

# Charter of Rights



13-18 years

Charter is a legal word  
that means these rights  
are really important and  
have to be respected.



Cartoon strips and concept design by Peter Sheehan  
([www.petersheehan.com](http://www.petersheehan.com))

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# Charter of Rights

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

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 information to your file.

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.

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.

You have the right to do things that you enjoy.

You have the 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.

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

# Contact

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

Some people will always be important to me.



now that I am in care

But



I can tell a



caseworker



or

my carer



the names of everyone I want to spend time with.



# Records

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 information to your file.

Sometimes



I remember why I am in care



and

I never want to forget some days



I keep a record of my life in a book

so



and

a caseworker keeps some records as well.



# Respect

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.



and



and



but



unsafe



or



# Support

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.

Most  
of  
the  
time



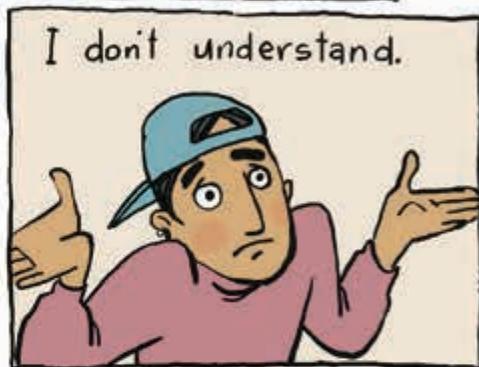
but



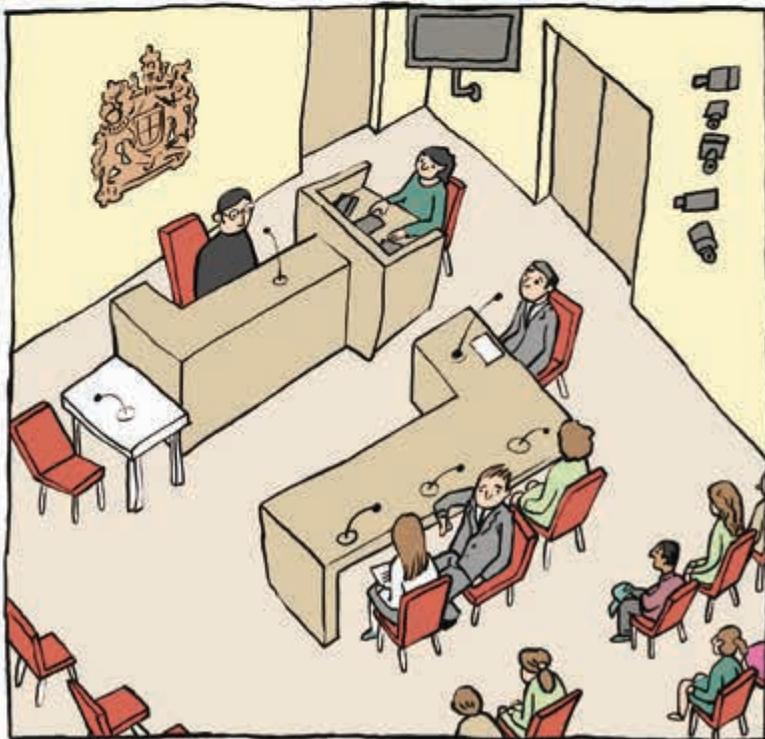
and



when



And if  
I ever  
need to  
go to  
court I  
know  
I can ask  
for help  
and  
support.



# Lifestyle

You have the right to do things  
that you enjoy.

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

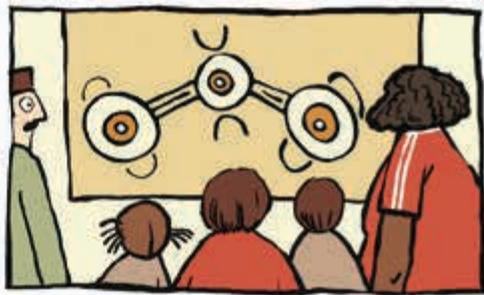
You have the right to make  
choices about everyday matters.

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.

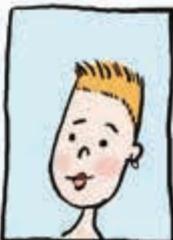


and  
my  
culture



and

I choose to have friends from all over the place.



# Leaving care

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

I like to talk about my future



so

I ask questions about money

and



budgeting



and

cooking



and

further study



finding jobs



and

travelling



and

buying furniture



and

the law



and

voting

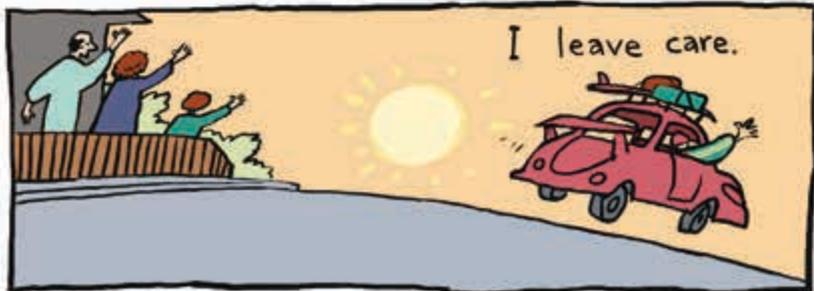


and

finding a house



so I will be ready for the day when



I leave care.

# 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).

If you need to find the phone number/address, look under 'Family and Community Services' in the White Pages or use the 'contact us' link on the FACS website [www.facs.nsw.gov.au](http://www.facs.nsw.gov.au) (click on Community Services)

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

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

Which CSC or organisation to contact \_\_\_\_\_

Contact number \_\_\_\_\_

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

You can contact the Family and Community Services Enquiry, Feedback and Complaints Unit by phone, email or in writing. They will need your name, address and details of your concern/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.

Family and Community Services Enquiry, Feedback and Complaints Unit      1800 000 164 (freecall)  
Family and Community Services      Fax: 02 9633 6192  
Locked Bag 4028, Ashfield NSW 2131      Email: [Complaints@facs.nsw.gov.au](mailto:Complaints@facs.nsw.gov.au)

**4** All children and young people in out-of-home care can also contact the NSW Ombudsman.

The NSW Ombudsman is independent and wants to make sure people are doing the right thing by you. You can complain to the NSW Ombudsman about the services you get from Community Services, a foster carer or an out-of-home care organisation. You can call the Ombudsman to talk about how they may help you with your problem.

NSW Ombudsman      Phone: 02 9286 1000  
Level 24, 580 George Street      1800 451 524 (freecall)  
Sydney NSW 2000      (outside Sydney metropolitan area)  
Email: [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)  
Web: [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)

## Who to contact if you need advice or need to talk things through with someone...

If you would like to talk to someone for advice or support (for anything at all) without having to give your name or any details, you can contact the following services and speak to a counsellor:

**Kids Help Line**                      **1800 551 800**  
(freecall)  
[www.kidshelp.com.au](http://www.kidshelp.com.au)

Kids Help Line is a free, confidential and anonymous, 24-hour telephone and online counselling service specifically for young people aged between 5 and 18.

You can email Kids Help Line at [counsellor@kidshelp.com.au](mailto:counsellor@kidshelp.com.au)

**Lifeline**                                      **131 114**  
[www.lifeline.org.au](http://www.lifeline.org.au)

Lifeline provides 24-hour telephone counselling for the cost of a local call.



## Who to contact for more information about out-of-home care...

**Family and Community Services**      [www.facs.nsw.gov.au](http://www.facs.nsw.gov.au)  
(under the 'parents, carers and families' tab)

The Family and Community Services website has a lot of information 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 provided on this site.

**CREATE Foundation**                      **1800 655 105 (freecall)**  
[www.create.org.au](http://www.create.org.au)

CREATE Foundation is a national charitable organisation run for, by and with children and young people in care. CREATE connects and empowers children and young people in care and improves the care system through activities, programs, training and policy advice.

Club CREATE is an exclusive club for children and young people in care. It's free and is the fastest way to meet other young people in care, hear all about the programs and events on offer and what's happening in their local area. If you join you will receive regular newsletters and flyers keeping you updated, with the opportunity to enter competitions and give your views.

**NSW Advocate for Children and Young People**  
**02 9286 7231**  
[www.kids.nsw.gov.au](http://www.kids.nsw.gov.au)

The Commission for Children and Young People works to improve the safety, welfare and wellbeing of all children and young people.

They speak up for kids to get their points of view heard by adult decision makers.

**NSW Children's Guardian**                      **02 8219 3600**  
[www.kidsguardian.nsw.gov.au](http://www.kidsguardian.nsw.gov.au)

The Children's Guardian is responsible for improving care for all children and young people in out-of-home care and making sure that your rights are respected. They also accredit and monitor out-of-home care services in NSW.



# Charter of Rights

## for Children and Young People in Out-of-Home Care in New South Wales

Here's some more explanation 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 affecting 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 for you to listen to explanations about decisions you do not agree with.

### **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 frightened about talking to them about things in your life.

You and your carer or caseworker should respect each other's point of view during conversations.

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

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

The choices and needs of other people should be respected and you should think about the consequences of your choices.

### **4. You have the right to be treated fairly.**

This means that the people who are responsible for you should treat you like they 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. Nobody should make you do things you don't want to do, unless it is what is best for you.

If you feel unsafe or you are being abused, 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 Book'. If you do not have a 'Life Story Book' and would like one, you need to tell your caseworker or carer so they can get one for you. Your carer will also help you keep this up-to-date.

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

Your carer will help you to get this information. You do not have to pay for this and your carer or caseworker should help you read your file and explain things that you don't understand. They must not give this information to anyone else unless it is needed to take care of you.

If you want to find out what information is on your file, you can ask a caseworker to get it for you and help you look at the information.

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

You should be able to keep in touch with people who are important to you such as 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 and first language. You need to tell your carer or caseworker which people 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 certain people. You need to tell a caseworker or carer about this. Your caseworker or carer can only stop you seeing people if they think you may be hurt by them or it would not be the best thing for you.

### **10. 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 practising 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 an 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 either give permission or refuse 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 Community Services as well as from other places.

Contact details for the services that can help you are available on the Community Services website [www.community.nsw.gov.au](http://www.community.nsw.gov.au) or from your local Community Services Centre (look under 'Community Services' in the White Pages).

You need to think carefully about what you might need help with.

### 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 satisfied 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 Community Services first.

If you don't think you can do this, turn to page 14 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 be clear about the things that are making you unhappy.



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

# Notes

My Community Services Centre (CSC) or care organisation is: \_\_\_\_\_  
(ask your carer if you are not sure)

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The CSC/ care organisation phone number is: \_\_\_\_\_

When I call the CSC/ care organisation, I should ask to speak to:

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Other people who can help me:

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Inquiries about this booklet should be directed to:

Programs and Service Design  
NSW Department of Family and Community Services  
Locked Bag 4028, Ashfield NSW 2131  
02 9716 2222

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[www.community.nsw.gov.au](http://www.community.nsw.gov.au)

ISBN 0 7310 4394 4

June 2006

Updated May 2015

