Title: Placement of children in care as part of an integrated child protection response

Policy No. 578-2

Policy Statement:

Placement in care is a means to provide a safe and therapeutic care environment for children and young people. It will not be used if less disruptive strategies can resolve the child or young person's need for protection. The Department of Child Safety, Youth and Women (Child Safety) will only use placement of children in care as part of an integrated child protection response when assessment indicates that separation of the child or young person from their family is unavoidable to ensure the child or young person’s safety or wellbeing.

A placement in care may be made during the investigation and assessment or ongoing intervention phases of child protection, to work towards either reunification of the child or young person with their family or other long-term stable care.

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. This includes decisions about where or with whom a child will live. This requirement relates to Aboriginal and Torres Strait Islander children subject to a child protection care agreement, assessment order or child protection order granting custody or guardianship to the chief executive under the Child Protection Act 1999, section 83(2).

Principles:

- The safety, wellbeing and best interests of the child both throughout childhood and the rest of the child’s life, are paramount.
- In deciding whose care the child will be placed, proper consideration is given to placing the child, as a first option, with kin.
- Placement and support responses take into account the age and developmental level of the child or young person and their cultural needs. Family based options are preferred for all children particularly those under 12 years of age.
- The child will be kept informed of matters affecting him or her in a way and to an extent that is appropriate, having regard to the child’s age and ability to understand.
- The child will have the opportunity to participate in making decisions affecting their lives and the views of the child (taking into account the child’s age or ability to understand) are recorded and considered.
- The child’s parents and kin are given the opportunity to participate in decision-making about the child and to have their views heard.
The long-term effect of a decision on an Aboriginal or Torres Strait Islander child’s identity and connection with the child’s family and community must be taken into account (s5C(1)(b)).

In any decisions or actions taken under the *Child Protection Act 1999*, the five elements of the Child Placement Principles (s5C(2)) also apply:

- Aboriginal and Torres Strait Islander children have a right to be brought up within their own family and community (*prevention principle*).
- Aboriginal and Torres Strait Islander persons have the right to participate in significant decisions about Aboriginal and Torres Strait Islander children (*partnership principle*).
- Aboriginal and Torres Strait Islander children placed in out-of-home care have a right to be placed with a member of their family (*placement principle*).
- Aboriginal and Torres Strait Islander children and their parents and family members have a right to participate, and be enabled to participate, in administrative and judicial decision-making processes (*participation principle*).
- Aboriginal and Torres Strait Islander children have a right to be supported to develop and maintain a connection with the child’s family, community, culture, traditions and language, particularly where a child is in the care of a non-Indigenous person (*connection principle*).

- Any decision involving a child or young person in care is timely and facilitates prompt receipt of services, or participation in activities, that will enhance their safety and wellbeing.
- Placement and support services are evidence based and informed by established theories of child development, attachment, trauma, grief and loss.

**Objectives:**

This policy aims to ensure that:

- placement of children in care is part of an integrated child protection response when assessment indicates that separation of the child or young person from their family is unavoidable to ensure the child or young person’s safety or wellbeing.
- decisions made under the *Child Protection Act 1999* in relation to Aboriginal and Torres Strait Islander children promote their safe care and connection with family, community, culture and country.

**Scope:**

This policy relates to all children and young people who are placed in care as defined as:

- a child is subject to an assessment or child protection care agreement or a temporary custody order, or an assessment or child protection order that grants custody or guardianship to the chief executive and
- the placement has been made under the authority of the *Child Protection Act 1999*, section 82(1), where a child is placed in the care of:
  - approved foster carers, approved kinship carers or provisionally approved carers
  - an entity conducting a departmental service
  - a licensed care service, including residential care services
  - another entity that a delegated officer is satisfied is most appropriate for meeting the child’s particular protection and care needs (for example, a particular medical or residential facility may be the most appropriate entity for a child with a disability) and
- the placement is approved by a delegated officer.
Roles and Responsibilities:

Child Safety recognises its responsibility to ensure that:

- all children and young people in out of home care receive quality care that is consistent with the Charter of Rights of a Child in Care and the Statement of Standards in section 122 of the Child Protection Act 1999
- children and young people who have experienced disrupted attachments, trauma and loss, receive placement and support services that are therapeutic and responsive to their relational, behavioural and emotional needs
- children and young people in care receive similar life chances and opportunities to their peers, thus maximising their ability to successfully transition into adulthood
- a child or young person who does not have a parent able and willing to give ongoing protection in the foreseeable future has a right to long-term stable placement in care or another permanency option which meets their best interests with regard to their ongoing welfare including safety and wellbeing needs.

Placement and support decisions will be based on the child or young person's case plan and comprehensive assessment, to the extent that is reasonable based on the length of time in out-of-home care. Child Safety officers have a responsibility to:

- gather essential information about the child and record this in the Child Information Form Part A and Part B
- undertake the Child Strengths and Needs Assessment, which describes a child's current development and functioning in terms of four levels against nine domains (behaviour, emotional stability, substance use, family of origin relationships, social relationships, cultural identity, physical health, child development and intellectual ability and education/vocation/employment)
- coordinate the development of the Child Health Passport and generate appropriate case planning to meet the child’s identified health needs
- work collaboratively with schools to ensure the development of Education Support Plans for children of school age
- ensure the case plan for an Aboriginal and Torres Strait Islander child or young person includes a cultural support plan
- review child protection and family history to identify children at risk of poor attachment and placement instability
- identify the need for specialist assessments, through services such as Evolve Interagency Services, sexual abuse services.

For all children and young people, actions taken must seek to maintain positive family relationships, where possible and appropriate, and be supportive of individual rights and ethnic, religious and cultural identity or values.

For Aboriginal and Torres Strait Islander children and young people, Child Safety must provide care that is consistent with the provisions for placing Aboriginal Torres Strait Islander children in care set out in the Child Protection Act 1999, section 83.

Child Safety partners with foster and kinship carers, non-government services, and other government agencies to ensure quality care, that takes into account the need for support and continuity of relationship for children and young people through transitions.
The department recognises its responsibility to implement licensing and quality assurance processes as appropriate to ensure that funded non-government services provide high quality placement and support services to children and young people in care.

**Authority:**

*Child Protection Act 1999*

*Child Protection Regulation 2011*

**Delegations:**

Refer to instruments of delegation for delegations related to the placement of children in care.
Records File No.: CHS/09442
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Office: Operational Support, Child and Family Operations
Help Contact: Operational Support

Links:

Related Legislation or Standards
Child Protection Act 1999
Child Protection Regulation 2011

Related Government Guidelines
Child Safety Practice Manual
Statement of Commitment between the Department of Child Safety, Foster Care Services and the carers of Queensland

Related Departmental Policy
Participation by children and young people in decision-making (369)
Assessing and responding to matters of concern (326)
Transitioning from care into adulthood (349)
Placement of children subject to a care agreement, or an order granting custody or guardianship to the chief executive, with departmental employees (36)
Therapeutic residential care (577)
Decisions about Aboriginal and Torres Strait Islander children and young people (641)

Rescinded Policy
290-1 Alternative Care as part of an integrated child protection response
290-2 Out-of-home care as part of an integrated child protection response
578-1 Placement of children in care as part of an integrated child protection response

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