

Information for carers following a decision that an allegation of abuse or neglect by a carer or an adult member of carer's household requires investigation.

Key Points:

- This information sheet sets out how Child Protection Services responds to a notification that a child in care has been abused or neglected.
- The primary responsibility of Child Protection Services is to promote the protection of children in Tasmania
- The protection of children who are at serious risk is often achieved through their placement with approved foster or kinship carers.
- The decision to approve a carer involves good character checks and an assessment of their suitability to provide an appropriate level of care for children.

Most carers are shocked that an allegation has been made about them or someone in their household

- Although departmental workers are likely to have discussed the potential for an allegation to be made against you as a carer, it is common for new carers to dismiss the possibility of somebody making an allegation against them.
- Carers seek to be carers because they care for children, they want to see children do well and benefit from being part of a family.
- An allegation of abuse and neglect of a child in care is likely to be extremely upsetting for the carer.

All allegations are treated seriously

- If Child Protection Services receives a notification that indicates that a child in care is at risk of abuse or neglect, the notification must be treated seriously. The Area Director is usually advised that a notification involving a child in care has been received.
- Treating an investigation seriously means that the information is assessed by a senior worker and where required a plan to manage the investigation is developed as a matter of urgency.

- If there are concerns about the standard of care in a carers' home there is a separate process "Concerns about the standard of out of home care". There is also an information sheet about this (and also see the foot of page 3 of this information sheet).

What happens if the police are involved?

- If the information suggests that a crime may have been committed, Child Protection Services must make a referral to the Police.
- If a matter has been referred to the Police, the role of Child Protection Service is limited to ensuring that the child is safe and is receiving an appropriate level of care. Thus, Child Protection Services may decide to remove the child from the carer's home pending the outcome of the criminal investigation.
- These situations are likely to cause high levels of stress for the carer, the child and the child's worker because Child Protection Services has no say over how long the police investigation will take.
- As a general rule, the decision to return the child to the placement will not occur until after the police investigation.

What happens if the child is removed from the placement?

- The decision to remove a child from a placement requires careful thought. The decision must be approved by an Area Director and the CEO of Children and Youth Services, Disability, Child, Youth and Family Services (DCYFS) must be advised.
- Removing the child does not mean that Child Protection Services has determined the child's most suitable long term placement. It means that Child Protection Services has decided that the child's immediate safety cannot be guaranteed in the child's primary placement.
- As a general rule, the decision to return the child to a placement following removal is made when the investigation of the notification has been completed.
- If a child is removed from a placement pending the outcome of an investigation of the notification the DCYFS payments for the care of the child cease unless the Area Director approves the continuation of the payments.

How is a notification received?

- All allegations referred to Child Protection Intake are recorded as a notification of abuse or neglect in the same way as notifications about children in the community are recorded.
- The notification may be received from a mandated reporter (such as a doctor a teacher) or by a member of the community (such as a parent or a neighbour).
- The child's primary worker can also make a notification to Intake. This generally occurs through a discussion with the team leader and a Senior Practice Consultant (SPC).
- Child Protection Workers are mandated reporters under the *Children, Young Persons and Their Families Act 1997* and if they receive information that indicates that a child in care has been or is being abused or neglected or is an affected child within the meaning of the *Family Violence Act 2004* they are required (by law) to make a notification.

What does Intake do after a notification about a child in care has been received?

- All notifications concerning a child in care are referred to the relevant Senior Practice Consultant for follow up.
- The options for follow up are: protective investigation; standard of care concern or case management intervention.

What is a protective investigation?

- This is a formal investigation of an allegation of abuse or neglect of a child in care.
- The Senior Practice Consultant chairs a meeting of child protection staff who will be involved in the assessment to develop a plan for the protective investigation.
- It is likely that the plan will include an interview with the carer and the child. These interviews should be held within two working days of the initial meeting.
- Carers and children must be listened to during these interviews and carers must be treated with respect.

What is a case management intervention?

- The most appropriate response may be through ongoing case management with the child.
- Case management intervention is the preferred response if the child is safe and the available information suggests that concerns are likely to be resolved through case management intervention. For instance, the concern may be in relation to opportunities for the child to complete homework. The case management intervention could include the purchase of a desk and the approval of tutoring for child.
- This approach is likely to be an appropriate response to notifications that are assessed as vexatious. For instance, the child's parent may have made the notification in an attempt to

undermine the placement. In that situation, the case and care plan for the child would need to reflect the steps to assist the parents and the carer to work in a constructive way as part of the care team around the child.

What supports are available for carers during an investigation?

- It is important that carers seek support as soon as possible.
- The Department funds the Foster Carers Association of Tasmania (FCAT) to support carers. FCAT manages the Foster carers Advocacy and Support Teams (FAST) to support carers, especially any carer who is involved in a protective investigation.
- Support through FAST is provided by experienced carers who have received training on supporting carers during a complaints in care matter. They have an in-depth understanding of the emotional reactions that carers are likely to experience during an investigation.
- Tasmanian carers who have received support from FCAT during a protective investigation report that the support was helpful.
- The out of home care support worker can also provide support providing that the worker is not directly involved in the investigation. The support worker cannot advocate on your behalf, however, the worker can be there for you by recognising the impact of an investigation on you and your family.
- You may have your own networks of support. It may be another carer or a member of your family. The important issue is to recognise the feelings and seek support from a person you trust.
- You can request that your support person is present during any interviews that are part of the protective investigation.

How long will the investigation take?

- Child Protection Services aims to complete the investigation as soon as possible.
- The decision that the notification is substantiated or not substantiated should be made within 28 days.
- It may take longer for the SPC to complete the final written report on the investigation.

Who will tell you how the investigation is progressing?

- The SPC reviews the progress on completing the investigation on a weekly basis. The SPC keeps the carer up to date with key developments.
- Carers must be advised in writing the outcomes of the investigation.

What can a carer do if they are unhappy with outcomes of the investigation?

- Carers are able to meet with the Manager Child Protection Services to discuss any concerns.
- If the concerns are not resolved at this level, carers are able to meet with the Area Director.
- Carers are also able to lodge a complaint with the Tasmanian Ombudsman.

What is a standard of care concern?

- This is the response where the available information indicates that there are concerns about the standard of care that is being provided to the child. For instance, the carer is not respecting the child's privacy.
- The assessment is likely to include a discussion with the child and the carer.
- A standard of care concern is not as urgent as a protective investigation and it is rare that a child would be removed from the placement while the concerns are being assessed.
- The interviews should be held within five working days of the decision that a standard of care assessment is required.