

# Kinship Care

## Program Description

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## 1. Introduction

Kinship Care is a care arrangement that is anticipated to grow in Australia. Nationally, at 30 June 2019, the proportion of children in care who were placed with relatives or kin was 52.3 percent with the proportion similar for Aboriginal and Torres Strait Islander children (52 percent) and non-Indigenous children (52.6 percent). Locally, at the same time, 30.1 percent of Queensland children in care were placed with kinship carers and 65.8 percent resided with unrelated foster carers. Increasing numbers of children and young people entering the child protection system at a younger age and remaining in care longer, has contributed to pressure on the care system.

The Department of Child Safety, Youth and Women (Child Safety) recognises that kinship care is an essential care arrangement type within an integrated system and is committed to its legislative responsibility to preserve children and young people's family connections and promote their well-being. With this in mind, a considered approach towards identifying, assessing, supporting and resourcing kinship carers is required.

### 1.1 Purpose

The overarching purpose of the program description is to improve outcomes for children, young people and their families through the provision of quality care.

This program description:

- ⇒ defines the kinship care program in Queensland and outlines the elements that ensure it is effective and responsive to children and young people's needs.
- ⇒ articulates the uniqueness and importance of kinship care as one placement type within an integrated system of care arrangements and support options.
- ⇒ supports Child Safety's commitment and legislative responsibility to preserve children and young people's family connections and promote their well-being by identifying suitable kinship carers for children and young people in care.
- ⇒ outlines the distinct types of support required by kinship carers to improve the stability of kinship care arrangements.
- ⇒ assists staff to understand the importance of kinship care in promoting positive outcomes and benefits for children and young people in care.
- ⇒ informs departmental staff and other child protection stakeholders about the challenges and key considerations in identifying, assessing and supporting kinship carers and the children and young people they care for.
- ⇒ provides a basis for evaluation of Child Safety's kinship care program.

## 2. Kinship Care

### 2.1 Definitions

**Kin** is defined as 'any of the child's relatives who are persons of significance to the child and anyone else who is a person of significance to the child' (*Child Protection Act 1999*, schedule 3).

A **kinship carer** is a person related to the child or a member of a child's community and considered by the child to be family, or a person of significance to them, **who is approved by Child Safety** to provide a care arrangement for that (specific) child.

For Aboriginal and Torres Strait Islander children and young people, kinship care may include another Aboriginal person or Torres Strait Islander who is a member of, or compatible with, the child's community or language group.

A **foster carer** is an individual, or two or more individuals approved by Child Safety to provide family-based care for children and young people in their own home. Foster carers undergo a thorough screening, assessment and training process prior to being approved, to assess their ability to provide care for children and young people in line with the legislated standards of care.

**Placement Services Unit (PSU)** is responsible for managing a continuum of care arrangement options for children and young people in care. It is the conduit for all care arrangement referrals from Child Safety Service Centres to external care service providers, and facilitates a transparent matching process. The PSU also coordinates all carer applications and approvals.

**Foster and kinship care services** are funded to recruit, train, assess and support foster and kinship carers and to manage and monitor the quality of care arrangements provided to children and young people. Services operate in particular regional or Child Safety Service Centre catchment areas.

The **primary kinship care placement** is the placement where the child normally resides and returns to following any respite placement.

**Respite** provides time-limited support to enhance a carer's ability to continue in their role as a primary carer for a child/young person, and to sustain the caring relationship. For children and young people in care, respite may include an alternative care arrangement (for the purpose of providing respite to the primary carer) or other respite options such as recreational camps.

**Community Visitors** are independent officers employed by the Office of the Public Guardian to visit children and young people in care, to promote and protect their rights, interests and wellbeing. Community visitors visit children and young people living in the home of a foster or kinship carer, a residential care facility, a youth detention centre, a disability service or a mental health facility.

## 2.2 Legislative context

The *Child Protection Act 1999* acknowledges that families have the primary responsibility for the upbringing, protection and development of their children or young people. When a child/young person requires a care arrangement to meet their care and protection needs, Child Safety is required, under the *Child Protection Act 1999*, section 5B(h), to give consideration to placing the child/young person, as a first option, with kin.

The *Child Protection Act 1999*, section 82(1), provides authority for the chief executive to place a child/young person in the care of an approved kinship carer, approved foster carer or provisionally approved carer where the child/young person is subject to statutory child protection intervention, either under a care agreement or a child protection order where the chief executive has custody or guardianship of the child/young person.

The legislative requirements for the approval of kinship carers are specified in section 135(1)(b) of the Act and in section 23 of the *Child Protection Regulation 2011*.

Under the *Child Protection Act 1999*, section 84, Child Safety is required to enter into a written agreement with the kinship carer regarding the child/young person's care. This agreement, referred to as a Placement Agreement, is developed to ensure the kinship carer has access to necessary information about the child/young person and the supports required to maintain the care arrangement and meet the child/young person's safety and care needs.

Note: The following care arrangements under the *Child Protection Act 1999*, section 82, do not constitute kinship care, as the child/young person's carer is not required to be an approved foster or kinship carer for the child/young person:

- placement of a child subject to a child protection order granting short-term custody of the child to a member of the child's family under the Child Protection Act 1999, section 61(d).
- placement of a child subject to a child protection order granting long-term guardianship of the child to a member of the child's family under the Child Protection Act 1999, section 61(f)(i).

## 2.2.1 Aboriginal and Torres Strait Islander Children and Young People

Aboriginal and Torres Strait Islander children and young people are significantly over-represented in the child protection system. In 2018-19 approximately three percent of children and young people in Australia received child protection services. During this time, Aboriginal and Torres Strait Islander children and young people were 8 times more likely to receive child protection services as compared to non-Indigenous children (Australian Institute of Health and Welfare, 2020).

The Child Placement Principle has been formalised in policy and legislation in all Australian jurisdictions. It acknowledges that previous policies have caused suffering to Aboriginal and Torres Strait Islander people and reflects the right of Indigenous people to have self-determination and to raise their children and young people and keep them in their communities. “The (Principle) recognises that Aboriginal and Torres Strait Islander people have the knowledge and experience to make the best decisions concerning their children and young people and recognises the importance of each to staying connected to their family, community, culture and country” SNAIC website 2020: *Supporting Carers – Child Placement Principle*

The Child Placement Principle, *Child Protection Act 1999*, section 5C is applied in administering the *Child Protection Act 1999* when working with Aboriginal or Torres Strait Islander children, young people and families. Decisions about an Aboriginal or Torres Strait Islander child/young person must be made in a way that upholds the 5 elements of the child placement principle:

- Prevention - that a child has the right to be brought up within the child's own family and community.
- Participation - that a child and the child's parents and family members have the right to participate in an administrative or judicial process for making a significant decision about a child.
- Partnership - that Aboriginal or Torres Strait Islander peoples have the right to participate in significant decisions under the Child Protection Act 1999 about Aboriginal or Torres Strait Islander children, including the design and delivery of programs and services.
- Placement - that if a child is to be placed in care, the child has a right to be placed with a member of the child's family group.
- Connection - that a child has a right to be supported to develop and maintain a connection with the child's family, community, culture, traditions and language.

## 2.3 Key messages from research on the benefits of kinship care

“The outcomes for children in kinship care are generally seen as positive in terms of identity formation, stability of placement, behavioural and mental health outcomes, enabling siblings to live together and child protection” (O'Brien, 2012, p.127).

One of the primary strengths of kinship care is that all children and young people can benefit from maintaining family, cultural and community connections. Research on the effectiveness of kinship care remains limited, however there is evidence that kinship care can afford children and young people the following benefits:

- increased stability and continuity
- enhanced opportunity to develop their identity
- feelings of belonging
- better opportunities for family contact and ties
- increased chance of siblings remaining together, resulting in reduced anxiety about separation
- a buffering against the effects of family separation
- longer care arrangements and fewer placement changes.

Children and young people have also expressed positive views about kinship care. In 2017/18 the [CREATE Foundation](#) conducted a survey to obtain children and young people's views after five years of the National Standards for Out-of-Home Care. Respondents who resided with Kinship

Carers reported “the least disruption to their placements, with almost three quarters indicating they had lived in only one or placements” as compared to those living independently or in Residential Care who experienced extensive placement change. (McDowall, 2018, p.27). This research also showed children and young people turn primarily to carers for generic help and in sharing their concerns about transitioning from care.

Furthermore, Hunt, Waterhouse and Lutman (2008) within their research of Kinship Care in the United Kingdom, indicate that successful kinship placements are more likely if:

- the child/young person is younger at the time of the care arrangement
- the child/young person has minimal problems
- the child/young person has resided with the kin previously
- the kin initiated the care arrangement
- the kin is a grandparent
- the kin is a sole carer
- there were no other siblings living in the household (of the kinship carer).

### 3. Focus, aim and outcomes of kinship care

The primary focus of kinship care is to provide children and young people in care with a safe and nurturing home environment with someone who is of significance to the child/young person and who can meet the child/young person’s daily care and protection needs. Kinship care promotes continuity for the child/young person and maintains family connections by retaining the child/young person’s links with their birth family, community and culture.

Central to the focus of an effective kinship care system is family preservation. Family preservation is enhanced when a child/young person is placed with a kinship carer whilst Child Safety and the child/young person’s family work towards reunification, or when kinship care becomes the long term care arrangement because reunification is not possible.

#### 3.1 Aim of the kinship care program

The aim of the kinship care program is to ensure that children and young people in care are provided with quality care that is consistent with the *National Standards for out-of-home care*. The specific goals (and relevant standards) are to:

- provide stability and security for the child whilst in out-of-home care, including through matching children with the most suitable carer and care environment according to the child’s needs (consistent with Standard 1).
- actively involve children in decision-making about their lives (consistent with Standard 2).
- ensure the participation of Aboriginal and Torres Strait Islander communities in decisions concerning the care and placement of their children (consistent with Standard 3).
- ensure children have a case plan that reflects their views and their individual care and protection needs (consistent with Standard 4).
- support children to safely and appropriately maintain connection with family, including placement with kinship carers where it is in the child’s best interests (consistent with Standard 9).
- support children to develop their identity through safe and appropriate contact with their family, friends, culture, spiritual sources and communities (consistent with Standard 10).
- undertake appropriate assessments of carers and provide relevant training and support to carers to enable them to provide quality care (consistent with Standard 12).

## 3.2 Outcomes of an effective kinship care program

The expected outcomes of a kinship care program include:

- the meaningful and active participation of children and young people in decision-making, including children and young people being supported to have the skills and confidence to speak out, give their views, assert their wishes and have their views about possible care arrangement options taken seriously.
- increased compliance with the Child Placement Principle for Aboriginal and/or Torres Strait Islander children/young people, through the targeting of kinship carers.
- the placement of children and young people in primary care arrangements with kinship carers who have been identified, assessed and approved to care for them and who are able to meet the child/young person's specific needs, including identity, family relationships, cultural, educational, health, social, emotional and behavioural needs.
- the provision of safe and stable care environments that contribute to improving developmental outcomes for children and young people in care.
- the provision of respite care for children and young people, where required, with approved kinship carers.
- meaningful participation by the child, young person, birth parents, family members, significant others and kinship carers in decision-making.
- increased placement stability through the provision of targeted and effective supports for children, young people and kinship carers.
- increased kinship carer awareness of, and access to, available services and supports, including State and Commonwealth Government benefits.
- enhanced long-term outcomes for children and young people after leaving care as a result of having experienced a sense of security, stability, continuity and emotional and social support from their kinship carers.

## 4. Elements of a kinship care program

The identification, location and engagement of kin at the start of the child entering the child protection system is essential to an effective kin placement policy (Edwards 2010).

Due to the distinct nature of kinship care and the unique challenges it involves, sound processes and adequate supports are required at the identification, assessment and support phases of kinship care. This enables the initial placement to occur with an appropriate kinship carer and subsequently maintain a nurturing and stable care environment that meets the child/young person's ongoing care and protection needs.

### 4.1 Best practice elements

The kinship care program is underpinned by the following elements which support best practice in the delivery of care:

- Kinship care options should be actively explored during all phases of departmental intervention, including investigation and assessment, regardless of whether or not a care arrangement is immediately required for a child/young person.
- Kinship care options should always be actively explored **before** a child/young person is placed with a foster carer or in to non-family based care.
- Child Safety will actively engage with children and young people to identify people within the child/young person's network with whom the child/young person has an attachment or connection, and with whom the child/young person may feel safe and happy living with, including:
  - immediate and extended family members
  - neighbours and members of friendship groups

- contacts through the child/young person's sporting activities, school, religious/faith group, informal mentors, and other extra-curricular or social/community networks.
- processes to identify kinship carer options will be documented by way of a genogram and where appropriate, an eco-map and will be re-explored at regular intervals (as family structures and community support networks are fluid and can change over time).
- the assessment of kinship carer applicants includes the consideration of cultural sensitivities and an assessment of the resources required by the prospective carer to secure approval for the placement of the child/young person (for example, assistance with facilitating family contact to prevent unnecessary conflict and stress related to strained family relationships, or in-home help and respite for grandparents who could successfully provide care for the child/young person if they received additional support to enable placement stability).
- Child Safety will continue to actively explore kinship care arrangement options (for a child/young person initially placed with a foster carer due to the unavailability of a suitable kinship care option) as part of ongoing case work with the child/young person and family, and during case plan reviews. Attempts to identify a suitable kinship care arrangement will continue until such time that the child/young person is placed with family, or it would be considered in the child/young person's best interests (having regard to their need for permanency) to remain with the foster carer due to continuity of relationships.
- Kinship carers will be provided with:
  - the necessary information they require to fulfil their roles as carers, including open and transparent information about the child/young person, their case plan, Child Safety's expectations and information about the supports and services which will assist them to meet the child/young person's ongoing care needs.
  - opportunities to participate in meetings relating to the child/young person in their care, including family group meetings, case plan review meetings and placement meetings.
  - support and encouragement to participate in meetings and to access resources and support groups.
  - ongoing recognition for the important and challenging role they undertake in caring for a child/young person in need of protection.

Detailed information about the required processes associated with the identification, assessment and approval of kinship care is located within [Procedure - Provide and review care](#) in the Child Safety Practice Manual.

## 4.2 Provision of information and support to kinship carers

One of the challenges of kinship care is that some kinship carers may find it difficult, or may resist, working with Child Safety due to concerns about intrusion and interference by a statutory agency in what may be considered a family problem. Additionally, some kinship carers may already provide a level of care for the child/young person and therefore may not understand the need for Child Safety to provide information about the child/young person's particular care and protection needs, their role as a kinship carer, the limitations of decision-making and the role Child Safety can play in providing for their potential support needs.

Kinship carers are also more likely to persist with a care arrangement despite having difficulties because they are motivated to care for the child/young person due to family loyalty, commitment and attachment to the child (Broad, 2007; Farmer, 2009a). A central and consistent theme in the research has been the need to provide better support to kinship care arrangements and research indicates that placement instability may be prevented by the provision of appropriate placement support.

Support and guidance is important for assisting carers to provide an adequate standard of care which meets the child/young person's ongoing care needs. Consequently increasing the likelihood of placement stability and enhancing the child/young person's well-being while supporting progress towards meeting the case plan goals for the child and family.

Kinship carers have different supports needs compared to foster carers. The overriding factor determining how much support and assistance a kinship carer will receive is based upon both the needs of the child, young person and carer. Some of the issues unique to kinship care arrangements may include:

- family dynamics that cause stress in the care arrangement
- assistance with managing the family relationships and dynamics associated with family contact arrangements
- the need to manage the significant and rapid changes that kinship carers make to their lives by caring for children or young people at a time of family crisis, including assistance to manage the placement of potentially large sibling groups
- facilitating access to regular respite and peer support, including respite with other kin where possible
- ensuring kinship carers receive support and services for their own health problems, particularly for grandparent carers
- support to assist kinship carers in their role of working with Child Safety, including assistance to work as part of a team to meet the child/young person's case plan goals, assistance to understand decision-making and support to access financial benefits
- accessing peer support groups for carers, including discussions, social groups and information sessions that target issues specific to kinship carers.
- support is provided to kinship carers through ongoing support from funded foster and kinship care providers.
- placement meetings and completion of placement agreements for the child/young person.
- a variety of resources hosted on the Queensland Government dedicated website for existing foster and kinship carers called [Connecting with carers.](#)
- financial support.
- information sessions and carer support groups.

#### 4.2.1 Ongoing support from funded foster and kinship care service providers

“Kinship carers report the need for having increased support for various factors associated with their role as kinship carers. These include practical support with parenting and behaviour management, access to respite and child care services, and advice about services relevant the child’s needs” (Boetto 2010, pages 63-64).

Non-government agencies are funded by Child Safety to provide kinship carers with consistent and ongoing support along with carer development and resourcing. The type of support provided from the care agency may include:

- telephone support for debriefing, advice and information
- home visits on a regular basis and more frequently during difficult periods
- assistance with meeting the needs of the child or young person
- information provision, access to skill enhancements and carer support groups.

Kinship carers are also encouraged to consider becoming a member of [Queensland Foster and Kinship Care \(QFKC\)](#). QFKC provides support, advocacy and advice to all carers and members have access to additional carer-related information via the bi-monthly *Reporter* magazine and the closed virtual Foster and Kinship Carers Queensland group (as managed by Foster care Advocacy and Support Team (FAST) reps).

## 4.2.2 The placement agreement and placement meeting

Child Safety has a legislative responsibility to enter into a written agreement with the kinship carer regarding the child/young person's care (*Child Protection Act 1999*, section 84). This agreement is referred to as a Placement Agreement and is developed by holding a placement meeting with the kinship carer. It is preferred that a Placement Agreement be completed before the child/young person's care arrangement commences. Where this is not possible, a placement meeting should occur within 3 business days of the care arrangement commencing.

The purpose of the Placement Agreement is to:

- provide sufficient information to allow the carers to provide adequate care and ensure the safety of a child or young person, the carers and other members of the carer's household
- record the agreed support and services to be provided to the carers

A Placement Agreement is a live document and can be updated and amended as the needs of the child/young person and/or the carer change.

The child safety officer with case responsibility for the child is required to organise the placement meeting and complete the Placement Agreement. The meeting will involve the carer, the child/young person (if age and developmentally appropriate), the child safety officer and the carer's foster and kinship care support worker.

The Placement Agreement is required to be reviewed on a regular basis, (at a minimum, every 6 months), to ensure consistency with the child/young person's case plan and review processes. The review of the placement agreement may occur before, during, or after a family group meeting or upon review of the child/young person's Case Plan.

## 4.2.3 Connecting with carers website

The [connecting with carers website](#) contains vital information for existing kinship carers in relation to:

- Rights and responsibilities – details Child Safety's commitment to carers, carer responsibilities, legal matters and relationships with other key stakeholders
- When a child/young person comes into your care – explains the formal and informal arrangements that occur when a child/young person is placed in a kinship care arrangement
- Everyday caring – focuses on the important factors pertinent to providing care
- Money matters – explores the range of financial supports available to kinship carers, including State and Commonwealth Government allowances
- Where to get help – vital information about how to access help and support, including the 24 hours, 7 days a week, foster and kinship support line 1300 729 309
- Carer Connect – information about the Carer Connect web and mobile friendly app that provides carers with secure access to information and support

## 4.2.4 Financial support

The department provides financial assistance to kinship carers commensurate with the child's level of needs and the consequent costs to the carer. Kinship carers are paid the same allowances as are paid to foster carers, including:

- establishment payment, when the child first enters out-of-home care
- start-up/outfitting allowance, when the child first enters a new primary placement
- the fortnightly caring allowance (with a regional and remote loading applied in some locations)
- high support needs allowance, where required to meet the child's support needs

- complex support needs allowance, where required to meet the child's support needs
- child related costs as a reimbursement of approved expenditure to meet case plan goals and activities, based on the child's needs and eligibility criteria

#### 4.2.5 Ongoing information sessions and carer support groups

It is highly recommended that kinship carers attend any relevant information sessions or further learning opportunities provided by foster and kinship care services, QFKC or Child Safety. Specific kinship carer information sessions and support groups are held in many regions. Contact QFKC, the local funded care service or Child Safety Service Centre for further information.

Additionally, kinship carers may also attend [Quality Care: Foster Care training](#) which is a competency based training package delivered to all foster carers that consists of three levels: Pre-service, Standard and Advanced.

### 4.3 Supporting children and young people in kinship care

Although children or young people placed with kinship carers may be afforded benefits such as continuity of relationships that continue beyond the child/young person exiting care, they still require assistance to plan, and implement the required supports, for their transition from care to adulthood. Child Safety is responsible for ensuring that adequate contact and involvement is maintained by case workers with children and young people and their kinship carers, so that their transition from care needs are adequately planned for and implemented.

#### 4.3.1 Case management and case plan

Child Safety is responsible for case managing the statutory intervention in the life of a child/young person and their family

Two of the primary components of case management include the development of a case plan and the development of the Placement Agreement (as outlined in section 4.2.2 *The Placement Agreement and Placement Meeting*).

A case plan entails a written plan for meeting the child/young person's protection and care needs. It is developed in a participative process between Child Safety, a child/young person the child/young person's family and other people of significance to the child/young person and family. It records the goal and outcomes of ongoing intervention and identifies the agreed tasks that will occur to meet the goal and outcomes.

If a child or young person is Aboriginal or Torres Strait Islander, discussion will occur with the child/young person and family about referral to a Family Participation Program for a family-led decision making process to develop the child/young person's case plan. To provide meaningful opportunity for the child/young person and family to participate in decision-making processes, including the case planning process, an [independent person](#) may be appointed (with consent of the family) to help facilitate and any decisions. The case plan also includes a cultural support plan, which details how the child/young person will be connected to their culture, family and community regardless of where they are living.

An initial case plan is developed at the Family Group Meeting and reviews are conducted every six months (or more frequently if necessary) with the inclusion of:

- the child/young person (if age and developmentally appropriate)
- the child/young person's parents other members of the child/young person's family (if appropriate) and if they are able to make a significant contribution to the case plan
- other people with whom the child/young person has a significant relationship, for example, the child/young person's approved carer or guardian
- any legal representative for the child/young person
- the Public Guardian
- service providers who worked with the family in the period of time prior to the case plan review.

The kinship carer is required to receive a copy of the case plan.

Further information about the processes involved in case planning can be found in the [Procedure - Support a child in care](#) of the Child Safety Practice Manual.

### 4.3.2 Case work

Case work for a child/young person and their family is the responsibility of Child Safety and refers to the practical day-to-day intervention with the child/young person, their family and kinship carers, including implementing and monitoring the case plan and coordinating services and supports. The foster and kinship care service works in collaboration with Child Safety to support the child/young person's care arrangement by identifying the carer's support needs and implementing actions to support the carer (for example, debriefing, counselling support and provision of further resourcing or skill enhancement).

## 5. Quality of care

The monitoring of kinship care arrangements is undertaken by regular assessment and review of the progress the child/young person makes within the care arrangement as well as the capacity of the kinship carer to meet the child/young person's care arrangement needs. Child Safety and the foster and kinship care service are responsible for overseeing the child/young person's kinship care arrangement through ongoing casework with the child/young person, placement meetings with the carer, visits by the Community Visitor and the ongoing provision of carer support.

All organisations providing care services through the support of foster and kinship carers are required to be [licensed](#). The *Child Protection Act 1999* provides a framework for licensing services in order to ensure that children in the care of the chief executive are cared for in a way that meets the Statement of Standards (*Child Protection Act 1999*, section 122). Compliance with legislative and licensing requirements is monitored through regular departmental inspections and reviews.

All licensed care services are in scope of the [Human Services Quality Framework](#) and must be certified.

### 5.1 Statement of standards

Kinship carers are required to provide a level of care which is consistent with the Statement of Standards outlined in the *Child Protection Act 1999*, section 122. The Statement of Standards outlines the standards of care, or quality of care, that a kinship carer will provide to a child/young person. The standards of care underpin the assessment of the ongoing suitability of carers. The application of the standards will take into account the needs of each individual child/young person, including the length of time the child/young person has been placed with the kinship carer and the child/young person's age and development.

### 5.2 Charter of Rights for a child in care

The *Charter of Rights for a child in care* outlines the core legislated rights that apply to every child/young person who is subject to the custody or guardianship of the chief executive (*Child Protection Act 1999*, section 74 and Schedule 1), in order to ensure their safety and improve their emotional, physical and psychological well-being. Child Safety is required to advise children and young people of these rights and the resources that exist to assist them having their needs met.

### 5.3 Statement of Commitment

The Statement of Commitment between Child Safety and the foster and kinship carers of Queensland has been developed in collaboration with QFKC, PeakCare Queensland, and the Queensland Aboriginal and Torres Strait Islander Child Protection Peak. It reflects the shared commitment and partnership between Child Safety, approved carers and foster and kinship care services and aims to ensure that their combined efforts are directed in ways that support the safety,

well-being and best interests of children and young people who are in care. The statement sets out the expectations of each party and affirms their commitment to working together in a respectful and productive way that benefits children and young people in care.

## 5.4 Reviewable decisions

Kinship carers are entitled to have certain decisions that relate to them or the child/young person in their care reviewed by the Queensland Civil and Administrative Tribunal. The reviewable decisions that relate to kinship carers are set out in the *Child Protection Act 1999*, schedule 2, and include the decision to:

- refuse an application for a certificate of approval as a kinship carer, or an application for renewal as a kinship carer, except where the kinship carer applicant was refused because the applicant or an adult household member did not hold a current blue card or exemption card issued by Department of Justice and Attorney-General (Blue Card Services).
- remove a child from the care of a kinship carer if Child Safety has custody or guardianship of the child under a child protection order AND either the child protection order grants the chief executive long-term guardianship of the child OR the reason for the removal of the child is because the kinship carer is no longer a suitable person to have the care of the child or the carer is no longer able to meet the standards of care for the child as outlined in the Statement of Standards. The carer does not have a right of review if they are only provisionally approved as a carer.
- refuse an application made by a kinship carer to amend their certificate of approval.
- amend a kinship carer's certificate of approval.
- suspend or cancel a kinship carer's certificate of approval (this does not apply to provisionally approved carers).
- cancel a kinship carer's certificate of approval.

## 5.5 Concerns about the standards of care

If concerns are raised about the quality of care provided by the kinship carer, including an alleged breach of the standards of care or allegations of harm or risk of harm to the child/young person, Child Safety has a responsibility to work with the kinship carer and their supporting agency to ensure the child/young person is safe from harm, and that appropriate actions occur to resolve any concerns about the child/young person.

Not all concerns are the same and how Child Safety responds depends on the nature of the concerns, the possible impact on the child/young person and what actions need to be taken to address the concerns. Possible responses may include:

- continuing to monitor the standards of care.
- conducting a standard of care review.
- investigating and assessing a harm.

Further information about Child Safety's responses to standards of care concerns and the kinship carer's right to support and advocacy can be found within the [Standards of Care](#) section of the Connecting with Carers website.

## 5.6 Community Visitors

Children and young people in care are visited by Community Visitors who are employed by the Office of the Public Guardian. Community Visitors make sure the concerns, views and wishes of children and young people are listened to and seriously considered. Ensuring the child/young person's needs are being met in line with the standards of care is the primary objective of the Community Visitor role. Visits to children and young people in care are at the discretion of the Office of the Public Guardian and the frequency of such visits is dependent on the child/young person's assessed level of vulnerability.

Further information about the Community Visitor program can found at the [Office of the Public Guardian](#) website.

## 6. Funding

### 6.1 Funding of foster and kinship care services

Child Safety provides funding to non-government organisations for the provision of foster and kinship care services to children and young people. In doing so, Child Safety enters into a contractual agreement known as a Service Agreement with suppliers. The service agreement comprises several components namely:

- Whole-of-Government Standard Terms
- Funding and Service Details: Child Safety, Youth and Women – which aligns with the Whole-of-Government Standard Terms and details the funding provisions and includes the **Funding Schedule**.

Funding Schedule – prescribes the allocated funding and includes the service delivery and reporting obligations as detailed within the relevant **Investment Specification**.

Foster and Kinship Care services form part of the [Child Protection \(Placement Services\)](#) investment specification. This document outlines how Child Safety has outsourced care arrangement services to the non-government sector, including the requirements of service types and users.

## 7. Links

### 7.1 Legislation

*Child Protection Act 1999*

*Child Protection Regulation 2011*

### 7.2 Child Safety Practice Manual

Procedure - [Support a child in care](#)

Procedure - [Provide and review care](#)

## 8. Reference list

Australian Institute of Health and Welfare (2020). *Child protection Australia 2018-19*. Child Welfare Series (72), CWS (74). Canberra: AIHW

Boetto, H (2010) Kinship care – A review of issues, Family Matters No. 85 - September 2010, Australian Institute of Family Studies. Retrieved from: <https://aifs.gov.au/publications/family-matters/issue-85/kinship-care>

Broad, B. (2007) Kinship Care: What works? Who cares? *Social Work & Social Sciences Review*, 13(1), 59-74.

Edwards, L. (2010) Relative placement in child protection cases: A judicial perspective. *Juvenile and Family Court Journal*, 61(2), 1-44.

Farmer, E. (2009a) How do placements in kinship care compare with those in non-kin foster care: placement patterns, progress and outcomes? *Child & Family Social Work*, 14, 331-342.

Hunt J., Waterhouse S. and Lutman E. (2008) Keeping Them in the Family: Outcomes for children placed in kinship care through care proceedings, BAAF: London.

McDowall, J. J. (2018). Out-of-home care in Australia: Children and Young People's views after five years of national standards. Sydney: CREATE Foundation.

O'Brien, V. (2012) The benefits and challenges of kinship care. *Child Care in Practice*, 18(2), 127-146.

Secretariat of National Aboriginal and Islander Child Care Inc. (SNAICC) (2020) *Child Placement Principle*. Retrieved from: <https://www.supportingcarers.snaicc.org.au/rights-of-the-child/child-placement-principle/>