



Queensland
Foster and
Kinship Care

Standard of Care and Harm Report Procedures

A Guide Through the Process

Content

- ▶ Deciding responses
- ▶ The Two Pathways
- ▶ Outcomes and Actions
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Deciding a Response ...

- ▶ Child Safety receive information.
- ▶ Child Safety have two days to gather contextual information.
- ▶ During these two days, they **MUST** consult with the Foster and Kinship Care Agency if applicable unless urgent action is required to secure child's immediate safety
- ▶ Consultation should also take place with CSO for any other children in the placement.
- ▶ Placement agreement should be reviewed as part of the process in deciding a response
- ▶ Senior Team Leader can make decision in relation to the recording of a Standard of Care review and CSSC Manager makes decision relating to harm reports (CSO where carer is attached to is responsible for decision making and will lead response)



Pathway Responses

Conduct a standards of care review

If it is indicated that child's care is not meeting one or more of the standards of care, this response assesses whether the standards of care are being met for the child, and if not, requires that specific actions are taken so that the child's care meets the standards of care.

Record a harm report and respond with an investigation and assessment.

If it is indicated that the child has experienced harm or it is suspected they have been harmed due to the actions or inactions of their carer, an adult household member or a staff member of a care service, a formal response is required. This will determine whether the child has been harmed, and whether the standards of care are being met, and the actions required to meet the child's safety and care needs.



Statement of Standards

The Statement of Standards provide a legislated set of standards around expected care provided to children and young people in alternate care. These standards are in place to ensure a high level of care to children and young people who have experienced trauma, so they can experience an environment that assists them to heal and build resilience. It is the role of the whole care team to meet the care needs for children and young people.



Let's get realistic

- ▶ Carer families are everyday families who have the pressures of everyday life.
- ▶ What makes carer families extraordinary is they volunteer to open their hearts and homes to children and young people in Family Based Care.
- ▶ In opening up their home to children, they open their home to much more.



<h3>Everyday families</h3> <ul style="list-style-type: none"> ▶ Financial ▶ Parenting ▶ Work ▶ Time ▶ Personal Relationships ▶ Moving homes ▶ Health ▶ Educational issues 	<h3>Carer families</h3> <ul style="list-style-type: none"> ▶ Financial decisions ▶ Communication breakdowns ▶ Unable to access essential health / therapy ▶ Family Contact ▶ Parenting in a System ▶ Fear of accusations
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Continued ...

It is important that we put into context the fact that we are **working with families** and our response to worries that are not harm based should **never be punitive or reactive**, rather they should be seen as a community response that reflects a **supportive and coordinated effort** to a family in need.



Standard of Care Review Process

- ▶ Senior Team Leader makes decision
- ▶ Plan the Review
- ▶ Discussion with Carer identified to be conducted by Child Safety and/or agency worker
- ▶ Discussion with Child (should not be using S17 of Child Protection Act)
- ▶ Exploring and taking a look at the broader context (whole care environment)
- ▶ Consideration to Section 122 (4) The application of the standards must take into account what is reasonable having regard to:
 - (a) the length of the time the child is in care of the carer
 - (b) the child's age and development
- ▶ Assessing the information and consulting again
- ▶ Determining outcome



Content

- ▶ Commencement within 5 days either by:
 - discussion with carer/staff member (FKC service worker may have an active role) or
 - discussion with child
- ▶ Completion within 4 weeks



<h3>Discussion</h3> <ul style="list-style-type: none">▶ Feels informal▶ Conversation is two sided▶ Participants of discussion on same level	<h3>Interview</h3> <ul style="list-style-type: none">▶ Formal process▶ Information sought and obtained more controlled by interviewer▶ Power imbalance
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SOC Reviews - Key Concepts

- ▶ Shared responsibility
- ▶ No person recorded as responsible
- ▶ Taking a look at all contributing factors
- ▶ Child remains central focus and their voice is heard - what is their experience
- ▶ Terminology is not punitive
- ▶ Outcomes focussed on the whole care team, not on individual.



Standard of Care Review - Outcome

- ▶ Standards are either **met or not met**.
- ▶ If Standards are not met, then a **Placement Agreement review** will take place to look at what the whole care team needs to do to address the issues leading to the Standards not being met.
- ▶ **Foster Care agreement** can also be reviewed to ensure that it is reflective of carers abilities, support needs and learning and development needs.



Placement agreements

- ▶ Placement agreements are a legal requirement for all children who have been placed in the care of an approved carer/s under Section 84 of the Child Protection Act 1999

Placement agreements

Purpose

- ▶ outlines the goals of the placement
- ▶ provides relevant information about a child
- ▶ records the agreed support and services to be provided to the carer or care service, based on the assessed level of the child's needs.

Placement agreements

- Practice manual outlines that a placement agreement will be informed by
- ▶ the child's strengths and needs
 - ▶ the child's assessed level of support needs, including behaviour support
 - ▶ the case plan goal, outcomes and actions
 - ▶ any specific financial or other supports to be provided to the carer
 - ▶ information required for the child to be up to date with their immunisations
 - ▶ if not yet incorporated in the case plan, details of the child health passport and education support plan, where applicable, and any related actions required by the carer
 - ▶ information from Child Safety records, including details of:
 - ▶ previous placements (for example, frequency, reasons for placement breakdowns or their relationships with children in previous placements, including incidents of conflict or bullying)
 - ▶ previous suicide risk alerts, suicide risk management plans and related outcomes
 - ▶ information provided by agencies involved with the child, including specialist services such as Evolve.

Consequences if we do not have placement agreements

- ▶ Increased phone traffic to CSSC
- ▶ Carers not adequately informed about child or young person's needs
- ▶ Increased chance of Standards not being met for child or young person
- ▶ Educational, health and cultural needs not being adequately met
- ▶ Lack of shared understanding of all matters relating to placement i.e. financial and expectations of family contact
- ▶ Lack of understanding regarding support needs for carer i.e. respite
- ▶ Instability and possible breakdown of placement

Harm Report Process

- ▶ Manager must make decision.
- ▶ Child Safety have 24 hours in which to respond, Child must be sighted
- ▶ Child Safety must consult with foster and kinship care agency
- ▶ Harm reports can not be raised on risk of harm alone
- ▶ An interview will be conducted with Carers and child/ren by Child Safety
- ▶ Child Safety still have responsibility to assess broader context
- ▶ Child Safety has 6 weeks to conduct the investigation and assessment



What to expect

- ▶ A Harm report has been recorded because Child Safety have assessed that harm has occurred or it is suspected that Harm has occurred and that this harm meets the definition of harm under the Child Protection Act
- ▶ Carers may not receive a letter immediately, but are required to be provided with a letter at the time of the Harm report interview which outlines the alleged harm and what Standards of Care are also being reviewed
- ▶ Investigation and Assessment Team will undertake process - this process will be formal and will involve interviews
- ▶ Carers should be provided with advise that they can record the interview on their own device and their obligations around the confidentiality of such a recording

Criminal Matters

When Child Safety receive information which involves allegation of harm to a child that may involve the commission of a criminal offence relating to the child, Child Safety must **IMMEDIATELY** provide the information to Queensland Police Service.

QPS's process of investigation will take priority over Child Safety's Investigation and Assessment.



Harm Report Outcome

- ▶ Unsubstantiated Harm - Standards met
- ▶ Unsubstantiated Harm - Standards not met
- ▶ Substantiated Harm - Standards met
- ▶ Substantiated Harm - Standards not met
- ▶ No Outcome - Exceptional circumstances and must consult with Senior Practitioner



Action Plans

Child Safety have **six weeks** to complete the investigation and assessment including the development of the **Action Plan**.

When developing the Action plan, this should be inclusive of all the **Care Team**.

The Action Plan needs to be **achievable** i.e. if training is required, training needs to be available within the 3 month timeframe.



Additional Concerns

- ▶ If additional concerns come to the attention of Child Safety during the course of a Standard of Care review or Harm report, these concerns must be raised with the Care Team including the carer and they must have an opportunity to respond
- ▶ Standard of Care Reviews can be upgraded to a Harm report, Harm reports cannot be downgraded to a Standard of Care Review
- ▶ The additional concerns are to be assessed in conjunction with the original concerns.



Outcome Advice

- ▶ Child Safety are **not required** by procedure to provide letters to carers **for a Standard of Care review** either at the beginning or at the end regardless of outcome, however carers and agency staff can request letters to reflect outcomes. If a letter is provided, it should be reflective of shared responsibility.
- ▶ Birth parents are **not required** to be advised of a Standard of Care Review either in writing or verbally



Outcome Advice - HR

- ▶ Child Safety are **required to provide letters** to carers and agencies in relation to Harm reports. The letter should outline the alleged harm and what Standards Child Safety believe may not be being met.
- ▶ Child Safety are then **required to provide an outcome letter** to the carer once the Investigation and Assessment is completed
- ▶ Child Safety are **required to advise the birth parents** of the alleged harm and outcome



Support Persons and Advocates

What is a support person ?

- ▶ A person who is known and trusted by the child/carer who they choose to support them during the process.
- ▶ A support person does not speak on behalf of the child or parent, or intervene in, or influence the investigation and assessment outcome.



Support Persons and Advocates

What is an advocate ?

- ▶ An advocate is there to ensure a **fair and just process**.
- ▶ They are not there to defend a carer or speak on behalf of a carer in relation to the issues being discussed.
- ▶ They may speak up if they believe the process has not been fair and just.



Review Process

- ▶ If Carers are not happy with the outcome of either a Standard of Care review or Harm report, they can request a review.
- ▶ Either the Senior Prac. from the office they are attached to or an independent Senior Prac or Regional Practice leader will conduct the review
- ▶ Remember though - you should be able to identify something about the process that was not fair or just to warrant a review



We must remember ...

- ▶ It takes a whole care team to meet the Statement of Standards for children and young people in care.
- ▶ Carers are every day families, living every day lives - there is no such thing as a perfect parent in every day life.
- ▶ Our job is to surround the carer family with support to help them be the best they can be.



And finally ...

Remember to contact your local Support Team member or QFKC if you need advice, support or advocacy through any of these processes.

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