Child Safety
POLICY

Title: Therapeutic Residential Care
Policy No: 577-3

Policy Statement:

Therapeutic residential care is part of a continuum of placement and support services that comprise care, which is provided in accordance with the legislated standards of care (Child Protection Act 1999, section 122) and the Charter of Rights for a Child in Care (Child Protection Act 1999, section 74 and Schedule 1).

Therapeutic residential care is a placement and support model in which children and young people with complex and extreme support needs are provided with intensive therapeutic care, in a therapeutic living environment, to facilitate recovery from the impacts of physical, psychological and emotional trauma resulting from their experiences of harm or risk of harm.

Therapeutic residential care services are provided by non-government organisations, funded by the Department of Child Safety, Youth and Women (Child Safety) and licensed under the Child Protection Act 1999, section 127.

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 requirement applies to 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 and wellbeing of a child or young person both throughout childhood and the rest of the child or young person’s life are paramount and all interactions with a child or young person will be respectful.
- Case planning and placement decision-making undertaken by Child Safety will occur through genuine consultation and participation with the child or young person, parents and other family members (where appropriate), carers and/or direct care staff, and other specialist staff and professionals.
- Child Safety and therapeutic residential care services will work in partnership to identify, establish and maintain, where appropriate, connections between the child or young person and family (including extended family); community; and persons of significance (such as elders or close family friends); and be supportive of individual rights and ethnic, religious and cultural identity and values.
• The long-term effect of a decision on an Aboriginal or Torres Strait Islander child or young person’s identity and connection with the child’s family and community will be taken into account during decision-making.

• Child Safety will work in partnership with therapeutic residential care services to provide quality care in a safe and stable living environment to meet children and young people’s needs, in accordance with the Statement of Standards and the Charter of Rights of the Child Protection Act 1999.

• Young people who have experienced or are experiencing trauma, loss, grief or poor attachment have the right to receive appropriate therapeutic and behavioural support to meet their individual needs.

• Children and young people have a right to access support and/or programs that will help them develop new knowledge, skills and behaviours to enhance their life outcomes and prepare them for reunification with family, transition to other forms of care, or transition to independent living.

• Therapeutic residential care will be evidence-based and informed particularly by theories of child development, attachment, trauma, and grief and loss.

Objectives:

Therapeutic Residential Care services will:

• assist children and young people to build relational, behavioural and emotional capacity

• assist children and young people to develop skills and behaviours to transition to a less intensive form of care, and decrease the risk of future placement instability

• support reconnection with family and community (where appropriate and consistent with the case plan)

• for Aboriginal and Torres Strait Islander children and young people, support their safe care and connection with family, community, culture and country as appropriate.

Scope:

Placements in therapeutic residential care may be made for children and young people aged 12 to 17, who are subject to an order granting custody or guardianship to the chief executive under the Act, including a temporary custody or a transition order; and who have been assessed as having complex or extreme needs; and who are unable to be placed in family-based care or other forms of residential care, but have capacity to live in a small-group (i.e. co-tenanted) setting.

Children younger than 12 years may only be considered for placement if comprehensive assessment indicates they have therapeutic needs best met by therapeutic residential care and/or they are one of a sibling group, who all have complex or extreme support needs and would benefit from being placed together.

The Therapeutic Residential Care (Placement) Services State-Wide Protocol provides details of the behaviours and characteristics that are considered appropriate for children and young people to be placed in therapeutic residential care, as well as behaviours and characteristics that are out-of-scope for treatment by therapeutic residential care services.

Roles and Responsibilities:

The procedures to give effect to this policy are in the Child Safety Practice Manual, the Child Safety Licensing Manual and the Therapeutic Residential Care (Placement) Services State-Wide Protocol.
**Placements**

A child or young person may be placed in therapeutic residential care under the authority of the *Child Protection Act 1999*, section 82(1)(d) for licensed services or section 82(1)(f) for services yet to be licensed; with the approval of the delegated officer and in accordance with Child Safety financial delegations.

Placement of a child or young person in therapeutic residential care will be made in accordance with placement-matching procedures in the Child Safety Practice Manual.

Placement of a child or young person in therapeutic residential care will be made in consideration of the child or young person’s own views, strengths and needs, individual abuse and trauma history, culture, disability and developmental needs (including any diagnosed mental health conditions), the views and wishes of the child or young person’s family, continuity of relationships, and the needs of other children and young people already residing with the service; as outlined in the Child Safety Practice Manual.

For Aboriginal and Torres Strait Islander children and young people, Child Safety will make placements that are consistent with the provisions for placing Aboriginal and Torres Strait Islander children in care set out in the *Child Protection Act 1999*, section 83.

Placement of a child or young person in therapeutic residential care will be for a period of up to 18 months.

Therapeutic residential care services will be provided in the least restrictive environment, which is physically designed to minimise the risk of self-harming and violence.

**Case management and client support**

Therapeutic residential care services will aim to meet the individual care and support needs of each child and young person placed, which will be assessed, planned for, and reviewed in partnership between Child Safety and therapeutic residential care services. The department and therapeutic residential care services will actively facilitate the participation of the child or young person, family and community, relevant support services, Indigenous recognised entities, and other significant persons (such as school staff, support workers and previous carers) in these processes.

The provision of care and support, and planning for transitions, will be conducted in consideration of the child or young person’s unique history of attachment and trauma, connections and relationships with family and community, and cultural background.

Therapeutic residential care services provided to Aboriginal and Torres Strait Islander young people will be conducted in a way that also considers their cultural and spiritual wellbeing.

Therapeutic residential care will be delivered as a collaborative service, including:

- The department, as lead agency that makes placements, and conducts case planning and transition planning.
- Non-government organisations funded by the department to deliver therapeutic residential care services.
- Evolve Interagency Services (Evolve), which is a partnership between Child Safety; the Department of Health and Hospital and Health Services.
Evolve teams provide advice on referral and transition panels; training for therapeutic residential care staff; and direct therapeutic and behaviour support services to children and young people in cases where children are clients of Evolve:

- Child Youth and Mental Health Services (CYMHS), which provides assessment and treatment to young people.
- Department of Education.
- Aboriginal and Torres Strait Islander community services providing support services.
- other local agencies, such as support services, allied health professionals, sport and recreational services.

Children and young people placed in therapeutic residential care who are not current clients of Evolve will be referred to Evolve or other relevant specialist services.

Children placed in therapeutic residential care are a priority target cohort for Evolve services.

The department is responsible for case management for children and young people placed in a therapeutic residential care service, including the ongoing review of the case plan, which will include:

- the Child Strengths and Needs Assessment
- the Child Health Passport
- the Education Support Plan
- the Cultural Support Plan, for Aboriginal and Torres Strait Islander children and, where appropriate, children from culturally and linguistically diverse backgrounds
- the Transition From Care plan, for young people who are 15-17 years old
- the Evolve Plan (if the child or young person is an Evolve client) and
- specialist assessments and any other therapeutic and behaviour support and treatment plans.

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

For Aboriginal and Torres Strait Islander young people, actions taken must support the young person to develop and maintain a connection with their family, community, culture, traditions and language.

Child Safety and therapeutic residential care services will take a planned approach to promoting and supporting positive behaviour of children and young people, as outlined in policy 604: Positive Behaviour Support. Where reactive responses are required to prevent harm to children or young people or others, it will be in accordance with policy 604: Positive Behaviour Support.

**Regulation of care**

Foster and kinship carers providing care as part of a therapeutic residential care service (specialist foster care component) must be approved as foster carers or kinship carers if providing placements for kin, under the *Child Protection Act 1999* and hold a current Blue Card or exemption card from Blue Card Services.
Concerns about the standards of care

Concerns raised about the quality of care provided to a child or young person placed in therapeutic residential care will be responded to in accordance with departmental policy and procedures for assessing and responding to concerns about the standards of care.

Licensing

Therapeutic residential care is provided by non-government service-providers that are either licensed under the authority of the Child Protection Act 1999, are actively proceeding to apply for a license, or are awaiting the outcome of an application.

Authority:

Child Protection Act 1999
Child Protection Regulation 2011

Delegations:

Refer to instruments of delegation for delegations related to therapeutic residential care.
Records File No.: CHS/18428
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Date to be reviewed: 24 July 2016

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

Links:
Procedures
Child Safety Practice Manual

Related policies
Complaints management policy and procedures
Participation by children and young people in decision-making (369)
Placement of children in care as part of an integrated child protection response (578)
Permanency planning (594)
Residential Care (606)
Responding to concerns about the standards of care (326)
Transitioning from care into adulthood (349)
Decisions about Aboriginal and Torres Strait Islander children and young people (641)

Related legislation or standard
Child Protection Act 1999
Child Protection Regulation 2011

Michael Hogan
Director-General