

Information for carers following a decision that a standard of care concern requires assessment

Key Points:

- It is expected that Tasmanian children in out of home care will enjoy a standard of care that keeps them safe while maximising their opportunity to grow up in a stable environment and to reach their full potential.
- *The Charter of Rights for Tasmanian children and young people in out of home care* sets out what children in care can expect when they are in out of home care. If you do not have a copy of the Charter booklet, please ask your worker for a copy for all children in your care. A list of the rights can be found on the last page of this information sheet.
- “Standard of care” concerns for children in out of home care are outlined below. There is a clear expectation that children in care will not be subjected to physical punishment. Some of the standards of care expected relate to the fact that children in care have the right to a positive connection with their family of origin. It is also important for carers to support the important role of the child protection worker in the lives of children in care.
- Concerns about the standard of care being provided by a carer may need to be formally assessed by Child Protection Services. This is called a ‘standard of care’ assessment.

- If a child in care is at risk of abuse or neglect within a carer’s home there is a separate process “Allegations of abuse or neglect of a child in out of home care”. There is also an information sheet about this.

What are standard of care concerns?

- Concerns can arise from a notification of potential abuse or neglect of a child in care where the information indicates that the child is safe but that there are concerns that need to be addressed.
- Children in care can raise concerns about the standard of care that they are receiving. For instance, a child may feel that his or her privacy is not being respected.
- A member of the child’s family may express concerns. For instance a parent may feel that the child is not being supported to participate in cultural or spiritual activities.
- Carers can report concerns. For instance, a carer may experience difficulties in managing the child’s behaviour and then, out of frustration, shout at the child.
- The child’s worker may also have concerns about the standard of care being provided. For instance, the worker may feel that the child is not receiving adequate supervision.
- In the first instance the worker should discuss any concerns directly with carers. However, if the concerns continue the worker must discuss the concerns with the team leader and this can result in the concerns being referred to the Senior Practice Consultant (SPC).
- The SPC could decide that a standard of care assessment is required.
- Child Protection Services (CPS) has a ‘duty of care’ for children in care (as the formal guardian of the child) and must address concerns.
- It is preferable to address concerns as soon as possible rather than allowing concerns to escalate to a point where the concerns are more serious and more difficult to resolve.

How does CPS respond to standard of care concerns?

- The SPC sets up a meeting to establish how the standard of care assessment will be managed.

- The child's primary worker and the carer's support worker should attend the meeting.
- The meeting decides on what needs to happen and who will be responsible such as who will interview the carer and who will interview the child. As a general rule, the child's worker interviews the child. If this is not possible, it should be a worker who knows the child reasonably well.
- Within two days of the meeting, the Manager Child Protection Services advises carers that a standard of care assessment is being held.
- The interviews with the carer and the child should be held within five days of the meeting.
- The meeting with the carer is an opportunity to clarify the concerns and for carers to outline their views.
- The aim of standard of care assessment is to ensure that the child is receiving an appropriate level of care and that mechanisms are put in place to address ongoing concerns.

What supports are available for carers during an assessment?

- 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 standard of care assessment.
- Support through FAST is provided by experienced carers who have received training on supporting carers. They have an in-depth understanding of the emotional reactions that carers are likely to experience at this time.
- Tasmanian carers who have received support from FCAT during an assessment report that the support was helpful.
- The out of home care support worker can also provide support.
- 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 assessment.

What happens when the assessment is completed?

- Carers are advised in writing of the findings of the assessment.
- Carers are able to meet with the Manager Child Protection Services to discuss any concerns.
- Carers are able to read the carer's file (concerning them) which CPS maintains.

What is a standard of care concern?

- Standard of out of home care concerns include:
 - inadequate supervision of the child
 - inappropriate behaviour management (physical punishment (such as smacking or hitting) of a child in care must be referred to Intake as a notification)
 - unreasonable expectations about the child's daily routines
 - a child is not allowed to participate in appropriate (as identified in the case and care plan) recreational, cultural and spiritual activities
 - child is not supported to attend school, complete school homework etc

- child is not supported to develop life skills
 - failure to respond to the child's routine health needs
 - lack of positive regard for the child
 - preferential treatment of other children in the home
 - use of language that causes the child to be distressed
 - negative remarks about the child's immediate family (in the presence of the child)
 - negative remarks about the child's identity including the child's ethnic background and emerging sexual orientation
 - lack of respect for the child's privacy
 - not providing an adequate diet
 - not providing adequate clothing
 - child's hygiene needs are not being met (for example, the child's bedding and clothing are not changed on a regular basis)
 - not allowing the child to have regular meetings alone with his or her worker
 - any other concern that is likely to undermine the child's capacity to reach his or her full potential.
- Standard of out of home care concerns also include concerns for the child's wellbeing stemming from the behaviours of other children in the placement including bullying by other children in the carer's home.
 - Concerns may relate to a previous placement.

Charter of Rights for Tasmanian Children in Out of Home Care

Right	Description
1. I have the right to be safe and feel safe.	This includes: Not being abused or hurt Not being physically punished Feeling safe where I live Not being moved around a lot Feeling cared for and living with people who care for me Having someone to talk to if I am unhappy or I don't feel safe Not being verbally abused
2. I have the right to receive health care when its needed.	This includes: Having a health check when I first go into care Being able to see a doctor or dentist or counsellor or other health care worker when I feel I need to Getting healthy food and time to exercise and play
3. I have the right to be consulted and listened to seriously about decisions that affect me.	This includes: Being told why I am in out of home care Being told what plans have been put in place for my future Having a say in what those plans are and in the sorts of support that will be given to me Having a say about decisions affecting me such as where I go to school , what clothes I wear, who my friends are and how I spend my time

Right	Description
4. I have the right to have regular meetings alone with my worker.	This includes: Having a worker who is there for me Having someone to complain to if I am unhappy about the way I am being treated or if I am not feeling safe
5. I have the right to be treated fairly and with respect for who I am.	This includes: Being able to feel good about myself Being able to relax and have fun Not being discriminated against Being treated as an individual Being accepted for who I am
6. I have the right to identify with my culture and community and to observe my chosen religion.	This includes: Learning about my background and my family's heritage Being able to go to religious ceremonies if I want to Having contact with cultural elders and leaders Taking part in artistic and cultural activities.
7. I have the right to have safe contact with family and people who matter to me.	This includes: Having regular and safe contact with: Brothers and sisters, cousins and other family members who are important to me Friends and former carers if that is what I want and Having a say about people I don't want to spend time with
8. I have the right to have an education and to gain life skills.	This includes: Being able to go to school and get training Being able to learn how to act responsibly Being able to learn skills for living as independently as I can when I leave care Having somewhere quiet to study Being supported and encouraged in these things
9. I have the right to have my privacy respected.	This includes: Having my own things Having a private space Knowing that personal information about me is shared only where it is needed and by adults who have a right to know