

APPENDIX 4

A Guide to Developing a Protocol between local Aboriginal organisations and government/ non-government partners

Preamble:

Where it is considered useful to assist in operationalising the *NSW Interagency Guidelines for Child Protection Intervention*, local protocols may be developed between Aboriginal community-based organisations and another service provider.

The development of a local protocol implicitly acknowledges the principles in the *Children and Young Persons (Care and Protection) Act 1998* of Aboriginal people being enabled and offered opportunities to participate in the care and protection of their children and young persons with as much self-determination as possible.²⁰

In the development of a protocol, the parties should be mindful of the diversity of Aboriginal and Torres Strait Islander people within NSW, and consider local cultural values and traditions when implementing a protocol.

Local protocols are generally developed to improve service provision and assist service providers by articulating the roles of partner agencies, giving recognition to the particular local context within which agencies work and describing the way in which the partner agencies will work together.

Local protocols may be considered for the purpose of facilitating clear communication between the agencies providing services, defining shared principles for service provision, respective roles, key local service-delivery issues, and establishing agreed processes for the delivery of services.

A local protocol should always be developed in partnership between all the stakeholders involved, including the target client. It should be tailored to reflect the local context and issues, and written in simple and concise language that is easy to follow and apply in practice. A key purpose of a protocol with an Aboriginal agency is to acknowledge the importance of local Aboriginal practices and processes and of consulting with Aboriginal communities.

Any protocol developed must align with any pre-existing service agreements. The protocol should be considered a working document that provides the context for service delivery, and should be reviewed regularly to ensure currency.

Protocols developed to assist in improving service responses for Aboriginal children and young people at risk of harm and their families should also be developed in alignment with principles and practices outlined in the *NSW Interagency Guidelines for Child Protection Intervention*.

²⁰ Section 11 (Aboriginal and Torres Strait Islander self-determination) and Section 12 (Aboriginal and Torres Strait Islander participation in decision making) of the *Children and Young Persons (Care and Protection) Act 1998*.

The following steps should be considered in developing a protocol:

Step 1: The Negotiation Process

A preliminary meeting is needed to commence the negotiation process. This may be arranged by either the local Aboriginal organisation, or the local government/non-government agency to consider the following:

- ▶ For what purpose are we developing this protocol?
- ▶ What problems are we trying to address?
- ▶ Issues of contention contained in the Service Specifications, and if so, has a dispute resolution process been followed?
- ▶ What is the current context? (for example, issues faced by client group, need for clarification of roles and/or improved communication between the local Aboriginal organisation and a government agency/non-government organisation)
- ▶ What are the goals of the client group, local Aboriginal organisation and the government agency/non-government organisation?
- ▶ Is development of a protocol the best way to proceed, or could the issues be resolved via another method?
- ▶ Have we included the relevant people in this preliminary discussion?
- ▶ What are the time frames for producing the protocol and who will write it up?

Before proceeding to finalise the content of a protocol, the parties may need to reconsider various factors, such as:

- ▶ Have all the respective issues of concern been captured?
- ▶ Have the views of the relevant persons/stakeholders been considered?
- ▶ Whether this approach will be useful and serves the intended purpose?
- ▶ What other consultations may be useful before proceeding to finalise the protocol?
- ▶ Who is going to monitor compliance with the protocol?
- ▶ When will it be necessary to review the content of the protocol, and how will this be done?

The negotiation process is likely to involve a number of meetings and discussions, enabling each party to come to a better understanding the position of the other agency, as well as to clarify or revise their position. This process itself is a significant means for improving interagency practice by increasing shared understanding of individual agency remits and the goals of collaborative work.

Step 2: Content of the Protocol

Include as an overarching statement that any protocol should align with the *NSW Interagency Guidelines for Child Protection Intervention* and any pre-existing service agreements. Include the following headings, as relevant:

- ▶ **Purpose** – outline the purpose of the protocol in one paragraph in an introductory statement.
- ▶ **Service Description** (including service model description) – outline what type of service/s are provided.
- ▶ **Target Group** – be as specific as possible about who the protocol is intended to assist and who was consulted in its development.

- ▶ **Cultural Issues and Responses** – are there particular requirements that should be considered and included?
- ▶ **Admission/Referral Process** – clarify the expectations of each of the parties, for example, who can refer, can referrals be made by telephone, what is the minimum information required for an effective referral?
- ▶ **Geographical Service Coverage Area** – be specific about the extent of coverage and whether boundaries are defined or flexible.
- ▶ **Training** – is this an area that the parties will consider separately? What are the opportunities for shared training?
- ▶ **Code of Conduct and Ethics** – consider the general and/or agreed Code/s to which the parties can agree. For example: the parties may refer to their own agency codes, but each agency acknowledges and supports the other agency's code.
- ▶ **Case Management Roles and Responsibilities** – clarify what the government agency/non-government organisation will do and what the local Aboriginal organisation will do.
- ▶ **Administrative Roles and Responsibilities** – again, specify the respective requirements for each party so these expectations are clear.
- ▶ **Occupational Health and Safety Issues (OH&S)** – each party is to consider the importance of OH&S, their relevant experience, and a proactive response to risk management.

Step 3: Review of the Protocol

The protocol should end with an agreement between the parties for the review of the document, stating the frequency of review and the date of the first review.

There should be space for dated signatures from all parties to formalise the protocol (for example: between the government/non-government organisation and the local Aboriginal organisation).

Step 4: Communication

An agreement will need to be reached about who will need to know about the protocol and how information about it will be communicated.