

# CHECKLIST:

## Documents and information required for Case Transfer

December 2023



### Documents and information required for Case Transfer

The following list of documents and information is required for Case Transfer of a child in out-of-home care (OOHC). This includes Case Transfer:

- between Department of Communities and Justice (DCJ) and Permanency Support Program (PSP) providers
- between PSP providers.

When documents are accessible in ChildStory by both the transferring and receiving providers, they do not need to be separately provided.

**Note:** All documents listed below in the Case Transfer checklist must be reviewed and redacted appropriately before being provided to the receiving provider. See page 3 for details on the documents and information that cannot be provided in Case Transfer.

DCJ and PSP providers always seek consent or inform children, their parents and family/kin when information about them is exchanged.

### Child's file

#### Always provide:

- Child's original birth certificate
- For non-citizen children, a copy of their visa – noting that an application for Australian citizenship should normally be made well before the child leaves OOHC
- Any passport held by the child
- Original Blue Book
- Child's Genogram
- Child's Medicare Card
- Child's Health Care Concession Card
- Child's Immunisation history
- Copy of death certificate for parent/s (if applicable)
- Current known contact details for parents, siblings and other significant people in the child's life
- Consents for the use of psychotropic medication as a restricted practice and reviews (if applicable)
- Behaviour Management Plan (if applicable)
- All related specialist physical, behavioural or mental health reports and assessments
- Original letters, photos and available life story work, including baptism certificates, school certificates etc.
- Life Story Work (including case notes such as home visits, phone calls and meetings)
- DCJ Safety and Risk Assessments (**SARA**) including risk re-assessments, safety plan reviews, restoration assessments and closing safety assessments (appropriately redacted)
- Recent DCJ Safety in Care assessments (including Alternate Assessments)
- Client Information Forms (**CIF**)
- Previous file history summaries prepared by DCJ
- If relevant to the child's placement and/or assessment, ROSH reports that relate to the carers and/or ROSH reports that relate to the parent post-care orders [**Note: The reporter's details must be redacted**]
- Sealed Application and Report Initiating Care Proceedings
- Sealed Summary of Proposed Plan (**SOPP**)
- Reports obtained or prepared by DCJ/PSP provider such as developmental surveys, psychological reports, medical reports and clinical notes for treatment. Consider author's confidentiality if consent has not been provided

## Child's file

- Reports obtained or prepared by DCJ/PSP provider (including specialist reports and Clinical Issues Unit reports)
- Sealed DCJ care plan
- Sealed Final or Interim court orders and other current court orders from any jurisdiction (including the care plan)
- Sealed Section 82 and 76 reports to the Children's Court
- Memorandum detailing approval to place an Aboriginal child in a non-Aboriginal placement
- Documents regarding juvenile justice involvement, bail conditions, and apprehended violence orders (**AVOs**)
- Documents regarding search action undertaken, such as family finding and confirming paternity (if not identified on the birth certificate)
- Previous and current Contact orders and documents supporting decision making relating to family and sibling contact plans (including case notes such as home visits, phone calls and meetings)
- DCJ/PSP provider Family Action Plans (preservation) and/or OOHC case plans
- All case plan reviews
- Cultural Plan (if applicable)
- For Aboriginal children, information supporting their Aboriginality (including case notes such as home visits, phone calls and meetings)
- For children with a cultural and linguistically diverse (**CALD**) background, information supporting their CALD identity (including case notes such as home visits, phone calls and meetings)
- For children with a disability, information about the child's National Disability Insurance Scheme (**NDIS**) Plan
- Documents regarding decision making in relation to a child's placement/s including placement assessments undertaken with relatives or other people
- Notifications of s149B-K decisions
- Child Assessment Tool (**CAT**) Reports
- Health assessments, specialist reports and/or reviews
- Education Assessments, School reports, Individual Education Plan and Teenage Education Payment application (if applicable)
- Victims of crime audit or referral request for audit

## Carer's file

### *Always provide:*

- Carer assessment including confirmation of Aboriginal status if applicable
- Home safety assessment including pool compliance form
- Medical checks
- Reference checks
- All training records
- Authorisation letter for each child
- Signed Code of Conduct
- Confirmation of placement letter for each child in the placement
- Working with Children Check (**WWCC**) clearance letter from the Office of the Children's Guardian
- Notifications of s149B-K decisions
- Letter to carer regarding any suspensions, de-authorisations and changes in authorisation conditions
- Decisions of the NSW Civil and Administrative Tribunal (**NCAT**)
- Any reportable conduct assessment and finalisation letter
- Carer development plan
- Annual carer reviews

-----See next page for Documents and Information NOT to be provided-----

## Documents and information NOT to be provided

The following list of documents refers to the case transfer of a child in OOHC from DCJ to a PSP provider only. PSP providers do not have an automatic entitlement to the documents listed below.

**However, some of these documents may be lawfully provided in some circumstances:**

- with leave of the court (if proceedings are on foot) or
- if permissible under Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998 (Care Act)* or
- if legal professional privilege has been waived (only documents subject to privilege).

DCJ may seek legal advice in relation to the application of these circumstances to specific documents.

### Child's file

*Do not provide the following documents: (unless under the circumstances described above)*

- Risk of significant harm (**ROSH**) reports that led to the child coming into care should not be provided. The Initiating Care Application which is provided at Case Transfer already contains historic and detailed information from these ROSH reports
- The Children's Court Clinic Assessment report unless the Court has granted leave for it to be provided to the PSP provider. Leave must also be sought if the Assessment has been annexed to the child's Care Plan filed in proceedings
- Submissions or any documents obtained under a subpoena in any Court proceedings relating to the child
- Sealed affidavits deposed and filed by DCJ or deposed and filed by other parties in proceedings relating to the child unless the court has granted leave for it to be provided to the PSP provider, or disclosure has been permitted through compliance with Practice Note 17
- Criminal histories provided by NSW Police Force or any other jurisdiction
- Documents subject to legal professional privilege (privileged communications between a client and its legal representative) including legal advice and court outcome reports prepared by a solicitor for DCJ  
*[Note: If documents subject to legal professional privilege are relevant and needed by the PSP provider, DCJ can waive privilege. DCJ policy is to always seek legal advice first, before waiving privilege]*

*Do not provide the following information: (unless under the circumstances described above)*

- Information that identifies the name of or could lead to identifying the name of a reporter. Any reference to being a mandatory reporter must also be removed  
*[Note: All documents provided are redacted by deleting any information identifying a person who has made a risk of significant harm report (s.29 of the Care Act)]*
- Third party personal and health information, for example medical history of birth family not immediately relevant to the care of a child
- Information that identifies a person as a "registerable person" or is on the Child Protection Register *[Note: DCJ is only able to disclose general information about the nature of a person's offending behaviour if it is necessary for the safety, welfare and well-being of a child and a carer requires this in order to provide appropriate care for a child (s.21E of the Child Protection (Offenders Registration) Act 2000)]*
- Information that a child, parent or some other relevant person is in witness protection  
*[Note: While it is unlikely such detail is on a child's file, it is an offence to provide information about a person connected to the witness protection program (s.32 of the Witness Protection Act 1995)]*

### Carer's file

*Do not provide: (unless under the circumstances described above)*

- National Criminal History Check (**NCHC**) including Computerised Operational Policing System (**COPS**) events, bail reports, etc.  
*[Note: DCJ can provide COPS events to IAs who are completing assessments on behalf of DCJ. COPS events are not provided to PSP providers as PSP providers obtain this information themselves]*