

# CHARTER OF RIGHTS



## What you need to know while you're in out-of-home care (OOHC)

Watch our videos: [www.facs.nsw.gov.au/cor](http://www.facs.nsw.gov.au/cor)

# CHARTER OF RIGHTS

You have the right to have contact with your family and community.

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You have the right to be told why you are in care and to keep a record of your time in care.

You have the right to ask for any information that is being kept about you, to read your file and to add any information to your file.

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You have the right to be treated fairly.

You have the right to be treated with respect.

You have the right to feel safe and not be abused.

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You have the right to complain.

You have the right to services that promote your health and wellbeing. You have the right to ask for extra help with your education.

If you have to go to court, you have the right to be helped and supported.

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You have the right to do things that you enjoy.

You have a right to your own beliefs and way of life.

You have the right to make choices about everyday matters. You have the right to say what you are thinking and feeling.

You have the right to take part in making important decisions affecting your life.

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Before leaving care, you have the right to be involved in planning the kind of support and assistance you may need after leaving care.

# IT'S YOUR RIGHT TO KNOW YOUR FAMILY



Everyone has people who are important to them. It could be mum, dad, brothers or sisters, aunts or uncles, grandparents or friends. If there are people you'd like to spend time with, talk to your carer or caseworker.



You should also let your carer or caseworker know if there are certain people you don't want to stay in touch with.



You have the right to have contact with your family and friends

# IT'S YOUR RIGHT TO KNOW WHY YOU'RE IN CARE



Everyone is in care for  
different reasons.

But whatever the reason,  
**it's your right to know.**



If you have any questions about why you're in care, **talk to your caseworker**, or someone else in the family, because it's your right to know.



Remember, you have the right  
to ask about any information  
being kept about you.

When you leave care, you can  
**ask to read the file** about your  
time in care.

**IT'S YOUR RIGHT  
TO FEEL SAFE  
AND BE TREATED  
WITH RESPECT**







Everybody should feel safe :  
and be treated with respect. :



: This means you should be treated  
: fairly, listened to and **involved in**  
: **decisions that affect your life.** :



If you feel unsafe at home, school or :  
anywhere else, **tell someone you** :  
**trust.** Because it's your right to feel :  
safe, cared for and respected. :

# IT'S YOUR RIGHT TO ASK FOR HELP





Everyone asks for help sometimes.

So if you need help with your school work or you're feeling unhappy or depressed, **ask someone you trust for help.**



If you don't feel like you're getting the help you need, or you think you're being treated unfairly, then **it's your right to complain** to your carer, caseworker or someone else who can help.

If you ever have to go to court, for whatever reason, it's your right to **receive free legal support**



Remember, **help is always there if you ask for it.**

IT'S YOUR  
RIGHT TO  
BE HAPPY

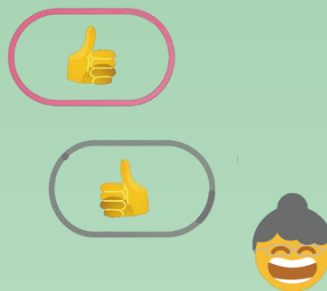




Everyone has the right to **be happy and do the things that are important** to them.  
You have the right to know about your culture and have your own beliefs, and you can say what you are thinking and feeling.

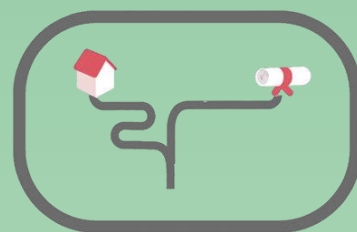


This means that you should be asked to take part in important decisions affecting your life and **make choices about everyday matters.**

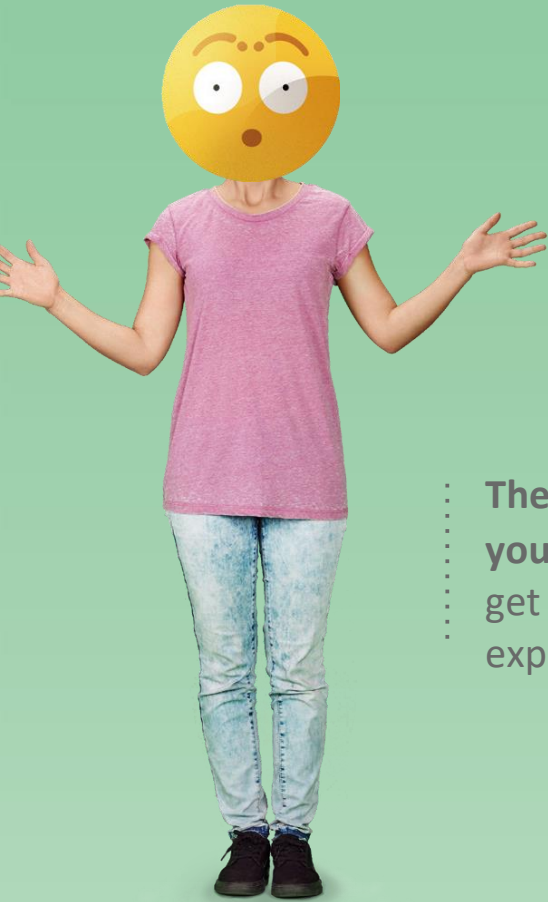


If you feel like you're not being listened to, and you can't do the stuff you'd like to do, **talk to someone you trust, because it's important that you're happy.**

# IT'S YOUR RIGHT TO BE INVOLVED IN PLANNING YOUR FUTURE



Planning for your future is an important part of growing up. **Everyone has different hopes and dreams.** That's why it's important that you're involved in planning for your future



There's a lot of support available when you leave care. Did you know you could get help with your rent and other living expenses and even go to TAFE for free?



You and your caseworker should talk about what you will need when you turn 18. It's important that you **ask for the support you need to feel confident, and secure about your future.**



## Who to contact if you want to make a complaint...

If you are not happy with the care or services you are getting you can make a complaint and ask for things to be changed.

1. First speak to your carer or a caseworker. If you do not feel comfortable doing this or if you are not happy with what they say, there are other people you can call or write to.
2. If your placement has been made by Family and Community Services (FACS) you can contact
  - the Manager Casework or
  - the Manager Client Services at your local Community Services Centre (CSC).

Contact details for CSCs are listed on the FACS Community Services website at [www.facs.nsw.gov.au](http://www.facs.nsw.gov.au)

If your out-of-home care arrangements have been made by an agency other than FACS, you should contact a manager within that agency to make a complaint. Your carer will be able to tell you which agency makes arrangements for you.

Ask your carer to give you these details in case you ever need them.

3. If you have tried steps one and two and still don't think that your complaint has been fixed you can contact the FACS Enquiry, Feedback and Complaints Unit.

Phone: 1800 000 164 (freecall) Email: [complaints@facs.nsw.gov.au](mailto:complaints@facs.nsw.gov.au)

Web: [www.facs.nsw.gov.au/about/contact/complaints](http://www.facs.nsw.gov.au/about/contact/complaints)

Mail: Reply Paid 63437 FACS Complaints Unit Locked Bag 4028, ASHFIELD NSW 2131

The Enquiry, Feedback and Complaints Unit will need your name, address and details of your concern or complaint. Let them know if there is any particular way or time you would prefer them to contact you. They will then get back to you and let you know what they can do to help you and may ask for more information.

4. Children and young people in out-of-home care can also contact the NSW Ombudsman who support young people to make complaints about NSW government agencies and services; they have a Youth Liaison Officer you can talk to.

Phone: 1800 451 524 (freecall) or you can make a complaint online: Web: [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au).

**Which CSC or organisation to contact:**

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**Contact Number:**

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## For more information about OOHC

### NSW Department of Family and Community Services

The FACS tells you about out-of-home care and what services and supports are available. Contact details for other organisations involved in out-of-home care are also on this site.

Phone: 9377 6000

Web: [www.facs.nsw.gov.au](http://www.facs.nsw.gov.au) Twitter: @facsnsw

Facebook: [www.facebook.com/familyandcommunityservicesnsw](http://www.facebook.com/familyandcommunityservicesnsw)

### FACS Careleavers Line

Contact the FACS Careleavers Line if you have any questions about leaving care or aftercare support.

Phone: 1800 994 686 (freecall)

Email: [CareleaversLine@facs.nsw.gov.au](mailto:CareleaversLine@facs.nsw.gov.au)



### **NSW Children's Guardian**

The job of the Children's Guardian is to improve out-of-home care services and make sure your rights are respected.

Phone: 8219 3600

Web: [www.kidsguardian.nsw.gov.au](http://www.kidsguardian.nsw.gov.au) Email: [kids@kidsguardian.nsw.gov.au](mailto:kids@kidsguardian.nsw.gov.au) Twitter: @nswkidsguardian

### **CREATE Foundation**

CREATE Foundation is the national peak consumer body representing the voices of children and young people with an out-of-home care experience. We provide programs and services to children and young people in care and develop policy and research to advocate for a better care system.

Ask about clubCREATE for kids in care.

Phone: 1800 655 105

Web: [www.create.org.au](http://www.create.org.au) Email: [nsw@create.org.au](mailto:nsw@create.org.au) Twitter: @CREATEfnd

Facebook: [www.facebook.com/CREATEfnd](http://www.facebook.com/CREATEfnd)

### **NSW Advocate for Children and Young People**

The Advocate works to improve the safety, welfare and well being of all children and young people in NSW. We speak up for children and young people to ensure that their rights are respected and their points of view heard by adult decision makers. We engage with the children and young people of NSW and listen to their feedback and input.

Phone: 9248 0970

Web: [www.acyp.nsw.gov.au](http://www.acyp.nsw.gov.au) Email: [acyp@acyp.nsw.gov.au](mailto:acyp@acyp.nsw.gov.au) Twitter: @acypNSW

Facebook: [www.facebook.com/acypNSW](http://www.facebook.com/acypNSW)

## **For advice or to talk things through with someone**

### **Kids Helpline**

Kids Helpline is a free, confidential and anonymous telephone and online counselling service especially for children and young people aged 5-18 years. Contact them 24 hours a day by phone, or see their website for webchat or email counselling.

Phone: 1800 55 1800

Web: [www.kidshelpline.com.au](http://www.kidshelpline.com.au)

Email: [counsellor@kidshelpline.com.au](mailto:counsellor@kidshelpline.com.au) Facebook: [www.facebook.com/KidsHelpline](http://www.facebook.com/KidsHelpline)

### **Lifeline**

Lifeline provides 24-hour telephone counselling for the cost of a local call. Visit their website for online crisis support webchat.

Phone: 13 11 14 Web: [www.lifeline.org.au](http://www.lifeline.org.au) Twitter: @LifelineAust Facebook: [www.facebook.com/LifelineAustralia](http://www.facebook.com/LifelineAustralia)

### **eheadspace**

eheadspace is a confidential online and telephone support service for children and young people aged 12-25 years who want to get in touch with a youth mental health professional. eheadspace is not a crisis service. See their website for email and online chat support.

Phone: 1800 650 890

Web: [www.eheadspace.org.au](http://www.eheadspace.org.au) Twitter: @headspace\_au Facebook: [www.facebook.com/headspaceAustralia](http://www.facebook.com/headspaceAustralia)

### **Twenty10 Association**

Twenty10 offers a range of support services for people of diverse genders, sexes, sexualities, their families and communities. This includes specialised services for young people from 12 years.

Phone: 8594 9555

Rural Freecall 1800 65 2010 Web: [www.twenty10.org.au](http://www.twenty10.org.au) Email: [info@twenty10.org.au](mailto:info@twenty10.org.au) Twitter: @twenty10

Facebook: [www.facebook.com/ Twenty10incGLCSNSW](http://www.facebook.com/ Twenty10incGLCSNSW)

## Charter of rights for children and young people in out-of-home care in New South Wales

Here's some more information about the special rights of children and young people in out-of-home care in NSW.

### **1. You have the right to take part in making important decisions about your life.**

This means that the people who make decisions about you must listen to your wishes and take them seriously. If the decisions are not what you want, your carer or caseworker should explain to you why your wishes were not followed.

It is important to tell your carer or caseworker what you think about the decisions that adults are making about your life. It is also important that when a decision is made that you do not agree with, it is explained to you in a way you understand.

### **2. You have the right to say what you are thinking and feeling.**

This means that you should be able to tell your carer or caseworker what you are thinking and how you are feeling about what is happening in your life. Your caseworker and carer should listen to what you tell them. You should not feel worried or scared about talking to them about things in your life.

You and your carer or caseworker should respect each other's point of view when you talk to each other.

### **3. You have the right to make choices about everyday matters.**

This means that you should be given the opportunity to say what you think about things like the types of clothes you want to wear or the food you like, just like other people your age.

**4. You have the right to be treated fairly.** This means that the people who are responsible for you should treat you like you treat others. They should not treat you differently because of what has happened to you or because you are not living with your family.

It is important that you also treat other people fairly.

### **5. You have the right to be treated with respect.**

People should speak to you in ways that show that they care about what you think and feel. They should ask your opinions, listen to what you have to say, and respect your privacy. You need to also respect the thoughts and feelings of other people.

### **6. You have the right to feel safe, and not be abused.**

This means that a responsible adult should always be there to help you, to keep you safe and not let anybody hurt you.

If you feel scared or you are being hurt, you need to tell your carer, caseworker, or another responsible adult who will be able to help you.

### **7. You have the right to be told why you are in care and to keep a record of your time in care.**

If you don't understand why you are in care you can ask your carer or caseworker to explain this to you. Any court orders, other agreements or care plans that talk about your future should be explained to you.

You can help keep a record of your life and experiences in care by collecting things that are important to you to put into your 'life story' record. If you do not have a life story record, ask your caseworker or carer so they can get one for you. Your carer will also help you with this.

### **8. You have the right to ask for any information that is being kept about you, to read the file about your time in care and to add information to this file.**

If you want to find out what information is on the file about your time in care, you can ask the caseworker to help you look at the information. Your carer can help you to get this information.

You can access the file about your time in out of home care at any time whether you are still in care or have left care. You do not have to pay for this. Your caseworker should help you read the file and explain things that you don't understand.

### **8. You have a right to have contact with your family and community.**

You should be able to keep in touch with people and places that are important to you like your family, close friends and members of your cultural or religious community when this is what you want and where it is possible for this to happen.

Your caseworker or carer can help you keep in touch with these people. This includes people who can teach you about your culture, religion or first language.

You need to tell your carer or caseworker which people and places are important to you and who you want to keep in touch with.

It is OK if you don't want to keep in touch with some people. You need to tell a caseworker or carer about this. Your caseworker or carer can only stop you seeing people if they think it is not safe or it would not be good for you.

### **9. You have the right to your own beliefs and way of life.**

It is important for you to think carefully about what religious or cultural things are important to you and ask your carer or caseworker to help you keep practicing them.

You don't have to change your name, your religion, stop speaking the language you prefer or stop doing things that are important to you culturally. You do not have to participate in the cultural or religious practices of your carers if you don't want to.

### **11. You have the right to services that promote your health and well-being.**

You should be able to see a health worker (like a doctor, nurse, dentist, counsellor or social worker), or be taken to hospital, if you need to. When you are sick or having a check-up you should always be told what the health workers are going to do.

If you don't understand what is happening ask them to explain again so that you do understand.

If you are 14 years or over, you can give permission for a test or treatment, as long as you understand the nature, consequences and risks of the treatment.

You must understand and voluntarily agree to treatment before it can be given.

If you feel sick, have a medical problem or are worried about something, it is important to tell your carer or caseworker so that they can get the right help to make you well.

### **12. You have a right to ask for extra help with your education.**

If you are having problems with any of your subjects at school, you need to tell your teacher, carer or caseworker who can help you get more support. They can talk to the school counsellor or get you extra tutoring if this is needed.

If you think you are having any problems at school you can tell your teacher, carer or caseworker and ask them to help you.

### **13. You have the right to do things that you enjoy.**

Your carer should try to help you do things you enjoy, like sports or hobbies, as long as they are legal, affordable and not dangerous. If you move to another

Carer it is important you are helped to stay involved in activities you want to keep doing where this is possible.

Tell your carer or caseworker about these so they can see if it is possible to help you continue to take part in them.

**14. You have the right to be involved in planning before you leave care and to identify what support and assistance you will need after leaving care.**

If you are 15 or over it is important that you have a plan before you leave care. This plan will set out if you are likely to need support, the type of support you may need and how you might be able to get this. It is based on an assessment of your individual situation and you may be able to get help from FACS as well as from other places.

Contact details for the services that can help you are available on the FACS website [www.facs.nsw.gov.au](http://www.facs.nsw.gov.au) or from your local Community Services Centre (their details are on the website too).

You should think about what you might need help with and tell your caseworker.

**15. If you have to go to court, you have the right to be helped and supported.** This means you will have a lawyer to help you tell your story in court. You need to tell your lawyer what you want the court to know and you need to give them the information that will help them tell your story truthfully.

You can also choose a responsible adult to support you.

If you are taken into custody by the police you must never be locked up with adults.

**16. You have the right to complain.**

If you are not happy with the quality of your care or with the services you receive, you can make a complaint. There are a number of ways you can do this but, if possible, it would be good to talk about this to your carer, caseworker or someone at FACS first.

If you don't think you can do this, turn to page 16 of this booklet where you can read more information about how to complain to other people who may be able to help you.

If you are unhappy with your care or the services you are getting it is important that you tell someone who can help you. It will help if you can tell someone what is making you unhappy



If you or someone you know is being  
abused or is unsafe, call the Child  
Protection Helpline on 132 111



# NOTES



Family &  
Community  
Services

Watch our videos: [www.facs.nsw.gov.au/view?id=551020](http://www.facs.nsw.gov.au/view?id=551020)

Enquiries about this booklet should be directed to: OOHC Initiatives  
NSW Department of Family and Community Services Phone: 9377 6000  
Mail: Locked Bag 4028, ASHFIELD NSW 2131

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