

Notice of conditions of accreditation as a Designated Agency

Issued under section 12 of Schedule 3A to the *Children's Guardian Act 2019*

Westhaven Limited

ABN 56 000 543 046

Effective date: 4 September 2022

This notice supersedes the Notice of Conditions of Accreditation as a Designated Agency effective 4 September 2018. The Children's Guardian has varied the conditions on the accreditation of Westhaven Limited as a designated agency.

In addition to the general conditions of accreditation in Schedule 3 to the Children's Guardian Regulation 2022, the Children's Guardian has imposed the following conditions on the agency's accreditation as a designated agency.

Condition 1

This agency may arrange:

- 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 comply with the guidelines for the engagement and authorisation of staff and contractors in an emergency, or when sourced from a labour hire agency, issued by the Children's Guardian.

Condition 4

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

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 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.

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.

Under section 154(1)(a)(ii) of the *Children's Guardian Act 2019*, a decision of the Children's Guardian to impose a condition on an accreditation or vary the conditions to which an accreditation is subject, is reviewable by the NSW Civil and Administrative Tribunal (NCAT), 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.

**Janet Schorer PSM
Children's Guardian**