

## Progress against past inquiries

This document provides an update on the Department of Families, Fairness and Housing's responses to our recommendations from *Out of sight: Systemic inquiry into children and young people who are absent or missing from residential care* and the Commission's assessment of progress made in 2022-23.

The Commission will continue to annually assess and report on progress made against these recommendations.

### Out of sight

Systemic inquiry into children and young people who are absent or missing from residential care

Rec #	Action	Recommendation	Initial government response	Department status	Department update	Commission assessment	Commission comment
1		<p>That the department lead cultural change to challenge the continuing perception among some stakeholders, including departmental staff, residential care staff and police, that children and young people who are absent or missing from residential care are less at risk or less deserving of a timely, care-based response than other children and young people, by:</p> <ul style="list-style-type: none"> <li>removing references to the term absconding from all relevant policies, procedures, guidelines and training modules</li> <li>including further guidance in policy, procedures and training on: <ul style="list-style-type: none"> <li>the reasons children and young people leave residential care</li> <li>the risks they face and the harm they may suffer</li> <li>the language used to describe this behaviour</li> </ul> </li> <li>supporting improved understanding across other agencies, including Victoria Police, of the reasons children and young people leave care, the risks they face and the harm they may suffer.</li> </ul>	Accept	In progress	<p>The 18-month action plan to support implementation of the Framework to Reduce the Criminalisation of Children in Care was formally approved in March 2023. A monitoring and implementation plan to support local and statewide implementation, including a set of performance indicators, is being finalised. Training for residential care workers in line with the recommendation is being progressed through the Centre for Excellence in Child and Family Welfare as part of the 18-month action plan.</p> <p>The department will undertake a broader review of the program requirements for residential care, which is planned for the second half of 2023.</p>	Progress made	The Commission welcomes the action plan for the Framework to Reduce the Criminalisation of Children in Care and emphasises the importance of seeing these actions translate into improved outcomes for children and young people who are absent or missing from care, whether or not they are engaged in offending behaviour.
2		<p>That, when funding and implementing the new model of care recommended in the Commission's 2019 <i>In our own words</i> inquiry, the Victorian Government ensure the following elements are delivered to address the specific needs of children and young people who become absent or missing from residential care.</p>	Accept	In progress	<p>The 2023-24 Budget supports access to therapeutic supports in all residential care homes. This work builds on the new models of care that were implemented through previous budgets.</p>	Progress made	The Commission welcomes recent investment, and looks forward to seeing this investment used to transform the model of residential care provided in Victoria.

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2	1	<p>That the new model of residential care include:</p> <ul style="list-style-type: none"> <li>• a strong focus on developing trusted relationships with carers and key workers</li> <li>• a consistent care experience provided by carers and across houses and service providers founded on care and concern, not punitive responses</li> <li>• an emphasis on personal skill development, including the capacity to assess and manage risks, particularly those associated with sexual harm</li> <li>• embedded services, including services for treatment of mental ill health and dependence on alcohol and other substances</li> <li>• adequate resources and timely approval processes for children and young people to engage in activities</li> <li>• clear integration of therapeutic support in case and care planning.</li> </ul>	Accept	In progress	<p>Previous state budgets have provided funding for 19 new two and three bed residential care homes, six Keep Embracing Your Success (KEYS) homes and a trial of the Care Hub. These initiatives have commenced service delivery.</p> <p>The 2023–24 State Budget provides additional funding to respond to demand for residential care placements to support children and young people. Funding is also provided to increase therapeutic supports in residential care homes.</p> <p>Implementation planning for these initiatives, as funded through the 2023–24 State Budget, will commence in the second half of 2023.</p> <p>Concurrently, the department will undertake a broader review of the program requirements for residential care, which is planned for the second half of 2023.</p>	Progress made	The Commission welcomes recent investment, and looks forward to seeing this investment used to transform the model of residential care provided in Victoria. The Commission looks forward to the review of program requirements of residential care.
2	2	<p>That increased effort and investment be deployed to foster children and young people's connections to family, friends and community, as part of and where possible prior to their transition to residential care settings</p>	Accept	In progress	<p>Previous state budgets have provided funding for 19 two and three bed residential care homes, six KEYS homes and a trial of the Care Hub. These initiatives have commenced service delivery.</p> <p>The 2023–24 State Budget provides additional funding to respond to demand for residential care placements to support children and young people. Funding is also provided to increase therapeutic supports in residential care homes.</p> <p>Implementation planning for these initiatives, as funded through the 2023–24 State Budget, will commence in the second half of 2023.</p> <p>Concurrently, the department will undertake a broader review of the program requirements for residential care, which is planned for the second half of 2023.</p>	Progress made	The Commission welcomes investment in new models of care that seek to improve support for children and young people to maintain connection with family, friends and community. The Commission considers that changes in case management will also be needed to implement this recommendation.

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2	3	That authorisation policies for contact with family and friends, and participation in activities in the community, be reviewed to ensure timely decision-making and support to effectively manage and mitigate risk.	Accept	In progress	<p>Previous state budgets have provided funding for 19 new two and three bed residential care homes, six KEYS homes and a trial of the Care Hub. These initiatives have commenced service delivery.</p> <p>The 2023–24 State Budget provides additional funding to respond to demand for residential care placements to support children and young people. Funding is also provided to increase therapeutic supports in residential care homes.</p> <p>Implementation planning for these initiatives, as funded through the 2023–24 State Budget, will commence in the second half of 2023.</p> <p>Concurrently, the department will undertake a broader review of the program requirements for residential care, which is planned for the second half of 2023.</p>	Progress made	The Commission notes the investment in residential care including additional therapeutic supports. However, the purpose of this recommendation was to improve authorisation and approval processes so that residential care workers could identify ways of strengthening young peoples' connection to friends and community, and we look forward to updates in relation to this.

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Rec #	Action	Recommendation	Initial government response	Department status	Department update	Commission assessment	Commission comment
2	4	That ongoing and additional effort and investment be deployed to support connection to culture, paying particular attention to the causes of, and potential consequences for, Aboriginal children and young people going absent or missing from residential care, including the potential for cultural harm.	Accept	In progress	<p>The department has established a working group consisting of ACCOs, Cultural Plan Senior Advisors and department representatives to further refine the cultural plan program requirements. A suite of recommendations has been developed for approval from the Wungurilwil Gapgapduir Objective One Working group. This includes updated roles and responsibilities for State Wide Cultural Planning Co-ordinator and Cultural Planning - Senior Advisors. The department has also employed internal positions across each area to support the development of cultural plans.</p> <p>Further to note, a core objective of the 2- and 3- bed therapeutic residential care and Keep Embracing Your Success (KEYS) models is to strengthen cultural identity and connection for all Aboriginal children. To achieve its objectives the model has five domains of focus, one of which is identity and connection which includes strengthening long-term connections with family, culture and community.</p> <p>Additionally, as part of the department's commitment to progress recommendation 15.1, the department will review the practice guidance in relation to return to care conversations to ensure the cultural needs of Aboriginal children and young people are considered as part of return to care conversations.</p>	Progress made – ongoing systemic effort required	The Commission notes the progress made and looks forward to seeing the suite of improvements put in place.

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Rec #	Action	Recommendation	Initial government response	Department status	Department update	Commission assessment	Commission comment
2	5	That the department invest in improving the skills, processes and supervision of care teams for children and young people in residential care. Improvements should be implemented through updated guidelines, policies and training. Care teams should be supported by agendas, action items, and clear role allocation and communication channels. The department should encourage a culture where care team members are empowered to seek senior engagement and active supervision when needed.	<b>Changed to Accept (previously Accept in principle)</b>	In progress	<p>Previous state budgets have provided funding additional new two and three bed residential care, KEYS homes and a trial of the Care Hub. These initiatives have commenced service delivery.</p> <p>The 2023–24 State Budget provides additional funding to respond to demand for residential care placements to support children and young people. Funding is also provided to increase therapeutic supports in residential care homes.</p> <p>Implementation planning for these initiatives, as funded through the 2023–24 State Budget, will commence in the second half of 2023.</p> <p>Concurrently, the department will undertake a broader review of the program requirements for residential care, which is planned for the second half of 2023.</p>	Significant progress made ongoing systemic effort required	The Commission welcomes the further work to clarify and strengthen guidance for care teams as well as ongoing efforts to support strong care teams through training, development and supervision.
3	1	<p>That, when funding and implementing the new model of care recommended in <i>In our own words</i>, the Victorian Government ensure the following additional elements are delivered to reduce the number of children and young people who become absent or missing from residential care.</p> <p>That, when a child or young person is absent or missing from residential care for a prolonged period, their residential care placement should not be reallocated to another child or young person unless there are concerns that the specific placement itself is contributing to the child or young person being absent or missing.</p>	Accept in principle	In progress	The department has developed draft Placement Planning Guidance, and will be consulting with key stakeholders through mid-2023 and finalising by late 2023.	Progress made	The Commission notes progress made on placement guidelines, but is yet to see detail that addresses this recommendation relating to maintaining placements when young people are absent.

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3	2	That the department develop and implement clear guidelines for planning to support children and young people prior to and immediately after entering residential care and moving between residential care houses. For emergency placements, the department should implement additional supports, and consider provision of temporary accommodation while assessments are conducted and an appropriate placement is found.	Accept in principle	In progress	The department is currently developing draft Placement Planning Guidance, and will be consulting with key stakeholders through mid-2023 and finalising by late 2023.	Progress made	The Commission welcomes the draft Placement Planning Guidance and will continue to monitor its development.
3	3	That a multi-agency panel approach to planning, with clear allocation of responsibilities between agencies, be implemented for all children and young people who go absent or missing from residential care. The multi-agency panel approach should be founded on a common understanding of the child or young person's vulnerabilities, the nature and level of risks the child or young person faces when absent or missing from care, and agreed expectations regarding the response when the child or young person is absent or missing.	<b>Changed to Accept in part (previously Accept in principle)</b>	Complete	Child Protection has updated the practice guidance to clarify roles and responsibilities. Specific reference to the care team contributing to safety and behaviour planning has been updated. The high risk youth panel meetings attended by the department as well as other stakeholders will continue as the multi-agency response to keeping children and young people safe.	Progress made	The Commission welcomes the work done to update the Child Protection Manual but is concerned that guidance does not appear to address the substance of this recommendation including guidance on risk, or consistency of High Risk Youth Panel use.
3	4	That the department review planning tools (including draft connection planning tools) to clarify how planning tools align, which tools are optional, when they should be updated and who they should be shared with. Integration of planning tools should be supported by a visual map to guide practitioners and care teams. Development of new planning tools should be integrated into existing processes to avoid duplication and additional administrative burden.	Accept in principle	In progress	Practice guidance, procedures and tools are being reviewed and strengthened to support and guide practitioners with their response to missing children and young people. These will also align with the SAFER risk assessment framework.	Progress made	The Commission welcomes the work commenced by the department to ensure integrated, clear, up-to-date planning and will continue to monitor its implementation.



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4		That the Victorian Government ensure and support all agencies, including Victoria Police, to develop and implement trauma-informed training, tools and guidance for frontline workers who are likely to interact with children and young people when they are absent or missing from residential care. The Community Around the Child initiative provides a good model for the development of training, tools and guidance. All services, including Victoria Police, should implement trauma-informed training as a compulsory core module for all frontline staff, supported by ongoing professional development.	Accept in principle	Complete	The Framework for trauma-informed practice was published and disseminated to the child and family services sector and family violence services in February 2023.	Complete	The Commission welcomes the significant work that has been done to develop the Framework for trauma-informed practice.
5		That the Victorian Government fund, reinstate and expand the Child Sexual Exploitation Enhanced Response Model across the state, including the provision of additional resources if needed. The expansion should be supported by clear leadership and governance mechanisms.	Accept in principle subject to resources	In progress	The 2023–24 State Budget provides investment to support the department to target child sexual exploitation. The department is also working actively with Victoria Police (through the Vulnerable Children's Committee) on a workplan to jointly address this recommendation.	Planned for implementation	The Commission welcomes the recent investment and looks forward to seeing improvements in the department's efforts to address child sexual exploitation. The Commission will continue to monitor these efforts, as well as those of stakeholders such as Victoria Police, given their critical role targeting offenders who prey on children in residential care. The recommendation requires a statewide, cross-agency response to tackle child sexual exploitation of children in care.



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Rec #	Action	Recommendation	Initial government response	Department status	Department update	Commission assessment	Commission comment
6		That the department and key stakeholders including Victoria Police work to improve understanding of child criminal exploitation and develop a specialist response across the state, like the Child Sexual Exploitation Enhanced Response Model. The specialist response should include awareness raising through new guidelines, policies and training, combined with intensive interventions and support for children and young people in residential care who are at risk of child criminal exploitation. The model should be supported by clear leadership and governance mechanisms, and additional resources if needed.	<b>Accept in principle subject to resources (previously Accept)</b>	Complete	The department is committed to working with Victoria Police through the Action Plan to implement the 'Reducing criminalisation in residential care framework', to support scoping of a multi-agency response to child criminal exploitation. This work has oversight through the Vulnerable Children's Committee and has a focus on current practice, data and oversight mechanisms in the first instance. Implementation of a Statewide response is subject to budget.	Progress made	The Commission notes the work progressed through the Framework to reduce the criminalisation of children in care and looks forward to seeing implementation of the 18-month Action Plan.
7		That the Victorian Government fund the roll-out of the MacKillop Family Services <i>Power to kids: respecting sexual safety program</i> to all residential care houses in Victoria.	Accept in principle	Complete	The MacKillop Institute has advised that since commencement of Power to Kids training in May 2022, over 1150 participants, from 47 organisations across Australia, have completed the training. Ten organisations are from Victoria and eight of these were residential care providers.  Residential care providers may also access alternative training available through Healing Matters program and/or the Residential Care Learning and Development Strategy.	Progress made	The Commission notes that through MacKillop Family Services, the 'Power to kids: Respecting Sexual Safety Program' is available to all residential care providers and that eight of Victoria's 20 current residential care providers (as of October 2023) have taken up the training. The Commission looks forward to further measures by the department to increase use of this program for the benefit of all children in residential care.

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8	1	<p>That the department ensure that consistent, concise and current information is collected about individual children and young people at risk of going absent or missing from residential care. The collection systems should ensure that key information about the child or young person:</p> <ul style="list-style-type: none"> <li>• is easily identifiable and accessible by child protection and residential care staff</li> <li>• is up-to-date and accurate</li> <li>• can be shared swiftly with other agencies, such as Victoria Police, when required.</li> </ul>	<b>Changed to Accept subject to resources (previously Accept in principle)</b>	In progress	<p>A review of the Client Incident Management System (CIMS) commenced in March 2022 and is a staged process of continuous improvement over the next few years. The CIMS review will improve understanding of how key information relevant to children and young people who are absent or missing from care, and the risks of harm to them, are captured across reporting systems and inform the development of system enhancements to address these gaps. Actions to date that have been taken to strengthen information collected about children and young people at risk or are absent or missing from care include:</p> <ul style="list-style-type: none"> <li>• making CIMS incident reports available against a child's record in CRIS (since July 2021), so information is easily accessible for child protection and sharing with relevant agency staff and Victoria Police</li> <li>• improved data collection and reporting methods such as the Sexual Exploitation Network system, and the Client Risk and Vulnerability Indicator Tool have become available, as outlined in Recommendation 17</li> <li>• release of the Repeat Missing Profile – Risk and Behaviour Analysis Tool which informs the concerns, risks, actions and responses for a child while missing and supports information sharing.</li> </ul> <p>Joint department and Victoria Police collaboration will also consider the types of information needed, and how best to share information, in a timely manner to keep children safe. This work has oversight through the re-established Vulnerable Children's Committee.</p>	Progress made	The Commission welcomes the progress made to information collection and sharing, particularly the improvements to the Protecting Children Protocol between the department, Aboriginal Children in Aboriginal Care providers and Victoria Police.

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Rec #	Action	Recommendation	Initial government response	Department status	Department update	Commission assessment	Commission comment
8	2	<p>That the department develop a missing child checklist to ensure swift and comprehensive sharing of key information with other agencies if a child or young person is absent or missing from residential care.</p> <p>The checklist should include additional information similar to that contained in the Community Around the Child initiative's profile on a page for each child or young person at risk of going absent or missing from residential care to support police and other key agencies to respond in a trauma-informed way. This information should align with the child or young person's behaviour support plan. The checklist should be pre-populated, reviewed and shared regularly. The department should ensure there are checks in place to guarantee that these checklists are completed, easily accessible and up-to-date.</p>	Accept in principle	In progress	<p>The re-established Vulnerable Children's Committee is overseeing a project to review current tools and resources (including the repeated missing template and behaviour support plan) relating to young people who go missing. Information shared would need to align with a young person's behaviour support plan, case and care planning. Embedding of information sharing into current systems to enable sustainable, readily accessible information sharing will be informed by actions to acquit Recommendation 8.1, including work to identify system enhancements and through the joint department and Victoria Police intelligence collaboration to support more efficient information sharing over the long term.</p>	Planned for implementation	The Commission notes the department's planned project.

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9		<p>That the department work with residential care service providers and Victoria Police to develop a common risk-based assessment framework to guide agencies response when a child or young person is absent or missing from residential care. This framework should incorporate an assessment of a child or young person's vulnerability informed by known or suspected risk factors such as exposure to sexual or criminal exploitation, substance use, disability, medical conditions and age.</p> <p>The risk assessment framework should inform response planning in the event the child or young person goes absent or missing. Planning should clearly articulate when to escalate the response by seeking police intervention and which tools to employ, such as a missing person report or warrant.</p> <p>If a missing person report is made, escalation of the investigation to specialist police units such as the Criminal Investigation Unit or SOCITs should be based on an assessment of risk, rather than a standard period of time from the date of the report.</p> <p>The terms 'missing' or 'absent' should not determine the level of risk and corresponding response required. Risk assessment guidelines should clarify that, even if child protection or residential care staff suspect they know where a child or young person is likely to be, this does not mean that the child or young person is at less risk. If a child or young person's location is known (not merely suspected), alternatives to a missing person report should be considered, such as attendance of a rover or other outreach service.</p>	<b>Changed to Accept in part (previously Accept in principle)</b>	In progress	<p>This department notes that although originally 'Accepted in principle', in 2022 a revised implementation plan was provided noting a change in response to 'Accepted in part'. The intent of the recommendation is accepted and is in progress. The SAFER children framework as the risk assessment approach for child protection, contains evidence based risk factors such as those included in recommendation 9. A guided approach is provided for practitioners in how they make sense of what the factors mean for young people, and how they are incorporated into components of the risk assessment, including assessment of the young person's vulnerability. Risk assessments within the SAFER children framework were developed to be able to be shared cross agencies, and practitioners are encouraged to do so, including through care teams. SAFER reinforces the importance of care teams as critical to seeking and sharing information that contributes to a thorough risk assessment. The second evaluation of SAFER, including a second literature review to ensure the evidence based factors remain contemporary, commences in early 2024. The department will ensure the literature review and evaluation include consideration of how SAFER can be strengthened in assessing risk related to a child or young person absent or missing from residential care. Additionally, the department commits to utilising existing multi-agency forums with critical stakeholders such as Victoria Police, to achieve more consistent and safety focussed responses to children and young people who go missing, informed by the assessment of risk.</p>	Progress made	<p>The Commission notes the department's second SAFER evaluation will include consideration of how risk assessments can be strengthened in relation to children and young people who are missing from residential care. Implementation of this recommendation will require:</p> <ul style="list-style-type: none"> <li>• a cross agency risk assessment for children absent from placement that is shared between and used by Victoria Police, care providers and Child Protection</li> <li>• development of a framework to guide responses to children absent from placement based on the assessed risks to the child; the framework should provide clear guidance as to what should be done in specific cases, including whether a warrant is required or a missing persons report should be made.</li> </ul> <p>The Commission reiterates this work is necessary to improve consistency of response when children are absent from placement, strengthen responses to support children's safety and reduce unnecessary police involvement.</p>

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10		<p>That the department review policies, procedures, training and service expectations to ensure that, when a child or young person is absent or missing from residential care, child protection and residential care staff:</p> <ul style="list-style-type: none"> <li>consistently apply a strengths-based response to express care and concern when contacting the child or young person</li> <li>do not respond in a way that is punitive, criminalising, threatening or that otherwise suggests a lack of care for the child or young person's safety and wellbeing.</li> </ul>	Accept	In progress	The department will undertake a broader review of the program requirements for residential care, which is planned for the second half of 2023. Note that this will implement actions that are part of the 18-month Action Plan under the Reducing Criminalisation Framework (now finalised).	Progress made	The Commission welcomes the broader review of the program requirements for residential care and notes the focus on relationship-based responses in the Framework to reduce the criminalisation of children and young people in care.
11	1	<p>Unnecessary and harmful police intervention and contact with children and young people who are absent or missing from residential care must be reduced to a minimum.</p> <p>That the department ensure risk-based response planning for the use of missing person reports and warrants is integrated into a broader relationship-based strategy founded on care and concern to support children and young people to remain in their residential care placement and to safeguard them when they are absent or missing from care.</p>	Accept in principle	Complete	Recommended for acquittal. The 18-month action plan to support implementation of the Framework was formally approved in March 2023. A monitoring and implementation plan to support local and statewide implementation, including a set of performance indicators, is being finalised.	Progress made	The Commission welcomes the commitment to risk-based response planning for police intervention as part of the 18-month action plan and will monitor its implementation.
11	2	That the Victorian Government ensure availability of properly resourced, viable alternative options to police intervention when a child or young person is absent or missing from care and is located. In particular, residential care rover services should be resourced to assist in locating, transporting and supporting children or young people who are absent or missing from care. Rover services should work collaboratively with local police to minimise police contact with children and young people in residential care.	Accept in principle	In progress	The 2023–24 State Budget provides additional funding to respond to demand for residential care placements to support children and young people. Funding is also provided to increase therapeutic supports in residential care homes.	Progress made	The Commission welcomes the introduction of rover services to a small number of residential care units and reiterates the need for the service to be more widely available.

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11	3	That the department incorporate access to viable alternative options to police intervention and contact when children and young people are missing from residential care into the action plan for the implementation of the Framework to reduce criminalisation of young people in residential care as a priority in 2021.	Accept in principle	Complete	The Framework to reduce criminalisation of young people in residential care is currently being implemented.  The Framework includes an action to strengthen response planning when young people go missing, and embeds the need to reduce unnecessary and inappropriate contact as a core principle of the Framework. Specific alternatives to police contact are considered at recommendation 11.2.	Progress Made	The Commission welcomes the work done on the development of this framework but notes that it does not incorporate alternative options to police involvement as recommended.
12		That the Victorian Government replace the term 'warrant' in section 598 of the <i>Children, Youth and Families Act 2005</i> (Vic) with an alternative term that is not associated with the criminal justice process. The new term should convey that the response is care-based and not criminal. The department should work with key stakeholders, including residential care service providers and Victoria Police, to implement updated guidance and training for staff to promote the adoption of the change in terminology, including training on the reasons for the change.	Accept in principle	In progress	The Children, Youth and Families Amendment (Child Protection) Bill 2021 (the Child Protection Bill) lapsed at the conclusion of the 59th Parliament. The Government remains committed to the aims of the Child Protection Bill and will seek opportunities to progress further legislative changes during the current term of Parliament.	Planned for implementation	The Commission welcomed the Bill that was previously before Parliament and considers that the simple legislative amendment required to replace the criminalising term 'warrant' should be introduced with some urgency.

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13		<p>That the department work with key stakeholders, including police, residential care service providers and the Children's Court to streamline processes and clarify definitions and roles concerning missing person reports and warrants (however renamed, as recommended above) for children and young people in residential care. In particular, the department should work with key stakeholders to</p> <ul style="list-style-type: none"> <li>clarify that if a child or young person's location is known (not just suspected), they are not missing so a missing person report is not required (noting that police intervention or support may nevertheless be needed)</li> <li>ensure that a missing person report can be made as soon as a child or young person goes missing, rather than waiting 24 hours prior to making a report</li> <li>ensure that there is no need for a missing person report to be made prior to applying for a warrant, or vice versa, as is currently the case</li> <li>remove the requirement that a missing person report be made to police in person, making it possible for residential care staff or child protection staff to make a missing person report by telephone</li> <li>streamline processes for providing police with information for missing person reports and warrants, using checklists and pre-populated forms</li> <li>require that if police sight a child or young person who is subject to a missing person report, police notify and consult with residential care staff or child protection staff prior to closing the missing person investigation</li> </ul> <p><i>continued next page</i></p>	Accept in principle	In progress	<p>Work to develop a practice resource to improve responses to children and young people who are absent or go missing from care has commenced as part of the Missing from Care work. The practice resource (currently in draft) contains guidance on preventing children and young people from leaving placement, pre-location planning, roles and responsibilities, missing person reports, risk assessment, trauma informed responses, and return to care planning. Development of the practice guide is informed by a consultation process including external stakeholders. The practice resource links to the DFFH/Victoria Police protocol which is currently under review and will also include consideration of the issues identified, including the use of missing persons reports and safe custody warrants.</p>	Progress made	The Commission welcomes the development of a practice resource and looks forward to reviewing it upon completion. The Commission also notes that this recommendation requires the department to work with key stakeholders to update relevant policies and procedures.



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13		<p><i>continued from previous page</i></p> <ul style="list-style-type: none"> <li>• standardise information in affidavits in support of warrant applications, for example using templates, and include all relevant, up-to-date information</li> <li>• facilitate the procedure for filing warrant applications through electronic processes where possible</li> <li>• review the procedure for withdrawal or cancellation of warrants and facilitate swift notification through an electronic process where possible</li> <li>• ensure that if a child or young person returns to a residential care house of their own accord, police are not required to sight the child or young person and hold them until an assessment is conducted prior to cancelling a warrant, but an assessment must occur within 24 hours of the child or young person's return.</li> </ul> <p>The department should ensure all relevant guidelines, policy documents and training are updated to reflect streamlined processes, definitions and roles, including relevant sections of the Child Protection Manual, <i>Protecting children: protocol between the Department of Human Services, Child Protection and Victoria Police</i> (2012), and the addendum to the protocol, <i>Preventing sexual exploitation of children and young people in out-of-home care</i> (2014).</p>					

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14	1	That, as part of a review of media alert policy and practice, the department work with Victoria Police to assess the impact that media alerts have had in the past when a child or young person is absent or missing to identify the circumstances in which they are an effective tool. The findings of this review should inform the parameters of their use, including the level of approval required to issue an alert.	Accept	In progress	Work continues to review the efficacy and impact of media alerts. As part of the review of the media alert policy and practice the department will engage with young people to incorporate client voice to the impact of the alerts. The review of media alerts, including use and timing, will be informed by the streamlining of processes as outlined in response to recommendation 13.	Progress made	The Commission welcomes the work to review the use of media alerts and looks forward to further updates as the work progresses.
14	2	That, when a media alert is issued, the department ensure that Victoria Police is provided with a positive photo of the child or young person, where possible. The department should also work with Victoria Police to disable or moderate social media commentary attached to media alert posts.	Accept in principle	In progress	Practice guidance for preventing and responding to children who go missing is under development and includes guidance on working with Victoria Police to use a positive photo and moderate social media where possible. Work has recently recommenced and forms part of the review of processes and procedures as outlined in the response to Recommendation 13. The Victoria Police and DFFH protocol also details guidance for preventing and responding to children who go missing.	Progress made	As above.
15	1	That the department provide further guidance and training on the purpose of return to care conversations, emphasising the importance of conducting them from a position of care and concern while gathering information concerning risk and harm to the child or young person. This guidance and training should also emphasise the importance of incorporating the information gathered through return to care conversations in planning reviews and information templates for the child or young person.	Accept in principle	In progress	Updated practice guidance for preventing and responding to children who go missing is currently under development and will include guidance regarding return to care conversations. This forms part of the Missing from Care work plan and supplements information on return to care conversations in the Missing children and young people procedure and Missing children and young people advice in the Child Protection Manual. Options to support training across the sector will be progressed through the Residential Care Learning and Development Strategy. In addition, the Department is working with the Centre for Excellence in Child and Family Welfare on training options, including strengthening existing training to align with this recommendation.	Progress made	The Commission welcomes the progress made to improve how staff have return to care conversations and will continue to monitor the recommendation.

## Progress against past inquiries: *Out of sight*

continued

Rec #	Action	Recommendation	Initial government response	Department status	Department update	Commission assessment	Commission comment
15	2	That, when implementing the recommendation from <i>In our own words</i> to establish a child and young person-centred complaints function, the department require that children and young people are offered the opportunity to speak to an independent person either to conduct the return to care conversation or following the return to care conversation (within 48 hours).	Accept in principle	In progress	The <i>Health Legislation Amendment (Statement of Recognition, Aboriginal Self-Determination and Other Matters) Act 2023</i> will amend the <i>Commission for Children and Young People Act 2012</i> to enable the Commission to advocate for and provide advice, information and support for children and young people in care. Implementation of a policy requirement for children and young people who are absent or missing from care to speak with an independent person will be considered as part of implementation of new advocacy functions, informed by children and young people with care experience and residential care providers.	Progress made	The Commission welcomes the legislative amendments to give the Commission the powers to advocate for individual children and young people in care, and looks forward to being provided resources so that these new functions can be implemented in 2024.
15	3	That information collected in return to care conversations should be recorded in a manner that ensures it can be identified as a record of a return to care conversation, enables compliance monitoring, enables systemic monitoring to identify areas of risk across all parts and levels of the system.	<b>Changed to Accept subject to resources (previously Accept in principle)</b>	Complete	The Missing children and young people procedure in the Child Protection Manual has been updated to include the requirement for case practitioners to record the outcomes of return to care conversations on CRIS. A risk assessment of the child's missing episode is also recorded on CRIS.	Significant progress made	The Commission welcomes the progress made in updating guidance in the Child Protection Manual and looks forward to reviewing it upon completion.

Rec #	Action	Recommendation	Initial government response	Department status	Department update	Commission assessment	Commission comment
16	1	<p>That the department monitor and report on the operation of secure welfare, with particular focus on children and young people who are frequently absent or missing from residential care. Potential metrics include:</p> <ul style="list-style-type: none"> <li>the rate of children and young people who are absent or missing from placement within 24 or 48 hours of discharge from secure welfare [a]</li> <li>the proportion of children and young people who are discharged from secure welfare earlier than planned due to demand for beds [b]</li> <li>the proportion of children and young people who have an exit plan with clear actions and responsibilities prior to discharge from secure welfare [c]</li> <li>the number and type of services each child or young person accesses while in secure welfare (for example, medical screening and treatment, mental health services, and treatment for dependence on alcohol and other substances) [d]</li> <li>the frequency of care team meetings for each child or young person while the child or young person is in secure welfare [e]</li> <li>the frequency of visits by a care team member to each child or young person in secure welfare [f]</li> <li>the frequency and length of admission for each child or young person and the period of time between admissions. [g]</li> </ul>	<p><b>Changed to Accept subject to resources (previously Accept in principle)</b></p> <p>System enhancements and resources are required to fully acquit this recommendation (metric a, b, d and f). Alternative solutions are provided to meet metrics b, d and f).</p>	Complete	Monitoring and reporting on the operation of secure care services has been strengthened for children and young people who are frequently absent or missing from care – through monthly and more detailed quarterly reporting to operational executives.	Complete	The Commission welcomes the work completed to improve the monitoring and reporting on Secure Care Services through systemic improvements and more regular reporting.

# Progress against past inquiries: *Out of sight*

continued

Rec #	Action	Recommendation	Initial government response	Department status	Department update	Commission assessment	Commission comment
16	2	That, if a child or young person is admitted to secure welfare, the department ensure processes are in place for the child or young person's care team to meet regularly while the child or young person is there and to use it as an opportunity to build stronger relationships between the child or young person and key care team members (for example, through daily visits if possible) and to engage in a planning review. Planning should include a clear exit plan for the child or young person, which is clearly identified as such on CRIS.	<b>Changed to Accept subject to resourcing (previously Accept)</b> Further work is needed to understand whether this recommendation can be acquitted in full within current system functionality.	Planned for implementation	Child Protection Policy will conduct a review of the practice advice on the Child Protection Manual as it relates to Secure Care Services, care team meetings and exit plans. The department is considering potential mechanisms to monitor compliance in practice.	Planned for implementation	The Commission welcomes the commitment to audit practice in Secure Care Services and looks forward to receiving the audit findings.

Rec #	Action	Recommendation	Initial government response	Department status	Department update	Commission assessment	Commission comment
16	3	That, other than when admission to secure welfare is court-ordered, the department ensure that secure welfare is only used after other options are considered. To ensure alternative options are viable, the department should review and remove barriers to their use where possible, including streamlining approval processes and providing adequate resources to enable children and young people's access to these alternatives.	Accept in principle	In progress	<p>The department continues to work on strengthening current residential care to better meet the needs of young people and address the drivers that place young people at risk of more restrictive options such as secure care services. New models of residential care, implemented from 2021–22, invest in resources to support the engagement and participation of young people in supports and therefore reduce the likelihood of more restrictive interventions. The 2023–24 State Budget continues this investment through \$548.4 million over four years to improve outcomes for children and young people in residential care. This includes ensuring all young people in residential care have access to therapeutic supports by 2025 and the continuation and further expansion of two and three bed therapeutic residential care placements. The two and three bed therapeutic model prioritises engagement with young people in care teams and response planning, including behaviour support planning, to meet the young person's identified needs.</p> <p>In addition, resources relevant to children who are absent or missing from care will reinforce the importance of prevention and early intervention supports, as identified by the Commission, through risk strategies and response planning .</p> <p>The department will continue to monitor admissions to secure care services and work to address identified barriers to alternative options.</p>	Progress made	The Commission notes the work undertaken to date.

Rec #	Action	Recommendation	Initial government response	Department status	Department update	Commission assessment	Commission comment
17		<p>That, when implementing the recommendation <i>from In our own words</i> to improve government monitoring of out-of-home care, the Victorian Government improve information collection and monitoring and oversight mechanisms concerning children and young people who are absent or missing from residential care. Key indicators should include:</p> <ul style="list-style-type: none"> <li>the rate children and young people are absent or missing from residential care (not just reported as absent) [a]</li> <li>the length of time children and young people are absent or missing from residential care [b]</li> <li>the number of missing person reports made for children and young people absent or missing from residential care [c]</li> <li>the number of warrants issued for children and young people absent or missing from residential care, where it is possible to ascertain [d]</li> <li>the exposure of children and young people to key risks while absent or missing from residential care, including sexual exploitation, criminal exploitation and criminal activity, alcohol and other substance use, and adverse health risks, where it is possible to ascertain [e]</li> <li>harm suffered by children and young people when they are absent or missing from residential care, such as sexual assault, physical injuries, mental health consequences, criminal charges and criminal victimisation, where it is possible to ascertain [f]</li> </ul> <p><i>continued next page</i></p>	<p>Changed to Accept subject to resourcing (previously Accept)</p> <p>The department does not have resource capacity or budget to progress indicator b.</p>	Complete	The department has implemented a suite of reports and tools to address this recommendation which has strengthened ongoing monitoring for children and young people who are absent or missing from residential care.	Significant progress made	The Commission welcomes the suite of tools that has been developed to collect information about children and young people who are absent. The Commission looks forward to hearing more as to how this data is being used to manage and respond to risk to individual young people.



Progress against past inquiries: *Out of sight*

continued

Rec #	Action	Recommendation	Initial government response	Department status	Department update	Commission assessment	Commission comment
17		<p><i>continued from previous page</i></p> <ul style="list-style-type: none"> <li>where children and young people go and who they are with when they are absent or missing from residential care. [g]</li> </ul> <p>This information should be collated, analysed and monitored to identify individual children and young people at risk, and systemic areas of existing and emerging risks, to inform case management and policy responses.</p>					
18		That the department review the operation of CIMS, including reporting thresholds, in respect of absent client incidents and sexual exploitation incidents to ensure an appropriate level of review and response, and improve systemic oversight.	Accept	In progress	The review of the CIMS, a staged process of continuous improvement over the next few years, is underway. The department acknowledges the importance of ensuring incident systems provide sufficient data on risks to client harm and will prioritise the Commission's recommendation about the reporting scope for absent client and sexual exploitation incidents within the review.	Progress made	The Commission will continue to provide input into this review and hopes that it addresses the serious concerns raised by this inquiry.