



**Permanent
Caregiver**
Support Service



Permanent Caregiver Support Service



The way financial and other assistance is provided to Home for Life and Permanent Caregivers has changed.....



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Vulnerable Children Legislation Changes

**The new support for Permanent Caregivers
came into effect on 1 July 2016**

Amendments to the CYP&F Act

Permanent caregiver support:

- **Financial and other assistance for permanent caregivers (s388A)** - new obligation to provide better support to permanent caregivers
- **Special guardianship (s113A)** - offers you an alternative means of securing the permanent placement of a child

Amendments to the CYP&F Act

The legislative amendments also:

- establish review and appeal mechanisms when permanent caregivers are dissatisfied with decisions made about assistance.
- Restricts the use of s86 Services Orders and some s91 Support Orders (For permanent caregivers existing services orders will expire on the first review due after 1 July 2016.)

Caregivers told the Expert Advisory Panel.....

- We want support to be available when we need it
- We need expert people to offer advice and assistance
- We want to be able to access a range of support services in our locality
- We want to understand/know about what supports we're able to get
- We want the supports to be fair and consistent around the country.

Intention of the changes

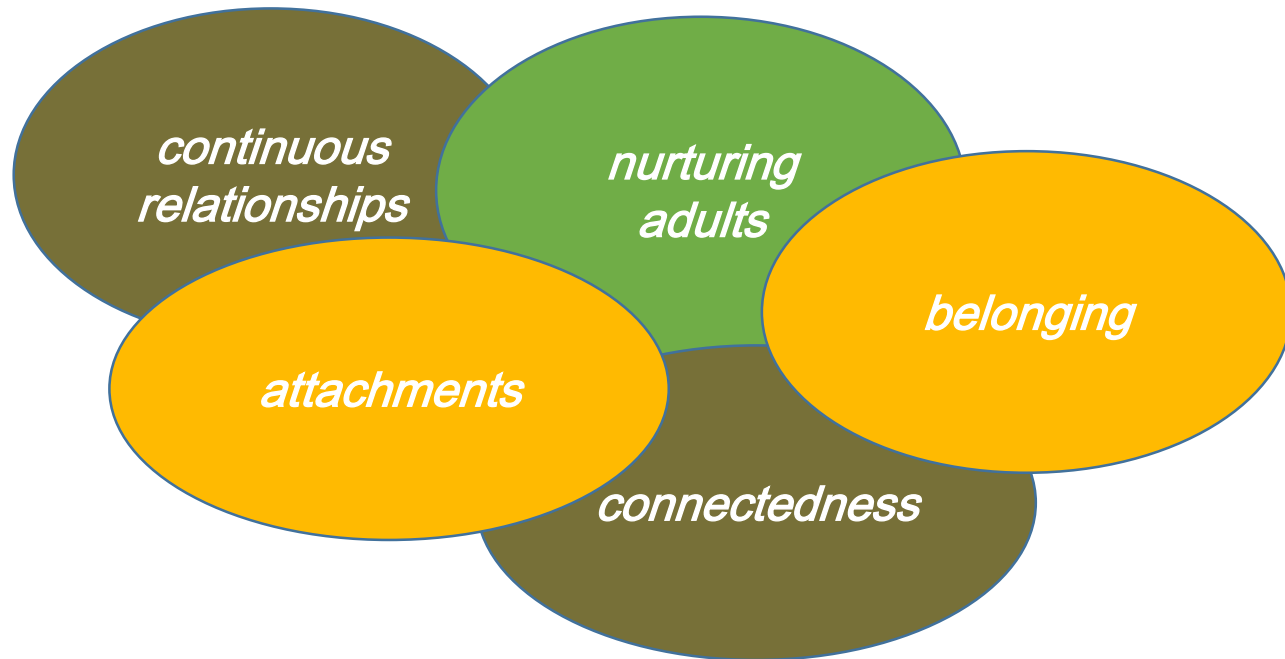
The intent of these changes is to give caregivers:

- Individually tailored support to meet the needs of a child or young person in their care
- Choice of service provider or supplier in their local area

The long term goal is.....

What we all want for children/ young people.....

Children/young people in a permanent home that offers.....



The Permanent Caregiver Support Service

- The obligations of the CE of MSD to provide financial and other assistance to permanent caregivers have been delegated to Kiistone
- Kiistone through the Permanent Caregiver Support Service will provide financial and other assistance to permanent caregivers, both kin and non kin, in accordance with the Children, Young Persons and Their Families Act 1989.

Questions



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PCSS - Entitlement

Who is entitled?

A “permanent caregiver” is legally defined as either:

- a special guardian, or
- a person who has obtained orders under the Care of Children Act in substitution for orders (s78, 101, 110) or a section 140 agreement under the Children, Young Persons, and Their Families Act.

Who is entitled?

*Caregivers who provide a permanent living arrangement with no legal orders after the discharge of custody orders under the CYP&F Act have been defined by CYF as Permanent Caregivers.

- **Caregivers with custody under s101 CYP&F Act ?**
- **Home for Life caregivers ?**

Home for Life Caregivers

Home for Life caregivers have been able to get any ongoing and necessary support through a court order - either a services order or a support order. In addition, and sometimes alternatively, Home for Life caregivers have been offered the Home for Life support package which includes phone and face-to-face meeting support.

Transition Arrangements

- All H4L caregivers receiving support can continue to have the 4 phone calls and 2 visits per annum until the three year period is up
- If a caregiver reports they have an arrangement with CYF to provide any additional supports CYF will need to be involved in planning with the caregiver and PCSS for future support

Intake - Referral

“a caregiver in the process of securing permanent orders or contemplating providing a permanent home for a child referred by CYF or an approved social service provider.”

Referral and Planning

- Referral – planning with referring social worker
- Permanent Care Support Plan
- Plan implemented by PCSS once permanent orders are made by the court

Intake - Request

“A caregiver who is providing a permanent home for a child and contacts the PCSS for assistance.”

Requests

- Does the caregiver fit the definition of 'permanent caregiver'?
- Does the caregiver fit into the special category where the caregiver took care permanently without orders?

Requests and Planning

- Request – planning with caregiver
- Permanent Care Support Plan
- Plan implemented by PCSS when support approved

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PCSS – Criteria

Criteria - financial and other assistance

- s388A(2) – must provide
- s388A(1) – may provide
- S389 – may provide to a small group

Criteria - s388A(2)

Paragraph (a)

Financial and other assistance to permanent caregivers of children/young people **must** be provided when the need arises from the child's:

- Care and protection needs or
- Extraordinary health needs or
- Extraordinary education needs or
- Extraordinary developmental needs,

and

And.....

- meeting those needs is more than a permanent caregiver can reasonably be expected to provide, **and**
- the needs cannot be met by existing sources of support and are unlikely to be provided otherwise, **and**
- it is reasonable to be provided by the CE, **and**
- it is consistent with any Ministerial Direction.

Criteria - s388A(2) – Paragraph (a)

Care and protection – Does the need arise from -

- Circumstances that led to entry into care eg abuse, neglect
- The experience of care eg multiple placements, separation from siblings

Criteria - s388A(2)(a) - Examples

- Counselling, therapy – trauma, attachment, low self esteem
- Support with managing behaviour resulting from trauma
- Support around any physical effects of abuse/neglect (including in the womb) eg teeth, failure to thrive, speech impediment, FAS

Criteria - s388A(2)(a) - Examples

Extraordinary Health, Education and Developmental
“Very unusual”

Criteria - s388A(2) – paragraph (b)

“Meeting those needs is more than a permanent caregiver can reasonably be expected to provide”

Consider:

- The cost of meeting the needs
- Caregiver’s financial circumstances
- Impact of meeting the needs on caregiver and family
- Whether support is available from child’s/young person’s family

Criteria - s388A(2) – Paragraph (c)

“The need cannot be met by existing sources and is unlikely to be provided otherwise”

Consider

- What support is available from government/government contracted sources eg WINZ, Education, Ministry of Health (NASC), NGO contracted providers

Criteria - s388A(2) – Paragraph (d)

“It is reasonable in the circumstances for the Chief executive to provide the assistance”

Consider

- The impact on the child’s/young person’s development and well-being of not providing the assistance
- Whether it’s consistent with assistance provided to others in similar circumstances
- Whether the assistance would achieve the desired outcome, and meet the need adequately
- Evidence about what assistance is effective

Discretion under s388A(1)

“...may....provide financial and other assistance to a permanent caregiver of a child or young person for the purpose of assisting the permanent caregiver to care for the child or young person.”

Discretion - s388A(1) - examples

There is a (non reviewable) discretion to approve assistance – this will be considered if a need does not meet all the s388A(2) criteria.

Examples –

- It could be publicly funded but the waiting time would cause undue hardship or unacceptable impact on the child/young person
- The health, education, or developmental need is not “very unusual” but significant and unexpected

Discretion under s389

For caregivers who took the care of a child or young person without orders but after the discharge of CYF custody.....

“.....may....provide financial assistance to any person for the purpose of assisting that person to care for any child or young person...”

Discretion - s389 - Examples

Consider assistance provided under s388A(1)&(2) for caregivers in similar circumstances.

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PCSS

How will caregivers get the support

- Assistance to meet costs – PCSS payment cards
- Service from a social service provider or supplier in the caregiver's local area – payment on invoice by the PCSS

Caregiver Right of Formal Review

- If a caregiver is dissatisfied with a decision the PCSS has made about providing assistance under s388A(2) they can request a formal review of decision by ringing the PCSS or filling out the review form which will be on the PCSS website
- A CYF panel will review the decision and communicate directly with the caregiver
- CYF will advise of options if the caregiver is still not satisfied

PCSS Plan Reviews and Service Effectiveness

- Review at plan end
- Review at 12 months
- Service effectiveness

To what extent did the plan help you meet the need of the child/young person over the plan period?

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