safeguarded and that their welfare is promoted, while at the same time treating Carers, Staff Members and Volunteers fairly.

Carers, Staff Members and Volunteers are provided with natural justice as for any other person in the community.

The Serious Care Concern Investigation acknowledges that all parties are entitled to:

- professional and objective investigatory processes
- information – a right to know what the notifications are and the basis for decision-making (**note below)
- be kept informed of the progress of the investigation
- written information pertaining to outcome decisions
- a right to have their say without fear of prejudice
- an opportunity to respond to the notification(s)
- appropriate and relevant support throughout the investigation process
- the right to choose an appropriate support person independent of the process
- seek personal legal advice (at personal expense)
- complain about the process
- lodge an appeal regarding the recommendations
- access information held by the Government in-line with the *Freedom of Information Act 1991* and the Code of Fair Information Practice

What records are kept?

An investigation file will be created and securely stored within the CCIU offices. Brief details of findings, outcomes and recommendations will be retained within the carer's file, staff member's file and the child's file.

The outcome of the investigation will be provided in written form to all relevant parties and an opportunity will be provided for the person who is the subject of the notification to provide a written response.

Criminal Investigation

If the notification relates to a possible criminal offence, the matter will be referred to the South Australian Police (SAPOL) for their immediate assessment. The CCIU investigation is placed on hold until the completion of the SAPOL investigation.

**If there is a SAPOL investigation, the CCIU nor the Support Agency will be able to provide the Carer, Staff Member or Volunteer with any details of the notification(s) until the criminal investigation is concluded.

Grievance and Appeal process

All Carers, Staff Members or Volunteers have the right to lodge a grievance or appeal in relation to the conduct and/or outcomes.

For a Serious Care Concern Investigation

To lodge an appeal you will need to write to the Chief Executive of DECD within **28 days** of receipt of official notification of the outcome of the investigation.

Your appeal letter should outline:

- your grounds for appeal
- your concerns regarding the process of investigation
- any additional information previously not considered

The Chief Executive will consider your reasons for dispute and may initiate an appeal process.

Grievances or appeals in respect of Minor or Moderate Care Concerns should be directed to the Manager of the CCIU.

If you are a Public Sector Act DECD Staff Member

The 'Grievance and Appeal processes' are in accordance with the Public Sector Act 2009 and you should seek information from the Commissioner for Public Employment or your Union representative for further advice.

If you are a Weekly Paid DECD staff member

The 'Grievance and Appeal processes' are in accordance with the SA Health (Health Care Act) Human Resources Manual. You can also:

- contact the Manager, DECD Care Concern Investigations Unit
- contact HR for further advice

Contacting the CCIU

Department for Education and Child Development
Care Concern Investigations Unit
GPO Box 292
ADELAIDE SA 5001

Phone: (08) 8226 8441
Fax: (08) 8226 8440

Grievance and Appeal contacts

Chief Executive
GPO Box 1152
Adelaide SA 5001

Phone 08 8226 1540
Email: decdcesecretary@sa.gov.au

State Ombudsman
Level 5, East Wing
50 Grenfell Street
ADELAIDE SA 5000

Phone: (08) 8226 8699
Toll free: 1800 182 150

Health and Community Services
Complaints Commissioner (HCSCC)
PO Box 199
Rundle Mall
ADELAIDE SA 5000

Phone: (08) 8226 8652
Toll free: 1800 232 007

Contacting DECD

Phone: (08) 8226 1000
(general enquiries)
Website www.decd.sa.gov.au

Other handy contacts

Child Abuse Report Line &
Yaitya Tirramangkotti
Phone: 131 478 (24 hours)

Families SA – District Centre/Regional
Service Area (contact details for each
location in White Pages Telephone
Directory)

Connecting Foster Carers SA
(CFC-SA)
Toll free: 1800 732 272

Aboriginal Family Support Services
(AFSS)
Phone: (08) 8212 1112

DECD Families SA
Customer Relations Unit
Foster Care Liaison Officer
Phone: 1300 134 043

National Relay Service
TTY/Voice
Phone: 133 677
Speak and listen (SSR)
Phone: 1300 555 727
More information available on the website
www.relayservice.com.au

For access to general carer support
groups in your local area, contact your
support agency or nearest Families SA
District Centre/Regional Service Area.