

LOOKOUT CENTRE HANDBOOK



LOOKOUT
Centre

THE
EDUCATION
STATE

VICTORIA
State
Government

Education
and Training

We acknowledge and respect the traditional custodians whose ancestral lands the LOOKOUT Centre team journeys onto. We acknowledge the deep feelings of attachment and relationship of Aboriginal people to country and pay our respect to their Elders past and present. We have a deep desire that LOOKOUT as an education response can redress some of the harm caused to our first Nations People.

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TABLE OF CONTENTS

LOOKOUT EDUCATION SUPPORT CENTRES AND THE NEEDS OF CHILDREN AND YOUNG PEOPLE IN OUT-OF-HOME CARE	1
1. WHAT IS THE LOOKOUT CENTRE HANDBOOK?	2
1.1 Audience	2
1.2 Definitions and types of out-of-home care	2
1.2.1 Foster care	2
1.2.2 Kinship care	2
1.2.3 Residential care	2
1.3 Policy Framework	2
1.3.1 The Education State	2
1.3.2 The Partnering Agreement	3
1.3.3 Marrung Aboriginal Education Plan 2016-2026	3
1.3.4 Roadmap for Reform: Strong Families, Safe Children	4
2 WHAT ARE LOOKOUT CENTRES?	5
2.1 Purpose	5
2.2 Why do LOOKOUT Centres focus on students living in out-of-home care?	6
2.3 Roles and Responsibilities	6
2.3.1 LOOKOUT Centre Principal	7
2.3.2 Learning Advisors	7
2.3.3 Koorie Cultural Advisor	7
2.3.4 Psychologist	8
2.3.5 Data Analyst	8
2.3.6 Social Worker	8
2.3.7 Administration Officer	8
2.3.8 Manager, LOOKOUT Centre Implementation	8
3 WHO DO LOOKOUT CENTRES WORK WITH?	9
3.1 Working in partnership – the team around the learner	10
3.1.1 The Designated Teacher in schools	10
3.1.2 Child Protection Practitioners (CPP)	10
3.1.3 Case manager	11
3.1.4 Carer	11
3.1.5 Residential carer	11
3.1.6 Student Support Services (SSS)	12
3.1.7 Koorie Engagement Support Officers (KESOs)	12
3.2 Working in partnership – engagement programs and providers	12
3.2.1 Navigator	12
3.2.2 Education Justice Initiative	12
3.2.3 Flexible learning options	12
4 WHO DO LOOKOUT CENTRES SUPPORT?	13
4.1 Who is on the LOOKOUT Centre student roll?	13
4.1.1 Age range of students	13
4.1.2 Legal status	13
4.2 Where do students on the LOOKOUT Centre student roll live and go to school?	13
4.2.1 Education placement	13
4.2.2 Care placement	14
4.2.3 Principles underlying placement choice	14

5	HOW WILL THE LOOKOUT CENTRE WORK? (PARTNERING AGREEMENT)	15
5.1	School responsibilities to students in out-of-home care	15
5.2	Principals and school leadership	15
5.2.1	Enrolment	15
5.2.2	Attendance	16
5.2.3	Student Support Group (SSG)	16
5.2.4	Student Support Group Guidelines	16
5.2.5	Individual Education Plans (IEP)	17
5.2.6	Effective and high quality IEPs	17
5.2.7	Implementing and reviewing the IEP	18
5.2.8	Quality assuring the IEP	18
5.2.9	Educational Needs Assessments (ENA)	18
5.2.10	Suspension and expulsion	19
5.3	Department of Education and Training supports to students	19
5.3.1	Student Support Services (SSS)	19
5.3.2	Primary Welfare Officer (POW) initiative	19
5.3.3	Student Welfare Coordinator (SWC)	19
5.3.4	Program for Students with a Disability (PSD)	19
5.4	Catholic Education Commission Victoria supports to students	20
5.5	Independent Schools Victoria supports to students	20
5.6	LOOKOUT Centre's Professional Development to schools	20
6	HOW WILL THE LOOKOUT CENTRE WORK WITH CHILD PROTECTION PRACTITIONERS AND CASE MANAGERS?	21
6.1	Roles and responsibilities under the Partnering Agreement	21
6.2	Brokerage for education supports	21
6.3	Professional development to Child Protection Practitioners and case workers	22
7	HOW WILL THE LOOKOUT CENTRE WORK WITH CARERS?	23
7.1	Foster and kinship carers	23
7.2	Residential carers	23
8	HOW ARE LOOKOUT CENTRES SET UP IN EACH REGION?	24
8.1	Structure	24
8.1.1	Authority of LOOKOUT Centre Principals	24
8.2	Decision making principles and issues resolution	24
9	DATA AND MONITORING	25
9.1	The LOOKOUT Centre student roll: the student database	25
9.2	Information sharing	25
9.2.1	Health Records Act 2001	25
9.2.2	Privacy Act 2000	25
9.3	Evaluation and measuring success	25
10	RESOURCES	27
10.1	Departmental websites	27
10.2	Other websites	27
10.3	Resources	28
11	APPENDIX	29
11.1	Legislative Framework	29
11.1.1	<i>Children, Youth and Families Act 2005</i>	29
11.1.2	<i>Education and Training Reform Act 2006</i>	30
11.1.3	Attendance	31



EDUCATION CANNOT WAIT – OUR STUDENTS IN CARE

LOOKOUT EDUCATION SUPPORT CENTRES AND THE NEEDS OF CHILDREN AND YOUNG PEOPLE IN OUT-OF-HOME CARE

In Victoria, on any given day, there are over 8,500 children and young people living in out-of-home care. Of these, around 6,400 are of school age. For many, their school journey will be characterised by multiple changes to their living arrangements and many changes of school.

With each school change, there is a disruption to learning. With each disruption to learning, there is an increased chance of falling behind, of missed connections with peers and friends, and a greater chance of poorer education outcomes, lack of engagement with school or training, and increased chance of early school leaving.

This trajectory can set children and young people up for poorer future social, emotional and economic stability.

However, the experience of being in care need not define the future for children and young people. Education can be the golden ticket that provides the greatest possible opportunities for social, emotional and economic success. We, as educators and carers, can create the conditions for education to change the direction of a child's or young person's future.

LOOKOUT Education Support Centres (LOOKOUT Centres) will improve educational outcomes for children and young people living in out-of-home care. The Centres will do so by:

- advocating for the best educational outcomes for students in out-of-home care
- providing professional development to school staff regarding the importance of quality Individual Education Plans (IEP), Student Support Groups (SCG), Learning Mentors and the impact of trauma on learning and behaviour

- working with Child Protection Practitioners (CPP), case managers and carers to raise the profile of education and embed education as a priority when decisions are made about a child or young person's care
- establishing a Designated Teacher in every Victorian school who will be the champion for students in care in their school
- establishing better data linkage between the Department of Education and Training (the Department) and the Department of Health and Human Services (DHHS), so that students in care can be more effectively monitored and supported, particularly during transitions in care or school.

LOOKOUT Centres are not physical structures and do not deliver curriculum. LOOKOUT Centre staff are based in regional offices of the Department – working with schools, CCP, case workers and carers across their region. Centres are led by experienced school principals and are staffed by multidisciplinary teams of education specialists, allied health professionals, Koorie Cultural Advisers and data and administration officers. They work in close collaboration with regional and Area-based staff, drawing on the collective effort of school improvement and wellbeing teams to raise the achievement and expectations of children and young people in care.

Education changes lives for the better. And for children and young people whose lives have so often been characterised by trauma, abuse, neglect, and separation from family – education cannot wait. We are all responsible for ensuring that children and young people in out-of-home care get the best education our system provides.

THE LOOKOUT CENTRE HANDBOOK – CARE TYPES AND CONTEXT

1. WHAT IS THE LOOKOUT CENTRE HANDBOOK?

1.1 Audience

The LOOKOUT Centre Handbook (the handbook) is intended to guide the work of LOOKOUT Centre Principals and staff. The handbook will also prove helpful to education staff (in the Department's central, regional and Area teams), CPPs, community service organisations (CSOs) providing out-of-home care services, and carers. Schools, particularly principals and Designated Teachers, will find the handbook useful in understanding their roles and responsibilities in relation to the LOOKOUT Centre and children and young people in out-of-home care.

The handbook is a guide to how the LOOKOUT Centre and those professionals responsible for educating and caring for our students in out-of-home care should fulfil their responsibilities. It does not replace any statutory obligations under which education and care professionals perform their role, specifically those detailed in the *Out-of-Home Care Education Commitment: A Partnering Agreement between the Department of Human Services, Department of Education and Early Childhood Development, the Catholic Education Commission of Victoria and Independent Schools Victoria* (Partnering Agreement) (see section 1.3.2).

1.2 Definitions and types of out-of-home care

In Victoria, there are four main types of out-of-home care placements for children and young people who have been removed from their families by court order due to substantiated care concerns. Placements are managed by DHHS and include foster care, kinship care, residential and lead tenant care, and permanent care.

1.2.1 FOSTER CARE

Foster carers are community members who are recruited, screened and supported by CSOs to provide short-and long-term 24-hour care for children and young people in their own homes, in a family environment. A foster carer will generally have a case manager from a CSO.

1.2.2 KINSHIP CARE

Kinship care is the fastest growing form of out-of-home care placement in Australia. Children and young people are generally placed with a family member or close friend (such as a grandparent or a close and trusted community member) to provide care. Kinship carers may not have a dedicated case manager.

1.2.3 RESIDENTIAL CARE

Residential care placements provide both short-and long-term accommodation to children and young people in supervised shared accommodation. Care is provided by paid staff and managed by CSOs. Up to four children and young people can live in these houses at any one time. Typically, children and young people with the most complex needs live in residential care; however factors such as the availability of foster carers can contribute to a placement being made into residential care. All houses have a unit coordinator and all children and young people have a case manager.

The LOOKOUT Centre monitors the enrolments of students in foster, residential and lead tenant and kinship care. It does not monitor the enrolments of students who are known to child protection but not living in out-of-home care, or students who are on permanent care orders.

1.3 Policy Framework

LOOKOUT Centres are an Education State initiative delivered by the Department. Many of the service delivery reforms delivered through commitments in the DHHS *Roadmap for Reform: Strong Families, Safe Children* will have implications for how the LOOKOUT Centre will work with CPPs and case workers in CSOs, and will influence the services and supports that the LOOKOUT Centre will provide to carers.

1.3.1 THE EDUCATION STATE

Making Victoria the Education State means providing a quality education for every child, regardless of their background, circumstance or postcode. The Education State agenda covers the whole life cycle of education, from early childhood through to schools and into adulthood. It also includes reforms across each area of education.

Ten school targets have been developed as part of the Education State vision to focus on the range of factors that support students to develop and be their best. These targets are organised under four themes:

- **Learning for Life**
Excellence in reading, maths, science and the arts, and in critical and creative thinking
- **Happy, Healthy and Resilient Kids**
Building resilience and physical activity in our children
- **Breaking the Link**
Ensuring more students stay in school and eliminating the connection between outcomes and disadvantage

- **Pride and Confidence in our Schools**

Making sure every community has access to excellence, in every school and classroom

1.3.2 THE PARTNERING AGREEMENT

The Partnering Agreement provides guidelines for Victorian schools and case managers from child protection and CSOs. The Partnering Agreement:

- outlines strategies to support the educational issues and social needs of children and young people in out-of-home care during the years they attend school, including flexible learning options
- promotes common practices across Victoria and provides a framework to monitor educational engagement and achievement more closely
- provides guidance about key areas in which support for children and young people in out-of-home care is required, including school enrolment, transition planning, attendance and engagement, achievement, case planning and school retention
- outlines a process for implementation of the Partnering Agreement and for monitoring outcomes.

The Partnering Agreement applies to:

- staff who work in government, Catholic and independent schools; including principals and other school leaders, teachers and flexible learning options staff. It also guides the work of student wellbeing staff – such as student welfare coordinators, primary welfare officers, Student Support Services (SSS) officers, chaplains, school nurses and wellbeing staff employed locally by schools such as youth workers, psychologists and social workers
- case managers who work within the DHHS Child Protection program or for CSOs that are contracted by DHHS to provide case management services. The role of case managers is to coordinate the development and monitoring of a child's case plan. This includes direct case work with children and families, developing links with key services and coordinating care team meetings
- regional and Area (government sector) or diocesan (Catholic sector) staff who have responsibility for providing advice to schools and case managers about the requirements of the Partnering Agreement.

While the Partnering Agreement can guide the work of staff in independent schools, these schools are individual legal entities and subject to their own policies and procedures. The principles, processes and requirements outlined within the Partnering Agreement are supported and endorsed by Independent Schools Victoria but cannot be mandated. There are elements of the Partnering Agreement, such as regional, Area and diocesan organisational structures, which do not necessarily apply to independent schools. Independent Schools Victoria will provide guidance and advice to schools that require assistance in the interpretation or implementation of any part of the Partnering Agreement. LOOKOUT Centres will also work with independent schools to ensure they are supporting the educational achievement of children in care.

Detail about the roles and responsibilities in the Partnering Agreement and the LOOKOUT Centres is in section 5 of this handbook.

1.3.3 MARRUNG ABORIGINAL EDUCATION PLAN 2016-2026

The Marrung Aboriginal Education Plan 2016–2026 will ensure that Koorie Victorians and Aboriginal or Torres Strait Islander people from other parts of Australia who live in Victoria, have the doors held wide open to all learning and development services, from early childhood onwards.

Marrung is an integrated 10-year plan and is key to helping Koorie Victorians succeed in their education and realise the full benefits of the Education State reforms across early childhood, schools and vocational education and training.

Marrung requires all services to embed Koorie aspirations and outcomes as core business. It includes key actions to support improved outcomes by supporting services to be more inclusive and responsive to Koorie learners, building an education system that values and respects Aboriginal and Torres Strait Islander peoples and cultures. Marrung contains high level priority actions, targets and measures to increase participation and engagement across all sectors to improve outcomes for all Koorie children, young people and adult learners.

1.3.4 ROADMAP FOR REFORM: STRONG FAMILIES, SAFE CHILDREN

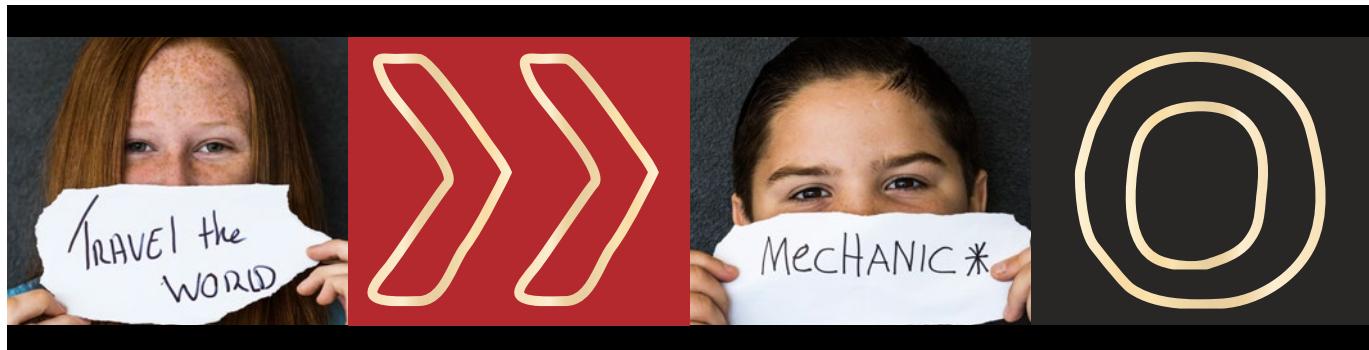
DHHS-led initiative

Roadmap for Reform: Strong Families, Safe Children (Roadmap for Reform) focuses on prevention, early intervention and creating services that are coordinated and work together to meet the needs of vulnerable families and children. Roadmap for Reform also recognises the importance of taking action to ensure self-determination for Aboriginal communities in the care of their children and families, and supports children and families to be involved in decision making about the services and supports they need.

The goal of Roadmap for Reform is for Victorians to be better supported throughout their unique life cycle of need and be able to access a range of services, including wellbeing and prevention through to other service interventions incorporating intake, assessment, planning and treatment.

One of the major transformation efforts under the Roadmap for Reform is the out-of-home care system. Reforms to the out-of-home care system include:

- moving children out of residential care and into supported home-based care using Targeted Care Packages
- increasing the capacity of foster and kinship carers
- introducing a new out-of-home care outcomes framework that measures the outcomes for children and young people in out-of-home care and identifies areas most in need of improvement
- building the capacity of Aboriginal organisations who wish to assume responsibility for contracted case management of Aboriginal children in out-of-home care or to assume custody or guardianship responsibilities under section 18 of the *Children, Youth and Families Act 2005*.



LOOKOUT CENTRES: PURPOSE, ROLES, RESPONSIBILITIES

2 WHAT ARE LOOKOUT CENTRES?

2.1 Purpose

LOOKOUT Centres will boost the capacity of schools, CPPs and out-of-home care services to deliver on the goals and intended benefits of the Partnering Agreement. LOOKOUT Centres are an additional resource to improve educational outcomes for children and young people living in out-of-home care. Centres will do so through professional development with staff and carers, by challenging enrolment decisions that are not in a student's best interests, and facilitating opportunities for students to participate fully in school life (including camps, excursions and extra-curricular activities).

LOOKOUT Centres are based on an innovative virtual model, with staff based in the Department's regional offices and providing professional supports to schools, CPPs, case workers and carers across their region. LOOKOUT Centres will operate state-wide as part of a multidisciplinary service response, building on the expertise and professional practice of the Department's regional, Area and school staff. Underpinning each LOOKOUT Centre is a commitment to a multidisciplinary approach to working with, supporting and raising the expectations of the professionals and carers in the lives of children and young people living in out-of-home care.

While the LOOKOUT Centres support schools, CPP, CSOs and carers to fully realise their role in a child's or young person's education, they do not replace the responsibilities that these adults hold in relation to their care and education.

LOOKOUT Centres include Koorie Cultural Advisors who work with students, community, case workers and schools to ensure that Aboriginal students' needs are reflected in cultural plans which are embedded in their IEPs. All Koorie Cultural Advisors are Aboriginal workers with experience in the education system, strong connections to communities in which they work, and a commitment to connecting children and young people to culture.

LOOKOUT Centres are not flexible learning options or alternative settings. They do not enrol students or deliver curriculum. The responsibility for curriculum delivery remains with the school or setting in which the student is enrolled. Instead, the LOOKOUT Centres focus on professional development, advocacy and expert advice and support to build the capability of those professionals who work with children and young people in care, making sure that education is at the centre of decisions made about their care, placement and future.

LOSS

For many children the move to placement in out-of-home care will involve the loss of all things familiar and secure. The manner in which they will respond to loss will depend on their personality and previous experience. However, panic, heightened anxiety, self-blame, anger, total or partial withdrawal, feelings of abandonment, distress, bewilderment and despair are all common feelings children experience at this time.

While the aim of all members of the care team is to lessen negative impacts of placement and trauma for the child, practitioners should be aware of displays of anti-social behaviour and try to handle it with sensitivity. In many cases the behaviours may be the normal responses which a particular child experiences when under great stress.

Children will perceive separation in different ways depending on their age and ability to verbalise their feelings and their capacity to understand/rationalise the reasons why they are in placement.

These are often not easy situations to manage. Planning, consultation and seeking guidance and support from colleagues, supervisors and CSO staff particularly in the early days of placements will be essential (Child Protection Manual, 2016).

ATTACHMENT

Normal development is expressed in play and exploratory activity in children. It requires the presence of a familiar attachment figure/s who regulate the child's physiological arousal by providing a balance between soothing and stimulation.

Some children find a secure attachment to school functions as an alternative to the adversity at home, particularly if they can attend the same school regardless of placement change. These children can use school to sustain good relationships, increase a sense of belonging and improve self-esteem. Children who struggle with relationship skills (such as attunement, and the reading of another's body language and facial expression) find it difficult to engage in mutually satisfying play with other children, because they often don't understand the usual rules of relationships such as turn taking and sharing. They find friendship difficult, and other children often react negatively to their aggression, silliness or bossy controlling behaviour (Child Safety Commissioner, 2007).

2.2 Why do LOOKOUT Centres focus on students living in out-of-home care?

Research tells us that children and young people who come in to care do so due to circumstances such as neglect, abuse, family violence or breakdown, parental substance misuse or parental mental ill health. These experiences can lead to trauma, often are associated with the loss of a loved and trusted adult, and can mean that children and young people struggle to form stable and strong relationships with friends and adults. All of these experiences can adversely affect a child's or young person's capacity to learn or to engage well at school or an education setting. For Aboriginal students, the loss of family connection is often exacerbated by the loss of connection to community and to culture, and for this reason Aboriginal students in care require additional and specific supports during their time away from family.

LOOKOUT Centres are designed to provide support and professional development to those who work with children and young people in care so that they understand the impact that trauma, loss and attachment can have on learning. The LOOKOUT Centre's role is to work with the professional team around the child to make sure that practical strategies and supports are in place to keep them in school and learning. While this may not make up for the difficult start in life that many children and young people in care experience, it can make their education more stable, supportive and successful.

2.3 Roles and Responsibilities

The LOOKOUT Centres' multidisciplinary staff cannot and should not be expected to take sole responsibility for the most vulnerable students. Rather, the LOOKOUT staff brings focus to the needs of students in out-of-home care and draws on health and wellbeing staff, SSS workers, Koorie education teams, and school improvement teams to make sure that students have access to everything to which they are entitled. As the name suggests, the team will look out for out-of-home care students by identifying them, maintaining the student roll, monitoring their progress and transitions. LOOKOUT Centre staff will also draw on the Department's Area-based and regional teams to provide resources, interventions and supports as required. Teams will work collaboratively with LOOKOUT Centre staff in recognition of the shared responsibilities workers have to students in out-of-home care.

TRAUMA

Trauma can affect all elements of development. Trauma is the psychological and physiological residue left over from heightened stress that accompanies experiences of threat, violence and life-challenging events. Children are more vulnerable to trauma than adults.

Traumatised children often have poor emotional literacy and do not easily understand their own feelings or those of others around them. Children and young people affected by trauma are often challenged by:

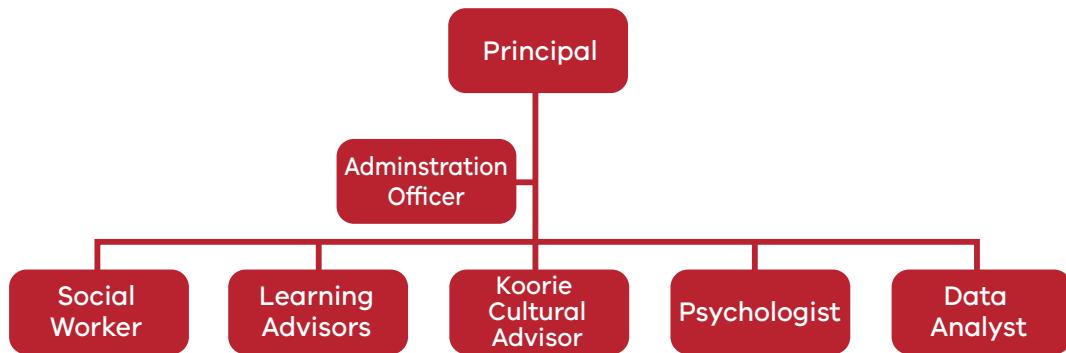
- a persistent sense of fear
- disconnection from feelings
- difficulty naming and managing emotional responses
- angry without understanding why.

Children and young people who have experienced trauma do not deliberately set out to be disruptive in classrooms. It is the impact of the trauma on the child, emotionally and developmentally, which leads to a wide range of behaviours and learning difficulties including:

- reduced cognitive capacity
- increased dysregulation
- poor concentration
- impaired short term memory
- impaired executive functioning
- language delays
- higher rate of school absences
- increased dropout rate
- more suspensions and expulsions
- impairments to developing and maintaining social relationships
- anxiety and/or withdrawal.

It is vital to look for strengths in children and young people impacted by trauma, as with all students. While experiences of trauma have significant and long-lasting impacts on a student's capacity to learn and socialise, none are insurmountable. (Child Safety Commissioner, 2007).

Figure 1. LOOKOUT Centres staff structures



2.3.1 LOOKOUT CENTRE PRINCIPAL

Each LOOKOUT Centre is led by a Principal and includes a multidisciplinary team with the skills required to support the unique needs of children and young people in out-of-home care.

LOOKOUT Centre Principals will:

- work closely with officers from the Department, DHHS and non-government providers of out-of-home care services to ensure the Centre understands and supports the educational needs of children and young people in out-of-home care
- monitor school enrolments and intervene if the placement will not provide suitable education or meet the needs of the student according to their IEP
- build the capacity of schools and education providers to address disengagement for this cohort and partner together to develop innovative and evidence-based supports, aimed at continued education.

2.3.2 LEARNING ADVISORS

The Learning Advisors work with schools to ensure that all students in out-of-home care are enrolled in school or an appropriate education or training setting and are effectively supported with IEPs, Educational

Needs Assessments (ENA), SSGs and additional resources to which they are entitled. They also deliver professional development to schools, CPP, CSOs and carers with a focus on the education and wellbeing of students in out-of-home care.

2.3.3 KOORIE CULTURAL ADVISOR

The Koorie Cultural Advisor works closely with schools in the region to advocate for the educational and cultural needs of Aboriginal students in out-of-home care. The Koorie Cultural Advisor draws on the capacity and expertise of the Koorie Education Coordinators (KEC) and Koorie Engagement Support Officers (KESO) to have a comprehensive and consistent approach to supporting Aboriginal students in out-of-home care.

The LOOKOUT Centre Koorie Cultural Advisor works closely with CPP, case managers and schools to ensure the development of appropriate cultural plans for all Aboriginal children and young people in out-of-home care¹. A cultural support plan is a tool CPP use to maintain or strengthen Aboriginal and/or Torres Strait Islander children's connections to their families, communities and culture.

¹ Section 176 of the *Children, Youth and Families Act* outlines the statutory requirement for developing a cultural support plan for every Aboriginal child or young person placed in out-of-home care. The aim of a cultural support plan is to ensure Aboriginal children and young people remain connected to their:

- family including extended family
- Aboriginal community
- culture
- country.

In order to deliver on the actions and recommendations of Taskforce 1000², the Koorie Cultural Advisor will foster productive and collaborative working relationships with Aboriginal Community Controlled Organisations (ACCOs), peak agencies and the KECs and KESOs in order to collectively improve the educational outcomes of Aboriginal children and young people in state care.

2.3.4 PSYCHOLOGIST

The Psychologist provides professional advice and support to principals, school communities and networks, carers and CSOs. Drawing on their training and expertise in psychology, their role is to effectively advise and support the development of IEP, ENAs, SSGs and liaise with Student Support Services staff. The Psychologist also delivers professional development to schools, targeted training and interventions to CPP and CSOs with a focus on the education and wellbeing of students in out-of-home care.

2.3.5 DATA ANALYST

The Data Analyst maintains accurate data of students in out-of-home care, providing the LOOKOUT Centres with the student roll. They analyse data to identify priority students and track region-wide shifts in engagement and provide regular reports to DET regional and Area executives to assist with planning and school improvement.

The Data Analyst is critical to the ongoing monitoring and evaluation of the LOOKOUT Centres. The data they collect and maintain measure improvements in educational outcomes, show improved student wellbeing and resilience, and demonstrate more effective service delivery. For more information on the LOOKOUT Centres' evaluation and performance monitoring, see section 9.3.

2.3.6 SOCIAL WORKER

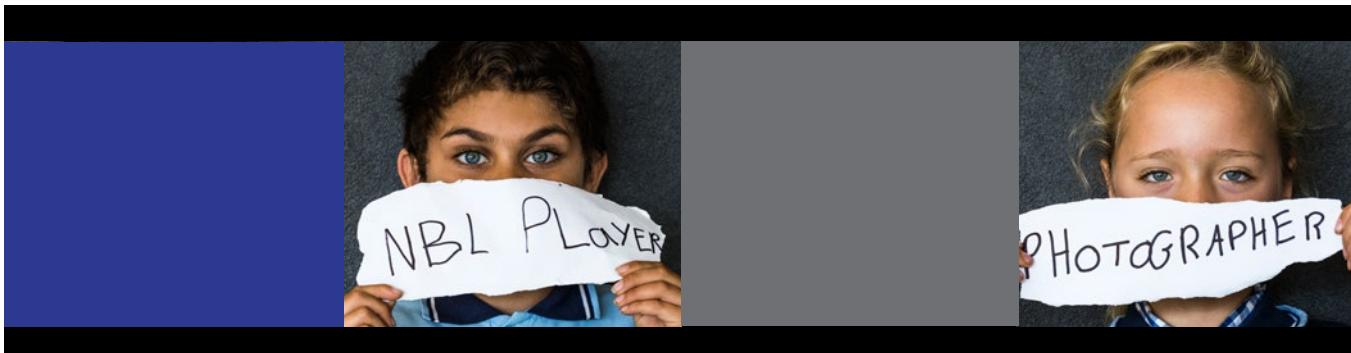
The Social Worker draws on their training and expertise in social work to provide professional advice, consultancy and support to school principals, school communities and school networks. The Social Worker works in collaboration with relevant DHHS divisional CPPs and regional CSOs to promptly identify changes in circumstances that may affect a student's engagement with school, such as placement changes or disruptions in family circumstances, and works with the team around the student to minimise disruption to their education.

2.3.7 ADMINISTRATION OFFICER

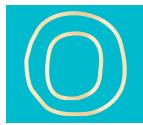
The Administration Officer manages the daily administrative requirements of the LOOKOUT Centre including administrative support to the Principal.

2.3.8 MANAGER, LOOKOUT CENTRE IMPLEMENTATION

The LOOKOUT Centre initiative is premised on collaboration, including across agencies and within government departments. The Manager is responsible for a consistent LOOKOUT Centre model and establishing this, in collaboration with the Regional Services Group, across the state. The Manager is located centrally and is responsible for ensuring that the LOOKOUT Centres are informed by and link with, state-wide out-of-home care policies, programs and frameworks, and does so in close collaboration with DHHS.



² Taskforce 1000 is a collaborative project between DHHS and the Commission for Children and Young People which started in 2014. The project seeks to improve outcomes for Aboriginal children and young people living in out-of-home care and inform future planning by reviewing the current circumstances of Aboriginal children and young people living in out-of-home care in Victoria. The project also seeks to identify and address the issues associated with the over representation of Aboriginal children and young people in out-of-home care. The final report was released in 2016 and can be accessed here: www.ccyp.vic.gov.au/systemic-inquiries/alwayswas/index.htm



LOOKOUT CENTRES: WORKING IN PARTNERSHIP

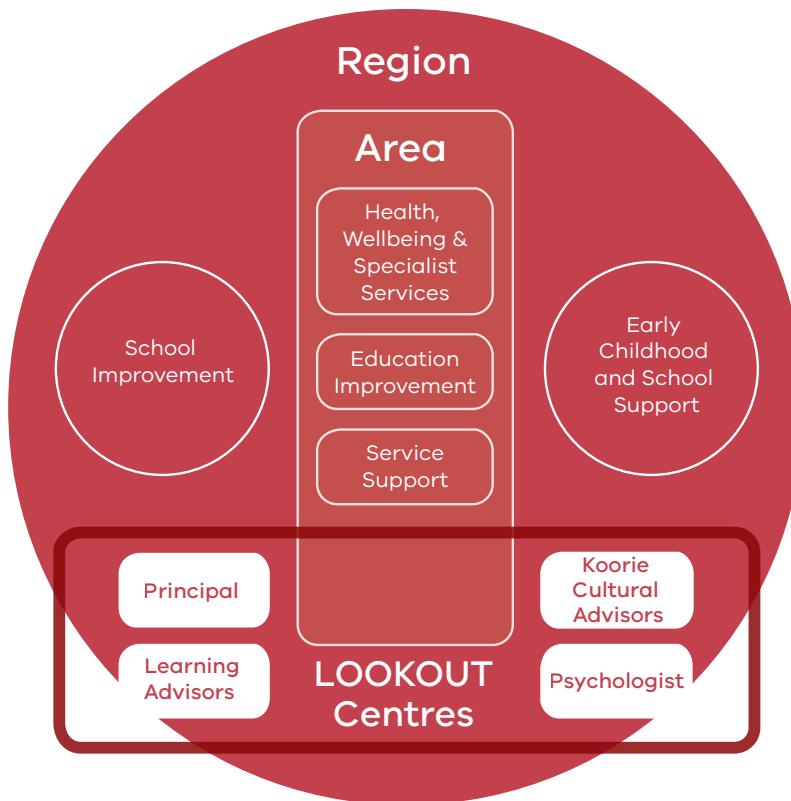
3. WHO DO LOOKOUT CENTRES WORK WITH?

LOOKOUT Centre staff work closely with schools and staff across the Department, DHHS, carers and the community services sector.

Co-location and collaboration with the Department's regional and Area-based teams enables the LOOKOUT Centre team and departmental staff to provide a comprehensive response to the needs of children and young people in out-of-home care.

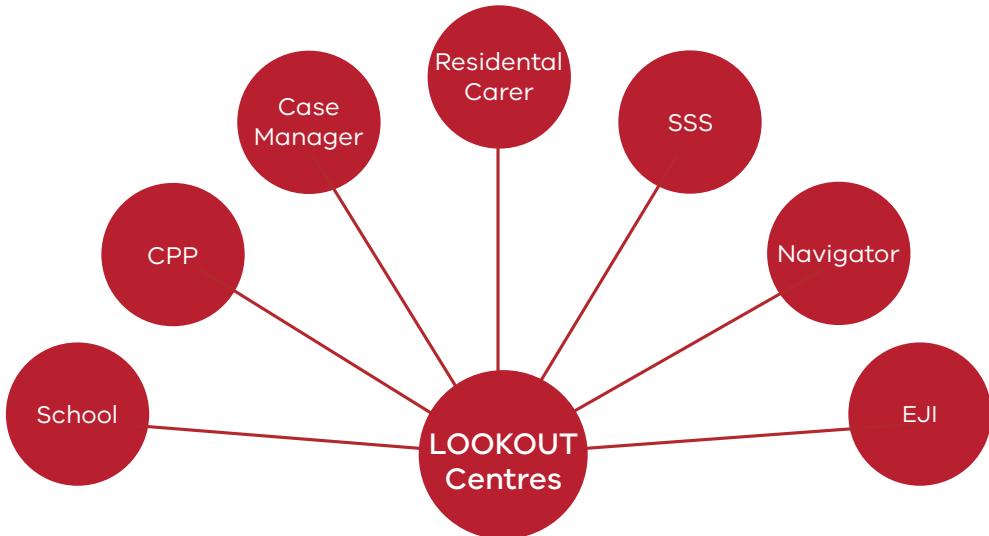
In regions, this includes working with the Early Childhood and School Support division and the School Improvement division. In Area-based teams, this includes working with the Health, Wellbeing and Specialist Services branch, Education Improvement branch and the KESOs in the Service Support branch. The Department's regional and Area-based teams hold a broad range of experience and expertise in supporting children and young people in their health, wellbeing and education. Figure 2 illustrates how LOOKOUT Centres link with both regional and Area-based teams.

**Figure 2. LOOKOUT Centre
in relation to the regional
and Area context.**



The LOOKOUT Centre sits within the Department's Early Childhood and School Support branch. In keeping with the multidisciplinary approach of the Department's Area-based model, the LOOKOUT Centre works with and across the regional and Area teams, collaborating with Health, Wellbeing and Specialist Services, Education Improvement, and Service Support staff. LOOKOUT Centres bring focus to the needs of children and young people in out-of-home care and will collaboratively work to imbed a culture of shared responsibility across the Department's regional and Area-based workforces.

3.1 Working in partnership – LOOKOUT Centres as part of the team



3.1.1 THE DESIGNATED TEACHER IN SCHOOLS

Designated Teachers are a new responsibility introduced to Victorian schools as part of the LOOKOUT Centre model. Designated Teachers will play a pivotal role with LOOKOUT Centres by monitoring students within their schools. Designated Teachers will have oversight of IEPs and ensure they are of high quality, see that SSGs are established and make sure students have a Learning Mentor.

The Designated Teacher handbook is available at the LOOKOUT Centre webpage:
[www.education.vic.gov.au/about/educationstate/
Pages/Lookout.aspx](http://www.education.vic.gov.au/about/educationstate/Pages/Lookout.aspx)

3.1.2 CHILD PROTECTION PRACTITIONERS

In the context of a whole of community approach, CPP have a specific statutory role in protecting children and young people from harm and promoting their rights and healthy development. CPP receive and assess reports of alleged abuse and neglect of children and young people. They undertake investigations and develop plans to ensure the safety and wellbeing of children and young people. This may include taking matters to court.

CPP perform the following tasks for students in out-of-home care:

- advise the school principal in writing that the child or young person has been placed in out-of-home care, and if there is any change in the child's legal status or care arrangements. The school has lead responsibility for enrolling the child without delay, forming the SSG and developing the IEP
- ensure that the school's name is recorded on the Client Relationship Information System (CRIS) in accordance with departmental naming conventions. Correct names can be accessed from the Department's Schools' Entity Register

TEAM AROUND THE LEARNER – A FRAMEWORK FOR COORDINATED SUPPORTS

Team Around the Learner (TAL) provides a framework for a holistic, team-based yet individualised approach to support learners at risk of disengaging, or who have disengaged from education and learning. TAL aims to deliver a more streamlined and coordinated approach to supporting learners who may have additional and/or complex needs, such as children and young people in out-of-home care.

The team comprises multidisciplinary professionals who work together as a collaborative network around the child or young person, communicating and sharing information, knowledge and skills. People are brought together to work and coordinate a plan to meet all the needs of the learner, and to support them to prevent disengaging or to support re-engagement in learning.

Most important to the TAL is the focus on the individual student. The TAL is made up of people who are connected to the learner through natural, community and formal support relationships. Team members may include any identified education professionals, health professionals, community members, parents/caregivers, external agencies and community members involved in the life of the learner.

- provide information about the child's or young person's history and care arrangements to the school as soon as possible, including a record of schools or early childhood centres the child has attended. The school will liaise with other education service providers to ensure the transfer of relevant information

- ensure that up-to-date information is provided to the school about changes to the child's or young person's circumstances and care arrangements
- seek the parent's and carers views and include arrangements for involving parents in the child's or young person's education in the goals and tasks set out in the actions table
- liaise with individual and family support (Youth Justice and/or disability) and other services where relevant
- participate in the SSG and maintain proactive engagement with school contacts
- discuss the child's or young person's educational needs with the care team. Complete the education, employment or child care section of the child's case plan which sets out the significant decisions about the child's education. Include specific strategies to support the child's school attendance in the actions table
- participate in suspension conferences involving members of the SSG to consider welfare and disciplinary strategies and other options to assist in meeting the child's or young person's educational needs
- work with the school to submit an application where the child or young person may be eligible for the Program for Students with a Disability
- complete all documentation in CRIS, including decisions and the rationale for these (Child Protection Manual, 2016).

3.1.3 CASE MANAGER

The case manager has primary responsibility for overseeing the implementation of the Best Interests plan (case plan). This is often a DHHS employee, but can also be a CSO employee. CPP and contracted case managers of CSOs have responsibility for a child or young person subject to a protective intervention. Tasks that case managers are responsible for include but are not limited to:

- ongoing assessment of the risks, needs and development of the child or young person
- develop and ensure implementation of a case plan in accordance with legal requirements, the provisions of the protection order, and the child's needs
- ensure a cultural plan is provided to all Aboriginal children and young people in out-of-home care
- plan and manage contact arrangements for the child and family in accordance with the protection order and case plan
- have contact with the child, parent/s and other family in accordance with the case plan and client contact statement
- facilitate referrals and engagement with service providers in accordance with the case plan

- maintain regular contact with professionals and CSOs involved with the family and seek feedback about the family's progress
- undertake placement related actions if a placement change is required
- participate as a care team member if child is in out-of-home care
- maintain client records
- arrange specialist child and family assessments, including medical assessments, in accordance with the protection order and case plan
- consult with supervisor on further court applications when required and complete court process
- register and follow-up any new familial and non-familial allegations
- consult supervisor at key decision points.

3.1.4 CARER

A carer is an integral part of the care team. A carer has day-to-day responsibility for a child or young person in out-of-home care and endeavours to ensure their safety and wellbeing. A carer must be able to form a positive relationship with the child or young person that provides nurturing support, stability and guidance. By definition, a carer is not the child's or young person's parent. A kinship carer will be assessed and approved by child protection, a foster carer or permanent carers will be accredited and approved by a CSO (Child Protection Manual, 2016).

3.1.5 RESIDENTIAL CARER

Residential care services provide temporary, short- or long-term accommodation and care to children and young people (seven years or older) who are unable to be placed in home-based care. Care is provided by paid staff on a roster system.

3.1.6 STUDENT SUPPORT SERVICES

SSS do vital work in supporting students' health and wellbeing – particularly the most vulnerable students. SSS are critical to building an excellent education system that reduces the impact of disadvantage.

SSS assist children and young people facing a range of barriers to learning to achieve their educational and developmental potential, by providing a range of strategies and specialised support at individual, group, school and network levels. SSS operate within networks of schools to:

- work in collaboration with services within the community to identify and intervene early with children and young people who have additional needs or are at risk of disengagement
- develop the capacity of the workforce within schools to meet the requirements of children and young people with additional needs, or who are experiencing disadvantage or vulnerability, so they achieve successful education and wellbeing outcomes.

- target the delivery of individual support services to those who require specialised expertise, assessment and intervention in order to overcome barriers to learning
- respond to emerging student wellbeing needs and contribute to identified school and network priorities
- respond to critical incidents involving students, staff and school communities
- facilitate and strengthen partnerships between the SSS in schools, early childhood services, community organisations, and health, family, child, mental health and youth services in order to provide greater options and coordinated service provision for children, young people and their families.

3.1.7 KOORIE ENGAGEMENT SUPPORT OFFICERS

KESOs are Department staff who work with education and family service providers, key stakeholders and the Koorie community to improve early years' participation, student engagement and wellbeing, student retention and achievement and access to higher education and further training pathways.

KESOs are a critical link between the Department, agencies and communities to improve outcomes for Koorie children and young people. They work with education providers to deliver advice on the establishment of culturally inclusive learning environments and provide guidance to assist the coordination of services to support re-engagement of at-risk Koorie children and young people.

3.2 Working in partnership – engagement programs and providers

3.2.1 NAVIGATOR

The Navigator pilot program is an Education State initiative that supports young people aged 12–17 years who have attended less than 30 per cent of the previous school term. It aims to increase the numbers of young people connected to school and engaged in learning.

Navigator is being piloted in the Mallee, Central Highlands, Western Melbourne, Hume Moreland, Goulburn, Ovens Murray, Southern Melbourne and Bayside Peninsula.

Within each pilot area is a Navigator Coordinator (departmental employee) who manages the implementation of the program locally and a Navigator Provider (contracted CSO) who undertakes case management support with disengaged young people.

The LOOKOUT Centres will refer eligible students living in care to the Navigator program in the pilot sites.

Further information is available on the Navigator pilot program website: <http://www.education.vic.gov.au/about/educationstate/Pages/navigator.aspx>

3.2.2 EDUCATION JUSTICE INITIATIVE

The Education Justice Initiative (EJI) is a Department initiative based at the Melbourne, Dandenong and Heidelberg Children's Courts. The EJI provides education-focused information, advice and support for young people appearing at these courts on criminal charges. Key activities of EJI staff include informing young people, families and support workers about education options; facilitating enrolments in schools, alternative settings, and vocational courses; liaising with schools and the Department to resolve education issues and connect children to necessary support; and providing information to the court about education issues and plans for individual children.

EJI receives referrals from youth justice workers, legal practitioners, magistrates and through outreach at court. Where a young person referred to EJI lives in out-of-home care, EJI staff will contact the relevant LOOKOUT Centre to alert them to the young person's education issues, plan next steps and determine lead responsibilities. EJI staff may also request information from LOOKOUT Centre staff regarding a young person's education plan for provision to court.

3.2.3 FLEXIBLE LEARNING OPTIONS

School is always the preferred location for educating school-aged children and young people. The Department expects all schools to be inclusive and pursue a range of strategies to support students in out-of-home care to remain in school and realise their full potential. However, sometimes life circumstances mean that a small number of students aren't able to attend mainstream schools, and they transition for a short and fixed period to a more flexible and individualised setting that keeps them engaged and learning. In these circumstances, flexible learning options have an important role to play to support students to increase their engagement and achievement and support them back into school and/or onto further education and training. Different types of learning options are appropriate and required in different circumstances, including within school programs, re-engagement programs attached to schools and community-based programs.

For all of these options it is expected that the program is focused on improving the education outcomes of students through delivery of accredited curriculum, as well as providing wellbeing supports. These programs should also have established links to at least one school, with identified pathways for students between the program and the school. This will ensure that enrolling schools continue to have an ongoing responsibility for students in flexible learning programs and that students in out-of-home care are, wherever possible, supported to return to school to complete their education in a mainstream setting.

Department Area teams can provide more information on high quality options available locally.

LOOKOUT CENTRE STUDENTS

4 WHO DO LOOKOUT CENTRES SUPPORT?

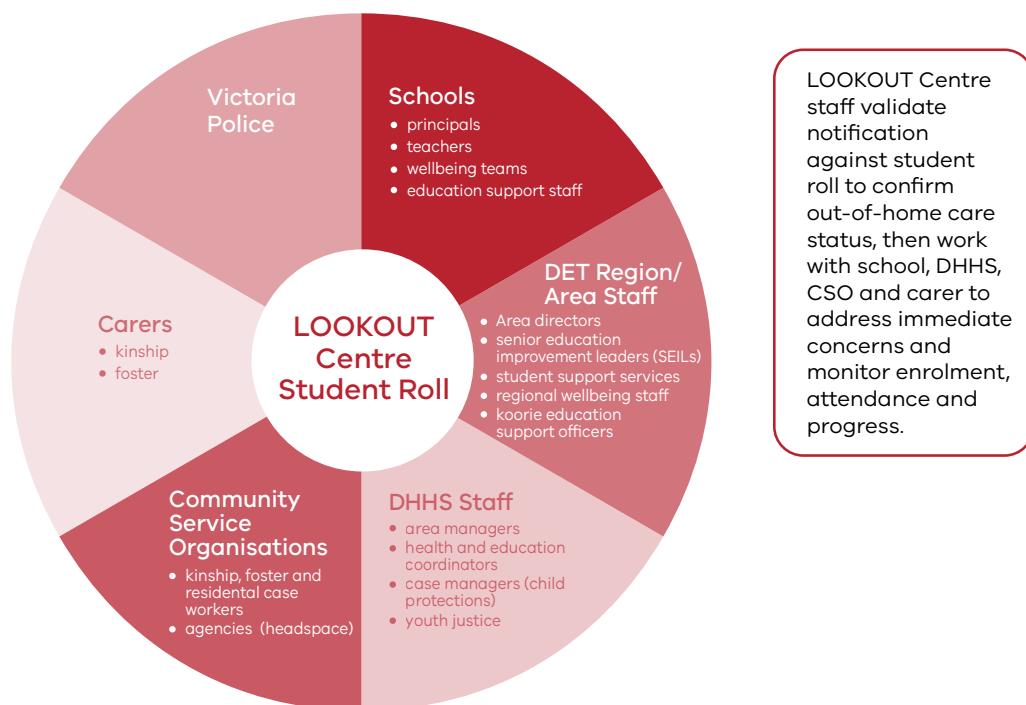
4.1 Who is on the LOOKOUT Centre student roll?

The LOOKOUT Centre student roll (student roll) includes all school-aged children and young people in out-of-home care in Victoria. Data on out-of-home care status from DHHS are matched with school enrolment data by LOOKOUT Centre staff. The student roll will enable greater visibility of the enrolment status of children and young people in out-of-home care, ensuring no one is left behind.

The student roll is the key source of information that underpins and focuses the LOOKOUT Centre's efforts to lift the educational outcomes of children and young people in out-of-home care. The roll will act as the springboard, launching various agents to act in the best interest of the child/young person should they not be enrolled, attending or achieving in school.

The LOOKOUT Centre doesn't receive referrals like a traditional service or program. Because LOOKOUT supports all students in kinship, foster and residential care arrangements, DHHS data provides the basis for the student roll. However, LOOKOUT staff are advised of students in out-of-home care by a range of professionals who work with or have an interest in students in care (see Figure 3 below). LOOKOUT staff will validate this advice against the student roll and confirm any discrepancies with DHHS to ensure that the student roll remains accurate and up-to-date.

Figure 3. Sources and stakeholders informing the LOOKOUT Centre student roll.



4.1.1 AGE RANGE OF STUDENTS

LOOKOUT Centres monitor the educational progress of all Victorian school-aged children and young people in out-of-home care. While the *Education and Training Reform Act 2006* defines compulsory school age as 6 to 17 years, LOOKOUT recognises that students as young as five begin school and that many students do not complete Year 12 or equivalent until they are 18 years and over.

4.1.2 LEGAL STATUS

LOOKOUT Centres are here to support children and young people living in court ordered out-of-home care only, be that in kinship, foster or residential lead tenant care.

4.2 Where do students on the LOOKOUT Centre student roll live and go to school?

The student roll brings together information from DHHS and departmental systems to give an accurate picture of student placement and enrolment status.

4.2.1 EDUCATION PLACEMENT

The educational and care experiences of children and young people in out-of-home care are interdependent, with placement changes often meaning a change in school enrolment, and occasionally a breakdown in school enrolment resulting in a change of placement.

Under the *Education and Training Reform Act* parents (and guardians) are responsible for ensuring that children and young people of compulsory school age

(6–17 years) are enrolled in an appropriate school or training provider, or registered for home schooling.

Children and young people are included on the student roll if they are in out-of-home care and of school age. They are monitored by the LOOKOUT Centre **in the region in which they are enrolled to attend school or registered for home schooling**.

When students change schools, Designated Teachers must make sure the Designated Teacher at the new school is provided with any information they need to assist the transition as quickly as possible. This information should include the IEP along with other school records.

4.2.2 CARE PLACEMENT

DHHS is responsible for making placement decisions for children and young people in care under the *Children, Youth and Families Act*.

Children and young people in out-of-home care often experience a number of placement changes, sometimes at very little notice. This is for a range of reasons, including the capacity of carers to continue to provide a home for the child or young person, or the limited number of foster carers available compared to the number of children and young people in care.

Students are monitored by the LOOKOUT Centre in the region in which they are enrolled to attend school, unless they are not enrolled. In this instance, they are **monitored by the LOOKOUT Centre in which their care placement is located**.

4.2.3 PRINCIPLES UNDERLYING PLACEMENT CHOICE

4.2.3.1 DHHS Best Interest principles

In Victoria, the Best Interests case practice model provides the foundation for working with children, young people and their families to address issues and to provide a supportive and cohesive response. Effective practice requires the development of good working relationships between services, including working in partnership with parent/s, where possible, with the child's best interests as the priority.

The Best Interests principles state that any decision or action taken must consider the protection of the child from harm, the protection of the child's rights and the promotion of the child's development. Consideration must also be given to strengthening family relationships and giving the widest possible assistance to the family and, in relation to an Aboriginal child, to promoting and protecting the child's cultural and spiritual identity and connectedness to their community.

4.2.3.2 Aboriginal Child Placement Principle

The ACPP is a national principle that has been adopted in every Australian jurisdiction and confirmed in legislation. The ACPP arose in Australia in the late 1970s in a time when policy direction in Australia shifted from assimilation to promotion of self-determination and the best interests of children, and was driven by Aboriginal and Torres Strait Islander child care agencies drawing on the experiences of Native Americans.

It is argued that the ACPP is not simply about where or with whom an Aboriginal child is to be placed, but instead it goes further by recognising the expertise of Aboriginal people to make the best decisions concerning Aboriginal children and recognising the importance of maintaining Aboriginal children in their family, community, culture and country.

In Victoria, the ACPP is enshrined in Division 4 of the *Children, Youth and Families Act* by prioritising and specifying the criteria for the placement of Aboriginal children who are unable to remain safely at home.

The hierarchy of placement options for Aboriginal children requiring out-of-home care is specified in section 13 of the *Children, Youth and Families Act* as follows:

- a. within the child's Aboriginal extended family or relatives and, where this is not possible, other extended family or relatives
- b. if, after consultation with the relevant Aboriginal agency, the first option is not possible or feasible, the child may be placed with:
 - i. an Aboriginal family from the local community and within close geographical proximity to the child's natural family
 - ii. an Aboriginal family from another community
 - iii. as a last resort, a non-Aboriginal family living in close proximity to the child's natural family
- c. any non-Aboriginal placement must ensure the maintenance of the child's culture and identity through contact with the child's community.

Children, Youth and Families Act (section 14) requires consideration when placing a child of the self-identification and expressed wishes of the child, ensuring that, if a child's parents are from different Aboriginal communities, there is opportunity for continuing contact with the other parent's family, community and culture should the child not be placed with them. In addition, if the child is placed with non-Aboriginal family members, it is specified that arrangements must be made for the child's continuing contact with their Aboriginal family.



LOOKOUT CENTRES AND THE EDUCATION SYSTEM

5 HOW WILL THE LOOKOUT CENTRE WORK? (PARTNERING AGREEMENT)

The LOOKOUT Centre staff will work with schools and education and training providers to make sure all parties understand and deliver on their obligations under the Partnering Agreement. The LOOKOUT Centre staff can provide advice, support and training to make sure that all education staff are fully supported to meet these obligations, which are designed to make sure that students in out-of-home care have all the best available resources and opportunities to learn and succeed.

5.1 School responsibilities to students in out-of-home care

Enrolling schools and education providers are responsible for the educational achievement and wellbeing of all students. This is especially true of students in out-of-home care, whose educational journey is more likely to be disrupted through multiple placement changes and multiple school enrolments.

Each enrolling school is responsible for providing a safe, calm learning environment for all students. Creating inclusive schools, in which all students are valued and their learning needs understood and met, benefits all students, not just those in out-of-home care.

5.2 Principals and school leadership

Under the Partnering Agreement, school principals and leadership teams are responsible for ensuring that students in out-of-home care have the following:

- an IEP
- a SSG
- a Learning Mentor.

5.2.1 ENROLMENT

As stated in the Partnering Agreement, schools must:

- enrol a child or young person without delay – any delay of more than one day must be endorsed by the Department Regional Director or Catholic Education Diocesan Director
- ensure that accurate information regarding out-of-home care status is recorded in the school's student information record-keeping mechanism (in government schools this is under 'living arrangements' in CASES21)
- liaise with the child's or young person's previous school or early childhood education service to ensure the transfer of relevant information including the IEP or Transition Learning and Development Statement (for children entering prep at a government school)

- establish a SSG in the first week of the child's or young person's enrolment
- support the child or young person to stay at the school or maintain a connection with their school if a change must occur
- when a student leaves the school, provide appropriate information to the new school regarding the child's or young person's learning and support needs to ensure a smooth transition.

Departmental regions and Areas and Diocesan Catholic Education Offices will:

- facilitate the timely and effective enrolment of each child and young person in out-of-home care by providing advice and support to schools
- work with schools and DHHS to resolve any enrolment difficulties in a timely manner.

A child or young person in out-of-home care will generally be enrolled in the neighbourhood school defined as the closest school to their permanent address or placement. Where a child or young person enters out-of-home care or changes placement, the case manager, Designated Teacher, school, parent and carer must give high priority to the stability of the child's or young person's schooling and make every effort to support them to continue to attend their current school. Where this is not possible, the case manager, in consultation with the parent and carer, should consult the Department regional office or the Diocesan Catholic Education Office to identify the closest and most appropriate school.

It is important that the enrolment process occurs quickly and efficiently in order to prevent the student being unable to attend school, as delays to enrolment may increase the likelihood of absences and disengagement.

On enrolment, it is essential that the **case manager** advises the **school principal** in writing that the student resides in out-of-home care. This should also occur where a student who is already enrolled at a school enters out-of-home care. The **school principal** must then ensure this information is entered into the school's student information record-keeping mechanism (for government schools this is under 'living arrangements' in CASES21). The student roll will be updated automatically when students enrol in government schools. Catholic schools will need to ensure that the LOOKOUT Centre is advised of new enrolments.

The **Designated Teacher** is the first point of contact within the school and has a key role in supporting students in out-of-home care to make a smooth transition to their new school, including making sure

there are effective arrangements in place for the speedy transfer of information between relevant agencies. At enrolment, the **Designated Teacher** and **case manager** should obtain appropriate information and establish the necessary supports to assist the child's or young person's introduction into the school.

A well-planned introduction into a school community is necessary for a child or young person in out-of-home care to effectively engage and regularly attend school. In situations where the child or young person changes school, the **current Designated Teacher** must make sure the **Designated Teacher** at the new school is provided with the information they require. The **case manager** should also assist the **Designated Teacher** at the new school in accessing appropriate information to support the development of an effective educational program for the child or young person.

Some children and young people in out-of-home care may not have been enrolled or participated in schooling for a period of time. These children and young people need particular attention and support to re-engage in a school or educational program tailored to their needs. The LOOKOUT Centre, in partnership with schools and regional offices of the Department and Catholic education dioceses can provide advice and assistance to case managers to identify an appropriate education or registered training program and to support enrolment processes.

5.2.2 ATTENDANCE

Students are expected to attend the school in which they are enrolled, during normal school hours every day of each term, unless:

- there is an approved exemption from school attendance for the student, or
- the student is registered for home schooling and has only a partial enrolment in a school for particular activities.

Daily school attendance is important for all children and young people to succeed in education and to ensure they do not fall behind both socially and developmentally. Children and young people who regularly attend school and complete Year 12 or an equivalent qualification have better health outcomes, better employment outcomes, and higher incomes across their lives. It is important that children develop habits of regular attendance at an early age.

A student is considered to be in attendance at school when involved in an offsite curriculum program or other activity organised by the school (for example an excursion or camp), or where the student is engaged in a re-engagement program or another school part-time to make up full-time attendance. In addition, the schools or settings have to have agreed to the time fractions, allocation of Student Resource Package (or other funding) and the educational plan for the student.

5.2.3 STUDENT SUPPORT GROUP

The SSG is the primary mechanism through which schools, case managers, carers, families and support services collaborate to plan and support the education of a child or young person in out-of-home care and the development of the IEP. The aim of a SSG is to ensure that those with the knowledge of and responsibility for the child or young person work together to support engagement, attendance and achievement, and establish shared educational and social goals. This group also monitors and evaluates the child or young person's progress.

School principals must ensure a SSG is established for all children and young people in out-of-home care to identify and address issues that impact on their educational achievement. Schools must hold at least two SSG meetings during the year, and convene meetings more often if required. SSG meetings can also be held at any time at the request of the school, case manager, parent, carer or student. Carers and parents (where appropriate) should also participate in the regular parent/carer/teacher interviews scheduled by the school.

There may be other meeting structures in place that are comparable to a SSG, such as a Student Behaviour Support Group in Catholic schools. Rather than establish a separate SSG, the Student Behaviour Support Group or similar meeting can perform the functions of the SSG.

LOOKOUT Centre staff may join a SSG in cases of complex student need, or at the request of a member of the SSG. They may act as advocate for the student or their carer to ensure decisions are made in the student's best interests.

5.2.4 STUDENT SUPPORT GROUP GUIDELINES

Student Support Group Guidelines include advice on conducting an effective SSG. The aims of the SSG Guidelines are to:

- ensure that those with the most knowledge of, and responsibility for the student, work together to establish shared goals for the student's education
- plan any reasonable adjustments for the student to access the curriculum and participate in their education
- provide educational planning that is ongoing throughout the student's school life
- monitor the progress of the student.

In order to achieve the above aims it is the responsibility of the SSG to:

- identify the student's needs
- determine any adjustments to be made to the curriculum, teaching and learning
- plan an appropriate educational program
- develop a personalised learning and support plan

- discuss the plan with teachers and provide support to implement the learning plan
- provide advice to the school principal concerning the additional educational and support needs of the student and what may be required to meet these needs
- review and evaluate the student's program at least twice, and at other times if requested by any member of the group.

5.2.5 INDIVIDUAL EDUCATION PLANS

The SSG is responsible for developing an IEP to support the educational achievement and engagement of the student in out-of-home care. IEPs may also be known as Individual Learning Plans. The purpose of an IEP is to describe a set of strategies to address the particular educational needs of the student. IEPs should be reviewed on a regular basis according to the needs of the student – at least twice per year. If a student changes school, the current school must forward the IEP to the new school at the time of enrolment.

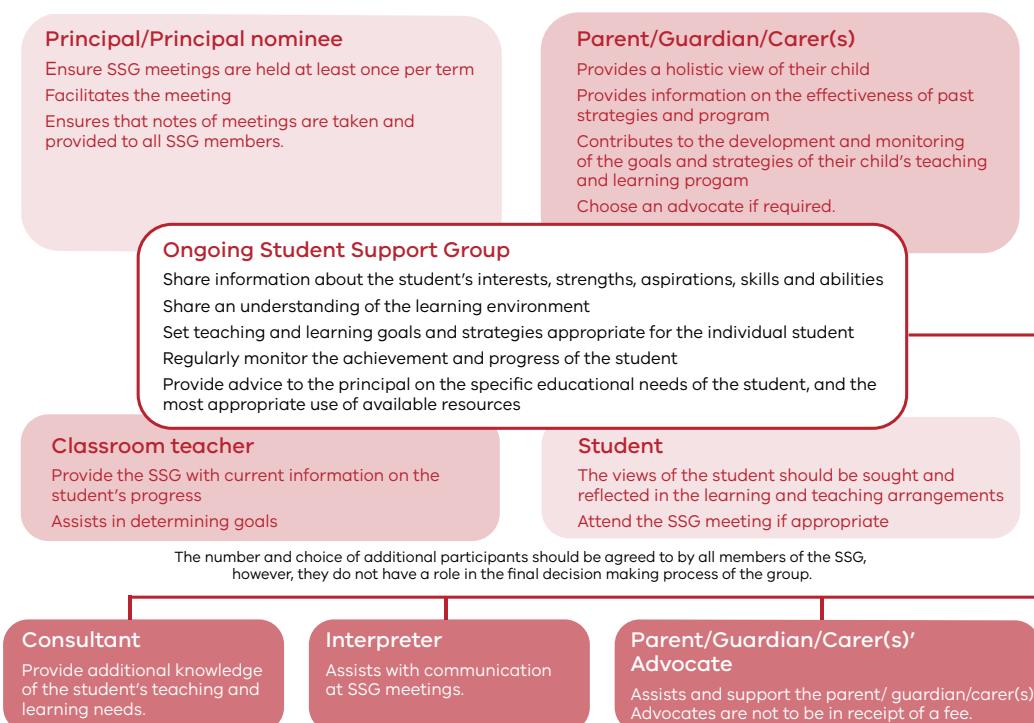
5.2.6 EFFECTIVE AND HIGH QUALITY IEPs

Where they are used effectively, IEPs improve the educational experience of the student by helping everyone gain a clear and shared understanding about the teaching and learning provision necessary to best meet the student's education needs.

A good IEP sets high quality expectations of progress and puts in place the additional supports the student needs in order to succeed. To be effective the IEP should:

- identify developmental and educational needs in relation to skills, knowledge, subject areas and experiences
- set short- and long-term educational targets agreed in partnership with the student and the carer where appropriate
- be a record of planned actions – e.g. on homework, extra tuition, study support (including the date by which these should be done) – that the school and others will take to promote the educational achievement of the student based on an assessment of his or her educational needs
- include information on how the progress of the student will be rigorously monitored
- record details of specific interventions and targeted support that will be used to make sure personal education targets are met

Figure 4. Roles and Responsibilities for the SSG



- say what will happen or is already happening to put in place any additional support which may be required
- set out how a student's aspiration, self-confidence and ambition are being nurtured, especially in consideration of longer-term goals towards further and higher education, work experience and career plans
- be a record of the student's academic achievements and participation in the wider activities of the school and other out-of-school learning activities (e.g. sporting, personal development, community)
- provide information which helps all who are supporting the student's educational achievement to understand what works for him or her
- have clear accountability in terms of who within the school is responsible for making the actions identified in the plan happen.

5.2.7 IMPLEMENTING AND REVIEWING THE IEP

The Designated Teacher is responsible for leading the IEP's development and implementation in the school.

The Designated Teacher should make sure that the IEP is an effective tool to help the school do everything possible to support the student's educational progress.

If the student is not on track to meet their targets, the Designated Teacher will work with the student's responsible teacher and SSG to promote the best way forward with the student in order to make progress.

5.2.8 QUALITY ASSURING THE IEP

LOOKOUT Centre staff undertake an annual moderation of all IEPs for students in out-of-home care in collaboration with Designated Teachers. This moderation serves two purposes. First, it enables a region-level assessment of the quality of IEPs, so that the LOOKOUT Centre team can target efforts to support those schools who may require additional training to develop better quality plans for students. Second, it provides a baseline against which student achievement for the year can be measured. This information is recorded by Designated Teachers and LOOKOUT Centre staff, and will assist schools to monitor the progress of students, modify approaches where necessary, and stay on track to support students attaining their goals. Designated Teachers in schools have lead responsibility to ensure each student in out-of-home care has a quality IEP that will help the school do everything possible to support the student's educational progress. In conjunction with LOOKOUT Centres, Designated Teachers monitor students' IEPs and ensure students are meeting their learning goals.

5.2.9 EDUCATIONAL NEEDS ASSESSMENTS

There has been a substantial amount of research on the impact of abuse, trauma and disrupted attachment on brain development which can impact on school engagement and performance. Research indicates that children and young people in out-of-home care often have low levels of educational achievement and have much lower mean test scores for reading and numeracy than the general student population. Consequently, children and young people who are in out-of-home care often need targeted support to improve their educational progress and achievement.

Under the Partnering Agreement, it is the responsibility of SSS to provide an ENA for every child or young person enrolled in a government school who lives in kinship or foster care and has been in out-of-home care for three months or longer.

DHHS funds will assist DET and schools to develop ENAs for children and young people living in residential care in the following circumstances:

- a child or young person is not enrolled
- a child or young person is attending school intermittently
- an ENA is complex and needs several visits to complete, or
- if any other barriers exist to a child or young person receiving a timely ENA through SSS.

In developing an ENA, SSS and other professionals draw from a wide range of assessments. These can include:

- screening tools
- standardised psychometric assessments (cognitive assessments, educational achievement assessments)
- behaviour checklists
- speech and language assessments
- observations
- social competency.

An ENA does not have to include any specific assessments. The professional judgement of the assessor determines what assessment should be undertaken for each child or young person depending on their individual circumstances.

5.2.10 SUSPENSION AND EXPULSION

The *Student Engagement and Inclusion Guidance* provides schools with the information and tools they need to use their local knowledge to create and maintain positive, safe and engaging school cultures. The *Student Engagement and Inclusion Guidance* includes advice, resources and strategies for schools on:

- developing a Student Engagement Policy
- promoting positive student behaviour
- responding to challenging behaviour.

Disciplinary measures should always be proportionate to the nature of the behaviour and are best employed in combination with support measures to identify and address causes of the behaviour. Suspension and expulsion are serious disciplinary measures and are best reserved for incidents when other measures have not produced a satisfactory response or where there is an immediate threat to another person and immediate action is required.

Suspension is the process of excluding a student from the standard instruction or educational opportunities being provided to other students at the school for part of a day, a full day, or multiple days. Suspension is a serious disciplinary measure and is best reserved for incidents when other measures have not produced a satisfactory response. The procedures for suspension are set out in Ministerial Order 625.

Expulsion is the process of permanently excluding a student from the school in which he or she is currently enrolled. As the most extreme disciplinary measure available to a principal, it should only be used after other forms of behaviour management have been exhausted and the school can demonstrate evidence that this has occurred. The student's behaviour must also be of such magnitude that expulsion is the only available mechanism.

Grounds and procedures for expulsion are set out in Ministerial Order 625.

A school must advise the Department's Regional Director if they believe expulsion is the best course of action for a student in out-of-home care. The regional office, school and LOOKOUT Centre will work together to determine a solution that is in the best interests of the student.

5.3 Department of Education and Training related supports to students

5.3.1 STUDENT SUPPORT SERVICES

The role of the SSS has been described in detail with section 3.1.6 of this handbook.

5.3.2 PRIMARY WELFARE OFFICER (PWO) INITIATIVE

The Primary Welfare Officer (PWO) initiative is designed to enhance the capacity of schools to develop positive school cultures and to support students who are at risk of disengagement and not achieving their educational potential. Eligible schools are provided with funding to employ a PWO, who may be an existing or new staff member.

PWOs promote a whole school approach to health and wellbeing within the school community and work in collaboration with students and parents; school staff including principals, teachers, aides, specialist staff, nurses and SSS officers and with broader community agencies. The initiative complements and extends existing programs that enhance student health and wellbeing, engagement, retention, academic achievement and the acquisition of life skills.

5.3.3 STUDENT WELFARE COORDINATOR

Schools can choose to employ Student Welfare Coordinators (SWC) to support their students. The role of the SWC is vital in responding to the needs of Victoria's young people. They are responsible for helping students handle issues such as truancy, bullying, drug use and depression:

- SWCs work with other welfare professionals and agencies to address student needs
- funds have been made available to all government secondary colleges to employ SWCs.

5.3.4 PROGRAM FOR STUDENTS WITH A DISABILITY

The Department is committed to delivering an inclusive education system that ensures all students have access to a quality education that meets their diverse needs. The Victorian Government has outlined its vision for inclusive school education in the Education State, with the publication of the Program for Students with Disabilities Review and the government's response, *Inclusive education for all students with disabilities and additional needs* (2016).

The PSD is a targeted supplementary funding program for Victorian Government schools. It provides resources to schools to support the provision of school-based educational programs for a defined population of students with disabilities, with moderate to high needs. Under the program, resources are provided directly to Victorian Government schools to support the provision of school-based educational programs for eligible students with disabilities.

The PSD provides supplementary resources to support schools achieve three broad objectives for students with disabilities:

1. Student learning

Support and improve the learning of students. Key performance indicators include: reporting through the Victorian Curriculum framework, NAPLAN and school based assessment.

2. Student engagement and wellbeing

Support the access and participation of students in an inclusive schooling system. Key performance indicators include: attendance, retention and student school satisfaction survey.

3. Student pathways and transitions

Support transitions for students into, through and post school. Key performance indicators include attendance, retention and On Track data. Specific eligibility criteria apply for the PSD program.

Students living in out-of-home care who qualify for PSD funding are eligible to receive all the supports available to them.

5.4 Catholic Education Commission Victoria supports to students

The Catholic Education Commission of Victoria (CECV) is the governing body advising all Catholic schools in Victoria. CECV ensures that Catholic schools comply with relevant legislation and statutory roles.

The CECV commits to creating safe, supportive and inclusive learning environments where human dignity is respected and authentic relationships are fostered. Supporting students in out-of-home care to engage in successful, meaningful learning opportunities can make a significant contribution to improving overall life outcomes. The CECV is committed to working with schools to ensure the rights of children and young people in out-of-home care are protected and that they are able to realise their full potential through successful school engagement and improved academic performance, as per the requirements outlined within the Partnering Agreement.

Information regarding student supports is available at www.cecv.catholic.edu.au/Our-Schools/Student-Services

5.5 Independent Schools Victoria supports to students

Independent schools in Victoria are individual legal entities represented by their not-for-profit member service organisation, Independent Schools Victoria, which is not a system authority. As a peak body, Independent Schools Victoria represents the interests of its member schools, providing products and services that assist them to deliver quality educational outcomes.

The principles, processes and requirements outlined within the Partnering Agreement are supported and endorsed by Independent Schools Victoria however they cannot be mandated for individual schools.

While the Partnering Agreement can guide the work of staff in independent schools, these schools are individual legal entities subject to their own policies and procedures. Independent schools have their own enrolment policies and record keeping processes.

Schools will work with each student to ensure that they are educated in a way that maximises their potential in education and future life.

Schools will monitor each student's attendance, academic achievement and wellbeing and liaise with the relevant person with respect to these matters.

Independent Schools Victoria supports their member schools by promoting the use of best practice processes as outlined in the Partnering Agreement.

Information regarding student supports is available at www.is.vic.edu.au/managing-a-school/compliance-framework/school-operations/student-welfare/

5.6 LOOKOUT Centre's professional development to schools

LOOKOUT Centre staff bring a multidisciplinary focus to their work with schools. With expertise in teaching, psychology and Aboriginal cultural inclusion, LOOKOUT Centre staff can deliver professional development to school leadership teams in the following areas:

- managing challenging behaviours
- leading an effective SSG
- trauma informed classroom practice
- Aboriginal cultural awareness training
- developing and implementing safety plans
- transitions (within and between schools, placements and life stages)
- training and information for foster and kinship carers.

LOOKOUT Centre staff training is typically delivered to school leadership teams in two- or three-hour sessions. Schools seeking training in other areas should discuss their training needs with the LOOKOUT Centre team operating in their region.

LOOKOUT CENTRES AND THE CARE SYSTEM

6 HOW WILL THE LOOKOUT CENTRE WORK WITH CHILD PROTECTION PRACTITIONERS AND CASE MANAGERS?

6.1 Roles and accountabilities under the Partnering Agreement

Responsibility for students in out-of-home care is shared across government departments, agencies and contracted providers. These roles and accountabilities have been mapped in accordance with the Partnering Agreement. A snap shot of these can be found at Figure 5.

Figure 5. Roles and responsibilities for various agents under the Partnering Agreement

	LOOKOUT Centre	DET region and area offices	DHHS division and area offices	Schools	CPP & CSO
Roles	<ul style="list-style-type: none"> provide professional development and advice to schools with a focus on the learning and development needs of students in out-of-home care (in conjunction with experienced area-based staff) maintain student data to identify and monitor students with particular needs work in collaboration with DET and DHHS staff to ensure students receive all supports to which they are entitled. 	<ul style="list-style-type: none"> provide services to support the health and wellbeing of children and young people, particularly the vulnerable, to enable them to learn and develop to their full potential work closely with government schools to drive strong school improvement and student outcomes work with LOOKOUT Centre staff as part of the area-based multidisciplinary team to support students in out-of-home care, including service support, health and wellbeing and Koorie teams. 	<ul style="list-style-type: none"> provide integrated DHHS services to achieve positive client outcomes at the local level work closely with LOOKOUT Centre staff and DET Area-based multidisciplinary teams to ensure that the education needs of children and young people are included in care planning and care decisions ensure that the work of the LOOKOUT Centre is aligned with and promoted through DHHS, Child FIRST, family service organisations, foster and kinship carers and residential care staff. 	School must: <ul style="list-style-type: none"> enrol students without delay establish a SSG, IEP and appoint a Learning Mentor provide a referral for an ENA for eligible students participate in care planning Case managers must: <ul style="list-style-type: none"> advise principals in writing when a student in out-of-home care enrolls participate in SSGs and contribute to IEPs provide schools with up-to-date advice on any changes. 	
Accountabilities	<ul style="list-style-type: none"> the LOOKOUT Centre has a specific accountability for collecting and maintaining accurate data on students in out-of-home care to tailor supports for students and provide regular reports of student achievement, attendance and engagement the accountabilities of DET staff to students in out-of-home care are captured in the Education and Training Outcomes Framework and the Regional Performance Monitoring Framework all regional staff are accountable for ensuring that students in out-of-home care are enrolled, attending school or an education setting all DET regional staff are accountable for the educational outcomes of Aboriginal students. 	<ul style="list-style-type: none"> accountabilities of DHHS child protection staff to the education of children in out-of-home care is directed by <i>Children, Youth and Families Act</i> practice guidance is included in the Child Protection Manual these have not changed with the introduction of LOOKOUT Centres. 	<ul style="list-style-type: none"> the accountabilities of schools, CPP and community service agencies are outlined in the Partnering Agreement these have not changed with the introduction of LOOKOUT Centres. 		

Within the context of an educational or vocational plan, some examples of appropriate uses for education brokerage include:

- specialised assessments such as neuropsychological or autism assessments
- school or training related equipment
- individual tuition
- homework support
- glasses
- hearing tests
- hearing aids
- speech pathologist or therapist
- iPad/laptop for educational purposes.

Client expenses funding should cover routine educational costs, for example:

- school uniforms
- school fees
- stationery.

Health and Education Assessment Coordinators (HEACs) are responsible for overseeing and managing the education brokerage allocation. HEACs work closely with LOOKOUT Centre staff to identify children and young people who are eligible for brokerage funding and to ensure that the funds are provided for the student.

6.3 Professional development to child protection practitioners and case workers

LOOKOUT Centre staff work closely with the CPPs and case workers in their local DHHS division. This includes the provision of professional development in the following areas:

- understanding the roles, responsibilities and obligations of the Partnering Agreement
- what makes a high quality IEP and how it relates to care planning
- how to effectively participate in SSG meetings
- assisting carers to support their student's education
- the role of the Designated Teacher in the school
- how to engage effectively with schools.



LOOKOUT CENTRES AND CARERS

7 HOW WILL THE LOOKOUT CENTRE WORK WITH CARERS?

7.1 Foster and kinship carers

The responsibilities of foster and kinship carers can vary according to the length of time that a child or young person is placed with them, the age of the child or young person, the depth of experience of the foster carer and the involvement of the parent in the child's or young person's life. Foster and kinship carers should ensure that the child or young person in their care has access to learning, is encouraged to make the best use of it and to fulfil their potential. While this may not always be explicitly stated, this access and encouragement might include:

- working closely with the child's or young person school or educational placement
- taking an active interest in their homework
- encouraging them to value learning
- supporting their attendance at school
- advocating for their individual needs.

The LOOKOUT Centre can help foster and kinship carers by providing advice and support regarding:

- how to be involved in the SSG
- how to navigate the school system and develop a positive relationship with the school, including identifying the Designated Teacher in the school
- providing information sessions on how to be involved with and help students at school
- how to advocate for the needs of the child in their care.

Importantly, in all engagements with foster and kinship carers, the LOOKOUT Centre will make sure that carers have high expectations of the child or young person they care for and that they engage meaningfully with learning at school and at home.

The LOOKOUT Centre web page includes advice and resources specifically for carers: www.education.vic.gov.au/about/educationstate/Pages/lookout.aspx.

7.2 Residential carers

The responsibilities of residential and lead tenant care workers match those of a foster carer in terms of supporting the education of children and young people in care. As with foster and kinship carers, LOOKOUT Centres can provide guidance and support to residential and lead tenant care workers regarding:

- how to be involved in the SSG
- how to navigate the school system and develop a positive relationship with the school, including identifying the Designated Teacher in the school
- how to advocate for the needs of the child in their care.

The LOOKOUT Centre holds the same expectations of all carers: that they will have high expectations of the child and young person in their care and that they will engage meaningfully with learning at school and at home. This includes making sure that children and young people of school age are attending school and prioritising school attendance as part of care.

The LOOKOUT Centre web page includes advice and resources specifically for residential carers: www.education.vic.gov.au/about/educationstate/Pages/lookout.aspx.

LOOKOUT CENTRES – ADVOCACY AND DECISION MAKING

8 HOW ARE LOOKOUT CENTRES SET UP IN EACH REGION?

8.1 Structure

LOOKOUT Centre Principals operate within the Department's regional structure. Under the current model, Regional Directors are accountable for their regions' contribution to improved learning and development outcomes and report directly to Deputy Secretary, Regional Services Group. Area Executive Directors are accountable for ensuring the effective operation of the Partnering Agreement in their area.

Each LOOKOUT Centre Principal will lead a multidisciplinary team comprising a mix of professionals with the diverse skills required to support children and young people in out-of-home care. The Centre's staffing profile and roles and responsibilities are detailed in section 2.3.

8.1.1 AUTHORITY OF LOOKOUT CENTRE PRINCIPALS

LOOKOUT Centre Principals are authorised as senior members of the Department's regional team to advocate for the best outcomes for children and young people in out-of-home care. This includes negotiating with school principals, DHHS senior leaders and the Department's Regional Executive to broker the best educational outcomes for students in out-of-home care.

8.2 Decision making principles and issues resolution

Sometimes matters will arise between schools, case managers, students and carers that require quick resolution. These might involve exclusions from school or placement decisions that have an unintended consequence for a student's ongoing engagement at school.

The LOOKOUT Centre does not replace the responsibilities of schools, case managers and carers in relation to a child's or young person's education. However, they may at times be the first point of contact in a matter that needs to be resolved and therefore may facilitate a resolution.

Guiding principles for managing issues relating to a child's or young person's education are:

- immediate safety of children and young people is always the priority
- common-sense should prevail
- the issue should be resolved as close to its point of origin as possible
- escalation points should be clear
- resolution should be prompt.



LOOKOUT CENTRES – MEASURING CHANGE

9 DATA AND MONITORING

9.1 The LOOKOUT Centre student roll: the student database

Out-of-home care placements for children and young people are often temporary and transient. As children and young people move from carer to carer, it is common for them also to move schools. This makes it particularly difficult for the Department to keep track of where these students are. In order to provide a more accurate and comprehensive picture of Victoria's out-of-home care population, LOOKOUT Centres will have a new database linking validated and authorised DHHS data with validated and authorised student enrolment records. This database is consistent with both privacy and health records legislation and will be operating in 2017.

With the consent of DHHS, LOOKOUT Centres securely store and match information that allows the Department and DHHS staff to have a full picture of the education status of students living in out-of-home care.

9.2 Information sharing

The Department, which includes all Victorian Government schools, values the privacy of every person and is committed to protecting information that schools collect.

The LOOKOUT Centre collects and securely holds student enrolment information for students in out-of-home care in full compliance with Victorian privacy law – comprising the *Health Records Act 2001* and the *Privacy and Data Protection Act 2014*.

The LOOKOUT Centre web page includes advice to students and parents or guardians regarding:

- the information collected in the student roll
- why it is collected
- what it is used for
- how students, parents or guardians can access their information or make a complaint.

The LOOKOUT Centre Privacy Statement is on the LOOKOUT Centre webpage:
[www.education.vic.gov.au/about/educationstate/
Pages/lookout.aspx](http://www.education.vic.gov.au/about/educationstate/Pages/lookout.aspx).

9.2.1 HEALTH RECORDS ACT

The *Victorian Health Records Act* protects health information handled by the Victorian public and private sectors.

Health information is a specific type of personal information. Health information is considered personal information, that is, information or an opinion about the physical or mental health, or a disability of an individual. It includes any personal information collected to provide a health service.

The *Victorian Health Records Act* prescribes 12 Health Privacy Principles (HPPs) that apply to how all health information is handled in Victoria.

9.2.2 PRIVACY ACT

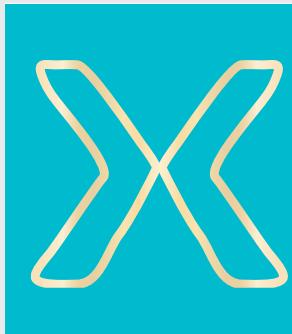
The *Victorian Information Privacy Act 2000* covers the handling of all personal information except health information in the public sector in Victoria. The Information Privacy Principles (IPPs) regulate how government agencies (e.g. schools) must manage personal information. They cover how and when personal information can be collected, how it should be used and disclosed, and storage and security. The Act also allows individuals to access aspects of the information and have it corrected if it is incorrect.

9.3 Evaluation and measuring success

The successes of the LOOKOUT Centre will be measured by:

- improvements in educational outcomes for students in out-of-home care through enrolment, attendance, school engagement, and the proportion of students meeting their own personal goals
- improved student wellbeing and resilience, through consideration of a series of indicators
- more effective service delivery, evidenced through improved compliance with the Partnering Agreement and views regarding collaboration between service systems.

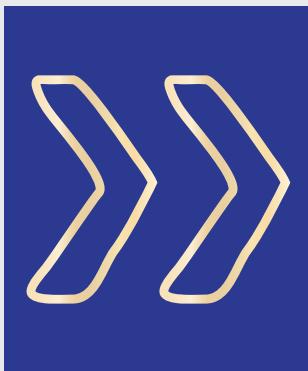
Figure 6. Measurements and benefits informing evaluation



Benefit: Improved educational outcomes 40%

Measures:

- percentage of school aged students under statutory orders in out-of-home care enrolled with LOOKOUT Centre
- attendance rates
- explained and unexplained absences
- number and length of suspensions
- number of expulsions
- composite of engagement indicators
- proportion of students on the LOOKOUT Centre roll meeting their annual IEP progress measures.



Benefit: Increased student wellbeing and resilience 30%

Measures:

- proportion of students on LOOKOUT Centre roll indicating increased wellbeing and/or a more positive outlook
- growth in the proportion of children reporting high levels of psychological resilience
- proportion of students who feel connected to their school
- proportion of students with a positive opinion about their school providing a safe and orderly environment for learning
- proportion of students feeling physically safe at school
- proportion of students reporting a positive opinion about teacher empathy
- proportion of students reporting a positive opinion of school (and student) morale
- proportion of students who experience bullying behaviour at school.



Benefit: More effective service delivery 30%

Measures:

- Designated Teacher appointments
- SSG established in each school and meet at least twice per year
- IEPs completed for all students in out-of-home care and reviewed at least twice per year
- all students in care more than three months have an ENA completed
- Learning Mentors are appointed by the school for all students on the LOOKOUT Centre roll
- introduce information management system
- professional development provided to all schools, carers, CPP and case workers
- attendance by education sector staff at care team meetings
- improvement in data and information sharing between the Department and DHHS
- increased attendance at SSG by case managers.

These success measures are consistent with national and state frameworks, including the *National Framework for Out-of-Home Care* and the *Department's Outcomes Performance Framework and Regional Performance Framework*. Where possible, measures allow for a direct comparison with the broader student cohort, so that we can see a clearer comparative assessment of student engagement, wellbeing and achievement. Targets are consistent with the Department's Education State Targets.

The focus of 2016 was to establish measurement approaches to determine baseline performance. This allows the Department to set consistent targets for all four LOOKOUT Centres, grounded in known baseline data, for 2017 and beyond.

Agreed, consistent LOOKOUT Centre measurement approaches will be in place for all four regions in 2017.

LOOKOUT Centre Principals will report to their Regional Executive Teams. Centres will have the capacity to provide reporting on a range of education, wellbeing and system indicators of children and young people in out-of-home care at the Area, regional and state level.



RESOURCES AND APPENDICES

10 RESOURCES

10.1 Departmental websites

Complaints, unsatisfactory performance and misconduct

www.education.vic.gov.au/hrweb/workm/Pages/conduct.aspx

Diversity and Equity

www.education.vic.gov.au/hrweb/divequity/Pages/default.aspx

Equal Opportunity

www.education.vic.gov.au/hrweb/divequity/Pages/default_eeo.aspx

Expulsion Considerations

www.education.vic.gov.au/school/principals/participation/Pages/expulsionconsiderations.aspx

HRWeb

www.education.vic.gov.au/hrweb/Pages/default.aspx

Legislation

www.education.vic.gov.au/hrweb/employcond/Pages/legislat.aspx

Managed Individual Pathways

www.education.vic.gov.au/school/principals/finance/Pages/srpref055.aspx

Marrung Aboriginal Education Plan 2016-2026

www.education.vic.gov.au/Documents/about/programs/aboriginal/Marrung_Aboriginal_Education_Plan_2016-2026.pdf

National School Chaplaincy Programme

www.education.vic.gov.au/school/principals/health/Pages/nscpchaplaincy.aspx

Public Liability Insurance

www.education.vic.gov.au/school/principals/spag/finance/pages/publicliability.aspx

Safety, Health & Wellbeing

www.education.vic.gov.au/hrweb/safetyhw/Pages/default.aspx

Senior Secondary Re-engagement

www.education.vic.gov.au/school/principals/finance/Pages/srpref053.aspx

School Policy & Advisory Guide

www.education.vic.gov.au/school/principals/spag/Pages/spag.aspx

Suspension Considerations

www.education.vic.gov.au/school/principals/participation/Pages/suspensionconsiderations.aspx

Vocational Education and Training delivered to secondary school students

www.education.vic.gov.au/school/principals/finance/Pages/srpref056.aspx

10.2 Other websites

Aboriginal Child Placement Principle Guide

www.dhs.vic.gov.au/__data/assets/pdf_file/0006/580614/aboriginal-child-placement-principle-guide-2002.pdf

Child Protection Manual

www.cpmanual.vic.gov.au/

Commission for Children and Young People

www.ccyp.vic.gov.au/

Education provider on the State Register

www.vrqa.vic.gov.au/StateRegister/Search.aspx/Search

Health Records Act

www2.health.vic.gov.au/about/legislation/health-records-act

Human Rights Charter

www.education.vic.gov.au/hrweb/workm/Pages/Human_Rights.aspx

Information Privacy Act 2000 (Vic)

[www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e92000e23be/4BE13AE4A4C3973ECA256E5B00213F50/\\$FILE/00-098a.pdf](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e92000e23be/4BE13AE4A4C3973ECA256E5B00213F50/$FILE/00-098a.pdf)

Program requirements for children in residential care

www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/program-requirements-for-children-in-residential-care

Program requirements for the Cultural Support Plan Program

www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/program-requirements-for-the-cultural-support-plan-program

The Best Interests framework for vulnerable children and youth

www.dhs.vic.gov.au/__data/assets/pdf_file/0010/586081/ecec_best_interest_framework_proof.pdf

10.3 Resources

- Child Safety Commissioner, (2007) *Calmer Classrooms: A Guide to Working with Traumatised Children* State Government Victoria, Melbourne
- Child Family Community Australia, (2016) *Children in care*. [online] Available at: <https://aifs.gov.au/cfca/publications/children-care> [Accessed 19 Sep. 2016].
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- Victorian Legislation and Parliamentary Documents, (2005) *Children, Youth and Families Act 2005*, Act No. 96/2005. [online] Available at: [http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e9200e00e23be/15A4CD9FB84C7196CA2570D00022769A/\\$FILE/05-096a.pdf](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e9200e00e23be/15A4CD9FB84C7196CA2570D00022769A/$FILE/05-096a.pdf) [Accessed 19 Sep. 2016].
- Victorian Legislation and Parliamentary Documents (2006) *Education and Training Reform Act 2006*, Act No. 24/2006. [online] Available at: [http://www.legislation.vic.gov.au/domino/web_notes/ldms/pubstatbook.nsf/f932b66241ecf1b7ca256e92000e23be/575C47EA02890DA4CA25717000217213/\\$FILE/06-024a.pdf](http://www.legislation.vic.gov.au/domino/web_notes/ldms/pubstatbook.nsf/f932b66241ecf1b7ca256e92000e23be/575C47EA02890DA4CA25717000217213/$FILE/06-024a.pdf) [Accessed 19 Sep. 2016].

11 APPENDIX

11.1 Legislative Framework

11.1.1 CHILDREN, YOUTH AND FAMILIES ACT 2005

The *Children, Youth and Families Act* section 1 sets out provisions:

- a. for community services to support children and families; and
- b. for the protection of children; and
- c. in relation to children who have been charged with, or who have been found guilty of, offences; and
- d. to continue the Children's Court of Victoria as a specialist court dealing with matters relating to children.

There are specific provisions in relation to Aboriginal agencies (sections 6 and 18A–D) and Aboriginal child placement principles (sections 13–14).

Division 2, section 10 of the *Children, Youth and Families Act* outlines a set of best interest principles which must underpin all decisions by those administering the Act. Those principles most relevant to the education of children and young people in state care include:

- 10(1) for the purposes of this Act the best interests of the child must always be paramount;
- 10(2) when determining whether a decision or action is in the best interests of the child, the need to protect the child from harm, to protect his or her rights and to promote his or her development (taking into account his or her age and stage of development) must always be considered;
- 10(3)(c) the need, in relation to an Aboriginal child, to protect and promote his or her Aboriginal cultural and spiritual identity and development by, wherever possible, maintaining and building their connections to their Aboriginal family and community;
- 10(3)(d) the child's views and wishes, if they can be reasonably ascertained, and they should be given such weight as is appropriate in the circumstances;
- 10(3)(e) the effects of cumulative patterns of harm on a child's safety and development;
- 10(3)(f) the desirability of continuity and permanency in the child's care;

- 10(3)(n) the desirability of the child being supported to gain access to appropriate educational services, health services and accommodation and to participate in appropriate social opportunities;
- 10(3)(o) the desirability of allowing the education, training or employment of the child to continue without interruption or disturbance.

Section 11 of the *Children, Youth and Families Act* outlines a set of decision-making principles that must be considered by the Secretary of Department of Health and Human Services or a community service when making a decision or taking an action in relation to a child. Those of most relevance to the education of children and young people under the care of the state include:

- 11(b) where a child is placed in out-of-home care, the child's care giver should be consulted as part of the decision-making process and given an opportunity to contribute to the process;
- 11(c) the decision-making process should be fair and transparent;
- 11(d) the views of all persons who are directly involved in the decision should be taken into account;
- 11(f) the child and all relevant family members (except if their participation would be detrimental to the safety or wellbeing of the child) should be encouraged and given adequate opportunity to participate fully in the decision-making process;
- 11(g) the decision-making process should be conducted in such a way that the persons involved are able to participate in and understand the process, including any meetings that are held and decisions that are made;
- 11(h) persons involved in the decision-making process should be:
 - provided with sufficient information, in a language and by a method that they can understand, and through an interpreter if necessary, to allow them to participate fully in the process; and
 - given a copy of any proposed case plan and sufficient notice of any meeting proposed to be held; and
 - provided with the opportunity to involve other persons to assist them to participate fully in the process; and
 - if the child has a particular cultural identity, a member of the appropriate cultural community who is chosen or agreed to by the child or by his or her parent should be permitted to attend meetings held as part of the decision-making process.

The Aboriginal Child Placement Principle holds that if it is in the best interests of an Aboriginal child to be placed in out-of-home care, in making that placement, regard must be given to the advice of the relevant Aboriginal agency, and that as a priority an Aboriginal child must be placed with the Aboriginal extended family or relatives and, where this is not possible, other extended family or relatives. Under section 13(2)(b) if, after consultation with the relevant Aboriginal agency, this placement is not feasible or possible, the child may be placed with an Aboriginal family from the local community and within close geographical proximity to the child's natural family; an Aboriginal family from another community; as a last resort, a non-Aboriginal family living in close proximity to the child's natural family. Crucially, section 13(2)(c) states that any non-Aboriginal placement must ensure the connection of the child's culture and identity through contact with the child's community.

Under section 16(1)(e) of the *Children, Youth and Families Act*, the Secretary of the Department of Health and Human Services has responsibility 'to work with other government agencies and community services to ensure that children in out-of-home care receive appropriate educational, health and social opportunities.'

11.1.2 EDUCATION AND TRAINING REFORM ACT 2006

The *Education and Training Reform Act* provides for a high standard of education and training for all Victorians. Section 1.1.1(2) makes provision for or with respect to:

- a. the years of compulsory schooling and the options available
- b. vocational education and training, technical and further education, adult community and further education, and other post-compulsory education and training
- c. the establishment and regulation of government schools and the regulation of non-government schools and home schooling
- d. the establishment and regulation of post-compulsory education institutions and providers
- e. the development and accreditation of courses and the issuing of qualifications
- f. the recognition and regulation of the teaching profession and the maintenance of standards of professional practice for that profession
- g. the employment in the teaching service of government school teachers and other persons
- h. the monitoring, planning and development of the provision of education and training
- i. the repeal and re-enactment of various Acts relating to education and training.

Under section 1.1.3 of the *Education and Training Reform Act*, 'parent' 'includes a guardian and every person who has a parental responsibility for the child including parental responsibility under the Family Law Act of the Commonwealth and any person with whom a child normally or regularly resides'.

Section 1.2.1(2)(b) of the *Education and Training Reform Act* enacts the principle that 'all Victorians, irrespective of the education and training institution they attend, where they live or their social or economic status, should have access to a high quality education that:

- i. realises their learning potential and maximises their education and training achievement;
- ii. promotes enthusiasm for lifelong learning;
- iii. allows parents to take an active part in their child's education and training.

Section 1.2.1(d) of the *Education and Training Reform Act* enacts the principle that 'parents have the right to choose an appropriate education for their child'.

Section 1.2.2(1) enacts the state's provision of universal access to education and training through the establishment and maintenance of a government education and training system. Section 1.2.2(2) enacts that all persons employed or engaged in the provision of government education and training by the state or in the administration of government education and training by the state must apply or have regard to the following principles (of which the most relevant are reproduced here):

- b. instruction in the learning areas in schedule 1 is to be provided free of charge for all students (except overseas students) attending a government school to the completion of Year 12 if the student is under 20 years of age on 1 January in the year that the person undertakes instruction;
- c. every student has the right to attend a designated neighbourhood government school with the exception of selective government schools that are determined by the minister;
- d. a student has a guaranteed place at a TAFE institute or other public training provider to the completion of Year 12 of schooling or its equivalent if the student is under 20 years of age on 1 January in the year that the person undertakes study at the TAFE institute or other public training provider;
- e. a student has a guaranteed vocational education and training place for a government subsidised course if:

- i. the student is under 20 years of age on 1 January in the year the study is undertaken; or
- ii. the student is 20 years of age or older on 1 January in the year the study is undertaken, and the study leads to a higher vocational education and training qualification than the highest such qualification already obtained by the student in the following circumstances:
- iii. the course of study is available and has been approved to receive a government subsidy; and
- iv. the student meets the admission requirements for the course of study; and
- v. the student meets any citizenship or residency requirements to undertake the course of study and student is not an overseas student (Victorian Legislation and Parliamentary Documents, 2006).

- (b) there is no government school within a prescribed distance of the child's residence and the child is receiving a distance education program through a registered school;
- (d) the child has been suspended or expelled from a registered school and is undertaking other educational programs provided by the Department or another registered school;

Section 2.1.10 enacts the powers of school attendance officers. Sections 2.1.15–2.1.23 enact the school enrolment and attendance notification legislation, including notices, penalties and offences.

11.1.3 ATTENDANCE

Section 2.1.1(a) of the *Education and Training Reform Act* determines that it is the duty of a parent of a child of not less than six nor more than 17 years of age 'to enrol the child at a registered school and to ensure the child attends the school at all times when the school is open for the child's instruction'. Alternatively, the parent must under Section 2.1.1(b) 'register the child for home schooling in accordance with the regulations and [...] ensure that the child receives instruction in accordance with the registration'.

Under section 2.1.2(a) it is an offence for parents not to provide instruction to a student registered for home schooling.

Section 2.1.3 of the Act defines the following (abridged list) as reasonable excuses for a child not attending school or receiving instruction:

- (a)(i) illness, accident, an unforeseen event or an unavoidable cause; or (ii) a requirement to comply with another law;

