

Disability Support Services

Family and Community Support Team NASCA Meeting November 2015

Working with Child Youth and Family

Disability Support Services

s141 Placements

s141 Child Young Persons and their Families Act 1989

This section applies to any child or young person who is so mentally or physically disabled that suitable care for that child or young person can be provided only if that child or young person is placed in the care of an organisation or body approved under s396 to provide care for such a child or young person.

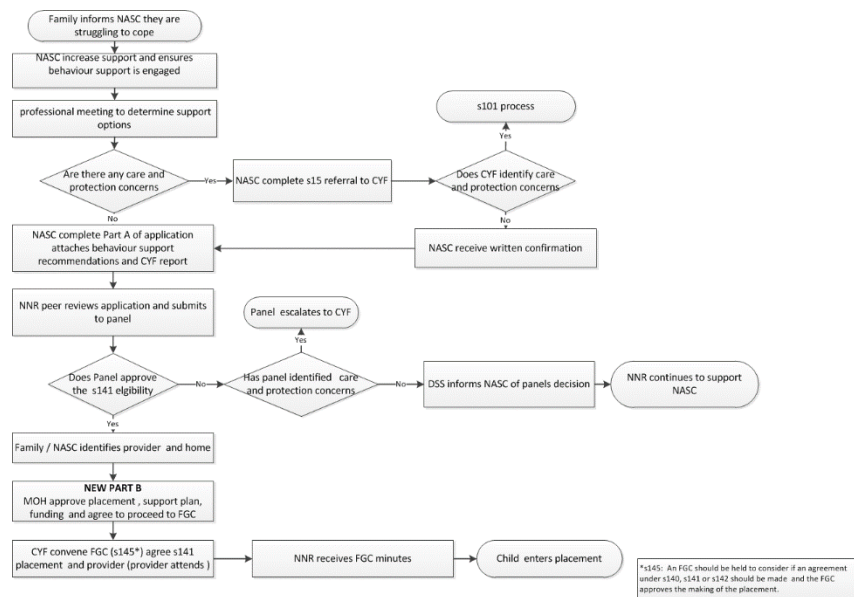
s141 placements are funded by The Ministry of Health

Care and Protection

- s14 (a) The child or young person is being, or is likely to be harmed (whether physically or emotionally or sexually), ill treated, abused or seriously deprived.
- s14 (f) The parents or guardians or other persons having the care of the child or young person are unwilling or unable to care for the child or young person.
- s139 Agreements for temporary care of children and young person by the chief executive, iwi, social services etc.
- s140 Agreements for extended care of children and young person by the chief executive, iwi, social services etc.

Disability Support Services

s141 Process (Draft)



s141 Certificates

No placement made under s141 should be made unless an authorised person or organisation certifies

- That the proposed caregiver has appropriate facilities and adequate staffing to supervise the placement and ensure that adequate and appropriate care is provided to the child or young person

Disability Support Services

Funding MOU

Background

In June 2011, the Ministry of Health and the Ministry of Social Development signed a Memorandum of Understanding (MOU) regarding arrangements between Disability Support Services (DSS) and Child Youth and Family (CYF) for funding disabled children and young people.

Inclusions

- The funding MOU covers all disabled children who are in care of CYF and who live in a foster family or in a residential service managed by a provider contracted to CYF.
- The Ministry of Health will directly fund CYF for the provision of disability support services for NASC eligible disabled children and young people who live with a foster family or in a residential service managed by a provider.
- Eligibility to receive funding under this MOU is based on the SPA level which is dependent on the person's assessed level of disability support and age.

Exclusions

- Disabled children and young people who live with CYF foster families will receive disability support services coordinated through the Ministry of Health funded needs assessment and service coordination.

Contact your Regional Disability Advisor to clarify eligibility under the MOU .

Transition Planning

Transition planning takes place when

- CYF no longer need to be actively engaged with the child or young person but there are ongoing disability support needs,
- a young person under a section 141 turns 17. This needs to be planned well in advance.

The types of situations when transition planning needs to occur include when the child or young person is:

- returning to the care of their parents or whānau with disability support services in place,
- has a permanent placement with caregivers with disability support services in place,
- turning 17 years and is no longer covered by the custody provisions of the CYPF Act.

Transition planning to adult services must commence before the young person turns 16 years. It must be completed at least six months before the young person turns 17 or otherwise leaves CYF care.

Goals for Transition Planning

The goals for transition planning include:

- coordinated planning between CYF and the NASC service
- a smooth transition between services and funding arrangements
- reviewing existing care and services to ensure needs continue to be met
- ensuring the child or young person and the family or whānau are involved in the process and know what to expect
- ensuring permanency and stability for the child or young person
- ensuring the interests of the young person are protected.

Process for Transition Planning

- Ensure the young person is included appropriately and their views are taken into account.
- Arrange a meeting between the NASC service, CYF staff, the family, the caregiver and any significant others to develop a transition plan for the child or young person.
- Jointly discuss and explore all resource and support options for resourcing and supporting the family or whānau.
- Clarify who will liaise with other services (e.g., residential or supported living services, school, work or supported employment).
- Consider the young person's ongoing need for protection. Where an application to the Family Court for a welfare guardian or orders under the Protection of Personal and Property Rights Act will be made, agree on the roles and responsibilities.
- Consider if a review of CYPF Act orders is required.
- Set timeframes for actions.
- Agree on how the progress of the actions will be monitored (e.g., set times for case meetings).
- Put together an independence pack appropriate to the circumstances.

Vulnerable Children Act

Vulnerable Children Act 1 July 2014: Range of measures to protect and improve the wellbeing of vulnerable children.

- The bill strengthens the accountability of 5 key government Agencies to work together to improve the lives of our most vulnerable children. MSD, Health, Education Justice and Police.
- A number of measures have been enacted to keep our children safe. These include standard safety checking for paid staff in the government-funded children's workforce and new requirements for government agencies and their funded providers to have child protection policies

Children with disabilities

- Consideration of all options before long term residential services are explored.
- Annual reviews of extended care arrangements to one year.

*All children in s141 placements must be reviewed annually and submitted to the s141 panel for approval.
NASC need to attend annual FGCs.*

Disability Support Services

Current Projects

Repeal of s141 and s142: this is not included in the bill effective 1 July but MSD is leading a project. Agencies are working to provide advice to the ministers regarding the implications of repealing s141 and s142. Government Departments including DSS and ODI are also involved.

Wraparound Services: DSS are completing an internal review of wraparound services.

Child Development Services: stocktake and needs analysis has now been completed recommendations will be made to the senior management team.