

# Care concerns: Refer a completed Serious Care Concern investigation to the Care Concern Outcome Panel Procedure

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## 1. Purpose

This procedure has been developed to support the aims and objectives of the Department for Child Protection's (DCP) [Manual of Practice chapter – Raising and Responding to Care Concerns](#). It is intended to be read in conjunction with other established procedures relating to the management of care concerns.

This procedure describes the process for referring a completed Serious Care Concern Investigation (SCCI) to the Care Concern Outcome Panel (CCOP).

## 2. Scope

This procedure applies to staff within the DCP Care Concern Management Unit (CCMU). Those with specific roles and responsibilities related to this procedure include the Manager CCMU, Principal Care Concern Officer (PCCO), Senior Care Concern Officer (SCCO) and Program Support Officer (PSO).

## 3. Authority

### 3.1 Legislative context

[Criminal Law Consolidation Act 1935](#)

Section 64A and 65 of the *Criminal Law Consolidation Act 1935* outlines additional responsibilities for DCP employees (including students, volunteers and agency carers) in responding to allegations of sexual harm perpetrated by another DCP employee.

### 3.2 Whole of Government requirements

- The [National Standards for out-of-home care 2011](#)
- [Charter of Rights for Children and Young People in Care](#).

## 4. Procedure requirements

If during the referral process, CCMU staff have a suspicion involving an allegation of sexual abuse perpetrated by another current or former DCP employee (including students, volunteers and agency carers) toward a child or young person (even if they are now an adult), CCMU staff must refer to the [Reporting a suspicion a child or young person is at risk procedure](#). In accordance with section 64A of the *Criminal Law Consolidation Act 1935*, it is an offence for a DCP employee not to report to SAPOL if they know or suspect sexual harm of a child perpetrated by another DCP employee. Failure to report to SAPOL suspected child sexual abuse in accordance with section 64A has a maximum penalty of imprisonment for three years. In accordance with section 65 of the *Criminal Law Consolidation Act 1935*, it is also an offence for a DCP employee to negligently fail to reduce or remove a substantial risk of sexual harm of the child or young

person allegedly perpetrated by a current DCP employee and has a maximum penalty of imprisonment for 15 years. Consideration should also be given to whether the situation needs to be managed in accordance with the [Significant Incident Reporting Procedure](#).

#### 4.1 Concern reallocated from Investigations Unit to CCMU

Upon completion of a Serious Care Concern investigation (SCCI), the Investigations Unit (IU) will primarily assign the Manager on C3MS to each care concern case included within the scope of the SCCI. The Manager will subsequently receive a C3MS workflow in 'My Work list' (for each CCR) which will read 'you have been allocated to a case'.

Additional information on case allocation can be found at [C3MS Guide Case allocation & de-allocation](#).

The Group Manager, Employee Relations will advise the Manager CCMU of the SCCI closure, noting that the hard copy file will be provided to the CCMU. The Manager CCMU will forward this advice to the PCCO and PSO CCMU for tracking purposes.

The Assistant Investigator IU will deliver the hard copy investigation file to the PSO. The PSO will record delivery of the file on the Correspondence Register and forward to the PCCO for allocation to an SCCO for review.

#### 4.2 Allocate the serious care concern investigation for review

In preparation of the matter being heard by the CCOP, the PCCO will allocate the completed investigation to a SCCO for review, this includes:

- providing the SCCO with the hard copy investigation file
- additionally assigning the SCCO on C3MS to each CCR that was included in the investigation
- notifying the SCCO via email (cc the PSO) of the investigation and CCR/s to be reviewed with the Digital Workspace file reference included in the email and the date of the CCOP meeting for which the matter will be tabled
- creating a CCOP folder under the IU main file on the Digital Workspace
- uploading the email sent to the SCCO to the CCOP folder created in the Digital Workspace
- recording the receipt (date and time) of the investigation file and the details of the SCCO/CCP reviewing the investigation on the CCMU tracking register.

#### 4.3 Complete a CCOP Agenda Item Template

Upon being allocated an investigation for review, the SCCO/CCP will:

- review all relevant information, including:
  - the CCR/s and determinations
  - the SCCI report
  - the Serious Care Concern Planning Discussion Response Plan, noting the status of the agreed actions
- complete a CCOP Agenda Item Template.

When completing the CCOP Agenda Item Template, the SCCO should give particular consideration to the following:

- all allegations raised in the CCR are addressed in the SCCI report, including the rationale if not investigated (noting that all allegations need to be identified on the template)
- the outcome of any intra-familial misconduct or extra-familial follow up related to the contents of the investigation
- the investigation report details how any allegations raised as part of the investigation were dealt with, for example:
  - referred to a separate investigation
  - included as part of the investigation
- if the person subject of concern (PSOC) or other key witnesses were not interviewed, the rationale is documented in the investigation report
- if the child or young person was not interviewed, the rationale for the decision and other sources of information considered to seek the voice of the child or young person are documented in the investigation report
- if the investigation was not completed in the required six week timeframe, the factors contributing to the delay are documented in the investigation report and a copy of the [Investigation Extension Request Form](#) must be attached
- any outstanding actions from the SCCPD Response Plan
- any gaps in the investigation
- any operational and/or systemic issues identified during the investigation.

During the review of the matter, the SCCO will highlight any of the above issues identified on the CCOP Agenda Item Template for consideration by the CCOP.

The PSO will forward the CCOP members a copy of the CCOP Meeting Agenda, each SCCI report, CCOP Agenda Item, SCCPD Response Plan and any pertinent information requiring review prior to the CCOP meeting (refer to the Care Concern Outcome Panel Terms of Reference (CCOP ToR)). Please note, it remains the obligation of the PCCO /SCCO to determine what information should be included for matters tabled at CCOP.

#### 4.4 Table the matter for CCOP

Each CCOP meeting is capped to review three SCCIs, unless otherwise negotiated.

The SCCO will provide the PSO with the investigation report and items for the CCOP agenda and any pertinent investigation records (ie photographs of injuries etc). The PSO will create the meeting agenda and folders for each agenda item in the CCOP folder in the Digital Workspace and email the items to the CCOP members a minimum of five business days prior to the panel sitting.

Refer to the CCOP ToR.

#### 4.5 Record the CCOP decision

The CCOP will review the information obtained during the investigation and the action taken to date in response to the Serious Care Concern, as per the CCOP ToR. The CCOP will make recommendations on any follow up actions required and whether on the balance of probabilities it is more probable than not that abuse and/or neglect. The CCOP will also seek to identify any operational and/or systemic issues following

the SCCI, these are to be recorded by the PCCO in the relevant section of the [CCOP Minutes Template](#) and recorded upon the CCMU tracking register.

Following the matter being finalised at the CCOP, the Manager CCMU or PCCO will update the Digital Workspace CCOP Agenda Item and email the file reference to the SCCO with a request to prepare the Outcome Briefing. This request email is to be uploaded to the Digital Workspace file.

The CCOP Agenda Item should include all relevant details of the decision made by the CCOP, particularly:

- the recommended outcomes
- any additional action required in relation to the matter
- preferred method for informing the PSOC, including any cultural considerations and who provides this information.

Further information on CCOP processes can be found in the [CCOP Terms of Reference](#).

## 4.6 Prepare an outcome briefing

Within five business days of the matter being heard at the CCOP, the SCCO will prepare an Outcome Briefing ([CCOP Outcome Briefing Template](#)) summarising the CCOP recommendations for endorsement by the Director, Quality and Practice (the delegate). The delegate will review the Care Concern outcomes as determined by the CCOP for endorsement and note any operational and/or systemic issues to be tracked for resolution by the CCMU.

The SCCO is to save the Outcome Briefing once endorsed to the Digital Workspace electronic file.

In those instances where the delegate does not endorse the CCOP's outcome and overturns the decision, the delegate's decision is to be taken as final. The delegate is to provide a rationale as to why the decision was overturned, this is to be tabled for noting at the next scheduled CCOP meeting.

## 5. Compliance, monitoring and evaluation

The SCCO is to log any operational and/or systems issues identified on the CCMU tracking register for review and monitoring by the PCCO/Manager CCMU.

On a quarterly basis, the PCCO is to table Broader Systemic Issues (BSIs) identified through review of the operational and systems issues for the CCOP to consider, refer to the CCOP ToR for further information in relation to this task.

## 6. Related documents

Related documents, forms and templates
<a href="#">Manual of Practice – Raising and Responding to Care Concerns</a>
<a href="#">C3MS Guide Case allocation and de-allocation</a>
CCOP Terms of Reference
CCOP Agenda Item Template
Investigation Extension Request Form
CCOP Minutes Template

CCOP Outcome Briefing Template
<a href="#">Significant Incident Reporting Procedure</a>
<a href="#">Reporting a suspicion a child or young person is at risk procedure</a>

## 7. Glossary

Term	Meaning
BSI	Broader Systemic Issue
C3MS	Connected Client and Case Management System
CCMU	Care Concern Management Unit
CCOP	Care Concern Outcome Panel
CCR	Care Concern Referral
DCP	Department for Child Protection
IU	Investigations Unit
PCCO	Principal Care Concern Officer
PSO	Program Support Officer
PSOC	Person Subject of Concern
SCCO	Senior Care Concern Officer
SCCPD	Serious Care Concern Planning Discussion

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