

Notice of Conditions of Accreditation as a Designated Agency

Issued under Clause 65 of the Children and Young Persons (Care and Protection) Regulation 2012

MacKillop Family Services Limited

ABN: 79 078 299 288

Date of notice: 19 July 2019

This notice supersedes the *Notice of Conditions of Accreditation as a Designated Agency*, issued on 12 March 2018. The Children's Guardian has varied the conditions on the accreditation of MacKillop Family Services as a designated agency.

In addition to the general conditions of accreditation in Schedule 3 of the Children and Young Persons (Care and Protection) Regulation 2012, the Children's Guardian has imposed the following conditions on the agency's accreditation.

Condition 1

This agency may arrange/provide:

- statutory out-of-home care (foster care and residential care)
- supported out-of-home care (home based care and residential care)

Condition 2

This agency must verify online the Working with Children Check clearance, or in the absence of a clearance, an application for:

- each staff member in child-related work or in a child-related role
- each volunteer in child-related work or in a child-related role
- each authorised carer
- each adult residing with an authorised carer
- the agency's Principal Officer and
- each member of the agency's governing body

before commencing employment or engagement.

Condition 3

This agency must comply with the guidelines for the emergency authorisation of staff and contractors, issued by the Children's Guardian.

Condition 4

This agency must maintain records of practice relevant to the safety, welfare and well-being of children and young persons placed with it. These records must be made available to the Children's Guardian for inspection upon request, in written form or an electronic format approved by the Children's Guardian.

Condition 5

This agency must notify the Children's Guardian in writing each time a child under 12 years of age is placed in residential statutory out-of-home care with the agency. This agency must also notify the Children's Guardian in writing when such placements cease.

Condition 6

This agency must undertake a National Police Check for all employees, contractors and volunteers in child-related work in residential care.

Condition 7

The Principal Officer of this agency is required to notify the Children's Guardian in writing when the agency receives an allegation of sexual misconduct or serious physical assault towards a child or young person in statutory out-of-home care, committed by a child-related worker (inclusive of employees, authorised carers, adult household members and board members).

Giving false or misleading information to the Children's Guardian is a serious offence.

The Children's Guardian may suspend, shorten or cancel the agency's accreditation if it fails to comply with any of these conditions.

The Children's Guardian may publish details of failure to comply with conditions of accreditation in the Children's Guardian's Annual Report to Parliament.

A decision of the Children's Guardian to impose, not impose, vary or revoke a condition of accreditation is reviewable by the NSW Civil and Administrative Tribunal (NCAT), under clause 7 of the Children and Young Persons (Care and Protection) Regulation 2012, following an internal review by the Children's Guardian. Further information about NCAT and internal reviews may be obtained from NCAT (tel: 1300 006 228).

The Children's Guardian has provided a copy of this notice to the NSW Department of Communities and Justice and to the NSW Ombudsman.

**Janet Schorer PSM
Children's Guardian**