



Office for Children, Youth and Family Support

Care and Protection Services

Visiting Children in Out of Home Care Policy

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(Editing note: red text = glossary; green text = CYP Act reference)

1. Title

Visiting Children in Out of Home Care Policy.

2. Policy statement

Within the context of the *Children and Young People Act 2008*, this policy establishes that a child¹ in an out of home care placement (care placement) will be visited by a child protection worker a minimum of one (1) time in each calendar year. In addition:

- the frequency of visits will be considered against the:
 - vulnerability of the child
 - type, duration and stability of the care placement
 - frequency of interactions between the child and other Declared Care Team members
 - significant transition points in the child's life
 - other significant events including accidents and Child Concern Reports.
- at least one (1) visit will constitute an annual review of the child's care placement
- for a child who is in an interstate care placement, a visit may be conducted by a child protection worker from an interstate statutory child protection authority
- visits will include time for the child and the child protection worker to engage and discuss matters in confidence (in accordance with the child's age, understanding and wishes)
- where appropriate and consistent with the child's wishes, visits will be located primarily at the child's place of care to enable observation of interactions between the carer/s and the child
- where possible, visits will be planned in advance and conducted in a responsive and respectful manner while causing minimal disruption to the child's life
- the child protection worker will be informed about the current circumstances of the child prior to undertaking the visit.

3. Policy objectives

The objectives of this policy are to:

- Monitor the development and wellbeing of each child who is in a care placement.
- Directly seek the views and wishes of a child in a care placement.
- Monitor that a child in a care placement is being provided with a safe, nurturing and secure environment.

4. Policy principles

This policy is based on the principles of the *Children and Young People Act 2008*, notably the 'best interests' principle (s8), the principle relating to Aboriginal and Torres Strait Islander children (s10) and the care and protection principles (ss349-352) that:

- the 'best interests' of a child is the paramount consideration in all decisions about the wellbeing of a child
- children are protected from abuse and/or neglect and cared for in a safe, supportive and stable environment without unnecessary interruption

¹ Unless otherwise indicated, a reference to 'child' or 'children' also refers to a young person or young people.

- except where it is contrary to a child's best interests, the primary responsibility for providing care and protection for the child lies with the child's parents and other family members
- priority is given to supporting parents and other family members to provide for the wellbeing, care and protection of children, helping them to understand care and protection processes and have their views and wishes heard
- the views of children will be sought and considered in making decisions about them, taking into account their age, maturity, developmental capacity, gender, background and any other relevant characteristics
- children's sense of racial, ethnic, religious, individual or cultural identity is to be preserved and enhanced wherever possible by maintaining and building their connections to family, community and culture
- delay in decision making is to be avoided because this is likely to prejudice the child's wellbeing
- decision makers exercising functions under the Act must, where practicable and appropriate, have qualifications, experience or skills suitable to apply the principles
- it is necessary for children to have settled, stable and permanent living arrangements
- the impact on a child's attachment with primary individuals will be considered when making decisions about them.

5. Scope

This policy applies to all staff within Care and Protection Services (CPS) who make decisions about the daily case management and monitoring of a child's care placement.

6. Relevant legislation, policies, procedures and standards

This policy has specific reference to the *Children and Young People Act 2008*. The Act provides authority and direction about the placement and monitoring of a child with an out of home carer including ensuring the wellbeing and considering the views and wishes of children where the Director-General holds parental responsibility. For the purposes of this policy the relevant chapters of the Act are:

- Chapter 1 that identifies the objects, principles and considerations of the Act and defines the concepts regarding parental responsibility such as daily care and long term care responsibility.
- Chapter 10 that provides general matters relating to care and protection such as:
 - the 'best interests of the child' principle
 - early intervention and timely decision making to achieve safe, supportive and stable care arrangements for children
 - promoting the cultural and spiritual identify of Aboriginal or Torres Strait Islander children through connections to family and community
 - seeking and considering the views of children on decisions being made about them.
- Chapter 15 that provides for the care arrangements that may be made for a child including definition and authorisation of Out of Home Carers and the priorities for placing an Aboriginal or Torres Strait Islander child in care.
- Chapter 25 that provides the obligations for the recording and sharing of information received about the suspected abuse and/or neglect of a child.

This policy is consistent with the National Standards for Out of Home Care, particularly standards one and two, and assists CPS to comply with the standards. This policy supports the ongoing implementation of the Charter of Rights for Children & Young People in Out of Home Care in the ACT.

7. Review

This policy will be reviewed in September 2015 and annually thereafter. The Senior Director, Statutory Services may make amendments to this policy.

8. Access

This policy is not restricted.

9. Authorising officer

Name: Dr Mark Collis

Title: Senior Director, Statutory Services

Signature: 

Date of effect: 15 September 2014

Date of review: September 2015

10. History of amendments

Date	Changes	Authorised by

11. Glossary of terms

See separate Care and Protection Services policy and procedures glossary.