

Notice of Conditions

of Provisional Accreditation as a Designated Agency

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

The Disability Trust

ABN: 29 001 260 153

Effective date: 16 August 2021

This notice supersedes the Notice of Conditions of Provisional Accreditation as a Designated Agency, issued on 3 September 2018. The Children's Guardian has varied the conditions on the accreditation of The Disability Trust 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 provisional accreditation.

Condition 1

This agency may provide:

- statutory out-of-home care (residential care)
- supported out-of-home care (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
- the agency's Principal Officer and
- each member of the agency's governing body

before commencing employment or engagement.

Condition 3

This agency must notify the Children's Guardian in writing when the agency next makes arrangements for the provision of statutory out-of-home care. The notice must be given by the next working day after these arrangements are made.

Condition 4

This agency must provide to the Children's Guardian direct evidence for assessment in accordance with the *Program to meet Accreditation Criteria – Direct Evidence* issued by the Children's Guardian. The direct evidence should include information relating to all subsequent statutory out-of-home care placements.

Condition 5

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

Condition 6

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 7

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

Condition 8

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.

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 (ph: 1300 006 228).

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

**Janet Schorer PSM
Children's Guardian**