

Frequently Asked Questions

Foster carer for a specific child

Who decides whether a person is kin to a child?

The child and the child's family are the primary source of about:

- who is recognised as kin to a child under Aboriginal tradition or Island custom
- who is of significance to the child
- who has a cultural connection with the child.

This is consistent with Aboriginal and Torres Strait Islander peoples' right to self-determination.

Child Safety will be satisfied that the proposed person meets the definition of kin contained in the *Child Protection Act 1999*, [Schedule 3](#). For an Aboriginal or Torres Strait Islander child, this includes deciding whether a person has a cultural connection to the child.

It is important to remember that:

- the preferred care arrangement for a child is with kin (*Child Protection Act 1999*, [section 5B\(h\)](#))
- in helping the child to participate in the decision, consider the principles contained in the *Child Protection Act 1999*, [section 5E](#)
- if an Aboriginal or Torres Strait Islander child is to be placed in care, they have a right to be placed with a member of their family group (the *placement* principle, *Child Protection Act 1999*, [section 5C\(c\)](#))
- the *Child Protection Act 1999*, [section 83](#), provides additional provisions that must be considered in making a decision about in whose care to place an Aboriginal or Torres Strait islander child.

How is an assessment different to the assessment of other foster carer applicants?


Due to the legislative change to the definition of kin (introduced on 21 May 2023), new business processes have been introduced to respond to approved kinship carers who are affected by this change, as they will be unable to renew their approval as a kinship carer. (Refer to [Implementing changes to the Child Protection Act 1999](#)).

To continue in their carer role, the affected kinship carer is invited to apply to be an initial foster carer. This occurs at least 3 months prior to the expiry date on the certificate of approval.

They will then be assessed as an initial foster carer applicant. The assessment includes their ability and willingness to provide care for a specific child, in the way that a kinship carer assessment is and the additional exploration and inclusion of:

- the applicant's relationship to the child and the child's family
- the child's views about the carer applicant being their carer, and their relationship with the carer applicant
- the support and development needs of the carer applicant that will assist them to care for and be culturally responsive to the child
- the carer applicant's preference regarding a condition being placed on their certificate of approval, limiting their approval to care for a specific child.

In helping the child to participate in the decision, communicate in a way that is appropriate having regard to their age, maturity, capacity, culture and circumstances (refer to the *Child Protection Act 1999*, [section 5E](#).)



To be approved by the delegated officer, the carer applicant must be suitable to be a foster carer in order to be issued with a certificate of approval (refer to the *Child Protection Act*, [section 135\(1\)](#) and the Child Protection Regulation 2023, [section 23](#)).

Certificate condition of approval for a specific child

If it is the carer's preference to only provide care to the specific child that have been caring for as a kinship carer, the assessor will confirm this preference in the [Foster carer applicant assessment and recommendation—Initial approval only](#) report. When issuing the certificate of approval, the delegated officer will include this condition in the appropriate section of the template – under “*This approval is subject to the following conditions.*” For example:

Your approval is limited to providing care for the following child/ren:

- *Child 1's name and date of birth*
- *Child 2's name and date of birth*

Does a carer applicant affected by the changed definition of kin need to meet the mandatory foster care training requirements?

In recognition of their experience and prior knowledge of being a kinship carer to the child for at least the past twelve months, the carer for the specific child, does not need to meet the mandatory training requirements for foster carers.

The carer's training and support needs will be tailored by the foster and kinship care service provider with whom the carer is affiliated, to the specific needs of the child. If the carer has not already done so, they will be required to complete the 'Water safety awareness' module within the first 12 months of being approved.

If the carer applicant does not want this condition placed on the certificate of approval, they will be required to complete the mandatory foster carer training requirements – the 'Getting ready to start' modules, and following their approval, the 'Starting out' modules, including the 'Water safety awareness' module within the first 12 months of being approved.

Can another child be placed with a foster carer whose certificate of approval has a condition to care for a specific child?

Although the carer is an approved foster carer, another child cannot be placed in their care if they have a condition on their certificate of approval limiting their care to a specific child unless the certificate is amended. This request must be made in writing by the carer to the CSSC manager (refer to the *Child Protection Act 1999*, [section 137](#)).

A brief assessment of the following matters is to be completed, to help the CSSC manager decide whether to grant or refuse the request:

- the applicant's relationship to the child and the child's family
- the child's views about the carer applicant having their care, and their relationship with the carer applicant.

The decision must be made within 28 days. If the request is granted, the carer will be issued with a certificate of approval with the condition amended to include another child.

If the request is refused, the delegated officer must provide the carer with written notice of the decision, including the reasons for their decision and information about the carer's right to appeal the decision.



If a decision is made to remove the condition limiting a carer’s approval to a specific child, does the carer then need to complete the mandatory foster carer training modules?

Yes, the carer would need to complete the ‘Getting ready to start’ modules and during their first 12 months of caring, the ‘Starting out’ modules, unless there is a decision to vary this requirement for all or some of the modules, in recognition of their prior learning.

Do the same business processes (those developed for approved kinship carers affected by the changed definition of kin) apply to new foster carer applicants who only want to care for a specific child?

No. There are differences between carers who have been approved as a kinship carer for a child and who wish to continue caring for that child as a foster carer (because they no longer meet the definition of kin), and new foster carer applicants who only wish to provide care to a specific child that is known to them.

A new carer applicant requesting to have a condition on their certificate of approval limiting their care to a specific child:

Any new carer applicant can request a condition be placed on their certificate of approval limiting their care to a specific child they know. The assessor will confirm this preference with the applicant as part of the assessment, and document the applicants views in the [Foster carer applicant assessment and recommendation—Initial approval only](#) report for the delegated officer.

If the carer later requests for the condition to be removed, refer to above question.

Mandatory foster carer training requirements:

For returning carers, the assessor (or the key trainer for former interstate carers) has the discretion to recognise the carer applicants prior learning and training, as outlined in the [Foster carer training guidelines](#), p11.

For other carer applicants, a CSSC manager can decide to vary the assessment requirements—such as the requirement to complete the mandatory foster carer training and the timeframes that the training needs to be completed (refer to the [Foster carer training guidelines](#), p7). Prior to making this decision, the CSSC manager will consider the following:

- Child Safety has a legislative responsibility to provide training to approved carers, to maintain and develop their ability to care for children (refer to the *Child Protection Act 1999*, [section 148E](#), the Child Protection Regulation 2023, [section 23\(d\)](#) and the policy [Foster carer training](#)).
- The applicant does not have experience caring for a child in care in accordance with statutory obligations.
- The ‘Getting ready to start’ modules will assist a carer to understand the child protection system, and what they can expect from Child Safety and their foster and kinship care service provider.
- Foster and kinship care service providers have a responsibility to help carers to understand their role, and to provide them with support to fulfill their role as a carer.
- They will be required to complete water safety awareness training within the first 12 months.
- If the applicant is seeking to care for an Aboriginal or Torres Strait Islander child whom they do not have a cultural connection, consider how they will be provided with support and training to grow their cultural knowledge, awareness, and ability to help the child maintain their connection to family, community, culture, traditions, and language.



Where can I find more information?

- [Kinship care \(632\) policy](#)
- [Implementing changes to the *Child Protection Act 1999*](#)