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Financial support for children and young people in guardianship

Having a guardian is one of the permanency options for children and young people who are unable to live with their parents. A guardianship order is a long term care option within the *Children and Young Persons (Care and Protection) Act 1998* (Care Act) proclaimed on 29 October 2014.

Guardians may be relative or kinship carers or another 'suitable' person. Prospective guardians must be able to demonstrate that they can meet the long term needs of a child or young person without case management support from FACS or an Out of Home Care (OOHC) Agency.

Prospective guardians must also show they can meet the goals within the child or young persons cultural support plan, case plan and care plan. This includes arranging for the child or young person to spend time with their parents, siblings and extended family members.

Financial support for guardians

Guardians are eligible for financial assistance to support the children and young people in their care. The guardian will receive a guardianship allowance at the same rate as the FACS statutory care allowance. When approved as part of the child or young persons care plan guardians may have limited access to additional guardianship support payments in the following areas:

- education
- child care
- medical and dental
- professional therapy
- cultural support plan and life story work

What guardians do not receive

Guardians do not receive casework support from FACS or an OOHC agency. They are also unable to access:

- respite or support workers
- Support for family visits including financial support or support with the supervision of the visits
- Leaving care or aftercare services

- TILA (Transition to Independent Living Allowance)

Guardianship allowance

The guardianship allowance is paid at the same rate as the FACS statutory care allowance. The allowance covers the typical costs associated with day to day care of a child or young person in the community such as:

- Food, Shelter, Clothing and footwear, Household provisions, Daily travel and suitable car restraints
- Holidays, Gifts, Haircuts, Pocket money, Hobbies, Music lessons, Sporting activities
- General education costs, School excursions including camps, General hygiene needs
- General medical costs and general pharmaceutical costs

Guardianship+1 and Guardianship+2 allowances

For children and young people with additional support needs Guardianship+1 and Guardianship+2 allowances are available to provide additional support to meet the child's needs. Speak with your case worker to discuss +1 and +2 allowance criteria.

Guardians who reside interstate

Where FACS has made the decision to place a child or young person in a placement outside of NSW, the guardian will be eligible to receive an ongoing guardianship allowance.

Guardians who move interstate

When a guardian makes a decision to move outside of NSW, the guardianship allowance will usually continue for a period of 3 months. In exceptional circumstances the allowance may be continued, discuss this with your case worker.

Annual Reviews

Guardianship allowance

Guardians will be asked to provide confirmation that the child or young person is still in their care via a *Continuation of Guardianship Allowance* form. This report must be completed and forwarded to the CSC in order for the Guardianship Allowance to continue.

Guardianship+1 and Guardianship+2 allowances

For children and young people eligible for a Guardianship+1 or Guardianship+2 an annual assessment is required. It is the guardian's responsibility to provide medical evidence to support continuation of the Guardianship+1 or Guardianship+2 allowances.

Teenage Education Payment (TEP)

The TEP is a payment made to guardians who care for young people who are 16 or 17 years of age who are attending education or training in NSW on a full time or part time basis.

TEP eligibility

To be eligible for this payment the Guardian must demonstrate eligibility to receive Family Tax Benefit part A and provide evidence of the young person's engagement in education or training on a six monthly basis.

Guardians will received a TEP application form when a young person turns 15 and a half and further details about applying for this payment.

Guardianship Support payments

Guardianship Support payments are available where the payment has been agreed upon and approved in the child or young person's case plan prior to final orders, the care plan or guardianship financial plan.

What is a Guardianship Support payment?

A guardianship support payment is a payment provided to meet the additional needs of children and young people.

Available guardianship support payments include:

- Childcare costs
- Cultural activities and life story work
- Education
- Professional therapy costs
- Medical/dental

Eligibility

Guardianship Support Payments are not available unless approved in the child or young persons case plan prior to final orders and the child or young person's care plan and signed guardianship financial plan filed in the NSW Children's Court.

Prior to a final guardianship order a financial plan must be completed outlining the type and number of guardianship support payments required. For example weekly tutoring, child care, fortnightly speech therapy for two years. As case plans are not required after the guardianship order has been made, the last approved case plan, care plan and approved financial plan is the basis for approving any expenditure for the duration of the order.

Payments

Child Care

This payment is to support access to approved child care services such as:

- Preschool
- Family day care, Childcare/long day care
- After school care
- Vacation care

Accessing Payment

The guardian must receive a written agreement from FACS regarding the child's attendance at an approved childcare centre for a specified number of hours and days. All guardians must apply to Centrelink for the Child Care Subsidy acknowledging that they are liable for all associated costs.

The guardian should provide FACS with a copy of the receipt for lodgement. The guardian can then enrol the child in the childcare centre accepting all liability for costs.

All invoices from the child care centre should be addressed to the guardian detailing the outstanding payment amount after the child care subsidy has been deducted. The child care subsidy is paid directly to the child care centre by the Commonwealth government. The guardian should then forward the invoice to FACS. FACS will pay the invoice amount directly to the guardian. It is then the guardian's responsibility to pay the centre.

Grandparent Child Care benefit

Guardians who are grandparents may be entitled to the grandparents child care benefit which covers the full costs of approved child care for up to 50 hours her week. This payment is paid directly to the child care centre. Further information can be obtained through Centrelink.

Education

The guardian is expected to meet general educational costs from their allowance. This may include, but is not limited to uniforms, stationary and

writing material, excursions and school camps, school fees, levies and text book hire.

FACS may provide additional assistance to assist with education if this is approved as a part of the child or young persons care plan and guardianship financial plan. For example this may include tutoring.

Non-government schools

If enrolment of a child or young person in a non-government school is recommended due to **exceptional circumstances**, fees must be approved by the FACS Executive District Director and arrangements must be documented in the child or young persons care plan. In these circumstances only the school fees will be paid. All additional educational costs should be funded by the guardianship allowance.

Medical

General medical cost such as visits to the GP, dentist and pharmacy are expected to be covered by the guardianship allowance. However, additional support is available through the guardianship support payment to cover:

- Special dental treatment (general dental costs such as check-ups, x-rays, cleaning and fillings should be met from the Guardianship allowance)
- Orthodontic treatment, Medical aids, Optical appliances

Orthodontic treatment

Where approved in the financial plan the Guardian must seek approval for financial assistance prior to commencement of orthodontic treatment.

Private health insurance

The cost of private health insurance is to be met by the Guardian from the allowance.

Medicare card

All children and young people should have their own Medicare card or be included on their guardian's card.

Health Care cards

All guardians are eligible for a Health Care card for the child or young person for whom they are caring. The health care card allows for assistance such as discounted medication under the Pharmaceutical Benefits Scheme (PBS) and free ambulance travel. To assist with the application process via Centrelink,

FACS must complete the Health Care Card Request Form and give it to the guardian so they can lodge it with Centrelink.

Professional therapy

Professional therapy could include counselling, physiotherapy and speech therapy when recommended in an assessment conducted by a suitably qualified therapist or counsellor. The guardian should provide FACS with details of the aims of therapy for approval of the service prior to commencement.

Wherever possible, all attempts should be made to access mainstream Health and Community Health Services or FACS funded services. If deemed eligible, support should also be accessed via the NDIS.

Cultural/Life Story work

A guardianship support payment is available for cultural activities that assist a child or young person maintain their identity and culture and for life story work.

The processing of photos, special events such as birthday parties, school photos, gifts for family members and postage are expected to be paid for by the guardian. All cultural activities and life story work should be approved prior to commencement via an invoice addressed to FACS.

Additional financial support from the Australian Government

Centrelink benefits

In addition to the support listed above a guardian may also be eligible for support from the Commonwealth Department of Human Services (Centrelink) including but not limited to:

- Family Tax Benefit
- Child Care Subsidy
- ABSTUDY
- Youth Allowance

Further information about the full range of Australian Government assistance including payment rates and eligibility criteria, is available on the Centrelink website at www.humanservices.gov.au, by contacting Centrelink on 13 61 50 or by visiting a Centrelink Customer Service Centre.

Work exemption for guardians: advice from the ATO

In line with advice from the Department of Human Services, only guardians who are **relatives or kin** are eligible to apply for work exemptions. The Work Exemption Form will need to be completed by the CSC once the *Continuation of Guardianship Allowance* form is returned by the guardian. As with the FACS Statutory Care Allowance, the Guardianship Allowance is not taxable income.

More Information

Phone the FACS Guardianship Information Line: 1300 956 416

Email the FACS Guardianship team at Guardianship Information - NSW FACS GuardianshipInformation-NSWFACS@facs.nsw.gov.au

Talk with your child's case worker and check the FACS website <https://www.facs.nsw.gov.au/families/guardianship>