

# Carers Register Fact Sheet 6

## Suspension and cancellation of carer authorisations

January 2023

---

### About the NSW Office of the Children's Guardian (OCG)

The OCG is an independent, statutory authority committed to delivering better outcomes for children and young people in supported and statutory out-of-home-care (OOHC). The OCG is a regulator – not a provider of care services.

The OCG accredits and monitors the performance of agencies that arrange statutory and supported OOHC and adoption services. The OCG administers the Carers Register, a database of persons authorised to provide or who apply to provide statutory or supported out-of-home care services in NSW. Household members are also recorded on this database.

---

### Overview

Designated agencies can suspend or cancel a carer's authorisation in specific circumstances under the Children and Young Persons (Care and Protection) Regulation 2012 (Regulation).

This fact sheet provides guidance about when a designated agency can suspend or cancel a carer's authorisation and when such a decision can be reviewed.

The designated agency's decision to suspend or cancel a carer's authorisation may be reviewable in some circumstances by the NSW Civil and Administrative Tribunal (Tribunal) under the Children and Young Persons (Care and Protection) Act 1998 (Act)

---

## Suspension and cancellation of carer authorisations

A designated agency **must** cancel a carer's authorisation (Regulation, s 39) in either of the following circumstances, unless it is satisfied that the authorisation should not be cancelled in the particular case:

- the carer has not provided out-of-home care to a child or young person for 3 months or more, if the carer's authorisation relates to the out-of-home care of that particular child or
- young person or the carer has not provided out-of-home care to any child or young person under their authorisation for 2 years or more.

A decision to cancel in these circumstances is not reviewable by the Tribunal (Act, s 245)

A designated agency **may** cancel or suspend a carer's authorisation (Regulation, s 35) if it believes that the carer:

- is no longer a suitable person to be an authorised carer
- has not complied with any condition of the authorisation
- has not complied with any obligation imposed on the carer by the Children and Young Persons (Care and Protection) Act 1998 or the Children and Young Persons (Care and Protection) Regulation 2012
- has not complied with a written direction from the designated agency or the Children's Guardian about the carer's authority in relation to a child or young person in their care
- has not upheld the Charter of Rights for children and young persons in out-of-home care.

The designated agency must write to the carer informing them of its decision.

A decision to cancel or suspend in these circumstances is reviewable by the Tribunal (Act, s 245)

---

## More information

Information about the Carers Register is available from the OCG's website at [www.ocg.nsw.gov.au](http://www.ocg.nsw.gov.au)

If you have a question, please email [carers-register@ocg.nsw.gov.au](mailto:carers-register@ocg.nsw.gov.au).

For information about the OCG's other regulatory responsibilities, including the Working With Children Check, Child Safe Organisations, statutory and voluntary out-of-home care, and adoption, please visit [www.ocg.nsw.gov.au](http://www.ocg.nsw.gov.au)

**Office of the Children’s Guardian**

[www.ocg.nsw.gov.au](http://www.ocg.nsw.gov.au)

Switchboard: (02) 8219 3600

Locked Bag 5100  
Strawberry Hills NSW 2012