

## Non-government organisation referral for legal audit

This form should be used by an NGO OOHC service provider to refer a child or young person who is in statutory OOHC to FACS Legal Services via the Child and Family District Unit (CFDU), for an audit examining whether they are legally eligible to apply for victim's support payments or other legal claims. The NGO OOHC service provider is to complete this form based on the period they have had case management responsibility for the children and young people. The CFDU is to complete the sections applicable to FACS.

**The child or young person must be the subject of final care orders allocating parental responsibility to the Minister.**

You should complete this form if the child or young person is subject to a final order of parental responsibility to the Minister of at least 2 years duration and:

- 1) is aged 15 years or older: or
- 2) will leave care in less than 3 years (for example, adoption or section 90 application).

Section 1 – Details of NGO OOHC service provider	
Name of agency	
Address/Phone no.	
Caseworker	Phone:
Manager	Phone:
How was referral identified? (check)	<input type="checkbox"/> Annual review <input type="checkbox"/> Critical incident/Disclosure <input type="checkbox"/> Leaving care planning <input type="checkbox"/> Other:

Section 2 – Details of the child or young person to be completed by the NGO OOHC Service provider	
Name	
Date of birth	
Legal status	
FACS CFDU contact	
Number of OOHC Service provider files	

**Section 2 – Details of the child or young person to be completed by the CFDU**

Person number	
CSC where files are held	
Number of volumes held at the CSC	
Number of volumes held at archives	

**Section 3 – Details of sibling(s) – to be completed by NGO OOHC service provider**

Sibling Name 1		
Date of birth		
Legal status		
CSC or NGO with case management		
Caseworker		Phone:
Manager casework		Phone:

**Section 3 – Details of sibling(s) – to be completed by NGO OOHC service provider**

Sibling Name 2		
Date of birth		
Legal status		
CSC or NGO with case management		
Caseworker		Phone:
Manager casework		Phone:

**Section 3 – Details of sibling(s) – to be completed by NGO OOHC service provider**

Sibling Name 3		
Date of birth		
Legal status		
CSC or NGO with case management		
Caseworker		Phone:
Manager casework		Phone:

**Section 3 – Details of sibling(s) – to be completed by NGO OOHC service provider**

Sibling Name 4		
Date of birth		
Legal status		
CSC or NGO with case management		
Caseworker		Phone:
Manager casework		Phone:

**Section 3 – Details of sibling(s) – to be completed by CFDU**

	Name	ChildStory number	CSC/Archives where files are held	Total number of volumes
Sibling 1				
Sibling 2				
Sibling 3				
Sibling 4				

#### **Section 4: File audit information – to be completed by NGO OOHC service provider**

Please consider the subject child or young person and any siblings listed in Section 2 when answering the following questions.

- i)** Why are you referring the child or young person's files for legal audit?  
Details:
  
- ii)** Are any aspects of parental responsibility for the child(ren) or young person(s) allocated to a person other than the Minister or held jointly with the Minister? Details:
  
- iii)** Are there any factors influencing the urgency of the audit? For example young person aged 17 plus, imminent expiration of care order, interstate transfer of care order, adoption. Details:

#### **Section 4: File audit information – to be completed by CFDU**

- i)** Have the files for the child(ren) or young person(s) been audited previously? Details:
  
- ii)** How many file volumes does FACS have in total for the child(ren) or young person(s)? Include all individual and family files held by FACS at CSCs and Archives and files held by NGO OOHC service provider.
  
- iii)** Are the files up to date and ready to be couriered to a Legal Practitioner for auditing?

All files must be sent together and within 10 working days of the confirmation of the audit from the Care Legal Support Team or CFDU. The files must contain all records held by FACS **including the documents relating to events prior to the child or young person entering statutory OOHC and all records held by the NGO OOHC service provider.**

An NGO OOHC service provider may provide copies of the files held by the agency however each file must be adequately identified and information on the file should be placed in chronological order. A sealed copy of final care orders allocating parental responsibility must be on the file. Audits will not commence until all volumes have been received by the legal practitioner.

**Section 5: Approval – to be completed by CFDU**

- Referral form to be forwarded to the Audits/Claim Mailbox operated by your Care Legal Support Team<sup>1</sup>.  
[Audit/Claims – CareLegalSupportM&S@facs.nsw.gov.au](mailto:Audit/Claims – CareLegalSupportM&S@facs.nsw.gov.au) or  
[Audits/Claims – CareLegalSupportN&W@facs.nsw.gov.au](mailto:Audits/Claims – CareLegalSupportN&W@facs.nsw.gov.au)
- Referral form to be placed on file and attached on ChildStory in a ‘Victims Support Application’ Record.

	<b>Name</b>	<b>Signature</b>	<b>Date</b>
<b>Caseworker</b>			
<b>Manager Casework</b>			

**Section 6: Referral outcome - To be completed by Care Legal Support only.**

- Referral Accepted
- Referral Declined

<b>Manager casework to be notified of referral outcome in writing</b>		
<b>Name of Care Legal Support Officer</b>	<b>Signature</b>	<b>Date</b>

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<sup>1</sup> • M&S refers to Metro & South Care Legal Support Team and N&W refers to North and West Care Legal Support Team. Check with your Care Legal Support Officer if you are unsure which team services your CSC.