

Guidelines for the provision of assistance after leaving out-of-home care

1. Basis for assistance

When a young person leaves care for life as an independent adult, they often need help with housing, employment or other challenges. A supportive family network may not be available and universal services do not always provide enough assistance for those who may have faced trauma, disadvantage or isolation.

Section 165 of the *Children and Young Persons (Care and Protection) Act 1998* requires the Minister to arrange or provide assistance to eligible care leavers until they reach 25 years of age where such assistance is considered necessary having regard to their safety, welfare and well-being.

These guidelines establish the circumstances in which leaving and aftercare assistance is provided in addition to universal services.

For the purpose of these guidelines, 'leaving care' relates to the order allocating care responsibility. Leaving care does not necessarily mean leaving the carer's home and many young people and carers choose to continue this arrangement. Carers may well have a role to play in leaving and aftercare assistance, such as support to obtain a driver's licence or perhaps to help the young person transition to more independent living.

2. Eligibility for leaving and aftercare assistance

To be eligible for assistance a young person must meet the following criteria:

- (i) leaves out-of-home care at the age of at least 15 years, and
- (ii) was in the parental responsibility of the Minister immediately before leaving care pursuant to an order of the Children's Court, or otherwise a protected person, and
- (iii) has been in this parental responsibility for a cumulative period of at least 12 months, and
- (iv) has not left this care as a result of an adoption or guardianship order, and
- (v) is under the age of 25 years (assistance for those over 25 may continue to be provided at the Minister's discretion).

3. Providing leaving care and aftercare assistance

Care leavers receive planning to prepare for independence and to arrange supports for a smooth transition. Financial assistance may also be provided if assessment determines that universal services will not meet their needs.

(a) Planning by the designated agency prior to leaving care

All young people leaving care must have a leaving care plan developed by the agency managing their placement. Planning is to commence at 15 years of age and be completed before the young person leaves care.

The young person is involved in developing the plan along with parents, carers and significant others. If the young person is unable or unwilling to participate, the plan is developed in consultation with those best placed to understand their needs.

The plan includes steps to prepare the young person for independence and is informed by a needs assessment. Plans cover financial assistance where needed, finding accommodation and employment, setting up house, education and training, legal advice and accessing health services including counselling. Plans also address knowledge and understanding of personal history including cultural background, contact with family members, independent living skills including financial management and obtaining a provisional driver's licence. The plan must specify, as far as possible, specific detail of the agencies or persons who will provide the services or resources to implement the plan.

Plans are not static documents that remain fixed once the young person leaves care. Reviews and amendments are to be expected as the young person's circumstances change or new issues arise.

If a young person exits care without a leaving care plan and later requests aftercare assistance, a plan is prepared at that time by the agency that last supervised the young person's placement.

New plans or revisions proposed by a non-government out-of-home care agency must come to FACS for approval of costs that are to be met by FACS. Non-government agencies do not require FACS approval for supports that are provided by the non-government out-of-home care agency or for universal services arranged by the agency.

(b) Information about and referral to available services

Written information about available universal and specialist resources, services and referral points is provided to children aged 15 and young people exiting statutory out-of-home care.

Wherever available, care leavers are referred to mainstream services such as Centrelink or providers within the public health system to support their ongoing needs. Referral may include advocacy or other assistance to facilitate access to services. This ensures the young person is linked to the full range of supports and that services recognise the importance of assisting those who have been in care.

Assistance is provided to help the young person access income support for which they may be eligible especially the Australian Government's Transition to Independent Living Allowance (TILA).

Young people are offered support to access personal information and assistance to contact significant family/others. On leaving, or after having left care, a young person is entitled to access, free of charge, personal information held by the agency relating directly to them. The agency is to provide an appropriate person to support and assist the young person at the time when access to information occurs. This information must be provided in a timely manner.

(c) Follow up support to a young care leaver

The agency responsible for supervising a young person's last placement (where that placement was for more than 12 months) is to offer follow up to the care leaver at regular intervals after his or her exit from care. Follow up support may include a review of the leaving care plan, ongoing advice, support and advocacy and assistance where appropriate e.g. to access universal services.

(d) Further assistance based on assessment of need

Beyond support in relation to planning, information, assistance to access mainstream services and follow up, further assistance is guided by an assessment of the young person's needs and their risk of not making a successful transition to independent living.

Assessment will consider the following indicators:

- Age, e.g. 15 or 16 year old care leaver
- Length of time in care and the number of placements e.g. a long period of time in care with multiple placements
- Educational qualifications e.g. has not completed Year 10
- Dependants e.g. young parent or expecting a child
- Stability of accommodation e.g. homeless or at risk of homelessness
- Employment status and history e.g. unemployed and not engaged in study or volunteer work
- Contact with family and other personal supports e.g. a lack of positive relationships with birth family, relatives or significant others
- Capacity to live independently e.g. lack of independent living skills particularly to find accommodation and establish an income

- Health and wellbeing e.g. drug and alcohol addiction or psychiatric illness
- Criminal convictions e.g. detention or convictions that impact access to accommodation, education and employment.

Wherever possible the above indicators are addressed through universal or targeted support incorporated into the leaving care plan.

Having assessed the young person's needs and factors influencing their transition to independent living, Family and Community Services (FACS) will provide additional assistance as required either as direct financial assistance from FACS and / or referral to an aftercare service for ongoing case management.

Guiding considerations before granting additional assistance are whether:

- The needs are identified and addressed in the leaving care plan noting that the leaving care plan is not a static document. The plan should be reviewed and changed over time by the agency that last supervised the young person's placement as the young person presents with new or additional needs¹.
- The young person is likely to be positively assisted by the one-off provision of aftercare support. FACS aftercare assistance does not provide the intensive support of universal services such as a health service.
- The level of assistance that can feasibly be provided will contribute to a successful transition to independent living. The emphasis is on assistance that enhances the capacity to establish a successful independent life.

If it is established that further assistance is warranted, the young person will be referred to a specialist aftercare service or provided with financial assistance or other assistance as appropriate.

4. Financial assistance from Family and Community Services

Financial assistance is provided by a fortnightly aftercare allowance and/or one-off payments for contingencies. Payments must be consistent with the leaving care plan and approved in accordance with FACS delegation and approval procedures.

(a) Aftercare Allowance

A time-limited fortnightly allowance up to a maximum \$230 may be paid to help secure stable, affordable accommodation where the young person is:

- undertaking full time training or education, and
- would be at risk of homelessness if financial assistance was not provided.

¹ If a young person has a new or additional support need after leaving care, the agency that last supervised the young person's placement will review the adequacy of their plan in regard to the need and make any necessary amendments or create a new plan if one does not exist. If it is a non-government agency and the amendment includes financial assistance from FACS, that part of the amended plan must be referred to FACS for approval.

Assistance from social housing providers must have been sought before the aftercare allowance is approved.

An eligible care leaver attending a life skills course or drug and alcohol program could be eligible where these programs had not been previously undertaken. Part-time study may also be approved such as a young person completing the Higher School Certificate over two years or with parenting responsibilities or health problems.

The allowance is a short term measure to bridge the gap while a long term accommodation solution is found. The allowance is therefore provided for a three month period, reviewable at that time.

(b) One-off payments (contingencies)

Eligible care leavers with assessed need may receive financial assistance to help address those needs. This includes but is not limited to:

- **Obtaining accommodation:** Eligibility for social housing or rent assistance from the relevant state and Commonwealth authorities is explored first. Up to \$1,600 is paid to assist in establishing a young person in suitable accommodation or \$2,300 if shared accommodation is not a viable option and there will be higher costs in establishing single accommodation.
- **Education and training:** Assistance may be provided with course fees, books etc. up to \$575 per year for up to 3 years.
- **Obtaining legal advice:** Assistance to obtain legal advice may be provided where government-funded legal aid and law access services are not available.
- **Finding employment:** Care leavers are assisted to make contact with Centrelink and employment services.

Care leavers with parenting responsibilities who are looking for employment, should be assisted to find child care and access Commonwealth subsidies and rebates. Financial assistance may be provided by FACS for security deposits to secure a child care placement.

- **Accessing health services:** Young care leavers should be assisted to access universal public health services, wherever possible. Financial assistance for dental treatment may be provided where timely services cannot be provided within the public health system.
- **Counselling and support:** Where the leaving care plan suggests or where a need is identified at the time a young person contacts the agency that supported them and it is necessary for the safety welfare and wellbeing of the young person, up to 10 hours of counselling and support may be provided or up to 20 sessions with referral from a general practitioner. This may include

support to acquire appropriate independent living and social skills or address abuse or neglect issues. Consideration must be given to the appropriate frequency and duration of counselling which is to be specified in the leaving care plan as reviewed when the young person presents requesting assistance after leaving care². Referral may be made to an aftercare service if additional counselling is required.

5. Assistance for care leavers over 25 years

Assistance beyond 25 years of age may be provided where special circumstances apply. For example, where a person has been unable to advance aspects of their leaving care plan due to health problems or parental responsibilities or if leaving care planning did not occur.

Considerations for providing aftercare assistance to care leavers over 25:

- age
- reasons for the delay in seeking assistance
- the goals of the leaving care plan, if applicable
- assistance provided between the ages of 15 and 25 years and
- likelihood that the assistance will significantly enhance the person's life skills and opportunities.

Pru Goward MP
Minister for Family and Community Services

These guidelines replace the 2008 *Guidelines on the provision of assistance after leaving out-of-home care* that are hereby revoked.

² If a young person presents with a new or additional support need after leaving care, the agency that last supervised the young person's placement will review the adequacy of their plan in regard to the need and make any necessary amendments or create a new plan if one does not exist.