

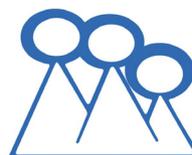


Department for
Child Protection



Better Care, Better Services

STANDARDS FOR CHILDREN AND YOUNG PEOPLE IN PROTECTION AND CARE



Better Care, Better Services: Standards for Children and Young People in Protection and Care.

Introduction

The Sector across Western Australia is committed to striving for excellence in the standard of safety and care responses for children and young people. The *Children and Community Services Act 2004* provides the legislative framework for the development of standards for children and young people in care or where there may be concerns regarding a child's safety. The *Children and Community Services Act 2004* contains a range of objects and principles that must be observed and considered in the administration and carrying out of functions under the Act.

Foremost of these is the principle that the best interest of the child is the paramount consideration. This means that in performing a function or exercising a power under the Act relating to a child, the consideration of highest priority must be the best interests of the child. Underpinning this is a number of guiding principles that must be followed. These guiding principles are found in the *Children and Community Services Act 2004*.

This document is dynamic and will reflect continuous improvement changes over time.

Background

A number of initiatives commenced in 2006 to enhance the ability of service providers across the sector to provide the highest quality services to children and young people.

In April 2006 the Department commenced a project to develop a set of standards applicable to its protection and care services. This project included consultation with staff across a range of the Department's services, a number of children in the Department's Chief Executive Officer's¹ (CEO's) care, examination of relevant standards in other jurisdictions, examination of standards in other sectors as well as initiatives in the quality industry. In 2007 the validity of the *Protection and Care Standards* was tested by piloting their assessment in two Department District Offices.

Concurrent with the development of standards for the Department's protection and care service a partnership between the Department and out of home care² sector was established to revise the *Out of Home Care Placement Services: principles and minimum service standards, April 1997, WA*. The Reference Group comprises representatives from the Alliance for Children at Risk; Children's Youth and Families Agencies Association; a representative from the Secretariat National Aboriginal and Islander Child Care; the Foster Care Association of Western Australia; the CREATE Foundation and the Department for Child Protection. This partnership was formed through a shared recognition that all children and young people in the CEO's care should receive a consistent standard of service that protects their safety and wellbeing.

¹ Unless otherwise specified CEO refers to the CEO for the Department for Child Protection.

² Out of home care incorporates a variety of models and forms and are inclusive of pre-adoptive care; emergency; short or long term foster care; specialise foster care; group home or multiple foster care; respite care and group/residential care.

As the work of the respective groups progressed, it became evident that the sector would be best suited by one set of standards applicable to all children in the CEO's care irrespective of who is providing their out-of-home care arrangement. The result is the **Better Care Better Services** Standards that apply to all children in the CEO's care supported by the Department or funded services with the exception of the Youth Supported Accommodation Assistance Program services where specific standards already apply.

The Department has a legislative role in safeguarding and promoting the wellbeing of children, and to provide for their protection and care in circumstances where their parents have not given, or are unlikely or unable to give, that protection and care. In recognition of this responsibility, two standards were added to the seven original standards in **Better Care Better Services** that are applicable to the Department's child protection and investigative role.

The work of the Reference Group is acknowledged and appreciated. The group consulted in the development of the standards and the extensive comments received during the consultation phase reflected the importance the sector places on the standards. All feedback received in this consultation phase was considered and discussed by the Reference Group in the writing of the final draft document.

Objectives

The objectives of the Standards are to:

- Protect the children and young people's safety, wellbeing and stability;
- Meet the needs of children, young people and their families and deliver positive outcomes;
- Increase consumer confidence and expectations and enhance the sector's image;
- Provide consistent policy and process information to all staff and volunteers within the sector;
- Provide a basis for staff and carer training;
- Provide a reference model for continuous improvement and evaluation of services³;
- Provide a vehicle for the measurement of achievement in relation to the standards; and
- Provide a means of satisfying government funding and service accountability requirements.

³ The term services is used to describe both funded non government services and services provided by the Department for Child Protection.

The Role of Standards in a Broader Quality Framework

Better Care, Better Services represents only one aspect of an effective quality framework. Service providers have a range of internal and external ways of examining all aspects of their service, assuring the quality of the services they provide and identifying and implementing opportunities for continuous improvement.

Better Care, Better Services complements a range of significant legislation and other publications including:

- *Children and Community Services Act 2004*;
- *United Nations Declaration on the Rights of the Child 1990*;
- *Charter of Rights for Children and Young People in Care 2006*; and
- *Foster Families Charter of Rights in Western Australia 2004*.

The Key Standards

The standards fall into the following nine broad categories:

1. Assessing the wellbeing of a child;
2. Protection and safety of children and young people;
3. Safety for children and young people in care;
4. Responding to the needs of children and young people and families;
5. Planning with children, young people, their families and carers;
6. Children and young people in placement;
7. Accountability and governance;
8. Carers and staff recruitment, training, assessment and support; and
9. Complaints and disputes.

Each category of standards contains three components:

- The category.
- An overarching high level standard which outlines the intent of the standard.
- The supporting standards.

The Way Forward

All participants involved in the development of the **Better Care, Better Services Standards** are committed to the implementation of the Standards within their organisations and furthering the implementation of the Standards across the sector.

The Standards

- Standard 1 Assessing the wellbeing of the child⁴**
The Department for Child Protection has a process of clarifying information to determine if a child or young person's wellbeing needs to be safeguarded or promoted.
- Standard 2 Protection and safety of children and young people**
The Department for Child Protection investigates issues of concern relating to the protection and safety of children and young people and takes protective action where required.
- Standard 3 Safety for children and young people in care**
Children and young people have safe relationships and living arrangements
- Standard 4 Responding to the needs of children, young people and families**
Services effectively respond to the needs of the children and young people in their care
- Standard 5 Planning with children, young people, their families and carers**
Children, young people and families participate in the planning and decision-making for matters that impact on their lives and future
- Standard 6 Children and young people in placement**
Children and young people are raised in stable and secure environments where their social, emotional, psychological and developmental needs are met
- Standard 7 Accountability and governance**
Services are diligent and accountable
- Standard 8 Carers and staff recruitment, training, assessment and support**
Children and young people receive a quality service delivered by well trained and supported carers and staff
- Standard 9 Complaints and disputes**
Children, young people and families are free to raise and have resolved any complaints or disputes with regard to the service provider

⁴ Standards 1 and 2 apply exclusively to the protection and safety functions of the Department for Child Protection.

It is acknowledged that service providers across the sector share a commitment to ensure the safety of children. The following standards one and two apply exclusively to the Department for Child Protection and its statutory responsibility to assess and protect the safety and wellbeing of children and young people.

Standard 1 – Assessing the wellbeing of the child

Standard 1: The Department for Child Protection has a process of clarifying information to determine if a child or young person’s wellbeing needs to be safeguarded or promoted.

- 1.1 The Department will respond to an Assessment of Concern for a Child⁵ (and any subsequent action) in a planned and timely way appropriate to the circumstances of the child’s situation, vulnerability, risk and gravity of the concern.
- 1.2 The response to an assessment of concern for a child (and any subsequent action) will be sensitive and responsive to differences in culture, religion, language and the particular needs of Aboriginal and Torres Strait Islander peoples.
- 1.3 The response to an assessment of concern for a child (and any subsequent action) will be sensitive and responsive to differences in culture, religion, language, gender and the particular needs of people from Culturally and Linguistically Diverse backgrounds.
- 1.4 Staff respond using professional judgment in a transparent and accountable manner and all decisions are child focused and in the best interests of the child or young person.

⁵ An Assessment of Concern for a Child (ACC) is a process of clarifying information to determine if a child’s wellbeing needs to be safeguarded or promoted and what the department’s role and responsibility is, if any.

Standard 2 – Protection and safety of children and young people

Standard 2: The Department for Child Protection investigates issues of concern relating to the protection and safety of children and young people and takes protective action where required.

- 2.1 A Senior Officer endorses or declines a recommendation to proceed to an investigation in a timely manner. In principle, investigations should be completed within 30 days of a decision to investigate.
- 2.2 The way in which the investigation⁶ is conducted should seek to minimise the trauma for the child, ensure natural justice and due process for the family, and to optimise the opportunity to engage families thereby ensuring the safety of the child in the longer term.
- 2.3 Wherever possible, and if it is safe to do so, parents and significant others⁷ should be informed, included and engaged in the process of ascertaining and providing for the safety and wellbeing of the child.
- 2.4 When the Department undertakes an investigation children and young people must be sighted, and their views sought as their age and capacity permits, and their immediate safety ensured.
- 2.5 Wherever possible and relevant to the situation, an investigation should also include, but is not limited to the following activities:
- Prior to any investigation consultation occurs with the appropriate line manager;
 - Interviewing the siblings, parents and carers;
 - Interviewing the person alleged responsible for the abuse;
 - Observations made of the child's environments, family interactions and behaviours;
 - Interviewing individuals who have witnessed the alleged abuse;
 - Obtaining medical, health, developmental and/or psychological assessments and reports from other relevant sources;
 - Consultation with relevant Senior Officers such as Child Protection, Aboriginal Services or other relevant staff; and
 - Consultation with the Senior Practice Development Officer and Senior Professional Officers in complex or contentious situations.
- 2.6 Where children, following an investigation, are assessed to have suffered or are likely to suffer significant harm, the Department ensures appropriate protective action.
- 2.7 Safety issues should be considered in consultation with the parents, relatives and persons significant in the child's life if they are assessed as protective, in terms of the child's safety and wellbeing. The participation of children and young people should occur in accordance with their age and development.

⁶ An investigation is an intensive form of assessment. An investigation does not necessarily occur with the knowledge and consent of the child or the child's parent/s or in partnership with them. However, wherever possible the child and parent/s should be fully informed and engaged in the process in the interest of respectful practice and achieving best outcomes for the child. An investigation pays close attention to the collection and analysis of forensic evidence or full narrative statements that may be used and would be admissible in courts of law.

⁷ A significant other person is a person who has a positive relationships with the child or young person as identified by the child or young person, having regard to the child's age and level of understanding, and/or a person considered by the CEO to have a direct and significant interest in the wellbeing of the child.

- 2.8 A written safety assessment and plan is developed and endorsed for all children where there is concern regarding their safety and wellbeing. These safety plans are reviewed on a regular ongoing basis
- 2.9 Wherever possible safety plans are developed in collaboration with adults responsible for ensuring the wellbeing of the child and should include consideration of the views and wishes of the child, where their age and developmental stage permits.
- 2.10 Where appropriate families will be referred to relevant social services.
- 2.11 Feedback will be provided in a timely manner as to the outcome of an investigation to agencies which have raised the concern with the Department and to those adults responsible for the safety of the child.

Standard 3 - Safety for children and young people in care

Standard 3: Children and young people have safe relationships and living arrangements

- 3.1 Policy and procedures are in place to protect children and young people from abuse and neglect while in care⁸.
- 3.2 Children, young people and their carers are aware procedures are in place to respond within specified timeframes, to allegations of abuse and neglect⁹.
- 3.3 Where a concern is raised or an allegation made of a child being mistreated, abused and/or neglected, services will work together to respond to the allegation in a timely manner¹⁰.
- 3.4 Services comply with the *Working with Children (Criminal Record Checking) Act 2004* and conduct criminal record checks for employees, contractors, students and volunteers¹¹. No child contact can occur without these record checks which are undertaken every three years or upon a change of circumstance.
- 3.5 Services has procedures in place to deal with an unsatisfactory police clearance, Working with Children Certificate or check of the Department's records.
- 3.6 Foster carers are registered prior to the commencement of caring for children and young people. Registration for all carers is reviewed every twelve months and screening occurs every three years.
- 3.7 Foster carers have been assessed to determine their competency, prior to placement of a child in the CEO's care.
- 3.8 In an emergency placement situation relative or significant other carers receive interim registration¹². Full registration is completed within 90 days.
- 3.9 Services provide a safe environment for children and young people which include emotional, psychological, physical and environmental safety, and takes into consideration their age and any specific needs of the child.
- 3.10 Residential facilities or foster carer's homes are not unsafe due to overcrowding and are regularly maintained to ensure comfortable living environments for children and young people.

⁸ 'Care' refers to children in the care of the CEO of the Department for Child Protection.

⁹ In accordance with the Director General Instructions 059 and case practice principles for departmental staff.

¹⁰ *The Abuse in Care Protocol between Family and Children's Services, its Carers, Placement Agencies and Carers* shall apply until the current review is completed.

¹¹ In accordance with Clause 3.6(i) of the General Provisions (Indexation Version) of the Service Agreement for placement agencies and the Best Practice Manual 1.3.14 for departmental staff.

¹² Assessment for interim registration includes a signed consent form for a Criminal Record Check, a Departmental Child Protection Record Check and a Working With Children Check and a completed statutory declaration.

- 3.11 Services protect the child and/or young person from harm and use methods of behaviour management that do not involve physical or emotional punishment¹³.
- 3.12 Services adhere to policies and procedures to manage children who exhibit difficult or aggressive behaviours which place their own safety and that of others at risk and receive training to understand and safely respond.
- 3.13 Services implement documented procedures and practice to meet legislative obligations in relation to the *Occupational Safety and Health Act (1984)*.
- 3.14 Services identify safety hazards, assess risks and implement appropriate controls to provide and maintain a safe work environment.

¹³ Physical punishment could include but is not limited to hitting and pushing. Emotional punishment could include but is not limited to belittling, humiliating and bullying.

Standard 4 - Responding to the needs of children, young people and families

Standard 4: Services effectively respond to the needs of the children and young people in their care

- 4.1 Services ensure that the best interests of the child or young person is the paramount consideration.
- 4.2 Children and young people in care are given a copy of the Charter of Rights and should know why they are in care and be informed about the process.
- 4.3 Services work with the children and young people in care and are aware of their concerns and needs and have respect for their point of view.
- 4.4 Services have a knowledge and understanding of the child or young person's family, carers, culture, religion and environment, and services seek to minimise unnecessary caseworker changes for children in care and their families.
- 4.5 The child or young person and their family know and can name their Case Manager.
- 4.6 Services work together to implement care plans that promote continuity of care in respect of professional staff, carers, education, physical environment, significant relationships and recreational pursuits, and wherever possible minimise any unnecessary changes.
- 4.7 Case Managers liaise with non government agencies when arranging visits for children and young people in their care and follow up any concerns raised.
- 4.8 Where the safety of the child would be compromised by the family knowing his/her whereabouts this is documented and the family will not be advised of the child's whereabouts.
- 4.9 Case Managers see and speak to a child or young person in their care on a one to one basis at least once every three months to assess the child's wellbeing and produce a quarterly care report. This includes the case manager meeting the child without any other adults who might inhibit the child's participation.
- 4.10 Services respect and recognise cultural considerations when engaging and supporting young people from Aboriginal and Torres Strait Islander backgrounds.
- 4.11 Services respect and recognise cultural considerations when engaging and supporting young people from Culturally and Linguistically Diverse backgrounds.
- 4.12 Where there is an allegation of abuse, neglect or critical incident or the child has a legal claim (for example an inheritance entitlement) services ensure that the child or young person is informed of their rights, for example to legal representation, and that those rights are upheld and access facilitated¹⁴.
- 4.13 Children and young people in care are offered treatment or counselling from the effects of trauma, which could include the purchase or provision of clinical services.
- 4.14 If a decision by the Department is likely to have a significant impact on a child's life the child will be provided with information and assistance to enable them to participate at an age and developmentally appropriate level (refer to Attachment A).

¹⁴ In accordance with the Director General's Instruction 509 and the legal responsibilities under the *Bennett Principle*.

Standard 5 - Planning with children, young people, their families and carers.

Standard 5: Children, young people and families participate in the planning and decision-making for matters that impact on their lives and future

- 5.1 Every child or young person in care has an individual Care Plan that promotes the welfare, education, interests and health needs of the child or young person and addresses their emotional and psychological needs.
- 5.2 Children and young people in care are given an opportunity and assistance to participate in decisions that affect them, taking into account their age and understanding.
- 5.3 A child's parents and any other people who are significant in the child's life are given adequate information and assistance to enable participation, in a manner and language that they can understand (refer to Attachment A).
- 5.4 Decision making and planning is based on a detailed and thorough assessment and is clear in respect to the reasons for decisions, is documented and communicated to the appropriate family members.
- 5.5 Planning is inclusive of all significant stakeholders. Significant stakeholders¹⁵ are the child, a parent of the child, any carer of the child and any significant other considered by the CEO to have a direct and significant interest in the well being of the child.
- 5.6 Children, young people, their families and carers are aware of the avenues for review of planning decisions.
- 5.7 The child or young person's cultural, ethnic or religious identity is taken into account when determining what is in their best interests. Decisions are consistent with cultural, ethnic and religious values and traditions relevant to the child or young person and workers will seek relevant advice when assisting and supporting families from diverse backgrounds.
- 5.8 Each Care Plan identifies the needs of the child, the steps and measures to meet those needs and identifies case planning decisions including decisions about contact and placement.
- 5.9 Services comply with the planning timeframes and requirements for care plans prescribed in the *Children and Community Services Act 2004* (refer to Attachment B).
- 5.10 A copy of the provisional Care Plan, Care Plan or review of Care Plan is given to the child; a parent of the child; any carer of the child and any significant other as determined by the Department's CEO (refer to Attachment C).

¹⁵ A significant other person is a person who has a positive relationships with the child or young person as identified by the child or young person, having regard to the child's age and level of understanding, and/or a person considered by the CEO to have a direct and significant interest in the wellbeing of the child.

- 5.11 Care Plans for children and young people are reviewed and modified 12 months prior to leaving care or two years in advance for those registered with the Disability Services Commission.
- 5.12 Children and young people about to leave care and their carers are given assistance at least 12 months in advance to manage the transition from care including changes in relationships.
- 5.13 Young people leaving care and who are eligible receive appropriate social services and after care support as identified in the care plan¹⁶.
- 5.14 Personal material held by services is given to a child or young person leaving care.

¹⁶ Young people may qualify for specific support in accordance with section 96 of the *Children and Community Services Act 2004*.

Standard 6 - Children and young people in placement

Standard 6: Children and young people are raised in stable and secure environments where their social, emotional, psychological and developmental needs are met

- 6.1 Placements provide nurturing homes which promote the abilities, contribution and competencies of children and young people in everyday life taking into consideration their age and development.
- 6.2 The overall needs of a child or young person are met in relation to health, education, emotional and behavioural development, family and social relationships, recreational and leisure activities, identity and culture and care arrangements.
- 6.3 Children and young people are encouraged to maintain existing and form new ties and connections and are involved in the community where this does not compromise their safety.
- 6.4 Children and young people are supported and encouraged to maintain and strengthen connections with their birth families, especially their parents and siblings irrespective of whether the child will be able to return to their parent's or family's care.
- 6.5 Where an Aboriginal and Torres Strait Islander or Culturally and Linguistically Diverse child or young person is entering care or moving to a new placement, services comply with the relevant Child Placement Principle (refer to attachment D and E).
- 6.6 Siblings are placed together as a first option unless there are strong grounds for separation. Where co-location of siblings is not possible, regular contact is maintained, where this is in their best interests.
- 6.7 A Referral/Placement Plan providing information on the child's immediate needs at the start of placement and day to day needs is given to the carer and/or funded placement service. Information may be limited to critical information for emergency placements until a prompt comprehensive assessment is conducted. Field and agency workers are accessible to carers for support, information and advice.
- 6.8 Prompt assessments for reunification with the birth family are made. Where reunification is not possible, on-going contact between the child and their birth family is maintained and services provided to address safety issues in the family.
- 6.9 Children, young people and carers are visited by the Case Manager within one week of a new placement and visits are more frequent in the early stages of any placement or where there are particular issues.
- 6.10 When placement changes occur, continuity of education and community activities are given a high priority. Schools are kept informed of matters of significant impact in the child's or young person's life. Schools can expect to contribute to the planning process and are expected to keep matters confidential.
- 6.11 Young people of compulsory school age and not in formal education are provided with assistance to participate in alternative educational or vocational programs.
- 6.12 Direct care workers and foster carers work in a manner that encourages the development of a positive relationship and rapport with the child or young person.
- 6.13 Children and young people have the opportunity to participate in the same activities as other members of the household taking into consideration their age and development.
- 6.14 The needs of all children in a household are considered when planning the introduction of another child or young person.

Standard 7 - Accountability and governance

Standard 7: Services are diligent and accountable

- 7.1 Staff/services maintain sound practice informed by literature, research, legislation, policies and procedures as well as professional ethics and values.
- 7.2 Staff/services adhere to the requirements and principles contained in legislation and are diligent in the adoption of policies and processes in the pursuit of optimal outcomes for children and young people in care.
- 7.3 Case practice is evidence based, complies with contemporary community standards and is supported by regular ongoing supervision. Staff and line managers make themselves available for supervision.
- 7.4 Staff/services maintain appropriate, clear, relevant, concise, timely and up-to-date records, including electronic and hard copy case records. Records are maintained at all times.
- 7.5 Services comply with relevant legislation and regulations for the protection of the confidentiality and privacy of the children and young people in care and keep all documentation in a secure environment.
- 7.6 Comprehensive records are kept in respect of every child who is in care. The Department will ensure that original records are kept in the child's Developmental file. The records are maintained according to the Prescribed Information (refer to Attachment F). This file will be provided to the child when the child leaves care and copies are placed on the case file.
- 7.7 The rationale for decisions made in cases are clearly documented and endorsed by the appropriate senior officer.
- 7.8 Documentation relevant to children and young people is dated, signed and makes reference to the time of occurrence and is legible.
- 7.9 Staff are given training in the appropriate documentation of file notes and incident reports.
- 7.10 Services review the quality of documentation on a regular basis and continuously improve methods.
- 7.11 Staff/services manage the time and resources available to them in an efficient and professional manner. The use of time and resources is prioritised to achieve equitable outcomes for clients and staff/services accept responsibility for decisions made in this respect.
- 7.12 The service has policies, procedures and business processes that enhance and streamline the ability of staff to carry out their responsibilities under legislation.
- 7.13 The service has financial and performance management reporting procedures in place and is managed by an appropriately qualified and experienced person with authority and accountability for service planning, resourcing, delivery and quality.
- 7.14 The service has a comprehensive human resources policies and procedures in place, ensuring: job description forms and selection criteria are continually updated to reflect the strategic directions of the service; and implementation of best practice recruitment and retention policies, including diversity and equal opportunity strategies.

- 7.15 Services provide accurate reports on their activities in accordance with an agreed format schedule.
- 7.16 The service provides a safe physical environment for staff and service users.
- 7.17 The service has a process for the coordination and negotiation with other Departments, agencies and organisations to enable children and young people to access relevant services.
- 7.18 Staff/services participate in case/service reviews, research, evaluation activities from time to time as required.

Standard 8 - Carers and staff recruitment, training, assessment and support

Standard 8: Children and young people receive a quality service delivered by well trained and supported carers and staff

- 8.1 Services implement a child focused approach to practice that holds children at the centre of concerns.
- 8.2 Recruitment strategies are targeted to attract appropriate quality carers and staff who match the needs of the child and the service.
- 8.3 The service will ensure carers and staff recruited are appropriate for their role, and have skills consistent with the competencies¹⁷ identified.
- 8.4 Staff and carers receive cross cultural training in order to apply a culturally responsive service.
- 8.5 Potential foster carers are provided with pre-recruitment information sessions and are advised of the affect fostering will have on their family and friends.
- 8.6 Staff receive induction and orientation that enables them to perform their duties prior to the commencement of employment.
- 8.7 General carers receive preparation and training that enable them to perform their duties prior to a child placement.
- 8.8 Relative carers and significant other carers, who have been given interim registration are fully registered and receive preparation training within 90 days.
- 8.9 Prior to the commencement of duties carers and staff receive written information clarifying their role, duties and responsibilities.
- 8.10 Regular professional, supervision/support and performance appraisals/reviews are conducted to support and assist carers and staff and to identify their strengths and identify areas for further development and training.
- 8.11 Carers and staff have opportunities for professional development and are encouraged to attend ongoing training. Training is provided by competent qualified staff and where possible experienced carers.
- 8.12 Staff, carers and their families are acknowledged, recognised and valued as part of the 'care team' for the child or young person's time in care and through all placement transitions. Carers and their families are given support and critical incident debriefing, as required.
- 8.13 Services ensure that all foster carers are given a copy of the *Foster Care Handbook*¹⁸ and the *Foster Families Charter of Rights in Western Australia*¹⁹.

¹⁷ The competencies for foster carers are defined in Regulation 4 of the *Children and Community Services Regulations, 2006*.

¹⁸ Foster Care Association and the Department for Child Protection, 2007.

¹⁹ Foster Care Association of Western Australia and Fostering Families and Fostering Agencies and the Department for Community Development, 2004.

Standard 9 - Complaints and disputes

Standard 9: Children, young people and families are free to raise and have resolved any complaints or disputes with regard to the service provider.

- 9.1 Information on services' processes for resolving complaints is made available through publications, via the internet and other media.
- 9.2 Children and young people using services know how and are able to raise any concerns they have about the service without being disadvantaged.
- 9.3 Children and young people using services can expect to have their concerns dealt with as quickly as possible, to be informed of the progress of any review and be told of the outcome.
- 9.4 Children and young people are given information about the Advocate for Children in Care and of other people and organisations that can assist them if they disagree with a decision of the service.
- 9.5 Information about how to make a complaint, the Case Review Panel and the State Administrative Tribunal is made available to the child, parent, carer and any significant other.
- 9.6 Services maintain a register of complaints and disputes.
- 9.7 Services encourage an environment where complaints are seen as an opportunity for service improvement and will be taken seriously, without judgement or blame.

Attachments

Attachment A If a decision by the Department is likely to have a significant impact on a child's life the child will be provided with information and assistance to enable them to participate.

Information and assistance includes:

- Information in a manner and language the child can understand;
- The decision to be made;
- Reasons for the Department's involvement;
- How the child can participate;
- Information about the relevant complaint and review processes;
- Opportunities for the child to express their views and wishes;
- Information about how the Department will take into account the child's views;
- An opportunity for the child to respond to the decision made by the Department; and
- Take into consideration the age and development of the child.

Attachment B Timeframes – Planning Decisions

The following table identifies the timeframes identified in the *Children and Community Services Act 2004* that relates to planning decisions.

Section 39 (2)

CEO must prepare a provisional care plan within **seven working days** of the child being taken into provisional care and protection.

Section 39 (4)

As soon as practicable after the CEO prepares or modifies a provisional care plan, the CEO must ensure that a copy of the care plan or modification, as the case requires, is given to the child, a parent of the child, any carer of the child and any other person considered by the CEO to have a direct and significant interest in the wellbeing of the child.

Section 89 (2)

As soon as practicable after a child first comes into the CEO's care, the CEO must prepare and implement a care plan for the child.

Section 89 (6)

As soon as practicable after the CEO prepares or modifies a care plan, the CEO must ensure that a copy of the care plan or modification, as the case requires, is given to the child, each parent of the child, any carer of the child, any other person considered by the CEO to have a direct and significant interest in the wellbeing of the child.

Section 90 (1)

The CEO must carry out a review of the operation and effectiveness of every care plan at **regular intervals not exceeding 12 months**.

Section 90 (3)

The CEO must prepare a written report on the outcome of the review and must ensure that, **where practicable**, a copy of the report is given to the child, a parent of the child, any carer of the child and other person considered by the CEO to have a direct and significant interest in the wellbeing of the child.

Attachment C Care Plans – Content

Care Plan means a written plan that;

- Identifies the needs of the child;
- Outlines the steps or measures to be taken in order to address those needs;
- Sets out directions about the care and decisions about placement; and
- Decisions about contact between the child and a parent, sibling or other relative of the child or any person who is significant in the child's life.

Attachment D Aboriginal and Torres Strait Islander Child Placement Principle

This principle is in addition to, and does not override the principle that the best interests of the child are paramount. The best interests of the child is determined and has guiding principles as per the *Children and Community Services Act 2004* s.8 and 9.

The object of the principle is to maintain a connection with family and culture for Aboriginal or Torres Strait Islander children and young people who are the subject of placement arrangements.

In making a decision under this Act about the placement of an Aboriginal or Torres Strait Islander child, a principle to be observed is that any placement of a child must be considered as far as practicable in the following order of priority.

- Placement with a member of the child's family;
- Placement with a person who is an Aboriginal or Torres Strait Islander in the child's community in accordance with local customary practice;
- Placement with a person who is an Aboriginal or Torres Strait Islander;
- Placement with a person who is not an Aboriginal or Torres Strait Islander but who, in the opinion of the CEO, is sensitive to the needs of the child and capable of promoting the child's ongoing affiliation with the child's culture, and where possible, the child's family.

Aboriginal and Torres Strait Islander people should be allowed to participate in the protection and care of their children with as much self-determination as possible.

Section 81 (1)

The CEO must ensure that an officer who is Aboriginal person or Torres Strait Islander is involved at all relevant times in the making of a placement arrangement in respect of an Aboriginal or Torres Strait Islander child.

Section 81 (2)

The CEO must consult with an Aboriginal and Torres Strait Islander agency, approved by the CEO for the purposes of this section, regarding the prospective placement of an Aboriginal or Torres Strait Islander child.

Attachment E Cultural and Linguistically Diverse Child Placement Principle

This principle is in addition to, and does not override the principle that the best interests of the child are paramount. The best interests of the child is determined and has guiding principles as per the *Children and Community Services Act 2004* s.8 and 9.

The object of the principle is to preserve and enhance a child's cultural, ethnic and religious identity. In making a decision about the placement of a Culturally and Linguistically Diverse child, any placement must be considered as far as practicable in the following order of priority:

1. The child is to be placed within the child's family of origin; or
2. The child is to be placed with a carer from the same culture and religion; or
3. The child is to be placed in a placement that is accepting and respectful of the specific cultural and religious needs of the child.

Should placement with a carer who is not from the same culture and religion and who is not a family member be required, such placement will require:

- the permission of the Director General, and
- the Care Plan to include references to the ongoing affiliation for the child with family and/or for cultural and religious connections to be consistently maintained.

Attachment F Records – Prescribed Information

The following information is prescribed for the purposes on section 128 of the *Children and Community Services Act 2004*.

- The child's name;
- The child's date of birth and place of birth to the extent that such information is available;
- A copy of the child's care plan or provisional care plan and any modifications to it;
- Information about the child's health, including a copy of any medical records and immunisation records – relating to the period the child is in the CEO's care or otherwise provided to the CEO;
- Information about the child's education, including a copy of all school reports relating to the period in which the child is in the CEO's care or otherwise provided to the CEO;
- Information about the child's cultural, ethnic, religious and family background to the extent that such information is available; and
- Any other information considered by the CEO to be relevant to the child, relative of the child or a person who is important in the child's life.



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An electronic version of this document and a poster is available on the website
www.childprotection.wa.gov.au

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