

SWSAHS Implementation Plan for Responding to S 17 'Best Endeavours' Requests for Service from the Department of Community Services

Section 17 and 85 'Best Endeavours' Requests for Service

The Children's and Young Persons (Care and Protection) Act 1998, will commence on 18th December 2000. Under this Act the Department of Community Services (DoCS) can request that another Government or non-government agency (in receipt of government funding) provide a service to a child or young person or to his or her family. Under Section 18 of the Act, agencies have a legislative obligation to use their "best endeavours" to cooperate with the Department of Community Services request to provide a service. In addition, under Section 85 the Children's Court may make a request for a service (where a child is being restored to his or her family) and agencies must use the same standard to respond.

The Interagency Guidelines for Child Protection Intervention 2000 provides some agreed parameters for making and responding to 'best endeavours' requests. Most 'best endeavours' requests will be made from the local Community Services Centre and these will require a case plan to be provided as well as follow up and monitoring by the Department of Community Services.

The DoCS Helpline will be able to make 'best endeavours' requests to health services in limited situations where the following are required:

- ?? Urgent mental health assessment/intervention
- ?? Forensic medical examination
- ?? Emergency medical treatment
- ?? Other crisis/trauma intervention

The child must have been assessed to be 'at risk of harm' and a written request must be accompanied by a case plan.

Number of Requests

Neither NSW Health nor the Department of Community Services (who will be the referrers of these requests) are currently willing to make an estimate of the numbers of likely 'best endeavours' requests that will be referred to SWSAHS.

The available data show that there were 10,851 notifications of child abuse in South West Sydney¹ between July 1999 and June 2000. This figure provides an indication of the upper limit for Requests for Information that might come into SWSAHS. However, the figure is likely to be somewhat lower than this, given that the Area Director, Metro South West Department of Community Services has provided advice to the effect that standard referral processes will be utilised by the Department of Community Services unless there are problems in accessing services.

NSW Health requirement for Areas to have a central registration and monitoring system

There is a requirement that Area Health Services maintain a centralised registration system for the effective monitoring of their responses to requests for service received under Sections 17 and 85 of the Act. Areas are required to report bi-monthly on these requests, on the Health Service's responses and on the outcomes of those requests in response to which a service is provided.

NSW Health is developing an intranet based data registration system for use by Area Health Services, however this will not be in operation before the end of March 2001. In the interim, monitoring and reporting on these provisions of the Act will be paper based. There are two to three forms to be collected and collated in response to each request. The first one of these is the request from the Department of Community Services, which is received by the manager of the health service from which the service is being sought. This request form must be copied

¹ Not including data for Wingecaribee which in the past has accounted for around 6% of notifications in SWSAHS.

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and sent to a central register. The 'response to a request' form must be completed by the manager and returned to the Department of Community Services within 2 days of receipt of the request, with a copy going to the central register. Then, if the service is provided, another form is completed 6 weeks following the original request and sent to the Department of Community Services, with a copy going to the central register. These forms will then be used to monitor and report on the SWSAHS response. Once the intranet data base is operational, the data will be entered into the data base by the service manager at each point in the process.

The SWSAHS model for meeting NSW Health requirements concerning registration and monitoring of 'best endeavours' requests (diagram attached)

SWSAHS will monitor its performance in relation to 'best endeavours' requests centrally through the Division of Population Health. The Area Coordinator, Child Protection Services will have responsibility for the coordination and monitoring of the SWSAHS response to 'best endeavours' requests, and will report on data bi-monthly to NSW Health.

This position will also provide a central point for contact from the Department of Community Services around the resolution of problems. However, Sectors are still be required in the first instance to endeavour to resolve these issues locally with the Department of Community Services, in line with current interagency practice in SWSAHS.

The Clinical Information Department in each Sector will collect and manage the storage of the 'best endeavours' request and response forms. In line with NSW Health requirements², Service Managers will forward a copy of each form to the Clinical Information Department in their Sector.

The Service Manager in receipt of the original 'best endeavours' request from the Department of Community Services, will negotiate with the manager of an alternative SWSAHS service to provide the requested service if this will meet the needs of the client. The Division of Population Health (through the Area Coordinator, Child Protection Services) will provide assistance to the Sectors in the resolution of disputes over the responsibility to accept Section 17 and 85 'best endeavours' requests.

Once the intranet registration system is on line, the service manager who receives the 'best endeavours' request, enters this data – and response data relating to the same request – directly onto the intranet data base. The Area Coordinator, Child Protection Services will have administrative access to the NSW Health intranet data base for the purpose of monitoring the SWSAHS system and reporting to NSW Health.

A formal policy, to guide staff in meeting the requirements around 'best endeavours' requests, will be finalised early in the New Year for inclusion in the Interim SWSAHS Policy & Protocols for Recognition and Reporting (2000) and on the SWSAHS Child Protection Intranet site.

The Area will review the impact of these requests on its resources within 12 months of the commencement of the new legislation.

Deborah Marks
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18 December, 2000.

² Outlined in the NSW Health Frontline Procedures for the Protection of Children and Young People, 2000 (pp32-35).

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Process for responding to and monitoring 'Best Endeavours' Requests

