Child Safety
POLICY

Title: Placement of children with departmental employees
Policy No: 36-4

Policy Statement:

Children and young people subject to a care agreement or an order granting custody or guardianship to the chief executive may be placed with an employee of the Department of Child Safety, Youth and Women. This includes a person undertaking employment through a traineeship or student placement, where:

- the employee is an adoption applicant and the child or young person has a valid adoption consent and is to be adopted by the employee
- the employee is an approved carer, or has provisional approval, at the time of their employment
- the employee meets the legislative definition of kin (Child Protection Act 1999, Schedule 3), submits an application to become a kinship carer and has been approved as a kinship carer, including provisional approval (if applicable), by the regional director.
- the employee is employed in a non-direct service delivery role, submits an application to become a foster carer and has been approved as a foster carer, including provisional approval (if applicable), by the regional director.

A departmental employee who is employed in a direct service delivery role and who does not meet the legislative definition of kin may only be approved as a foster carer, including provisional approval (if applicable), if the regional director is satisfied exceptional circumstances apply and the foster carer applicant meets approval requirements.

Children and young people subject to a care agreement or an order granting custody or guardianship to the chief executive will not be placed with an employee, where the employee does not have current approval, or provisional approval, as a carer.

Principles:

Principles underpinning the implementation of this policy include:

- The safety, wellbeing and best interests of the child or young person, both throughout childhood and for the rest of the child’s life, are paramount.
- The child or young person and their parents have the opportunity to take part in making decisions affecting their lives, and the views of the child and the child’s family are considered.
- In deciding in whose care the child or young person should be placed, proper consideration will be given to placing the child, as a first option, with kin.
- When Child Safety is making significant decisions about an Aboriginal or Torres Strait Islander child, Child Safety will, in consultation with the child and family, arrange for an independent Aboriginal or Torres Strait Islander entity for the child to facilitate the child’s and family’s participation in decision making, including decisions about where and with
whom the child will live (section 83(2)).

- Decisions made under the Child Protection Act 1999 in relation to Aboriginal and Torres Strait Islander children and their families will promote their safe care and connection with family, community and culture.
- Employees have a right to volunteer in roles in the same way as members of the general public, as long as conflicts of interest are managed in accordance with related departmental policy and procedure.
- Employees have a right to be informed about the potential implications of being an approved carer prior to lodging an application for approval, or during the assessment of an application for renewal of approval.
- Any application by an employee to become an approved carer will be voluntary, having regard to the unique considerations likely to be faced in their dual role as an approved carer and a departmental employee.

**Objectives:**

This policy clarifies the circumstances in which children and young people may be placed with employees of the department, and aims to minimise and where appropriate, facilitate the appropriate management of issues or risks, including conflicts of interest, associated with an employee’s dual role as an employee and an approved carer.

**Scope:**

This policy applies to employees of the department, who want to become, or are, approved foster or kinship carers (including provisional approval), or adoption applicants, for a child or young person subject to:
- a care agreement
- an order granting custody or guardianship to the chief executive, including a temporary custody order or a transition order.

Employees from another agency, for example, a licensed care service will be guided by their agency’s policies and procedures as to whether they can apply to become approved carers.

**Roles and Responsibilities:**

The regional director, Child Safety is responsible for deciding all foster or kinship carer applications for approval (including provisional approval), or renewal of approval, where the application is made by an employee of the department.

If an employee is a carer applicant who requires after hours provisional approval, the Duty Executive Officer (contacted by Child Safety After Hours Service Centre staff) is responsible for deciding the application for provisional approval.

The assessment of, and the provision of direct support to, a carer applicant or an approved carer who is also an employee, may be undertaken by Child Safety officers, staff of Foster and kinship care services or by a contracted fee-for-service professional.

**Authority:**

*Child Protection Act 1999*

**Delegations:**

Refer to Instruments of delegation
Records File No.: CHS/05363
Date of approval: 9 July 2013
Date of operation: 11 July 2013
Date to be reviewed: 11 July 2016

Office: Operational Support, Child and Family Operations
Help Contact: Operational Support

Links:

Procedures
Child Safety Practice Manual, Chapters 5 and 8
Conflict of interest procedure

Related policies
Conflict of interest policy
Placement of children as part of an integrated child protection response (578)
Decisions about Aboriginal and Torres Strait Islander children and young people (641)

Related legislation or standard
Child Protection Act 1999
Child Protection Regulation 2011
Public Sector Ethics Act 1994 Public Service Act 2008
Code of Conduct for the Queensland Public Service
Statement of Commitment between the Department of Child Safety, foster care services and the carers of Queensland

Rescinded policy
36-3 Placement of children subject to a care agreement, or an order granting custody or guardianship to the chief executive, with departmental employees
36-2 Placement of child protection clients with departmental staff

Michael Hogan
Director-General