



FACILITATOR'S NOTES

Day Two – Session Plan

Time	Content	Resources
30 mins	<p>SESSION 5: RESPONDING TO REQUESTS FOR CONSULTATION AFTER A SIGNIFICANT DECISION IS MADE</p> <p>Show Slide 59 and read the question out to the group</p> <p>Try to elicit responses from the group by reframing the question if they have difficulty answering it (e.g. When is it likely that Child Safety will need to make a decision without the Recognised Entity's involvement?).</p> <p>Assist the group to identify instances such as when the Recognised Entity is unable to respond within the timeframe the decision has to be made, or when Child Safety needs to urgently make a decision to ensure a child's safety and therefore is unable to engage the Recognised Entity.</p>	<ul style="list-style-type: none">Slide 59 
	<p>Show Slide 60 and read the question out to the group</p> <p>Try to elicit responses from the group by reframing the question if they have difficulty answering it (e.g. If there are occasions where Child Safety needs to make decisions without the Recognised Entity's involvement, what can occur after the decision is made to make sure cultural and family information and advice is still taken into consideration?).</p> <p>Assist the group to identify possible processes where the Recognised Entity could provide cultural and family information and advice after the decision is made.</p>	<ul style="list-style-type: none">Slide 60 

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	<p>Show Slide 61 and read its content to the group whilst adding some additional information (see suggestions in <i>Italics</i> below).</p> <p>Section 6 of the Child Protection Act 1999 states:</p> <ol style="list-style-type: none"> When making a significant decision about an Aboriginal or Torres Strait Islander children, the chief executive or an authorised officer must give an opportunity to a recognised entity for the child to participate in the decision-making process – <i>this by now is well understood by everyone</i> When making a decision, other than a significant decision, about an Aboriginal or Torres Strait Islander child, the chief executive or an authorised officer must consult with a recognised entity for the child before made the decision <i>last session</i> <p>Show Slide 62 and continue</p> <ol style="list-style-type: none"> However if compliance with subsection (1) or (2) is not practicable because a recognised entity for the child is not available or urgent action is required to protect the child, the chief executive or an authorised officer must consult with a recognised entity for the child as soon as practicable after making the decision – <i>this adds another dimension in that if Child Safety can't involve the Recognised Entity in the decision making process of significant decisions or a consultation process of other decisions, for reasons of the Recognised Entity's unavailability or the urgency of the decision, then they must consult the Recognised Entity as soon as possible after the decision is made.</i> 	<ul style="list-style-type: none"> Slide 61 <div> <p>Section 6 of the Child Protection Act 1999 states:</p> <ol style="list-style-type: none"> When making a significant decision about an Aboriginal or Torres Strait Islander children, the chief executive or an authorised officer must give an opportunity to a Recognised Entity for the child to participate in the decision-making process. When making a decision, other than a significant decision, about an Aboriginal or Torres Strait Islander child, the chief executive or an authorised officer must consult with a Recognised Entity for the child before made the decision <p>Queensland Aboriginal and Torres Strait Islander Child Protection Peak Ltd</p> </div> <ul style="list-style-type: none"> Slide 62 <div> <ol style="list-style-type: none"> However if compliance with subsection (1) or (2) is not practicable because a Recognised Entity for the child is not available or urgent action is required to protect the child, the chief executive or an authorised officer must consult with a Recognised Entity for the child as soon as practicable after making the decision. <p>Queensland Aboriginal and Torres Strait Islander Child Protection Peak Ltd</p> </div>



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Time	Content	Resources
	<p>Show Slide 63 and read its content to the group whilst encouraging discussion where relevant.</p> <p>When reading the second dot point, ensure the group understands that when responding to the request they need to gather the information and advice in accordance with the procedure for the specific type of decision that was made.</p> <p>For example, if it was an Intake decision that Child Safety made and is now consulting on, the Recognised Entity must not make contact with the family or extended family when gathering the information and advice in preparation for the consultation.</p> <p>Show Slide 64 and continue</p>	<ul style="list-style-type: none">• Slide 63 <div><p>When allocated a referral that was unable to be accepted due to capacity or when allocated a referral for consultation after a decision has urgently been made, the Recognised Entity:</p><ul style="list-style-type: none">• will telephone the referring Child Safety Officer to seek any additional information required to respond to the request• will gather the relevant cultural or family information and advice in accordance with the procedure specific to the type of decision made (e.g. Intake, Investigation and Assessment, Case Planning, Placement, Court etc)<p>Queensland Aboriginal and Torres Strait Islander Child Protection Peak Ltd</p><p>Slide 63 (Page 63)</p></div> <ul style="list-style-type: none">• Slide 64 <div><ul style="list-style-type: none">• will telephone or meet with the referring Child Safety Officer to provide the information gathered in a timely manner• record the information and advice provided on a Case Note<p>Queensland Aboriginal and Torres Strait Islander Child Protection Peak Ltd</p><p>Slide 64 (Page 64)</p></div>



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Time	Content	Resources
	<p>Show Slide 65 and tell the group that there isn't a specific form for recording consultations after a decision has been made, therefore all information gathering activities, including the information and advice provided to Child Safety is recorded on a Case Note and placed on the child's file.</p> <p>Before closing this session, ask participants to refer to the Case Note form on page 33 of the Workbook – go through the form with the group and answer any questions they may have.</p>	<ul style="list-style-type: none"> Slide 65 
30 mins	<p>SESSION 6: MANAGING DISAGREEMENT REGARDING THE DECISION MAKING PROCESS</p> <p>Show Slide 66 and read the question out to the group</p> <p>It is anticipated, given that this is the final session of the Induction, that the group would have no difficulty answering this question. Nevertheless, elicit responses by reframing the question (e.g. Who is responsible for administering the <i>Child Protection Act</i> and therefore is responsible for making decisions under Act?)</p> <p>During group discussion, ensure it is understood that Child Safety administer the Act and therefore Child Safety is responsible for making decisions under the Act.</p>	<ul style="list-style-type: none"> Slide 66 

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Time	Content	Resources
	<p>Show Slide 67 and read the question out to the group</p> <p>Again it is anticipated, given that this is the final session, that the group would have no difficulty answering this question. Nevertheless, elicit responses by reframing the question (e.g. So if Child Safety makes the decisions, then what's the Recognised Entity's role?)</p> <p>During group discussion, ensure it is understood that:</p> <ul style="list-style-type: none"> the Recognised Entity's role is to provide cultural and family information and advice to assist Child Safety to make the best possible decisions about Aboriginal and Torres Strait Islander children this is why Child Safety is legislated to give the Recognised Entity an opportunity to participate in the decision making process of significant decisions about Aboriginal and Torres Strait Islander children and to consult with the Recognised Entity on all other decisions 	<ul style="list-style-type: none"> Slide 67 
	<p>Show Slide 68, read the question out to the group and write their responses on a whiteboard</p> <p>Try to elicit responses from the group by reframing the question if they have difficulty answering it (e.g. If you provide cultural information and advice during the decision making process but Child Safety makes the decision, what is likely to cause a disagreement between the two of you?).</p> <p>Assist the group to identify a number of potential issues, for example:</p> <ul style="list-style-type: none"> Child Safety not taking the information and advice into consideration when making the decision Child Safety not taking the information provided by the family into consideration when making the decision The Recognised Entity not agreeing with action Child Safety has taken The Recognised Entity not being given the opportunity to properly participate etc etc 	<ul style="list-style-type: none"> Slide 68 


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Time	Content	Resources
	<p>Show Slide 68 and read the content out to the group whilst encouraging discussion</p> <p>Show Slide 70 and continue</p> <p>During group discussion, ensure the group understands the importance of focusing on the decision making process rather than on the decision itself when resolving disagreements with Child Safety.</p> <p>Assist the group to understand that if they disagree with a decision that Child Safety makes, before discussing it with Child Safety, they first need to reflect on why they are feeling the way they do, as they need to identify the basis for the feelings they have. They also might need to talk to their colleagues to help them reflect and identify the basis for their feeling.</p> <p>If they are unable to identify a basis, then they are unable to articulate their concerns to Child Safety in an attempt to resolve the disagreement.</p> <p>If they are able to identify a basis, but it is related to their personal values and beliefs, then they are unable to articulate their concerns to Child Safety as the concerns are personal and not professional in nature.</p> <p>If they are able to identify a basis and it is professional in nature – for example it's related to something done or not done during the decision making process, then they are able to articulate their concerns to Child Safety in an attempt to resolve the disagreement.</p>	<ul style="list-style-type: none"> Slide 69 <div> <p>In instances where there is disagreement, its best to engage the relevant Child Safety officer to reflect on whether:</p> <ul style="list-style-type: none"> the communication practices used were inclusive and sufficient to gather comprehensive information and elicit the views of the family and community, to inform the decision made the information gathered and the views expressed by the family and community, were understood within the relevant cultural context and </div> <ul style="list-style-type: none"> Slide 70 <div> <ul style="list-style-type: none"> In making the decision, the Child Safety Officer took the relevant information and the views of the family and community into consideration <p>Where the Recognised Entity disagrees with the decision, its better to focus discussions on the process of making the decision rather than on the decision itself, so it is the decision making process rather than the decision itself, in which the Recognised Entity plays a role.</p> <p>Besides:</p> <p>Culturally acceptable processes and practices = sound decisions</p> </div>

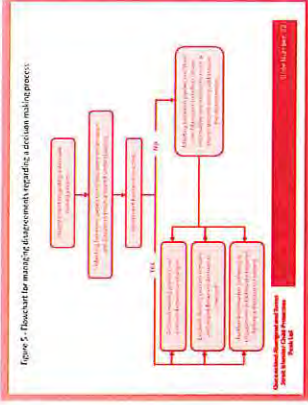

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Time	Content	Resources
	<p>Show Slide 71, read the question out to the group and write their responses on a whiteboard</p> <p>Try to elicit responses from the group by reframing the question if they have difficulty answering it (e.g. What are the rules to managing any type of conflict or disagreement?).</p> <p>Assist the group to identify a number of principles for example:</p> <ul style="list-style-type: none">• Respect for each other• Remain professional and not take things personally• Be clear about what the issue is and express it clearly to the other party• Be clear about what would resolve the issue from your perspective• Focus on maintaining or restoring the professional working relationship• Stay focused on what is in the best interests of the child• Maintain professional boundaries – each party needs to operate within their role• Keep discussions within the legislation etc etc <p>Whilst discussing the above with the group, ensure they understand that disagreements are generally the result of a lack of shared information or understanding, therefore it is important that each party shares sufficient information with the other and enters into respectful discussion to promote shared understanding.</p> <p>A resolution is likely to be reached by either clearing up a misunderstanding caused by a lack of information or by reaching a new level of understanding by clarifying information.</p>	<ul style="list-style-type: none">• Slide 71  <p>Slide 71 content: What principles must all parties remember to uphold when resolving a disagreement?</p>

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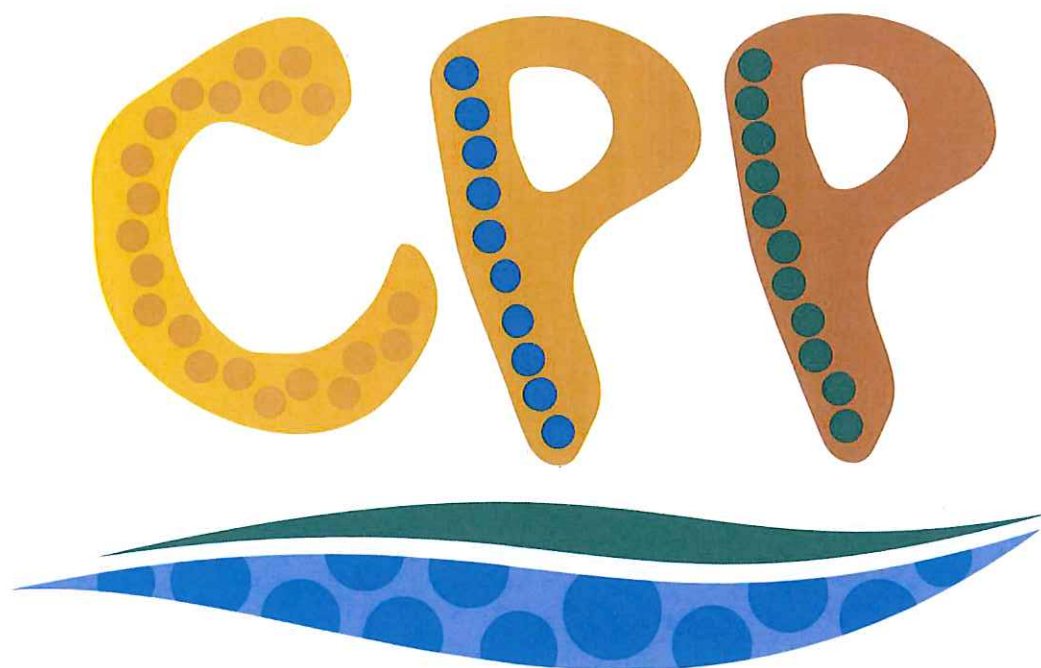
Day Two – Session Plan

Time	Content	Resources
	<p>Show Slide 72, and go through the flowchart whilst explaining each level. Refer the group to page 36 of the Workbook if the image on the slide is too small for them to read.</p> <p>When going through the flowchart ensure the group understands the various stages of resolution and the need to exhaust one stage before going to the next (e.g. discussing the issue with the relevant Child Safety Officer first, if no resolution reached, then speaking with their line manager who will take the resolution process to the next level).</p> <p>Also assist the group to understand the three possible resolution outcomes – use examples if necessary.</p> <p>Finally, reiterate that all discussions with Child Safety regarding the resolution of disagreements needs to be recorded both in a Case Note and on the relevant Recognised Entity form (e.g. Intake, Investigation and Assessment, Case Planning, Court, etc)</p>	<ul style="list-style-type: none"> Slide 72 
30 mins	<p>Closing the Induction</p> <p>Prior to closing the induction revisit the Learning Outcomes located on Slides 2 and 3 and check the group understands each. In doing so summarise each learning outcome and relate it back to the content covered.</p> <p>Ask the group if they have any questions and seek verbal feedback from the group regarding their perception of the day's content.</p> <p>Show Slide 73 and close the Induction – paying attention to the content of the slide and the text box below.</p>	<ul style="list-style-type: none"> Slide 73 

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	<p>Before dismissing the group remember to:</p> <ul style="list-style-type: none">• check that each participant has registered for the Induction on the Record of Attendance form• hand an Evaluation Form to each participant and request they complete and return the form before leaving for the day and• tell participants they will each receive a Certificate of Participation within the next fortnight or have them ready to hand out and• thank participants for their contributions throughout the past two days	



Queensland Aboriginal and Torres Strait Islander
Child Protection Peak Ltd

Queensland Aboriginal and Torres Strait Islander Community
Controlled Child Protection Sector

**RECOGNISED ENTITY FUNCTIONS
PRACTICE MANUAL**



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EXECUTIVE SUMMARY

The Queensland Aboriginal and Torres Strait Islander Community Controlled Child Protection Sector *Recognised Entity Functions Practice Manual* demonstrates a united and agreed practice foundation for the Aboriginal and Torres Strait Islander Child Protection Sector.

This foundation aims to embed the Sector's focus on the needs of Aboriginal and Torres Strait Islander children by providing high quality and consistent practice regarding statutory child protection decision making processes.

In several forums, meetings, working parties and advice requests from September 2009 to June 2010, the Aboriginal and Torres Strait Islander Community Controlled Child Protection Sector in partnership with the Queensland Aboriginal and Torres Strait Islander Child Protection Peak Ltd, developed the state wide *Recognised Entity Functions Practice Manual* – a milestone in Queensland Aboriginal and Torres Strait Islander child protection practice.

In addition to the development of the manual, a representative working party of the regional service delivery areas established the principles, ethics, values and beliefs that guide the provision of Recognised Entity services to the Department of Communities – Child Safety Services (Child Safety).

The work undertaken by the Aboriginal and Torres Strait Islander Community Controlled Child Protection Sector has been considerate of cultural, geographical and organisational variation to enable Queensland Aboriginal and Torres Strait Islander communities to maintain their uniqueness and autonomy.

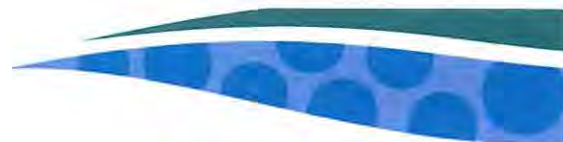
Ultimately this self determination, uniqueness and autonomy will be achieved through local protocol and service agreements negotiated with Child Safety Services, that are consistent with the agreed upon State wide practice standards in Recognised Entity functions.

The Aboriginal and Torres Strait Islander Child Protection Sector acknowledges that the operational policies and procedures are the responsibility of Community Controlled organisations and that the *Recognised Entity Functions Practice Manual's* focus is on the legislated functions of Recognised Entity service providers.

The Sector expressed the need for this position of strength within Queensland's statutory child protection practice context and maintains that it is paramount to achieve the standing that International and National First Nation's child protection services have accomplished, whilst meeting our peoples' service delivery needs.

Queensland Aboriginal and Torres Strait Islander
Child Protection Peak Ltd





PHILOSOPHY

Vision

The Aboriginal and Torres Strait Islander child protection sector and in particular the State's *Recognised Entity Functions Practice Manual* supports organisations to work in positive partnership with Child Safety and other relevant stakeholders to provide their legislated Recognised Entity role and compliments a holistic system that protects and embraces the child or young person's physical, social, emotional, cultural and spiritual of their identity.

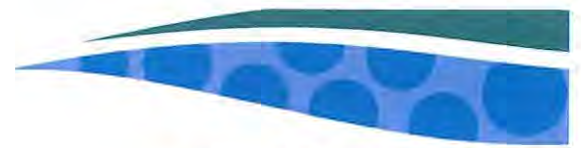
The Aboriginal and Torres Strait Islander Recognised Entities will promote the safety and well being of Aboriginal and Torres Strait Islander children and young people by providing cultural and family information and advice to Child Safety.

The intended impact is to support culturally appropriate decision making for Aboriginal and Torres Strait islander children subject to statutory intervention.

Mission

Aboriginal and Torres Strait Islander children and young people:

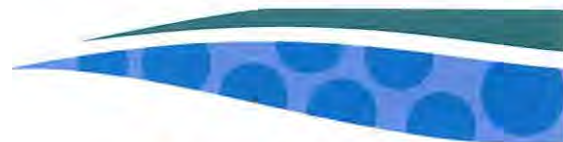
- are safe and well cared for within their families and communities
- understand, identify and actively participate within their culture
- access the same life opportunities afforded to other children and young people in Queensland



- receive high quality holistic services delivered wherever possible, by Aboriginal and Torres Strait Islander professionals operating within a culturally accepted framework of practice
- received quality Recognised Entity representation

Practice Principles

1. Every Aboriginal and Torres Strait Islander child has the right to be protected from abuse and neglect.
2. Every Aboriginal and Torres Strait Islander child has the right to the same life choices and opportunities as any other child living in Queensland.
3. Every Aboriginal and Torres Strait Islander child has the right to therapeutic and cultural healing.
4. The Aboriginal and Torres Strait Islander Child Protection Community Controlled Sector will be vigilantly child focused and endeavor to achieve the best interest of children in our practice.
5. Every Aboriginal and Torres Strait Islander child has the right for their voice to be heard and recognised.
6. Aboriginal and Torres Strait Islander family members have the right to be involved in the decisions about their children in the child protection system.



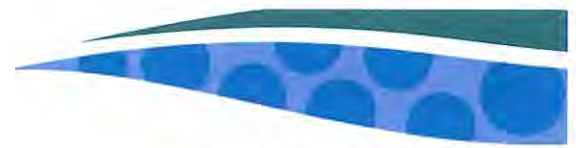
7. Every Aboriginal and Torres Strait Islander child who is subject to ongoing statutory intervention must be given an opportunity to live in their family environment or be connected to family, community, culture and country.
8. Every Aboriginal and Torres Strait Islander child has the right to holistic service delivery, delivered by Aboriginal and Torres Strait islander professionals in a community controlled framework.
9. Every Aboriginal and Torres Strait Islander child has the right to culturally accepted services that are integrated across the State, and are delivered and lead by Aboriginal and Torres Strait Islander Community Controlled Sector.
10. Every Aboriginal and Torres Strait Islander child is best protected and nurtured within their families, community, culture and country.

Values and Ethics

The best interests of Aboriginal and Torres Strait Islander children are paramount in all our interventions.

We affirm that the following values and beliefs are essential to the best interests of Aboriginal and Torres Strait Islander children.

1. Children have the right to healing and support, breaking the oppressive generational cycle of abuse, neglect, easing the generational trauma of past historical experiences.



2. Healing and support is best achieved through a holistic approach that preserves and nurtures Aboriginal and Torres Strait Islander family, language, culture, spirit, and connection to people & country.
3. Social justice, including fairness, equal access, equal participation, inclusiveness and empowerment for Aboriginal and Torres Strait Islander children.
4. Community ownership of preventative responses to achieve child and family wellbeing is essential - 'It takes a whole community to be responsible and raise and parent our Aboriginal and Torres Strait Islander children'.
5. Self determination and self governance in Aboriginal and Torres Strait Islander community controlled sector is essential for the development of socially and emotionally well communities.
6. Promoting proactive best practice approaches within a framework that keeps children and young people safe.
7. Continued commitment to high professional standards & integrity, and future Aboriginal and Torres Strait Islander sector development and sustainable service delivery.
8. Working through and from our cultural strengths in supporting and building upon Aboriginal and Torres Strait Islander culture, custom, belief, protocol, communication and networks, promoting professionalism in the ways of Aboriginal and Torres Strait Islander peoples inclusive of a sense of belonging, identity and self-worth.



PRACTICE CONTEXT

Since its implementation in March 2000 the *Child Protection Act 1999* has placed special emphasis on the needs of Aboriginal and Torres Strait Islander children.

The legislation recognises that in making decisions about the lives of Indigenous children, cultural issues and the views of the child's community should be taken into consideration.

The legislation also places responsibility on Government to ensure that children who are removed from their families maintain links with their family, community, culture and language.

The legislation aims to promote a partnership between the State, non-government entities including Aboriginal and Torres Strait Islander entities and the community in providing services for the protection of children and the support of families.

It has established special Recognised Aboriginal and Torres Strait Islander Entities for Indigenous children to provide relevant information and advice on cultural and family matters as they impact on the protection and care needs of Aboriginal and Torres Strait Islander children.

Recommendations arising from the 2004 Crime and Misconduct Commission's report titled *Protecting Children: An Inquiry into Abuse of Children in Foster Care*, included significant reform and strengthening of the partnership between government and the Indigenous community to ensure better decision making and actions in relation to Aboriginal and Torres Strait Islander children in the child protection system.

Important changes to the *Child Protection Act 1999* underpinned these reforms.

These changes included a new legal definition of “recognised entities” which has resulted in policy development, guidelines and funding to support the establishment of community based Aboriginal or Torres Strait Islander organisations.

It is now explicit that a “recognised entity” must be independent of and external to the Department of Communities.

A recognised entity must be able to provide independent advice to ensure that services to Indigenous children and families are delivered in a culturally acceptable manner.

With the establishment of newly funded “recognised entities” across the State, it is important to ensure all stakeholders share consistent and clear expectations regarding the role of Recognised Entities and their relationship with key stakeholders such as the Department of Communities and the Queensland Childrens Court.

Recognised Entity Function

The aim of Recognised Entity’s is to ensure that:

- through the use of the Recognised Aboriginal and Torres Strait Islander organisations, communities have a direct say in decisions made about Aboriginal and Torres Strait Islander children involved with the statutory child protection system
- when making decisions or developing interventions that impact on an Aboriginal or Torres Strait Islander child, Child Safety takes into consideration the relevant information and advice provided by the child’s family and community and



- Aboriginal and Torres Strait Islander children and their families understand the statutory child protection system and are assisted as required, to ensure effective communications with Child Safety staff

Within the context of the above, Queensland's Recognised Entity staff further define their role as being that of:

- an advocate for the child and a support for the child's family
- an educator of Child Safety staff, in what is culturally acceptable practice within Aboriginal and Torres Strait Islander cultures
- an intermediate and a facilitator of effective communication between the child and their family and Child Safety
- a consultant and advisor to Child Safety and the Queensland Childrens Court regarding specific family and community information relevant to a particular child and
- a community educator on the statutory child protection system and the functions of the Recognised Entity

Given the above, the functions of the Recognised Entity can broadly be grouped as providing:

- a family and cultural information and advice function to Child Safety and the Queensland Childrens Court and

- a process information and support function to Aboriginal and Torres Strait Islander families involved in the statutory child protection system

Information and advice to Child Safety and the Queensland Childrens Court

The *Child Protection Act 1999*, section 6, requires that:

- when making a significant decision about an Aboriginal or Torres Strait Islander child, the Recognised Entity must be given the opportunity to participate in the decision-making process and
- when making a decision, other than a significant decision, about an Aboriginal or Torres Strait Islander child, the Recognised Entity must be consulted¹ before the decision is made

These requirements reflect the importance for Child Safety to work in partnership with the Aboriginal and Torres Strait Islander community when making decisions about Aboriginal and Torres Strait Islander children, and require Child Safety staff to involve the Recognised Entity in all decision making about Aboriginal and Torres Strait Islander children.

Child Safety's *Child Safety Practice Manual* identifies significant decisions to include those that are made during the following processes:

1. intake
2. investigation and assessment

¹ "Consult" is defined as "discuss with"



3. SCAN
4. case planning
5. court
6. placement and
7. matters of concern

Decisions that require consultation are not specifically defined in the legislation or in practice as they relate to **all** other decisions other than a significant decision.

The Recognised Entity provides information and advice to Child Safety and the Childrens Court by:

- being given the opportunity by Child Safety to participate in the decision making process when a **significant decision** is being made
- being consulted by Child Safety, prior to making any **other decision**
- being consulted by Child Safety as soon as practicable after a decision has been made due to the urgency of the decision or the availability of the Recognised Entity
- presenting information, either verbally or in writing, to Child Safety and Childrens Court for child protection matters and



- being a core SCAN team member in all SCAN forums involving Aboriginal or Torres Strait Islander children

The information and advice provided by the Recognised Entity includes, but is not limited to, the following:

- information about which family and community the child is connected to
- information about who in the family and community can speak on behalf of the child
- information and advice about who in the child's family and community needs to be engaged in the decision making and planning processes about the child
- information and advice about how to engage the significant people in a child's life
- information about cultural protocols
- advice about how best to adhere to these protocols
- information and advice about culturally acceptable communication and interpersonal behaviours
- information and advice on how to understanding information being provided by the child, their families and their community within the context of the family's culture
- information and advice relating to cultural considerations when making decisions and planning interventions



- information about the impacts of a decision on the child, family and community
- information and advice on how best to minimise these impacts and
- information and advice on how to maintain a child's connectedness to their family and their community

Information and support to Aboriginal and Torres Strait Islander families involved in the statutory child protection system

In addition to providing cultural and family information and advice to Child Safety and the Childrens Court, a further broad function of the Recognised Entity is to ensure that Aboriginal and Torres Strait Islander families when engaged by Child Safety, are given sufficient information and support to fully understand Child Safety's processes and are given every opportunity to fully participate in all activities that may have an impact on them.

The information and support provided to Aboriginal and Torres Strait Islander families, by the Recognised Entity, includes but is not limited to, the following:

- ensuring the Child Safety Officer provides the family with sufficient information to understand the statutory role, the statutory process, the Child Safety Officer's expectations of them, the family's rights and the purpose of the communication and/or the activity they are being engaged in by Child Safety
- ensuring the family fully understands the information provided by the Child Safety Officer, and are supported and encouraged to ask questions when the information presented is unclear



- ensuring the Child Safety Officer understands the information presented or questions asked by the family and understands the family's expectations of them and
- ensuring the Child Safety Officer provides, and the family understands, the outcome of the communication

In summary, the Recognised Entity is a conduit that assists Child Safety staff's engagement of Aboriginal and Torres Strait Islander families and communities in decisions regarding their children. And in doing so, the family and community, is sufficiently informed and supported to maximise their participation in the decisions that affect their children and their lives.

By participating in the decision making process, the Recognised Entity is able to:

- engage Child Safety staff in reflection of whether or not communication practices were inclusive and sufficient to gather comprehensive information and elicit the family and community's views, regarding the decision being made
- ensure that the information gathered and the views expressed, are understood within the relevant cultural context and
- ensure that in making the decision, the department takes the relevant information and the family and community's views into consideration

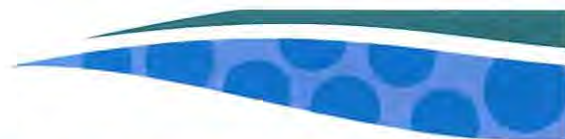
By establishing the above, in the event the matter proceeds to a Childrens Court application, the Recognised Entity is able to inform the Court of their view regarding the cultural appropriateness of the engagement process used by Child Safety to reach each significant decision.



The process of engagement, the information gathered and the cultural context in which Child Safety considers the information, influence the decision being made and are more important to the Recognised Entity than the decision itself, as culturally acceptable engagement processes are likely to result in informed and sound decisions.

Recognised Entity and Department of Child Safety Partnership

As the Recognised Entity interfaces with Child Safety at various points throughout the child protection continuum, the remainder of this manual replicates the Child Safety's practice maps as contained in the *Child Safety Practice Manual*, identifies the points at which the Recognised Entity is engaged for participative decision making, and describes the process of this engagement.



MANAGING INCOMING REFERRALS

Introduction

The best practice application to section 6 of the *Child Protection Act 1999* requires and is reliant upon Child Safety and the State's Recognised Entity services engaging in the process of significant and non significant decision making.

The sector has developed a referral process that can allow for 100% engagement and record keeping of all significant and non significant decision making outlined in section 6 of the *Child Protection Act 1999*.

The referral process allows the Recognised Entity sector to be constructively accountable to their obligations. In addition the referral process supports streamlined service delivery Hubs to negotiate work load capacity and availability whilst providing a structured process to either respond directly to significant and other decisions or to be consulted after a decision is made due to the decision's urgency or the non-availability of the Recognised Entity.

The referral form can be forwarded to the Recognised Entity from either the regional intake team or local Child Safety Service Centres in accordance with the agreed local protocol between Child Safety Services and the local Recognised Entity. This transfer of information may occur via secure email, fax or in person.

Key Steps

Referrals requesting Recognised Entity involvement in child protection decision making regarding Aboriginal or Torres Strait Islander children are only accepted from the Department of Communities – Child Safety Services (Child Safety).

Other parties, whether members of the public, past or present clients of Child Safety or agency representatives, requesting Recognised Entity involvement must be directed to the relevant Child Safety Service Centre.

Assistance to contact the relevant Child Safety Service Centre may be provided if deemed necessary.

Child Safety Officers can request Recognised Entity involvement by completing the relevant sections of a [Recognised Entity Referral Form](#) and forwarding it to the Recognised Entity in accordance with local protocols.

In accordance with section 6(1) of the [Child Protection Act 1999](#), Child Safety is required to “give an opportunity” to a Recognised Entity for the child to participate in the decision-making process of significant decisions. Consequently, there is an expectation that referrals will be forwarded to the Recognised Entity as soon as it is known that a significant decision needs to be made. Timely referrals give the Recognised Entity the opportunity to gather the required information and advice and to respond within required timeframes.

Urgent referrals may be telephoned through and the [Recognised Entity Referral Form](#) completed either during or as soon as practicable following, the telephone call.

The response time for recognized entity referrals is as follows:

- Intake referrals – by close of business of the receipt of a [Recognised Entity Referral Form](#)

- Investigation and assessment referrals with a 24 hour response time – immediately upon the receipt of a verbal request or the receipt of a *Recognised Entity Referral Form*
- Referrals requiring urgent decision making – immediately upon the receipt of a verbal request or the receipt of a *Recognised Entity Referral Form*
- All other referrals – within **two business days** of the receipt of a *Recognised Entity Referral Form*

Referrals will not be accepted if the Recognised Entity is not authorised to speak on behalf of the child or children in question.

The referring Child Safety Officer will be informed of the reason in the event a referral is not able to be accepted.

If the Recognised Entity does not have capacity to respond within the required timeframe, the referral is accepted; however the referring Child Safety Officer will be contacted and advised of:

- the inability to respond within the required timeframe and
- the name of the allocated Recognised Entity representative for consultations to occur after the decision has been made

Referrals that are accepted will be allocated to a Recognised Entity representative who will respond to the referral within the required timeframes wherever possible.

Please Note: Requests for Recognised Entity participation at SCAN does not follow the above referral process as the SCAN Coordinator will inform the Recognised Entity of all Aboriginal and Torres Strait Islander children listed for discussion at each meeting.

SECTION ONE – complete all information

Date of Referral: Click here to enter a date.

Referring Child Safety Officer's details:	
Name:	
Child Safety Service Centre:	
Telephone Number:	
Fax Number:	
Email Address:	

Child/ren's details:	Child 1	Child 2	Child 3	Child 4	Child 5
Name:					
Date of birth:					
Address:					
Parents:					
Mother					
Father					
Culture:	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Choose an item.
Clan (if known):					
Community group (if known):					
Language group (if known):					
CPO (if relevant):	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Choose an item.

Type of referral:

☐ This referral requests Recognised Entity participation in (check one or more boxes below):

- ☐ An intake decision (complete Section Two - Part A)
- ☐ An investigation and assessment process (complete Section Two - Part B)
- ☐ A matter of concern process (complete Section Two - Part C)
- ☐ A case planning activity (complete Section Two - Part D)
- ☐ A placement decision (complete Section Two - Part E)
- ☐ A decision regarding a Childrens Court application (complete Section Two - Part F)

☐ This referral requests Recognised Entity consultation in a decision other than a significant decision (complete Section Two - Part G)

☐ This referral requests Recognised Entity consultation after an urgent decision has been made (complete Section Two - Part H)

SECTION TWO – complete only relevant part or parts

PART A - Intake details:

Date Intake was received:	Click here to enter a date.
Description of concerns:	
Summary of CP history:	
Pre-notification information, if undertaken:	
Other relevant information:	

PART B – Investigation and Assessment details:

Notification date:	Click here to enter a date.
Description of concerns:	
Summary of CP history:	
Response priority:	<input type="checkbox"/> 24 hours <input type="checkbox"/> 5 days <input type="checkbox"/> 10 days
Other relevant information:	

PART C – Matter of Concern details:

Date concerns were received:	Click here to enter a date.	
Description of concerns:		
Details of approved carer or licensed care staff	Name	Carer Category
		Choose a carer category
		Choose a carer category
		Choose a carer category
Details of Foster and Kinship Care Agency or Licensed Care Service:	Name	Address
Out-of-home care address:		
Summary of CP history:		
Other relevant information:		

PART D – Case planning activity details:

Type of case planning activity (check one or more boxes)	<input type="checkbox"/> assessment of the child and/or parental strengths and needs <input type="checkbox"/> development of a case plan <input type="checkbox"/> review of a case plan <input type="checkbox"/> development or review of a cultural support plan <input type="checkbox"/> development or review of a transition from care plan <input type="checkbox"/> development or review of a support plan <input type="checkbox"/> decision regarding a referral to a Family Support Service	
Type of participation required:	<input type="checkbox"/> cultural and family information and advice to inform the planning of a meeting <input type="checkbox"/> attendance at a meeting <input type="checkbox"/> both	
Meeting details (if known and if relevant):	Date: Click here to enter a date. Meeting venue (if attendance is required): Other attendees:	Time:

PART D – Case planning activity details:Other relevant information:

PART E – Placement decision details:

The child/ren's support needs:	Child 1	Child 2	Child 3	Child 4	Child 5
	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Choose an item.

Available placement options (if known):

Other relevant information:

PART F – Childrens Court application details:
☐ Provide cultural and family information and advice regarding an application for an Assessment Order
Type of Assessment Order being sought: Choose an item.

Detail the reasons an Assessment Order is required:

☐ Provide cultural and family information and advice regarding an application for a child protection order
Detail the goal of ongoing intervention:

Summarise the risks and needs assessment of the child or children:

Identify the child protection order or orders being considered:

☐ Provide cultural and family information and advice to assist Child Safety to engage the child and/or parents in discussions regarding a Childrens Court application

If requesting the Recognised Entity to attend the meeting with the child/ren and/or parent/s, provide the details of the meeting/s below, if known:

Date of meeting with the child/ren:

Click here to enter a date.

Time:

Address:

Attendees:

Date of meeting with the parent/s:

Click here to enter a date.

Time:

Address:

Attendees:

☐ Attend a Court Ordered Conference

Date: Click here to enter a date.

Time:

Venue:

Attendees:

Other relevant information:

PART G – Decision other than a significant decision details:Type of decision to be made:

Other relevant information:

PART H – Request for consultation after an urgent decision has been made:

Date decision was made:

Click here to enter a date.

Type of decision made:

Reason decision was made without Recognised Entity involvement:

Other relevant information:

SECTION THREE – *internal use only*

Has the referral been accepted: ☐ Yes ☐ No

If no, state reason:

Please Note: Referrals that cannot be responded to within the required timeframe due to reasons of capacity are still accepted and allocated; however the referring Child Safety Officer contacted and informed of:

- *the inability to respond*
- *the name of the allocated Recognised Entity representative for consultations to occur after the decision is made*

If yes, record the name of the Recognised Entity representative allocated the referral:

The following is to be completed by the Recognised Entity representative allocated the referral:

additional information required: ☐ Yes ☐ No

If yes:

Date additional information was sought: [Click here to enter a date.](#)

Name of Recognised Entity representative that requested the information:

Name of Child Safety Officer that provided the information:

Details of additional information provided:



INTAKE

Introduction

The role of the Recognised Entity at the intake phase of the child protection continuum is to provide relevant cultural knowledge and family information and advice to inform Child Safety's decision making when determining the required response to information received about a child. This includes the decision to divert families to Aboriginal and Torres Strait Islander Support Services when statutory intervention is not required.

The Recognised Entity may participate in the decision making process at intake by providing historical information, family and community information, remote and rural influences, detailed information regarding collective Aboriginal and Torres Strait Islander attachment, collective child rearing practices, customary law practices such as cultural adoption and a cultural understanding of protective, harm and risk indicators.

Purpose

The *Child Safety Practice Manual* defines **Intake** as:

...the first phase of the child protection continuum...initiated when information or an allegation is received from a notifier about harm or risk of harm to a child, or when a request for departmental assistance is made

Child Safety Practice Manual, Glossary of Terms

Child Safety's purpose at the intake phase is to:

- receive information and child protection concerns
- inform the person providing the information about the role of Child Safety Services and other relevant service providers



- screen the information to decide the appropriate departmental response and
- determine the appropriate time frame for responding to a notification

[Child Safety Practice Manual > Practice framework and maps > Practice maps](#)
[> Child protection phases](#)

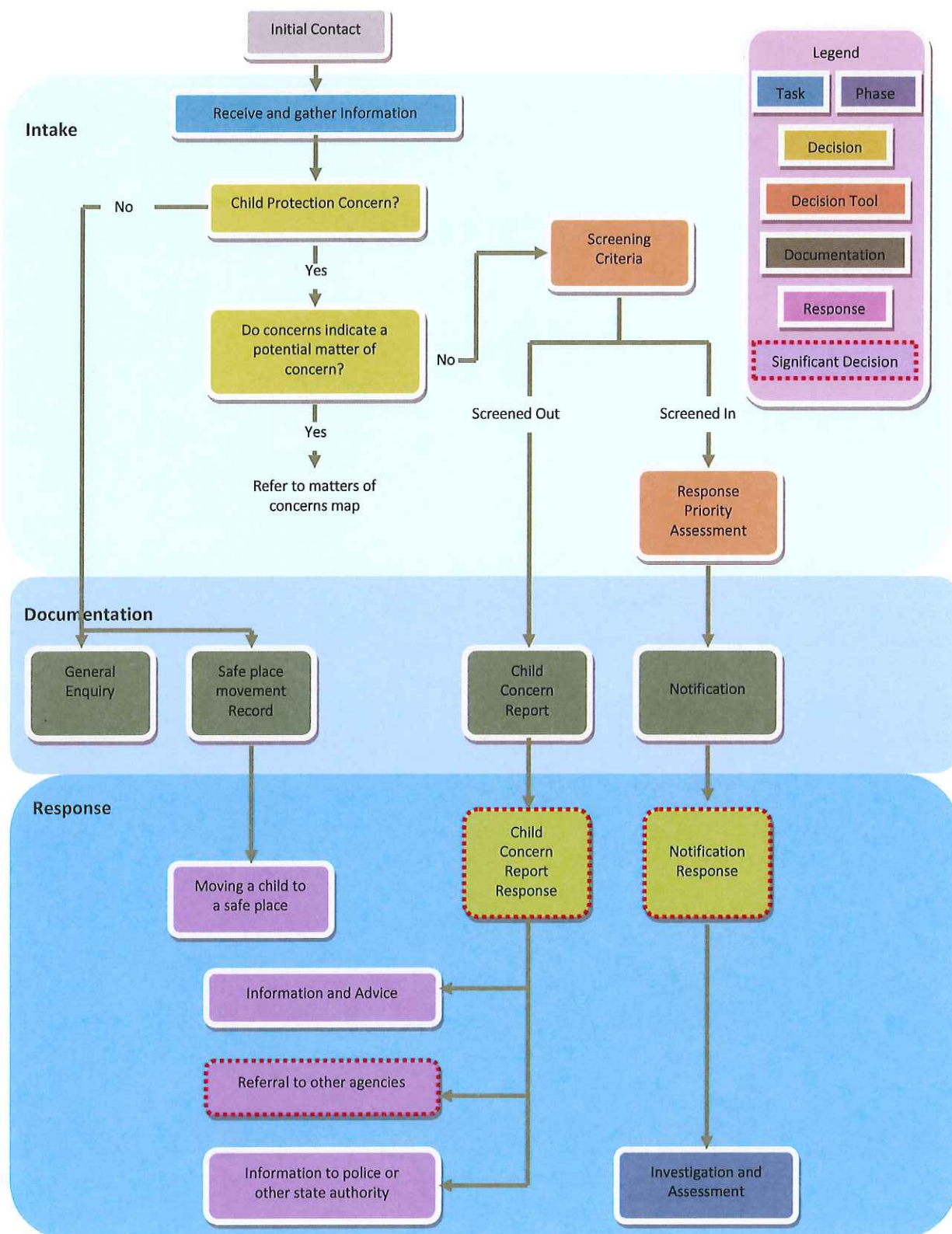
In accordance with the [Child Protection Act 1999](#), section 6(1) and (2), Child Safety is required to provide the Recognised Entity with an opportunity to participate in the decision-making, where the decision is significant and consult with the Recognised Entity on all other decisions regarding Aboriginal and Torres Strait Islander children.

Child Safety defines significant decisions during the intake phase as being:

decision-making about any intervention planned as a response to child protection concerns received, for example, pre-notification checks, notification, or referral to a family support service

[Child Safety Practice Manual > Chapters > 10. General > 10.1 Decision-making about Aboriginal and Torres Strait Islander children](#)

Figure 1. Child Safety Practice Map – Intake



Modified from *Child Safety Practice Manual*, Practice Framework and Maps, Intake



Table 1 provides the Recognised Entity's participation in the decision making process of significant decisions made by Child Safety during the intake process.

Table 1
Intake

Significant decision	Recognised Entity's participation
1. any decision about intervention planned as a response to child protection concerns received	<ul style="list-style-type: none"> a. Provide relevant cultural knowledge, including specific knowledge about the child and family, to assist Child Safety to determine the appropriate response to the information received and gathered b. Provide information and advice where appropriate, to assist Child Safety in the diversion of families listed in a Child Concern Report

Authority

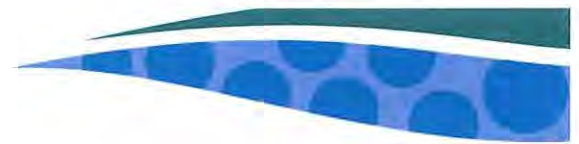
1. *Child Protection Act 1999*, section 6
2. *Recognised Entity Service Agreement*
3. *Local Protocol Agreement*

References

1. *Child Safety Practice Manual*
 - > *Introduction* > *Recognised Aboriginal and Torres Strait Islander entities*
 - > *Chapters* > *1. Intake* > *2. Assess the information and decide the response* > *2.1 Consult with the recognised entity*

Key Steps

1. Provide relevant cultural knowledge



2. Assist Child Safety where appropriate, in the diversion of families listed in a Child Concern Report
 3. Allocate the Investigation and Assessment
 4. Record Keeping
-

Child Safety is required to provide the Recognised Entity with an opportunity to participate in the decision making process regarding the appropriate response to intake information prior to the recording of a notification.

When information is received about an Aboriginal or Torres Strait Islander child, contact with a recognised entity should occur prior to the decision being made about the response, and is to occur in keeping with any established local protocols. Where there is no local recognised entity available, contact another recognised entity within the region.

The recording of a notification is a 'significant decision' (*Child Protection Act 1999*, section 6) for an Aboriginal or Torres Strait Islander child. When a notification is the likely response...[Child Safety is to]:

- provide the recognised entity with an opportunity to participate in the decision-making process, and
- record the information about the involvement and views of the recognised entity in the 'recognised entity participation' form in ICMS

...It is also a policy requirement for the recognised entity to be given the opportunity to participate in the decision-making about whether to record the notification for an Aboriginal or Torres Strait Islander unborn child.

Efforts to contact a recognised entity are not to delay the timeframes for recording or responding to a notification.

*Child Safety Practice Manual > Chapters > 1. Intake > 2. Assess the information and decide the response
>2.1 Consult with the recognised entity*

When determining the appropriate response to intake information, Child Safety is required to consider the cultural information provided by the Recognised Entity within the context of specific cultural considerations incorporated within the screening criteria definitions.



If the concerns relate to an Aboriginal or Torres Strait Islander child, in addition to giving the recognised entity an opportunity to participate in the decision-making process, the specific cultural considerations incorporated within the screening criteria definitions are to be taken into account.

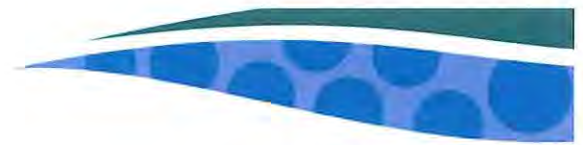
In addition, consideration needs to be given to the different child rearing practices of Aboriginal and Torres Strait Islander families, which include:

- earlier independence of children
- children taking responsibility at an earlier age
- cultural authority within kinship/clan groups
- cultural responsibility among the extended family and community (passing on of knowledge or skills)

*Child Safety Practice Manual > Chapters > 1. Intake > 2. Assess the information and decide the response>2.2
Complete the screening criteria>Aboriginal and Torres Strait Islander children*

Provide relevant cultural knowledge

1. Information required by the Recognised Entity when requested by Child Safety to participate in the intake phase includes:
 - description of the notifier's concerns
 - family details
 - child protection history and other relevant history
 - pre-notification check information, if undertaken
2. When allocated an Intake referral, the Recognised Entity representative will telephone the referring Child Safety Officer to seek any additional information required to respond to the request.
3. Once sufficient information is received, the Recognised Entity representative will gather the following information:



- specific information, if known about the child, the family and their circumstances
 - cultural knowledge relevant to the notified concerns, for example:
 - earlier independence of children
 - children taking responsibility at an earlier age
 - cultural authority within kinship/clan groups
 - cultural responsibility among the extended family and community (passing on of knowledge or skills)
 - the risk and protective factors within a cultural context
5. The Recognised Entity representative may gather the above information through:
- perusal of internal records
 - internal discussions with team members to draw on individual worker knowledge of the immediate family, extended kinship network, community support network and cultural setting
6. The Recognised Entity representative will telephone the referring Child Safety Officer to provide the information gathered in a timely manner and obtain the information required to complete the *Recognised Entity Intake Form*.
7. The Recognised Entity representative will record the following information in the relevant sections of the *Recognised Entity Intake Form*:
- date the information and advice was provided
 - details of the information and advice provided



- Child Safety's response
 - whether there was consistency from a cultural perspective between the information received by Child Safety and the response outcome
 - if not, what attempts were made to resolve the matter
8. If the Recognised Entity representative disagrees with the decision making process used by Child Safety to reach the decision made, the Recognised Entity representative must make reasonable attempt to resolve the matter (refer to section titled – *Managing disagreements regarding the decision making process*).

Assist Child Safety where appropriate, in the diversion of families listed in a Child Concern Report

9. If Child Safety's response to the notified child protection concerns is a child concern report, the Recognised Entity representative will discuss with the relevant Child Safety Officer whether a referral to a Family Support Service is appropriate.
10. If a referral to a Family Support Service is considered appropriate, the Recognised Entity representative will advise the relevant Child Safety Officer of the most suitable Aboriginal and Torres Strait Islander Family Support Service to be considered at this stage.
11. The Recognised Entity representative will record the following information in the relevant sections of the *Recognised Entity Intake Form*:
- whether the family was offered a referral to a Family Support Service



- If offered, whether the family accepted the referral

Allocate the Investigation and Assessment

12. If Child Safety's response to the child protection concerns received is a Notification, the Recognised Entity will be advised of the Child Safety Service Centre that is responsible for conducting the investigation and assessment.
13. The Recognised Entity will email the following to the relevant Child Safety Service Centre Team Leader:
 - the child's name
 - the name of the Recognised Entity representative allocated to accompany Child Safety during meetings with the child and family throughout the investigation and assessment process (Note this email will be copied to the allocated Recognised Entity representative)
 - a request to advise the name of the Child Safety Officer allocated to conduct the investigation and assessment
14. The Recognised Entity will copy relevant incoming and outgoing emails and record relevant verbal discussions, on a *Case Note* and place the *Case Notes* the child's file.



Record Keeping

15. The Recognised Entity representative will:

- record relevant discussions (including the information gathering activities) on a *Case Note*
- record their participation, and the outcome of their participation in the decision making process of significant decisions made by Child Safety during the intake phase on a *Recognised Entity Intake Form*
- print all relevant incoming and outgoing emails
- place the above records on the child or children's file/s and
- provide a copy of the completed *Recognised Entity Intake Form* to the referring Child Safety Officer at the conclusion of the intake referral

Date recorded on the referral: Click here to enter a date.

Name of child or children listed on the referral:

Name of referring Child Safety Officer:

Child Safety Service Centre:

Date information and advice was provided: Click here to enter a date.

Provide relevant cultural knowledge:	
Name of RE representative that provided the information and advice:	
Information provided about the child, family and their circumstances (if known):	
Cultural information and advice provided, relevant to the notified concerns:	
Other information or advice provided:	

Date Child Safety provided their response to the notified concerns: Click here to enter a date.

Child Safety response:	
Name of person that provided Child Safety's response:	
Please select Child Safety's response:	<input type="checkbox"/> Child Concern Report (CCR) <input type="checkbox"/> Notification
In your opinion, is there consistency between the information received and gathered by Child Safety and the response outcome?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If No, state the reason, including the attempts you made to resolve the matter:	
If a CCR, was a referral to another agency appropriate?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If No, state reason:	
If Yes, provide details of the agency or agencies:	
Did the family accept the offer of a referral: <input type="checkbox"/> Yes <input type="checkbox"/> No	
If a Notification, name of Recognised Entity representative, allocated to participate in the investigation and assessment:	

Checklist:	
Relevant discussions (including the internal information gathering activities) have been recorded on Case Notes and placed on the child/ren's file/s	<input type="checkbox"/>
All email communication have been printed and placed on the child/ren's file/s	<input type="checkbox"/>
The completed <i>Recognised Entity Intake form</i> has been placed on the child/ren's file/s	<input type="checkbox"/>
A copy of the completed <i>Recognised Entity Intake form</i> has been forwarded to the referring Child Safety Officer	<input type="checkbox"/>

For manual completion of form – please expand text boxes and print

Details of the child/ren this Case Note relates to:

Child/ren's name/s:

Date/s of birth:

Child Safety Service Centre with case management:

Details of the event

Date: Click here to enter a date.

Time:

☐ Phone Call In

☐ Phone Call Out

☐ Office Visit

☐ Home Visit

☐ Agency Visit

Provide details below (Child Safety Officer – Jane Smith):

Attendees (Who was present at the event? Include name, relationship to the child/ren, name of agency if applicable):

Purpose (What was the intention of the event?):

Content (What happened e.g. key points of discussion, information and advice provided, observations, what was agreed, what decisions were made?):

Outstanding Actions (What tasks were agreed to, who is responsible for completing them and when did they agree to complete them by?):

Additional information:

Details of person completing this Case Note

Name:

Position:

Checklist:

File the following documents on the child/ren's file:

- The completed Case Note
- Any associated email communication
- Any minutes of meetings or associated documentation received

☐

Investigation and Assessment

Introduction

The role of the Recognised Entity at the investigation and assessment stage of the child protection continuum is to provide relevant cultural, family and community information and advice to Child Safety to inform the following significant decisions:

- how the investigation and assessment will be conducted
- whether a child is safe during the investigation and assessment and if not, whether a safety plan is able to ensure the child's safety and
- whether a child is in need of protection and if so, the type of ongoing intervention required to ensure the child's safety

The Recognised Entity may participate in decision making processes during the investigation and assessment phase by:

- providing cultural and family information and advice that informs the development of an investigation and assessment plan
- being present during Child Safety interviews and contact with children and their families
- providing cultural and family information and advice that informs the development of a safety plan

- providing cultural and family information and advice that informs the decision of whether or not a child is need of care and protection
- providing cultural and family information and advice that informs the referral of families to Aboriginal and Torres Strait Islander Family Support Services

Purpose

The *Child Safety Practice Manual* defines an **investigation and assessment** as:

...the second phase of the child protection continuum. It is the department's response to all notifications, to determine the safety and protective needs of a child under the [Child Protection Act 1999](#), section 14, where there are allegations of harm or risk of harm to a child.

[Child Safety Practice Manual > Quicklinks > Glossary of terms](#)

Child Safety's purpose at the investigation and assessment phase is to:

- commence the investigation and assessment within the designated timeframe;
- assess the safety of the child to determine any immediate harm indicators;
- assess the harm/risk of harm; and
- assess the level of future risk of harm, determine whether a child is in need of protection and determine the appropriate type of ongoing intervention

[Child Safety Practice Manual > Practice framework and maps > Practice maps > Child protection phases](#)

In accordance with the [Child Protection Act 1999](#), section 6(1) and (2), Child Safety is required to provide the Recognised Entity with an opportunity to participate in the decision-

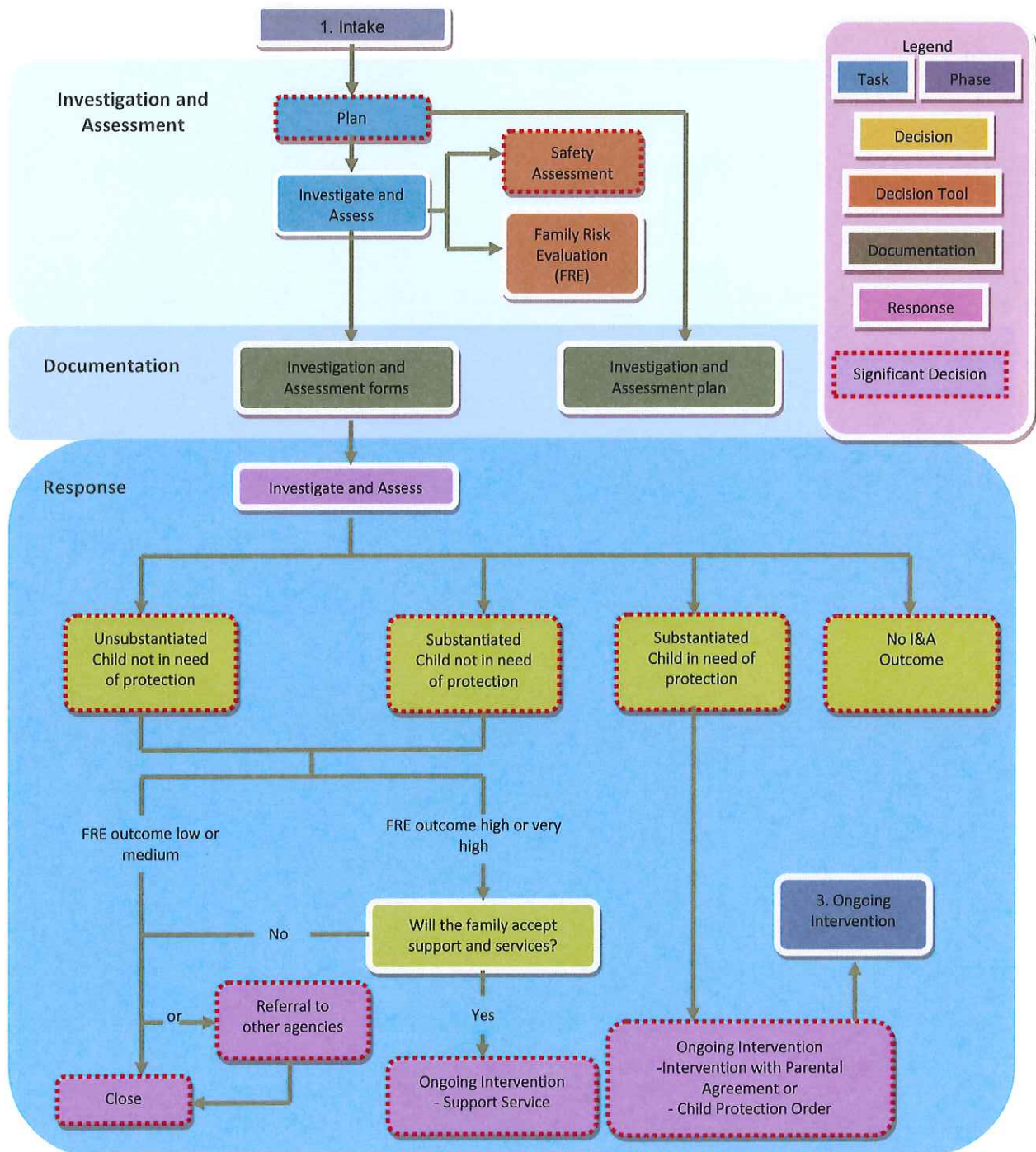
making, where the decision is significant and consult with the Recognised Entity on all other decisions regarding Aboriginal and Torres Strait Islander children.

Child Safety defines significant decisions during the investigation and assessment phase as being:

- developing the investigation and assessment plan
- involvement in the contact with the child and family, the completion of the safety assessment and, if required, the development of a safety plan
- the decision about whether a child is in need of protection and the type of ongoing intervention that will occur, including referral to a family support service

Child Safety Practice Manual > Chapters > 10. General > 10.1 Decision-making about Aboriginal and Torres Strait Islander children > 1. Determine whether a matter is a 'significant decision'

Figure 2. Child Safety Practice Map – Investigation and Assessment



Modified from *Child Safety Practice Manual* > Practice framework and maps > Practice maps > Investigation and assessment

Table 2 provides the Recognised Entity's participation in the decision making process of significant decisions made by Child Safety during the investigation and assessment process.

Table 2
Investigation and assessment

Significant decision	Recognised Entity's participation
1. How the investigation and assessment will be conducted	Provide cultural and family advice to Child Safety to be considered as part of the planning of an investigation and assessment
2. Whether a child is safe during the investigation and assessment and if not, whether a safety plan is able to ensure the child's safety	Assist Child Safety to implement the cultural components of the investigation and assessment plan. For example: <ul style="list-style-type: none"> a. Accompany Child Safety Officers on interviews with children and family members during the investigation and assessment and assist with the cross cultural information exchange b. Inform Child Safety Officers of the necessary cultural and family considerations when making decisions c. Provide Child Safety Officers with relevant information such as community protocols
3. The decision about whether a child is in need of protection and the type of ongoing intervention that will occur	

Authority

1. *Child Protection Act 1999*, section 6
2. *Recognised Entity Service Agreement*
3. *Local Protocol Agreement*

References

1. *Child Safety Practice Manual*
 - [Introduction > Recognised Aboriginal and Torres Strait Islander entities](#)
 - [Chapters > 10. General > 10.1 Decision-making about Aboriginal and Torres Strait Islander children > 1. Determine whether a matter is a 'significant decision'](#)

Key Steps

1. **Inform the planning of an investigation and assessment**
 2. **Assist Child Safety to implement the cultural components of the investigation and assessment plan**
 3. **Record Keeping**
-

Child Safety is responsible for engaging the family (including the child) in the investigation and assessment process, to gather information to determine whether the child is in need of protection.

The Recognised Entity's function in the investigation and assessment process is to ensure the engagement of the family is conducted in a culturally appropriate manner and that cultural, family and community information is taken into consideration when making significant decisions.

By participating at various stages throughout the investigation and assessment process, the Recognised Entity is able to assist Child Safety to:

- use communication practices that are culturally acceptable and inclusive, to gather comprehensive information and elicit the views of the family and community to inform decisions made
- understand the views expressed by the family and community, within the relevant cultural context; and

- take the information gathered and views expressed by the family and community into consideration when making decisions

As a facilitator of cultural understanding, the Recognised Entity does not speak on behalf of either party.

Inform the planning of an investigation and assessment

1. Information required by the Recognised Entity when requested by Child Safety to participate in an Investigation and Assessment includes:
 - A description of the notified child protection concerns
 - The child or children's details
 - The family's details
 - The child protection history and other relevant history
 - The response priority assessment
 - Any additional information that has been provided to Child Safety following the completion of the Intake process
2. When allocated an Investigation and Assessment referral, the Recognised Entity representative will telephone the referring Child Safety Officer to seek any additional information required to respond to the request.

3. Once sufficient information is received, the Recognised Entity representative will telephone the referring Child Safety Office to request a meeting time (either face to face or over the telephone) to participate in the development of an investigation and assessment plan.

To complete an investigation and assessment plan, Child Safety is required to:

- refer to all of the practice considerations required as part of the planning process, as outlined in the practice resource [The investigation and assessment plan](#)
- ensure that any identified staff safety issues are addressed by the plan
- consult with the team leader or senior practitioner for complex matters, if required
- ensure all the key people are involved and undertake joint planning at the earliest possible time when other agencies will be involved
- ensure the **recognised entity** is contacted and given an opportunity to participate in the planning and decision-making process for an Aboriginal and Torres Strait Islander child
- clarify the roles and responsibilities of each person involved in the process

*Child Safety Practice Manual > Chapters > 2. Investigation and assessment
> 1. Plan the investigation and assessment*

4. Whilst the Recognised Entity representative may participate in all discussions during the development of an investigation and assessment plan, specific attention is given to:

- providing information if known, regarding which family, clan, language group and community the child is connected to
- providing information and advice regarding culturally acceptable engagement and communication practices (e.g., information about cultural protocols and how best to adhere to these protocols, culturally acceptable communication and interpersonal behaviours, how to engage the family, the use of cultural elders, or the need for a culturally appropriate support person)
- providing information regarding other key people in the child's family and community, if known, that may be able to contribute to the provision of

information about the child during the investigation and assessment (e.g., extended family or significant people not living in the child's household)

- identifying any worker safety issues and contributing to the development of safety strategies
 - clarifying the Recognised Entity's role and responsibilities during the investigation and assessment process
 - providing information regarding possible family placements, if likely to be required and if known
5. The Recognised Entity representative may gather the above information through:
- perusal of internal records
 - internal discussions with team members to draw on individual worker knowledge of the immediate family, extended kinship network, community support network and cultural setting
6. At the investigation and assessment planning discussion (in person or over the phone) the Recognised Entity representative will obtain from Child Safety, the information required (e.g. date the investigation and assessment is scheduled to commence) to complete the relevant sections of the *Recognised Entity Investigation and Assessment Form*.

7. At the conclusion of the investigation and assessment planning discussion the Recognised Entity representative will record the following information in the relevant sections of the *Recognised Entity Investigation and Assessment Form*:

- whether participation in the planning of the investigation and assessment occurred
- If no, what attempts were made to participate
- If yes:
 - the date the cultural and family information and advice was provided
 - the details of the cultural and family information and advice provided
 - the date the investigation and assessment is scheduled to commence

Assist Child Safety with the implementation of the cultural components of the investigation and assessment plan

Child Safety requires **two authorised officers** or an **authorised officer and a police officer** to be present when having contact with, or interviewing a child and their family during an investigation and assessment.

When having contact with, or interviewing a child as part of an investigation and assessment, the authorised officer **will always be accompanied** by either:

- another authorised officer
- a police officer
- another Child Safety officer or a student undertaking field education, if approved by the team leader after taking into account any practice implications that may result from their involvement - for example, it may not be appropriate for a convenor or CSSO to be

involved when they may be required to work with the family in the future in their usual role.

*Child Safety Practice Manual > Chapters > 2. Investigation and assessment
> 1. Plan the investigation and assessment > Requirement for two officers
to undertake an investigation and assessment*

The Recognised Entity should under no circumstances, take the place of the second authorised officer (e.g. Child Safety Officer) or Police Officer during an investigation and assessment process.

The role, responsibilities and function of a Recognised Entity during an investigation and assessment are distinctly different to that of a Child Safety Officer or a Police Officer.

The delineation between the roles must be explicit to preserve community perception and allow the Recognised Entity representative to focus on performing the Recognised Entity function.

8. During Child Safety's investigation and assessment interviews, the Recognised Entity representative will:
 - a. assist the Child Safety Officers to implement the cultural components of the investigation and assessment plan (e.g. the use of culturally acceptable engagement and communication practices)
 - b. assist the Child Safety Officers where required, to explain the following to the child's parents:
 - Child Safety's role and the purpose of their visit
 - the alleged harm or risk of harm
 - the purpose and process of an investigation and assessment

- whether a referral to SCAN will be made and if made, the purpose and process of SCAN

The Recognised Entity will request the Child Safety Officers to provide the above information both verbally and in writing by providing the family with the [When Child Safety officers visit your home](#) brochure

- c. explain to the family, the role of the Recognised Entity in the investigation and assessment process

The Recognised Entity will provide this information both verbally and in writing by providing the family with business cards and relevant brochures and fact sheets

- d. assist each family member interviewed where required, to fully understand the information provided by Child Safety, to ask questions and to participate in the process
- e. assist Child Safety where required, to fully understand the information provided, or questions asked by each family member interviewed, and to provide clear and defined responses to questions asked
- f. provide Child Safety with cultural, family and community information to take into consideration when completing the safety assessment

The purpose of the safety assessment is to guide the Child Safety Officer's decision-making about:

- whether there is the threat of immediate harm to a child in the household
- what interventions are required to maintain their safety and protection
- a 'safety decision' for each child in the household

- the development of a safety plan to ensure the safety of any child who remains in the home, whenever immediate harm indicators have been identified

[Child Safety Practice Manual > Chapters > 2. Investigation and assessment](#)
[> 2. Engage the family and gather information](#)
[> 2.6 Complete the safety assessment](#)

- g. assist Child Safety to engage the parents and to draw on the strengths of the child's family and community networks when developing a safety plan, if required
- h. assist Child Safety to understand the impacts of their decision on the child, family and community and how best to minimise these impacts
- i. assist Child Safety to explain to the family the outcome of their involvement, in terms of any decisions made during the interview, and what to expect next in terms of process
- j. assist Child Safety where required, to inform the child (within the limits of the child's ability) and their parents of their right to:
 - have a support person and/or the Recognised Entity present during meetings with Child Safety
 - seek legal advice and representation during their involvement with Child Safety
 - be provided with the investigation and assessment outcome in writing by Child Safety

- lodge a complaint to Child Safety if dissatisfied with any aspect of the investigation or assessment process
 - lodge an appeal in relation to any reviewable decisions made by Child Safety during the investigation and assessment process
 - be informed of what happens next in the process following the conclusion of each meeting with Child Safety
9. To assist in achieving the above goals, the Recognised Entity representative may require time alone with the family to allay fears and to elicit information regarding the family's views and understanding.
 10. When intending to speak privately with the family, the Recognised Entity representative will seek the relevant Child Safety Officer's endorsement prior to meeting with the family.
 11. If a child requires an out-of-home placement during the investigation and assessment process, please refer to the Placement section of this manual for information regarding the Recognised Entity's function and record keeping responsibilities regarding the placement of children.
 12. If the Child Safety Officer intends to apply for an Assessment Order during the investigation and assessment process, please refer to the Childrens Court section of this manual for information regarding the Recognised Entity's function and record keeping responsibilities regarding Childrens Court applications.
 13. The Recognised Entity representative will record the following information on the relevant sections of the *Recognised Entity Investigation and Assessment Form*:

- whether the Recognised Entity accompanied Child Safety Officers during interviews with the child and family throughout the investigation and assessment
- if no, the reason including the attempts made to participate
- if yes:
 - the outcome of the Safety Assessment
 - whether the communication practices used were inclusive and sufficient to gather comprehensive information and elicit the views of the family and community to inform decisions made
 - whether the information gathered from, and the views expressed by, the family and community were understood by the Child Safety Officers within the context of the child's culture
 - whether the Child Safety Officers took the relevant information and views of the family and community into consideration when making decisions
- the attempts made to resolve any issues
- any additional information including the key points of discussion

Unborn child:

Child Safety can conduct an investigation and assessment prior to the birth of a child in instances where the pregnant woman gives consent.

The purpose of an investigation and assessment prior to the birth of a child is to assess the likelihood that an unborn child will need protection **after birth** and determine what help and support can be offered to the pregnant woman, and where relevant, her partner or the father of the unborn child...

Any intervention by Child Safety **must occur with the consent** of the pregnant woman and not interfere with her rights and liberties.

Child Safety Practice Manual > Chapters > 2. Investigation and assessment > What ifs - responding to specific investigation and assessment matters
> 7. What if the investigation and assessment is for an unborn child

14. The Recognised Entity's function in relation to an investigation and assessment of an unborn Aboriginal or Torres Strait Islander child is the same as that for a standard investigation and assessment. However, particular attention will be given to assisting Child Safety to engage the pregnant woman to:

- obtain her consent to conduct the investigation and assessment and/or
- accept a referral to services that may assist her, and where relevant, her partner and/or the father of the unborn child, to reduce the risks to her unborn child

15. If appropriate, the Recognised Entity representative will advise of the most suitable Aboriginal and Torres Strait Islander Family Support Service to be considered at this stage.

16. The Recognised Entity representative will record the following information in the relevant sections of the *Recognised Entity Investigation and Assessment Form*:

- whether the investigation and assessment related to an unborn child
- if yes , whether the mother consented to the investigation and assessment
- if yes:
 - whether the communication practices used were inclusive and sufficient to gather comprehensive information and elicit the views of the family and community to inform decisions made
 - whether the information gathered from, and the views expressed by, the family and community were understood by the Child Safety Officers within the context of the child's culture
 - whether the Child Safety Officers took the relevant information and views of the family and community into consideration when making decisions
- if no, whether the mother consented to a support service case or a referral to Family Support Service
- the attempts made to resolve any issues
- any additional information including the key points of discussion

Outcome:

Child Safety is responsible for determining whether a child is in need of protection.

A child in need of protection is a child who:

- has suffered harm, is suffering harm or is at unacceptable risk of suffering harm and
- does not have a parent able and willing to protect the child from the harm

[Child Safety Practice Manual > Chapters > 2. Investigation and assessment](#)
[> 3. Assess the notified concerns and the child's need for protection](#)

Child Safety will record one of the following outcomes at the completion of an investigation and assessment:

- substantiated - child in need of protection
- substantiated - child not in need of protection
- unsubstantiated - child not in need of protection
- no investigation and assessment outcome

[Child Safety Practice Manual > Chapters > 2. Investigation and assessment](#)
[> 3. Assess the notified concerns and the child's need for protection](#)

17. If necessary, the Recognised Entity representative will telephone the relevant Child Safety Officer to obtain information (e.g. the investigation and assessment outcome) required to complete the *Recognised Entity Investigation and Assessment Form*.

18. The Recognised Entity representative will record the following information in the relevant sections of the *Recognised Entity Investigation and Assessment Form*:

- the investigation and assessment outcome
- whether there is consistency between the information gathered and received during the investigation and assessment process and the investigation and assessment outcome
- if no, the reason for the inconsistency and the attempts made to resolve the matter

19. If the Recognised Entity representative disagrees with the decision making process used by Child Safety to reach the decision made, the Recognised Entity representative must make reasonable attempt to resolve the matter (refer to section titled – [Managing disagreements regarding the decision making process](#)).
16. In the event ongoing intervention is required by Child Safety, the Recognised Entity will email the following to the relevant Child Safety Service Centre Team Leader:
- the child's name
 - the name of the Recognised Entity representative allocated to participate in case planning activities for the child (Note this email will be copied to the allocated Recognised Entity representative)
 - a request to advise the name of the Child Safety Officer allocated the case

Record Keeping

17. The Recognised Entity representative will:
- record relevant discussions (including the information gathering activities) on a [Case Note](#)
 - record their participation, and the outcome of their participation in the decision making process of significant decisions made by Child Safety during the investigation and assessment on a [Recognised Entity Investigation and Assessment Form](#)

- print all relevant incoming and outgoing emails
- place the above records on the child or children's file/s and
- provide a copy of the completed *Recognised Entity Investigation and Assessment Form* to the referring Child Safety Officer at the conclusion of the investigation and assessment

Date recorded on the referral: [Click here to enter a date.](#)

Name of child or children listed on the referral:

Name of referring Child Safety Officer:

Child Safety Service Centre:

Inform the planning of the investigation and assessment:

Name of allocated Recognised Entity representative:

Did you participate in the development of an investigation and assessment plan?

☐ Yes ☐ No

If No, state the reason including the attempts you made to participate:

If Yes, complete the following:

Date of participation: [Click here to enter a date.](#)

Name of Child Safety Officer information and advice was provided to:

Detail the information and advice provided regarding the following where relevant:

The family, clan, language group and community the child/ren is/are connected to (if known):

Culturally acceptable engagement and communication practices:

Other key people in the child/ren's family and community (if known) that may be able to contribute to the provision of information to inform the investigation and assessment:

Any worker safety issues and if required, advice regarding safety strategies:

Possible family placements, if likely to be required and if known:

Other information or advice provided:

Detail the Child Safety Officer's response to the information and advice provided:

Date investigation and assessment is scheduled to commence: [Click here to enter a date.](#)

Assist with the implementation of the cultural components of the investigation and assessment plan:

Did the investigation and assessment relate to an unborn child?

☐ Yes ☐ No

If yes, did the mother consent to an investigation and assessment?

☐ Yes ☐ No

Did you accompany the Child Safety Officers during interviews with the child (where relevant) and family throughout the investigation and assessment process?

☐ Yes
☐ No

If No, please state the reason, including the attempts you made to participate:

Assist with the implementation of the cultural components of the investigation and assessment plan:

If yes:	Date of your first meeting:	Click here to enter a date.		
	Child Safety Officer's name/s:			
	what was the outcome of the Safety Assessment:	<input type="checkbox"/> "Safe"	<input type="checkbox"/> "Conditionally Safe"	<input type="checkbox"/> "Unsafe"

If "Unsafe" please select one:	<input type="checkbox"/> The child/ren were placed with family under a family arrangement
	<input type="checkbox"/> The child/ren were placed in out-of-home care under a assessment care agreement
	<input type="checkbox"/> The child/ren were placed in out-of-home care under an assessment order

General Questions:

Were the communication practices used by Child Safety during the investigation and assessment inclusive and sufficient to gather comprehensive information and elicit the views of the family and community to inform decisions made?	<input type="checkbox"/> Yes <input type="checkbox"/> No
---	---

If No, state the reason, including the attempts you made to resolve any issues:

Was the information gathered from, and the views expressed by, the family and community, understood by Child Safety, within the context of the child/ren's culture?	<input type="checkbox"/> Yes <input type="checkbox"/> No
---	---

If No, state the reason, including the attempts you made to resolve any issues:

Did Child Safety take the relevant information and the views of the family and community into consideration when making decisions?	<input type="checkbox"/> Yes <input type="checkbox"/> No
--	---

If No, state the reason, including the attempts you made to resolve any issues:

Additional information/comments (e.g. key points of discussion with Child Safety):

Investigation and assessment outcome:

Name of RE representative:	
Date outcome was received from Child Safety:	Click here to enter a date.
Name of person that provided Child Safety's outcome:	

Please select the outcome:

- ☐ Substantiated – child in need of protection
List the names of the children this outcome applies to:
- ☐ Substantiated – child not in need of protection
List the names of the children this outcome applies to:
- ☐ Unsubstantiated – child not in need of protection
List the names of the children this outcome applies to:
- ☐ No investigation and assessment outcome
List the names of the children this outcome applies to:

In your opinion, is there consistency between the circumstances of the child, the information gathered by Child Safety during the investigation and assessment process and the outcome?	<input type="checkbox"/> Yes <input type="checkbox"/> No
---	---

If No, state the reason, including the attempts you made to resolve this issue:

Investigation and assessment outcome:

Please select the outcome of the Family Risk Assessment conducted by Child Safety:

☐ Very High ☐ High
☐ Medium ☐ Low

If the child/ren is/are not in need of protection and the family risk assessment was high or very high was a support service offered by Child Safety?

☐ Yes
☐ No

If Yes, did the family accept the offer of a referral?

☐ Yes ☐ No

If ongoing intervention by Child Safety is required, name of Recognised Entity representative, allocated to participate in the case planning processes

Checklist:

Relevant discussions (including the internal information gathering activities) have been recorded on Case Notes and placed on the child/ren's file/s

☐

All email communication has been printed and placed on the child/ren's file/s

☐

The completed *Recognised Entity Investigation and Assessment Form* has been placed on the child/ren's file/s

☐

A copy of the completed *Recognised Entity Investigation and Assessment Form* has been forwarded to the relevant Child Safety Officer

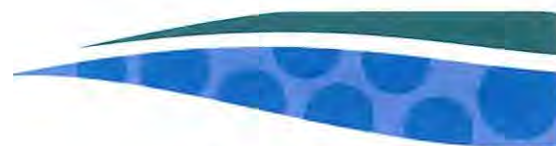
☐

If an Assessment Order was sought by Child Safety during the investigation and assessment, the practice and recording requirements of the section titled Childrens Court applications have been completed

☐

If the child or children required out-of-home care during the investigation and assessment, the practice and recording requirements of the section titled Placement have been completed

☐



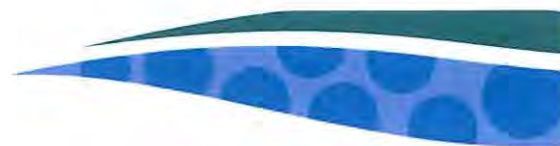
CASE PLANNING

Introduction

The role of the Recognised Entity during the ongoing intervention phase of the child protection continuum is to provide relevant cultural and family information and advice to Child Safety to inform decisions made about the required intervention for the child and their family.

The Recognised Entity may participate in case planning decision making processes during the ongoing intervention phase by:

- providing cultural, family and community information and advice to Child Safety to inform the assessment of the child and parental strengths and needs used for case planning purposes
- providing cultural, family and community information and advice to Child Safety to assist with case planning and support planning and review activities, for example:
 - attending Family Group Meetings and review meetings of case plans or planning and review meetings of support plans to assist with cross cultural information exchange
 - providing cultural and family information and advice on family contact, reunification plans and transition from care
 - providing information and advice that will contribute to the development of cultural support plans
 - assisting in the development of exo maps and genograms that reflect the child's immediate family and community connections



- providing cultural and family information and advice to assist Child Safety to make appropriate referrals to Family Support Services

Purpose

The *Child Safety Practice Manual* defines **case planning** as:

...a participative process of planning strategies to address a child's protection and care needs and promote a child's well-being. It is made up of a cycle of assessment, planning, implementation and review.

Child Safety Practice Manual, Glossary of Terms

Child Safety engages in case planning activities when ongoing intervention is required to ensure the safety and protective needs of a child.

Child Safety's purpose for ongoing intervention is to:

- case manage the intervention with the child and family
- identify and reassess the child and parental strengths and needs
- undertake participatory and inclusive case planning
- coordinate and support the implementation of the case plan
- review and evaluate the progress made towards the case plan goal and outcomes until case closure
- develop, implement and review support plans for support service cases

*Child Safety Practice Manual > Practice framework and maps > Practice maps
> Child protection phases*



Child Safety holds case management responsibility for children who require statutory intervention to meet their safety and protective needs.

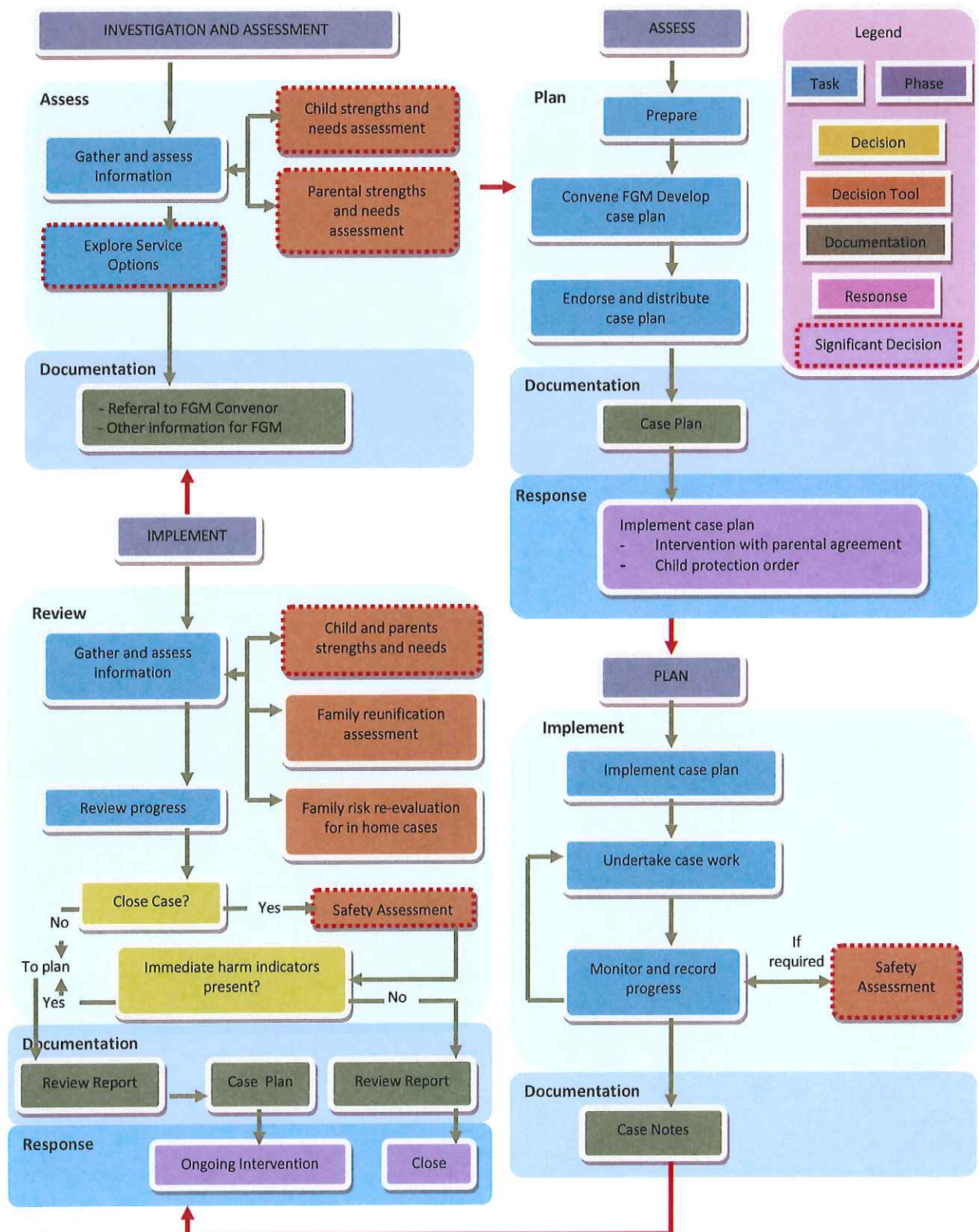
In accordance with the *Child Protection Act 1999*, section 6(1) and (2), Child Safety is required to provide the Recognised Entity with an opportunity to participate in the decision-making, where the decision is significant and consult with the Recognised Entity on all other decisions regarding Aboriginal and Torres Strait Islander children.

Child Safety defines significant decisions during ongoing intervention as being:

...decision-making with regard to referrals to a family support service, the completion of the child and parental strengths and needs assessments, recognised entity attendance at the family group meeting and participation in the development and review of the case plan or support plan for a child

Child Safety Practice Manual > Chapters > 10. General
> 10.1 Decision-making about Aboriginal and Torres Strait Islander children
> 1. Determine whether a matter is a 'significant decision'

Figure 3 Child Safety Practice Map – Ongoing Intervention



Modified from Child Safety Practice Manual, Practice Framework and Maps, Practice framework and maps
> Practice maps > Ongoing intervention



Table 3 summarises the Recognised Entity's participation in the decision making process of significant decisions whilst case planning.

Table 3
Case Planning

Significant decision	Recognised Entity's participation
1. The assessment of the child and parental strengths and needs	Provide cultural, family and community information and advice and assist Child Safety to engage the family where required, for the purpose of conducting the child and parental strengths and needs
2. The content of a case plan or support plan	Provide cultural, family and community information and advice to Child Safety to assist with case and support planning and review activities.
3. Any decision with regard to referrals to a family support service	<p>For example:</p> <ul style="list-style-type: none"> • attend Family Group Meetings and review meetings of case plans or planning and review meetings of support plans to assist with cross cultural information exchange • provide cultural and family information and advice on family contact, reunification plans and transition from care • provide information and advice that will contribute to the development of cultural support plans • assist in the development of eco maps and genograms that reflect the child's immediate family and community connections • provide information and advice to assist Child Safety to make appropriate referrals to Family Support Services

Authority

1. *Child Protection Act 1999*, section 6
2. *Recognised Entity Service Agreement*
3. *Local Protocol Agreement*

Participation

1. *Child Safety Practice Manual*
 - Introduction > Recognised Aboriginal and Torres Strait Islander entities
 - Chapters > 10. General > 10.1 Decision-making about Aboriginal and Torres Strait Islander children > 1. Determine whether a matter is a 'significant decision'
-

Key Steps

1. Provide cultural and family information and advice to inform the child and parental strengths and needs assessment
 - Record keeping
 2. Participate in the development and review of case plans and support plans
 - Record Keeping – development and review of case plans
 - Record Keeping – development and review of support plans
-

Provide cultural and family information and advice to inform the child and parental strengths and needs assessment

Child Safety is required to assess the child's strengths and needs to inform the development of the initial and subsequent case plans for the child.

An assessment of the child's strengths and needs will provide a snapshot of a child's functioning at a specific point in time, and will assist in identifying those needs that must be addressed in order to improve the child's emotional, physical and psychological well-being. The child's identified strengths will be incorporated where appropriate, to assist in the process.

An assessment of the child's strengths and needs must be completed:

- following the decision that a child is in need of protection, and **prior to** the initial family group meeting to develop a case plan for the child
- to inform the revised case plan for a child, when ongoing intervention will continue. The child strengths and needs assessment is designed to improve consistency in the assessment of strengths and needs, by ensuring that the child's functioning is considered within the same domains, using the same criteria

...The case planning process must also include provisions that address the child's developmental needs and assist them to gain the skills and sense of well-being that will allow them to realise their potential and positively participate in the wider community.

*Child Safety Practice Manual, > Chapters > 4. Case planning > 1. Assess and prepare to develop a case plan
> complete the child strengths and needs assessment*

Child Safety is also required to assess the parental strengths and needs in instances where reunification is the case plan goal.

An assessment of parental strength and needs will provide a snapshot of a parental functioning at a specific point in time, to assist the case planning process.

The completed parental strengths and needs assessment enables the parents and family group meeting participants, or relevant people, to develop strategies to address the needs of the parents, which may include building on the parents' abilities and strengths as a resource, to meet the child's protection and care needs. This includes prioritising the three key needs to be addressed in the case plan.

An assessment of the parental strengths and needs must be completed:

- following the decision that a child is in need of protection and **prior to** the initial family group meeting to develop a case plan for the child
- to inform the revised case plan for a child, when ongoing intervention will continue

The parental strengths and needs assessment is **not completed** when the child is subject to a custody or guardianship order and the case plan goal is not reunification.

*Child Safety Practice Manual, > Chapters > 4. Case planning
> 1. Assess and prepare to develop a case plan > 1.3 Assess the parental strengths and needs*



1. When allocated a referral to participate in an assessment of the child and/or parental strengths and needs, the Recognised Entity representative will contact the referring Child Safety Officer to seek any additional information required to respond to the request.
2. Once sufficient information is received, the Recognised Entity representative will gather cultural, family and community information and advice relevant to the assessments being undertaken.
3. The Recognised Entity may gather the above information through:
 - perusal of internal records
 - internal discussions with team members to draw on individual worker knowledge of the immediate family, extended kinship network, community support network and cultural setting
 - meetings with relevant immediate family, kinship family and community members
4. The Recognised Entity representative will request the Child Safety Officer to either attend or endorse any meetings with family.
5. The Recognised Entity representative will telephone the referring Child Safety Officer to provide the information gathered in a timely manner.
6. During this telephone conversation, the Recognised Entity representative will enquire whether the referring Child Safety Officer requires their presence when gathering information from the child and/or parents to complete the assessments.



7. If required, the Recognised Entity representative may accompany the Child Safety Officer when meeting with the child and/or parents. At this meeting, the Recognised Entity will:
 - assist the child (within the limits of the child's ability) and/or parents to understand the purpose of the assessment
 - promote the child (within the limits of the child's ability) and/or the parents' participation in the process
 - assist the child (within the limits of the child's ability) and/or the parents' understanding of the outcome of the assessment
8. The Recognised Entity representative will:
 - record relevant discussions (including the information gathering activities) on a *Case Note*
 - record the following in the relevant sections of the *Recognised Entity Case Planning Form*:
 - date the information and advice was provided
 - details of the information and advice provided
 - Child Safety's response to the information and advice
 - whether the Recognised Entity accompanied the Child Safety Officer to meetings with family members and



- if yes, what assistance was provided during the meetings
- print all relevant incoming and outgoing emails
- place the above records on the child or children's file/s and
- provide a copy of the completed *Recognised Entity Case Planning Form* to the referring Child Safety Officer at the conclusion of the Case Planning referral

Participate in the development and review of case plans and support plans

Case Plans:

Child Safety is required to convene a Family Group Meeting to develop the initial case plan for a child.

Under the *Child Protection Act 1999*, section 51H, Child Safety **must** convene a family group meeting, or have a private convenor convene a family group meeting, to develop the initial case plan for a child. This is to occur in an inclusive and participative process with the child, the child's family and other significant people.

The purpose of a family group meeting (*Child Protection Act 1999*, section 51G) is:

- to provide family-focussed responses for a child's protection and care needs
- to ensure an inclusive process for planning and making decisions relating to a child's well-being and protection and care needs

A family group meeting **may** also be convened, but **is not required**, to:

- review the existing case plan and prepare a revised case plan
- consider, make recommendations about, or deal with another matter relating to the child's well-being and protection and care needs

The family group meeting is to be held **within 30 days** of the decision that a child is in need of protection, or within the timeframe set by the court on an adjournment.

Child Safety Practice Manual, > Chapters > 4. Case planning > 2. Plan for a family group meeting



Child Safety is also required to regularly review a child's case plan to assess progress towards achieving the case plan goal.

Every case plan developed for a child under the *Child Protection Act 1999*, part 3A, must be regularly reviewed. The purpose of the case plan review is to assess progress towards achieving the case plan goal and outcomes and inform the development of a new case plan where the decision has been made to continue ongoing intervention.

A case plan must be reviewed regularly, taking into consideration the following factors:

- the child's age and developmental needs
- the provisions of the case plan
- any change that has a significant impact on the direction of the case plan

As a minimum, the case plan must be reviewed every **six months**.

Child Safety Practice Manual, > Chapters > 4. Case planning
> 5. Review and revise the case plan

9. The Recognised Entity may participate in Child Safety's case planning process by:

- providing cultural and family information and advice to inform the planning of the Family Group Meeting or case plan review meeting and/or
- attending the family group meeting or case plan review meeting

10. When allocated a referral to participate in the development or review of a case plan, the Recognised Entity representative will contact the referring Child Safety Officer to seek any additional information required to respond to the request.

11. When requested to assist in the planning of a Family Group Meeting or case plan review meeting, the Recognised Entity may gather information to inform the following:

- an appropriate venue, duration and format of the meeting giving consideration to cultural, family and community factors



CASE PLANNING

- how best to present information to the child and parents at the meeting including the use of breaks and speaking in private
- appropriate people that are able to speak on behalf of the child and contribute to the case planning
- significant issues that may impact on the family's participation (e.g. cultural or language issues, customs, relationship mores)
- people whose participation in the meeting would for cultural or family reasons not be in the child's interests, or would be contrary to the purposes of the family group meeting
- appropriate services to support the child and family in achieving case plan goals

12. The Recognised Entity may gather the above information through:

- perusal of internal records
- internal discussions with team members to draw on individual worker knowledge of the immediate family, extended kinship network, community support network and cultural setting
- meetings with relevant immediate family, kinship family and community members

13. The Recognised Entity representative will request the Child Safety Officer to either attend or endorse any meetings with family.

14. The Recognised Entity representative will telephone the referring Child Safety Officer to provide the information gathered in a timely manner.
15. The Recognised Entity representative will:
 - record relevant discussions (including the information gathering activities) on a *Case Note*
 - record the following in the relevant sections of the *Recognised Entity Case Planning Form*:
 - date the information and advice was provided
 - details of the information and advice provided
 - Child Safety's response to the information and advice
 - print all relevant incoming and outgoing emails
 - place the above records on the child or children's file/s and
 - provide a copy of the completed *Recognised Entity Case Planning Form* to the referring Child Safety Officer at the conclusion of the Case Planning referral
16. When attending a Family Group Meeting or case plan review meeting, the Recognised Entity may:
 - explain their role to meeting participants

- assist Child Safety to consider cultural, family and community factors in the meeting format
- assist Child Safety to adhere to cultural protocols regarding culturally acceptable communication and interpersonal behaviours
- assist the child (if present and within the limits of the child's ability) and parents to understand the purpose of the meeting and encourage them to participate and to ask questions
- if the child is in an out-of-home care:
 - request a review of the appropriateness of the child's placement regardless of where it sits on the hierarchy of the Child Placement Principle
 - assist Child Safety to develop a cultural support plan that focuses on maintaining the child's connections with their family, community and culture
- if the child is in an out-of-home placement and is fifteen years and over, promote the development of a transition from care plan that strengthens the child's connection with family, community and culture
- assist the child (if present and within the limits of the child's ability) and parents to understand the outcome of the meeting

17. The Recognised Entity representative will:



CASE PLANNING

- record relevant discussions (including the information gathering activities) on a *Case Note*
- record the following in the relevant sections of the *Recognised Entity Case Planning Form*:
 - date of the meeting
 - assistance provided during the meeting
 - key discussions held and decisions made during the meeting
 - outcome of the meeting (e.g. case plan or reviewed case plan)
- print all relevant incoming and outgoing emails
- place the above records on the child or children's file/s and
- provide a copy of the completed *Recognised Entity Case Planning Form* to the referring Child Safety Officer at the conclusion of the Case Planning referral

Support Plans:

An assessment of the child and parental strengths and needs is not required to inform the development of a support plan.

The purpose of a Child Safety support service case is to:

... reduce the likelihood of future harm to a child, or an unborn child after birth, or to provide ongoing support and assistance to a young person who has transitioned from care, following their eighteenth birthday.

The provision of a support service case includes the development and regular review of a support plan and the use of other government agencies and funded services, to provide support to the family, pregnant woman or young person.

Child Safety Practice Manual, > Chapters > 7. Support service cases

Child Safety will **only** open a support service case when:

- a notification has been investigated and assessed and it is determined that a child is not in need of protection, however, the outcome of the family risk evaluation is 'high' or 'very high'
- a notification has been investigated and assessed and it is determined that an unborn child is likely to be in need of protection after birth
- a young person who has transitioned from care requires ongoing support and assistance following their eighteenth birthday

A support service case involves providing, or helping provide, prevention, early intervention and support services to strengthen and support families, pregnant women and young people.

With the exception of a young person who has transitioned from care, it is generally for a short-term, that is **less than 12 months**, and will **not** involve the provision of an out-of-home care placement for a child who is not in need of protection.

...The child's parents, pregnant woman or young person **must** consent to work with Child Safety Services and agree to participate in the development and implementation of a 'support plan' **before** a support service case can be opened.

*Child Safety Practice Manual, > Chapters > 7. Support service cases
> 1. Provide intervention through a support service case*

18. It is important to note that rather than a separate meeting or meetings, Recognised Entity participation in the development of a support plan is likely to occur at the conclusion of the investigation and assessment in instances where:

- a notification has been investigated and assessed and it is determined that a child is not in need of protection, however, the outcome of the family risk evaluation is 'high' or 'very high'
- a notification has been investigated and assessed and it is determined that an unborn child is likely to be in need of protection after birth

*Child Safety Practice Manual, > Chapters > 7. Support service cases
> 1. Provide intervention through a support service case*



19. In all other instances (e.g. a young person who is transitioning from care requires ongoing support and assistance following their eighteenth birthday) Child Safety may request Recognised Entity participation in the development or review of a support plan by completing a *Recognised Entity Referral Form*
20. When allocated a referral to participate in the development or review of a support plan, the Recognised Entity representative will contact the referring Child Safety Officer to seek any additional information required to respond to the request.
21. The Recognised Entity may contribute to the support planning process by:
 - assisting Child Safety to obtain the parents, pregnant woman or young person's consent to accept support services through:
 - providing Child Safety with cultural, family and community information and advice regarding obtaining consent
 - providing Child Safety with information regarding appropriate Family Support Services for the parents, pregnant woman or young person and/or
 - attending the meeting between Child Safety and the parents, pregnant woman or young person to assist Child Safety in obtaining consent
 - providing information and advice to Child Safety to inform the process in which a support plan is developed or reviewed through:
 - providing information if known, regarding which family, clan, language group and community the child, pregnant woman or young person is connected to



CASE PLANNING

- providing information and advice regarding culturally acceptable engagement and communication practices (e.g., information about cultural protocols and how best to adhere to these protocols, culturally acceptable communication and interpersonal behaviours, process of engagement, the use of cultural elders or the need for a culturally appropriate support person)
- identifying any worker safety issues and contributing to the development of safety strategies
- providing information regarding appropriate Family Support Services for the parents, pregnant woman or young person
- attending the meeting in which the support plan is developed or reviewed

22. The Recognised Entity representative will:

- record relevant discussions (including the information gathering activities) on a *Case Note*
- record the following in the relevant sections of the *Recognised Entity Case Planning Form*:
 - the date the information and advice and/or assistance was provided
 - the details of the information and advice and/or assistance provided
 - Child Safety's response to the information
 - key discussions held and decisions made during the meeting



CASE PLANNING

- the outcome of the meeting (e.g. support plan or reviewed support plan)
- print all relevant incoming and outgoing emails
- place the above records on the child or children's file/s and
- provide a copy of the completed *Recognised Entity Case Planning Form* to the referring Child Safety Officer at the conclusion of the Case Planning referral

Date recorded on the referral: [Click here to enter a date.](#)

Name of child or children listed on the referral:

Name of referring Child Safety Officer:

Child Safety Service Centre:

Provide cultural and family information and advice to inform the child and parental strengths and needs assessment

Date information and advice was provided: [Click here to enter a date.](#)

Name of RE representative that provided the information and advice:

Name of Child Safety Officer information and advice was provided to:

Cultural information and advice provided:

Family information and advice provided:

Community information and advice provided:

Other relevant information:

Child Safety's response to the information and advice:

Did you accompany the Child Safety Officer to any meetings with family members: ☐ Yes ☐ No

Date of the meeting: [Click here to enter a date.](#)

Meeting Venue:

Attendees:

Assistance provided during the meeting:

Other relevant information:

Participate in the development or review of a case plan:

Did you provide information and advice to inform the planning of the Family Group Meeting or case plan review meeting? ☐ Yes ☐ No

Type of meeting: Choose an item.

Date the information and advice was provided: [Click here to enter a date.](#)

Name of Child Safety Officer information and advice was provided to:

Details of the information and advice provided:

Child Safety's response to the information and advice provided

Other relevant information:

Did you attend the Family Group Meeting or case plan review meeting? ☐ Yes ☐ No

Participate in the development or review of a case plan:

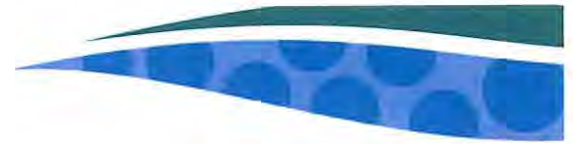
If yes:	Type of meeting:	Choose an item.
	Date of meeting:	Click here to enter a date.
	Meeting venue:	
	Attendees:	
	Assistance provided during the meeting:	
	Key discussions held and decisions made during the meeting:	
	Outcome of the meeting:	
Other relevant information:		

Participate in the development or review of a support plan:

Did you provide information and advice to inform the planning of a meeting in which a support plan is to be developed or reviewed?		<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes:	Type of meeting:	Choose an item.
	Date the information and advice was provided:	Click here to enter a date.
	Name of Child Safety Officer information and advice was provided to:	
	Details of the information and advice provided:	
	Child Safety's response to the information and advice provided	
Other relevant information:		
Did you attend the development or review meeting of the support plan?		<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes:	Type of meeting:	Choose an item.
	Date of meeting:	Click here to enter a date.
	Meeting venue:	
	Attendees:	
	Assistance provided during the meeting:	
	Key discussions held and decisions made during the meeting:	
	Outcome of the meeting:	
Other relevant information:		

Checklist:

Relevant discussions (including the internal information gathering activities) have been recorded on Case Notes and placed on the child/ren's file/s	<input type="checkbox"/>
All email communication have been printed and placed on the child/ren's file/s	<input type="checkbox"/>
The completed <i>Recognised Entity Case Planning Form</i> has been placed on the child/ren's file/s	<input type="checkbox"/>
A copy of the completed <i>Recognised Entity Case Planning Form</i> has been forwarded to the referring Child Safety Officer	<input type="checkbox"/>



PLACEMENT

Introduction

The role of the Recognised Entity during the investigation and assessment and the ongoing intervention phases of the child protection continuum is to provide relevant cultural, family and community information and advice to Child Safety to inform decision making regarding the placement of Aboriginal and Torres Strait Islander children.

Children are placed in out-of-home care when Child Safety deems them to be in need of protection and the only way to ensure their safety is to separate them from their family.

The Recognised Entity may participate in the process by providing cultural, family and community information and advice to assist Child Safety to make placement decisions that:

- are in accordance with the Child Placement Principle
- maintain the child's connection to family, language and culture

Purpose

The *Child Safety Practice Manual* defines placement as:

....when a child is 'placed' in an out-of-home care living arrangement due to intervention by the department

Child Safety Practice Manual, Glossary of Terms

Out-of-home care refers to:

...placements of children, subject to statutory child protection intervention, with individuals and services approved or licensed under the *Child Protection Act 1999*. Out-of-home care includes placements with:



- a licensed care service
- an approved carer

Child Safety Practice Manual, Glossary of Terms

Non-government Licensed Care Services and Child Safety's Placement Services Unit recruit, assess, train, supervise and support foster carers, kinship carers and/or care staff.

Licensed Care Services and Placement Services Units respond to referrals from Child Safety Service Centres by matching the referred child to available placement options and presenting these options for consideration.

Child Safety Service Centres retain the delegated authority for approval of all Foster and Kinship Carers and the decision about where and with whom a child will be placed.

Child Safety will place a child in out-of-home care when:

... it is assessed that the separation of a child from their family is required to ensure the child's safety. Out-of-home care provides a safe, supportive and therapeutic environment for a child, while working towards either family reunification or an alternative permanency option.

Out-of-home care may be provided during the investigation and assessment or ongoing intervention phases of child protection intervention.

Child Safety Practice Manual > Chapters > 5. Children in out-of-home care

In accordance with the [Child Protection Act 1999](#), section 6(1) and (2), Child Safety is required to provide the Recognised Entity with an opportunity to participate in the decision-making, where the decision is significant and consult with the Recognised Entity on all other decisions regarding Aboriginal and Torres Strait Islander children.

Child Safety defines significant decisions regarding the placement of a child as being:

...decision-making about any placement by Child Safety Services, including where and with whom the child will live, or any change of placement

Child Safety Practice Manual > Chapters > 10. General
> 10.1 Decision-making about Aboriginal and Torres Strait Islander children
> 1. Determine whether a matter is a 'significant decision'

Table 4 summarises the Recognised Entity's participation in the decision making process of significant decisions made by Child Safety regarding the placement of a child.

Table 4
Placement

Significant decision	Recognised Entity's participation
1. The decision about where and with whom a child will live	<p>Provide cultural, family and community information and advice to assist Child Safety to make placement decisions for Aboriginal or Torres Strait Islander children that:</p> <ul style="list-style-type: none"> • are in accordance with the Child Placement Principle and • maintain the child's connection to family, language and culture <p>For example:</p>
2. The decision about a change of placement	<ul style="list-style-type: none"> • provide cultural and family information and advice on placement options for children subject to Child Safety intervention • assist Child Safety Officers to identify appropriate placements in accordance with the Child Placement Principle • assist Child Safety Officers to identify possible kinship placements or culturally appropriate foster placements

Authority

1. *Child Protection Act 1999*
 - section 6
 - section 83
2. *Recognised Entity Service Agreement*
3. *Local Protocol Agreement*

References

1. *Child Safety Practice Manual*
 - Introduction > Recognised Aboriginal and Torres Strait Islander entities
 - Chapters > 10. General > 10.1 Decision-making about Aboriginal and Torres Strait Islander children > 1. Determine whether a matter is a 'significant decision'

Key Steps

1. Provide information and advice to inform culturally appropriate placement decisions
 - Record Keeping
2. Provide cultural retention information and advice when a child cannot be placed with an Aboriginal or Torres Strait Islander person
 - Record Keeping

Some organisations may provide both a Recognised Entity function and a Licensed Care Service, and as such provide services to children and approved carers and/or care staff.



Recognised Entities have no responsibility to approved carers or care staff; however Licensed Care Services do.

Recognised Entities provide a consultative function to Child Safety regarding decisions that are made in the best interests of Aboriginal and Torres Strait Islander children.

In contrast, Licensed Care Services provide Child Safety with placement options for children requiring out-of-home care.

Provide information and advice to inform culturally appropriate placement decisions

When making placement decisions about an Aboriginal or Torres Strait Islander child, Child Safety is required to:

...give proper consideration to placing the child, in order or priority, with the child placement principle (*Child Protection Act 1999*, section 83(4)), as follows:

- a member of the child's family
- a member of the child's community or language group
- another Aboriginal person or Torres Strait Islander who is compatible with the child's community or language group
- another Aboriginal person or Torres Strait Islander

Where the child cannot be placed with an Aboriginal or Torres Strait Islander person, proper consideration must be given to whether the proposed carer is committed to:

- facilitating contact between the child and their family members, unless restrictions have been imposed under the *Child Protection Act 1999*, section 87
- helping the child to maintain contact with their community and language group
- helping a child to maintain a connection with their Aboriginal or Torres Strait Islander culture



- preserving and enhancing the child's sense of Aboriginal or Torres Strait Islander identity

*Child Safety Practice Manual > Chapters > 5. Children in out-of-home care
> 1. Place a child in out-of-home care*

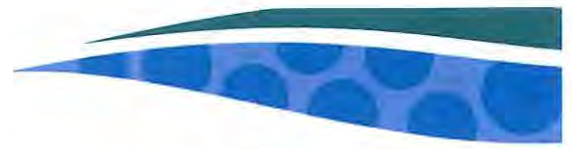
4. Information required by the Recognised Entity when requested by Child Safety to participate in a placement decision making process includes:

- the support needs of the child or children and
- the available placement options if known

2. When allocated a placement referral, the Recognised Entity representative will telephone the referring Child Safety Officer to seek any additional information that is required to respond to the request.

3. Once sufficient information is received to respond to the placement referral, the Recognised Entity will gather and provide the following information:

- relevant cultural, family and community information and advice to assist Child Safety to match the child to an appropriate placement, giving consideration to:
 - the Child Placement Principle
 - the child's family, community and language group
 - Child Safety's assessment of the child's support needs (see [Support levels and behaviour characteristics](#)) and



- available placement options able to meet the child's support needs (e.g. family based care, therapeutic residential care and support services)
- a genogram or ecomap demonstrating the child's immediate and significant connections to family, kin and community people, with an emphasis on supporting the child's placement
- based on the knowledge of the child's kinship and community networks, the details of relatives or significant persons, that may be considered for assessment as kinship carers

Recognised Entity representative will notify the Child Safety Officer as soon as a possible kinship option becomes available.

Please Note Child Safety may pursue such leads and may refer the interested person/s to a Licensed Care Service or the Placement Services Unit for assessment.

4. The Recognised Entity representative may gather relevant cultural, family and community information through:

- perusal of internal records
- internal discussions with team members to draw on individual worker knowledge of the immediate family, extended kinship network, community support network and cultural setting and



- meetings with relevant immediate family, kinship family and community members
5. The Recognised Entity representative will request the Child Safety Officer to either attend or endorse any meetings with family.
 6. The Recognised Entity representative will telephone the referring Child Safety Officer to provide the information gathered in a timely manner.
 7. The Recognised Entity representative will:
 - record relevant discussions (including the information gathering activities) on a *Case Note*
 - record the following in the relevant sections of the *Recognised Entity Placement Form*:
 - the date the information and advice was provided
 - the details of the information and advice provided
 - Child Safety's response to the information and advice
 - where the child or children were placed according to the Child Placement Principle hierarchy
 - print all relevant incoming and outgoing emails
 - place the above records on the child or children's file/s and



- provide a copy of the completed *Recognised Entity Placement Form* to the referring Child Safety Officer at the conclusion of the Placement referral

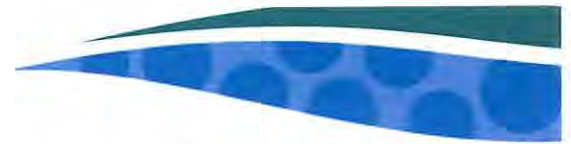
Provide cultural retention information and advice when a child cannot be placed with an Aboriginal or Torres Strait Islander person

8. Where a child cannot be placed with an Aboriginal or Torres Strait Islander person, Child Safety may consult the Recognised Entity regarding:

- how best to facilitate contact between the child and their family members, where appropriate
- how to assist the child to maintain contact with their community and language group
- how to assist the child to maintain a connection with their Aboriginal or Torres Strait Islander culture
- how to preserve and enhance the child's sense of their cultural identity

The above information may be used by Child Safety to inform the development of a Placement Agreement with the child's approved carer or residential care staff.

The Recognised Entity representative may participate in joint planning processes as required, to assist Child Safety to negotiate responsibility with approved carers, residential care staff and other care providers, for care tasks based on case plan goals and anticipated outcomes for the child.



This participation may include telephone contact, face-to-face meetings and providing the Child Safety Officer with the Recognised Entity's advice and recommendations.

Although the abovementioned tasks are related to the placement of a child, the planning function of a Recognised Entity is provided for in the [Case Planning](#) section of this manual.

9. The Recognised Entity representative may gather relevant cultural, family and community information through:
 - perusal of internal records
 - internal discussions with team members to draw on individual worker knowledge of the immediate family, extended kinship network, community support network and cultural setting and
 - meetings with relevant immediate family, kinship family and community members
10. The Recognised Entity representative will request the Child Safety Officer to either attend or endorse any meetings with family.
11. The Recognised Entity representative will telephone the referring Child Safety Officer to provide the information gathered in a timely manner.
12. The Recognised Entity representative will:



PLACEMENT

- record relevant discussions (including the information gathering activities) on a *Case Note*
- record the following in the relevant sections of the *Recognised Entity Placement Form*:
 - the date the information and advice was provided
 - the details of the information and advice provided
 - Child Safety's response to the information and advice
- print all relevant incoming and outgoing emails
- place the above records on the child or children's file/s and
- provide a copy of the completed *Recognised Entity Placement Form* to the referring Child Safety Officer at the conclusion of the Placement referral

Date recorded on the referral: [Click here to enter a date.](#)

Name of child or children listed on the referral:

Name of referring Child Safety Officer:

Child Safety Service Centre:

Provide cultural and family information and advice to inform culturally appropriate placement decisions

Date information and advice was provided:		Click here to enter a date.
Name of RE representative that provided the information and advice:		
Name of Child Safety Officer information and advice was provided to:		
Details of information and advice provided:		
Other relevant information:		
Child Safety Officer's response to the information and advice provided:		
Was a genogram or ecomap demonstrating the child's immediate and significant connections to family, kin and community people, provided?		<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes:	Provide details or attach a copy of the genogram or ecomap to the child/ren's file:	
Were the details of relatives or significant persons that may be considered for assessment as kinship carers provided?		<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes:	Provide details:	

Placement Decision:

Date placement decision was received from Child Safety:		Click here to enter a date.
Name of person that provided Child Safety's placement decision:		
Please select where the child/ren were placed:	<input type="checkbox"/> a member of the child's family	
	<input type="checkbox"/> a member of the child's community or language group	
	<input type="checkbox"/> another Aboriginal person or Torres Strait Islander who is compatible with the child's community or language group	
	<input type="checkbox"/> another Aboriginal or Torres Strait Islander	
	<input type="checkbox"/> a non indigenous placement	
If a non-indigenous placement did Child Safety request information and advice regarding cultural retention?		<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes:	Date the information and advice was provided:	Click here to enter a date.
	Name of Child Safety Officer information and advice was provided to:	
	Detail the information and advice provided in relation to the following:	
	How best to facilitate contact between the child and their family members, where appropriate	
	How to ensure the child is able to maintain	

	contact with their community and language group	
	How to ensure the child maintains a connection with their Aboriginal or Torres Strait Islander culture	
	How to preserve and enhance the child's sense of their cultural identity	
Other relevant information:		
Child Safety's response to the information and advice provided:		

Checklist:

Relevant discussions (including the internal information gathering activities) have been recorded on Case Notes and placed on the child/ren's file/s	<input type="checkbox"/>
All email communication has been printed and placed on the child/ren's file/s	<input type="checkbox"/>
The completed <i>Recognised Entity Placement Form</i> has been placed on the child/ren's file/s	<input type="checkbox"/>
A copy of the completed <i>Recognised Entity Placement Form</i> has been forwarded to the relevant Child Safety Officer	<input type="checkbox"/>

CHILDRENS COURT APPLICATIONS

Introduction

The role of the Recognised Entity during the investigation and assessment and the ongoing intervention phases of the child protection continuum is to provide relevant cultural, family and community information and advice to Child Safety to inform decision making regarding Childrens Court applications.

The Recognised Entity may participate in decision making processes regarding Childrens Court applications by:

- providing cultural, family and community information and advice to Child Safety to inform decisions regarding an application for an assessment order or a child protection order
- assisting Child Safety where required, to engage the family to gather information to inform decisions regarding the use of an assessment order during an investigation and assessment
- providing written or verbal submission to the Childrens Court

Purpose

The *Child Safety Practice Manual* defines the **Childrens Court** as being:

... a specialist Magistrates Court that hears and makes decisions in relation to court assessment orders and child protection orders.

Child Safety Practice Manual, Glossary of Terms

Child Safety may make application to the Childrens Court for an order during the investigation and assessment or ongoing intervention phases.

For further information regarding assessment orders, please refer to the practice resource titled [assessment orders](#) contained in the *Child Safety Practice Manual*.

For further information regarding child protection orders, please refer to the section titled [“Decide the type of child protection order, if required”](#) contained in Chapter 3 of the *Child Safety Practice Manual*.

In accordance with the [Child Protection Act 1999](#), section 6(1) and (2), Child Safety is required to provide the Recognised Entity with an opportunity to participate in the decision-making, where the decision is significant and consult with the Recognised Entity on all other decisions regarding Aboriginal and Torres Strait Islander children.

Child Safety defines significant decisions regarding court as being:

decision-making with regard to any application for either an assessment order or child protection order

[Child Safety Practice Manual > Chapters > 10. General > 10.1 Decision-making about Aboriginal and Torres Strait Islander children](#)

Table 5 summarises the Recognised Entity’s participation in the decision making process of significant decisions made by Child Safety regarding Childrens Court applications.

Table 5
Childrens Court Applications

Significant decision	Recognised Entity's participation
1. Any decision regarding an application for an assessment order	<ul style="list-style-type: none"> Provide cultural, family and community information and advice to Child Safety to inform decisions regarding an application for an assessment order or child protection order
2. Any decision regarding an application for a child protection order	<p>For example:</p> <ul style="list-style-type: none"> attend meetings with Child Safety (face to face or over the telephone) to provide cultural considerations regarding decision making provide Child Safety with verbal or written advice of the intention to attend the Childrens Court provide a written submission within a reasonable timeframe, to Child Safety and the Childrens Court regarding cultural, family and community information and advice Assist Child Safety where required, to engage the family to gather information to inform decisions regarding the use of an assessment order during an investigation and assessment.

Authority

1. *Child Protection Act 1999*, section 6
2. *Recognised Entity Service Agreement*
3. *Local Protocol Agreement*

References

1. *Child Safety Practice Manual*
 - Introduction > Recognised Aboriginal and Torres Strait Islander entities

- Chapters > 10. General > 10.1 Decision-making about Aboriginal and Torres Strait Islander children > 1. Determine whether a matter is a 'significant decision'
-

Key Steps

- Assist Child Safety to gather information to inform decisions regarding the use of assessment orders
 - Record Keeping
 - Provide information and advice to inform decisions regarding an application for a child protection order
 - Record Keeping
 - Assist Child Safety to engage the child and family in discussions regarding Childrens Court applications
 - Record Keeping
 - Provide a written submission to Child Safety and the Childrens Court regarding cultural, family and community information and advice
 - Record Keeping
 - Attend a Court Ordered Conference
 - Record Keeping
-

Assist Child Safety to gather information to inform decisions regarding the use of assessment orders

Child Safety may seek an assessment order during an investigation and assessment of child protection concerns:

Under the *Child Protection Act 1999*, part 2, section 23-36, a TAO [Temporary Assessment Order] can be sought at any stage during an investigation and assessment, where a parent will not consent to actions considered essential for the completion of the investigation and assessment. The magistrate may decide the application for a TAO without notifying the child's parents of the application or hearing them on the application.

Under the *Child Protection Act 1999*, section 37-51, a CAO [Court Assessment Order] can be sought at any stage during an investigation and assessment, where a parent will not consent to actions considered essential for the completion of the investigation and assessment, or it is not practicable to obtain the parent's consent, and it has been determined that more than three days will be necessary to complete the investigation and assessment.

*Child Safety Practice Manual > Chapters > 2. Investigation and assessment
> What ifs - responding to specific investigation and assessment matters*

1. When Child Safety is considering the use of an assessment order during an investigation and assessment of child protection concerns, the Recognised Entity representative will wherever possible:
 - provide Child Safety with cultural, family and community information and advice to take into consideration when making the decision
 - assist Child Safety to:
 - explain to the parents, the actions considered essential for the completion of the investigation and assessment
 - where appropriate obtain the parents' consent to undertake the required actions
 - explain the process that will occur if consent is not obtained (e.g. application for an assessment order in the Childrens Court)
 - assist the parents to understand the information provided by Child Safety, to ask questions and to participate in the process and

- assist Child Safety to understand the information provided by the parents

Please Note – Temporary Assessment Orders (TAO) are often sought in urgent circumstances and therefore consultation with the Recognised Entity by Child Safety may occur after the order is granted. For further information regarding the process to follow when being consulted by Child Safety on a decision after it has been made, please refer to the section of this manual titled [Responding to requests for consultation after a decision has been made](#)

2. The Recognised Entity representative may gather relevant cultural, family and community information through:

- perusal of internal records and files prior to attending the investigation and assessment with Child Safety
- internal discussions with team members to draw on individual worker knowledge of the immediate family, extended kinship network, community support network and cultural setting and
- meetings with relevant immediate family, kinship family and community members during the investigation and assessment process

3. The Recognised Entity representative will request the Child Safety Officer to either attend or endorse any meetings with family.

4. The Recognised Entity representative will:

- record relevant discussions (including the information gathering activities) on a *Case Note*
- record the following on a *Recognised Entity Childrens Court Form*:
 - the date the information and advice was provided
 - the details of the information and advice provided
 - Child Safety's response to the information and advice provided including the decision
- print all relevant incoming and outgoing emails
- place the above records on the child or children's file/s and
- provide a copy of the completed *Recognised Entity Childrens Court Form* to the referring Child Safety Officer at the conclusion of the referral

Provide information and advice to inform decisions regarding an application for a child protection order

Whenever Child Safety makes a decision that a child protection order is required to meet a child's protection and care needs, the decision made about the type of order:

... must reflect the needs of children and their families and the case plan goal, either:

- the child is to remain safely in the home
- reunification

- out-of-home long-term stable living arrangements

The types of child protection orders available (*Child Protection Act 1999*, section 61) are:

- directive orders
- a supervision order
- short-term custody order - to a member of the child's family **or** the chief executive
- short-term guardianship order - to the chief executive
- long-term guardianship order - to a member of the child's family **or** to a suitable person **or** to the chief executive

*Child Safety Practice Manual > Chapters > 3. Ongoing intervention
> 2. Decide the type of child protection order, if required*

When deciding the most appropriate child protection order, Child Safety will consider:

- the views of the child and the child's family
- the views of the recognised entity for an Aboriginal or Torres Strait Islander child
- what level of intervention is required by Child Safety to ensure the child is safe and meet the child's protection and care needs, based on recent risk and needs assessments
- whether the child can remain in the home or requires an out-of-home care placement
- the goal of ongoing intervention - whether to support the child in the home, reunify the child and family or seek a long-term out-of-home care placement for the child
- what length of time will reasonably be needed to work towards meeting the child's case plan goal

Individual and family circumstances relating to each child will also inform [Child Safety's] decision-making process, including:

- whether the child needs protection from **one** or **both** parents
- whether the child's contact with one or both parents needs to be restricted for safety reasons
- whether one parent, with support, or other relatives may be able to assume a protective role with the child
- the relationship between the parents, their level of involvement with the child and their ability and willingness to be involved with case planning

- who will require custody and guardianship of the child for the duration of ongoing intervention

*Child Safety Practice Manual > Chapters > 3. Ongoing intervention
> 2. Decide the type of child protection order, if required*

5. Information required by the Recognised Entity when requested by Child Safety to participate in a decision regarding a Childrens Court application includes:

- The family's details
- The child's details
- The risk and needs assessment and
- The goal of ongoing intervention

6. When allocated a Childrens Court application referral, the Recognised Entity representative will telephone the referring Child Safety Officer to seek any additional information that is required to respond to the request and arrange a time to provide the required cultural and family information and advice.

7. When providing the cultural and family information and advice to the referring Child Safety Officer the Recognised Entity representative will:

- give consideration to the information presented by Child Safety regarding the child's circumstances
- consider the child's culture and family and community networks and
- provide the basis for any information and advice given regarding:

- whether the child can remain in the home or requires out-of-home care
- what length of time will reasonably be needed to work toward meeting the child's overall case plan goal
- whether the child needs protection from one or both parents
- whether the child's contact with one or both parents needs to be restricted for safety reasons
- whether one parent, with support, or other relatives may be able to assume a protective role with the child
- the relationship between the parents, their level of involvement with the child and their ability and willingness to be involved with case planning for the child and
- who will require custody and guardianship of the child for the duration of the ongoing intervention

8. The Recognised Entity representative may gather relevant cultural, family and community information through:

- perusal of internal records and files
- internal discussions with team members to draw on individual worker knowledge of the immediate family, extended kinship network, community support network and cultural setting and

- meetings with relevant immediate family, kinship family and community members
9. The Recognised Entity representative will request the Child Safety Officer to either attend or endorse any meetings with family.
10. The Recognised Entity representative will:
- record relevant discussions (including the information gathering activities) on a *Case Note*
 - record the following on a *Recognised Entity Childrens Court Form*:
 - the date the information and advice was provided
 - the details of the information and advice provided
 - Child Safety's response to the information and advice provided including the decision
 - print all relevant incoming and outgoing emails
 - place the above records on the child or children's file/s and
 - provide a copy of the completed *Recognised Entity Childrens Court Form* to the referring Child Safety Officer at the conclusion of the referral

Assist Child Safety to engage the child and family in discussions regarding Childrens Court applications

11. The Recognised Entity representative may at the request of a Child Safety Officer, accompany Child Safety to meetings with a family (e.g. parents and child, if age appropriate) to discuss an application for a child protection order.
12. At this meeting, the Recognised Entity representative may:
 - assist the Child Safety Officer where required, to:
 - explain to the parents the type of child protection order being sought, the reasons the order is being sought and the implications of the order on them and their child
 - obtain the child's views (within the limits of the child's ability) regarding the child protection order being sought
 - obtain the parents' views regarding the child protection order being sought
 - provide the parents with information regarding their right to seek legal representation
 - assist the parents to understand the information provided by the Child Safety Officer, to ask questions and to participate in the process

- assist Child Safety to understand the information provided by the parents and to respond to questions asked

13. The Recognised Entity representative will:

- record relevant discussions (including the information gathering activities) on a *Case Note*
- record the following on a *Recognised Entity Childrens Court Form*:
 - the date of the meeting attended between Child Safety and the child and family
 - the details of the information and advice provided
 - the details of the assistance provided at the meeting
 - Child Safety's response to the information and advice provided
- print all relevant incoming and outgoing emails
- place the above records on the child or children's file/s and
- provide a copy of the completed *Recognised Entity Childrens Court Form* to the referring Child Safety Officer at the conclusion of the referral

Provide a written submission to Child Safety and the Childrens Court regarding cultural, family and community information and advice

The Recognised Entity representative may provide written cultural and family information and advice to Child Safety to be included in an application before the Childrens Court.

The Recognised Entity acknowledges the authority of the Childrens Court in determining whether the written advice and recommendations provided are sufficient or whether the information is required to be provided in person.

14. The Recognised Entity representative will provide written information to Child Safety and the Childrens Court on a *Recognised Entity Childrens Court Report template*


The *Recognised Entity Childrens Court Report* aims to inform the Childrens Court of the engagement process Child Safety used to inform the decision regarding an application for a child protection order.

The *Recognised Entity Childrens Court Report* does not comment on whether the Recognised Entity agrees with the decision made by Child Safety.

Please Note that Child Safety is responsible for recording the Recognised Entity's advice and recommendations and providing this to the Childrens Court.

15. The *Recognised Entity Childrens Court Report* summarises the Recognised Entity representative's participation in Child Safety's decision making regarding the application being heard and includes:

- the cultural and family information and advice provided to Child Safety to inform the decision regarding the type of child protection order
 - attendance (if any) at meetings between Child Safety and the family to discuss the child protection order
 - participation in the Family Group Meeting or case plan review meeting
 - whether the communication practices used by Child Safety were culturally inclusive and sufficient to gather comprehensive information and elicit the views of the family and community, to inform the decision made
 - whether the information gathered and the views expressed by the family and community, were understood by Child Safety within the relevant cultural context
 - whether in making the decision, Child Safety took the relevant information and the views of the family and community into consideration
 - the steps that were taken by the Recognised Entity representative to resolve any disagreement in the decision making process (refer to [Managing Disagreements in the Decision Making Process](#))
16. The Recognised Entity representative will provide a copy of the Childrens Court Report to all parties to the proceeding within a reasonable timeframe to ensure openness and transparency and to provide all parties a reasonable opportunity to respond.

- 
17. The Recognised Entity representative will provide Child Safety (Child Safety Officer or Court Coordinator) with reasonable notice of their intention to attend the Childrens Court.
 18. The Recognised Entity representative will be available when the matter is being heard in the Children Court, in the event the Magistrate requests a verbal submission.
 19. The Recognised Entity representative will obtain the required information for the *Recognised Entity Childrens Court Report* from:
 - internal records and files and
 - internal discussions with team members to draw on individual worker knowledge of the immediate family, extended kinship network, community support network and cultural setting
 20. The Recognised Entity representative will:
 - record relevant discussions (including the information gathering activities) on a *Case Note*
 - record the following in the relevant section of the *Recognised Entity Childrens Court Form*:
 - whether or not a Childrens Court Report was submitted and
 - if yes:

- the date it was submitted
 - the date the Childrens Court was attended and
 - the details of any verbal submissions
-
- print all relevant incoming and outgoing emails
 - place the above documents and the *Recognised Entity Childrens Court Report* on the child/ren's file/s

Attend a Court Ordered Conference

The Childrens Court may order a Court Ordered Conference between Child Safety and the parents of a child subject to an application for a child protection order, in instances where the parents are contesting the application.

The purpose of the Court Ordered Conference is to give parties an opportunity to reach agreement to prevent the need for a hearing.

21. When allocated a referral requesting participation in a Court Ordered Conference, the Recognised Entity representative will telephone the referring Child Safety Officer to seek any additional information that is required to respond to the request.
22. The Recognised Entity's role in a Court Ordered Conference is limited to:
 - assisting Child Safety to explain to the parents, the purpose of the Court Ordered Conference

- encouraging the parents to fully engage in negotiations
- assisting the parents to understand the information provided by Child Safety
- assisting Child Safety to understand the information provided by the parents

23. As Court Ordered Conferences are confidential processes, no information regarding the content of discussion will be recorded. The Recognised Entity representative will however record the following in the relevant section of the *Recognised Entity Childrens Court Form* and place it on the child's file:

- the date of the Court Ordered Conference
- the location of the Court Ordered Conference
- who else participated in the Court Ordered Conference

Date recorded on the referral: [Click here to enter a date.](#)

Name of child or children listed on the referral:

Name of referring Child Safety Officer:

Child Safety Service Centre:

Provide information and advice to inform decisions regarding the use of assessment orders

Date information and advice was provided:	Click here to enter a date.
Name of RE worker that provided the information and advice:	
Name of Child Safety Officer information and advice was provided to:	
Details of information and advice provided:	
Other relevant information:	
Child Safety Officer's response to the information and advice provided:	

Provide information and advice to inform decisions regarding an application for a child protection order

Date information and advice was provided:	Click here to enter a date.
Name of RE worker that provided the information and advice:	
Name of Child Safety Officer information and advice was provided to:	
Information and advice provided to Child Safety, including the basis for the information and advice, with regard to:	
Whether the child/ren can remain in the home or require out-of-home care, where relevant:	
What length of time will reasonably be needed to work towards meeting the child/ren's case plan goal:	
Whether the child/ren need protection from one or both parents:	
Whether the child/ren's contact with one or both parents needs to be restricted for safety reasons:	
Whether one parent, with support, or other relatives may be able to assume a protective role with the child/ren:	
The relationship between the parents, their level of involvement with the child/ren, and their ability and willingness to be involved with case planning for the child/ren:	
Who will require custody and	

Provide information and advice to inform decisions regarding an application for a child protection order

guardianship of the child/ren for the duration of ongoing intervention:

Additional information and advice provided:

Child Safety Officer's response to the information and advice provided:

Attend Child Safety's meeting with the parents:

Were you invited by Child Safety to attend a meeting with the parents to discuss the application for a child protection order?

☐ Yes
☐ No

If No, state the reason, including the attempts you made to participate:

If Yes:	What was the date of the meeting?	Click here to enter a date.
	Meeting venue:	
	Attendees:	
	Details of the cultural and family information and advice provided:	
	Details of the assistance provided at the meeting:	

Attend Child Safety's meeting with the child/ren (if age appropriate):

Were you invited by Child Safety to attend a meeting with the child/ren (if age appropriate) to discuss the application for a child protection order?

☐ Yes
☐ No

If No, state the reason, including the attempts you made to participate:

If Yes:	What was the date of the meeting?	Click here to enter a date.
	Meeting venue:	
	Attendees:	
	Details of the cultural and family information and advice provided:	
	Details of the assistance provided at the meeting:	

Type of child protection order being sought:

The date Child Safety advised of the type of order being sought:

Click here to enter a date.

Name of the person that provided Child Safety's decision:

Please select the type of child protection order Child Safety has advised they will be seeking:

☐ Directive Order – please specify duration:☐ Supervision Order – please specify duration:☐ Short Term Custody Order – to a member of the Child's family – please specify duration:

Type of child protection order being sought:

- ☐ Short Term Custody Order – to the Chief Executive – please specify duration:
- ☐ Short Term Guardianship Order – to the Chief Executive – please specify duration:
- ☐ Long Term Guardianship Order – to a member of the child's family
- ☐ Long Term Guardianship Order – to a suitable person
- ☐ Long Term Guardianship Order – to the Chief Executive

In your opinion, is there consistency between the circumstances of the child and their family and the type of child protection order Child Safety is seeking?

☐ Yes
☐ No

If No, state the reason, including the attempts you made to resolve this issue:

Attend a Court Ordered Conference:

Were you invited by Child Safety to attend a Court Ordered Conference?

☐ Yes ☐ No

If yes: What was the date of the meeting? [Click here to enter a date.](#)

Meeting venue:

Attendees:

Submit a Childrens Court report:

Did you submit a report to the Childrens Court regarding the application made by Child Safety?

☐ Yes
☐ No

If yes: Date the report was submitted: [Click here to enter a date.](#)

Did you attend the Children Court:

☐ Yes ☐ No

If no: State reason for non-attendance

If yes: Date Childrens Court was attended: [Click here to enter a date.](#)

Details of any verbal submission given to the Childrens Court:

Checklist:

Relevant discussions (including the internal information gathering activities) have been recorded on Case Notes and placed on the child/ren's file/s

☐

All email communication have been printed and placed on the child/ren's file/s

☐

A copy of the *Recognised Entity Childrens Court Report* (if submitted) has been placed on the child/ren's file/s

☐

The completed *Recognised Entity Childrens Court Form* has been placed on the child/ren's file/s

☐

A copy of the completed *Recognised Entity Childrens Court Form* has been forwarded to the referring Child Safety Officer

☐

Purpose of this report:

This report is submitted by the Insert the name of the Recognised Entity for consideration of the Childrens Court Insert the location of the court in the following application:

Name of child/ren:	
Type of order being sought:	Choose an item.
Duration of order being sought:	
CSSC seeking the order:	

Role of the Recognised Entity:

In accordance with the *Child Protection Act 1999*, section 6 (1) and (2), when Child Safety Services makes decisions about an Aboriginal and Torres Strait Islander child, it is required to either:

- provide the Recognised Entity with an opportunity to participate in the decision-making, where the decision is significant
- consult with the Recognised Entity on all other decisions

The *Child Safety Practice Manual* defines decision-making with regard to any application for either an assessment order or child protection order as being a significant decision.

Recognised Entities undertake two key functions:

- to be involved in decisions about Aboriginal and Torres Strait Islander children made by Child Safety Services and
- to support and provide information to Aboriginal and Torres Strait Islander families to help them understand the purpose and impact of the statutory child protection process

Child/ren's cultural information:

Culture:	
Clan group:	
Language:	
Community:	

Recognised Entity participation:

The information contained in the table below summarises the Recognised Entity's participation in the decision regarding the type of child protection order required to meet the child/ren's protection and care needs in light of:

- the information presented by Child Safety regarding the child/ren's circumstances and
- the child/ren's culture and family and community networks

Provision of cultural and family information and advice	
Name of Recognised Entity representative that provided the information and advice to Child Safety:	
Date the information and advice was provided:	Click here to enter a date.
The information and advice provided and the basis for the information and advice, in regard to:	
Whether the child/ren can remain in the home or require out-of-home care, where relevant:	
What length of time will reasonably be needed to work towards meeting the child/ren's case plan goal:	
Whether the child/ren need protection from one or both parents:	
Whether the child/ren's contact with one or both parents needs to be restricted for safety reasons:	
Whether one parent, with support, or other relatives	

Provision of cultural and family information and advice	
may be able to assume a protective role with the child/ren:	
The relationship between the parents, their level of involvement with the child/ren, and their ability and willingness to be involved with case planning for the child/ren:	
Who will require custody and guardianship of the child/ren for the duration of ongoing intervention:	
Additional information and advice provided:	

The Recognised Entity may at the request of Child Safety, attend meetings between Child Safety and a family (e.g. parents and child, if age appropriate) to assist Child Safety and the family to discuss an application for a child protection order.

Meeting with the parents	
Did the Recognised Entity accompany Child Safety in a meeting with the parents to discuss the application for a child protection order?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If No, state the reason, including the attempts (if any) made to participate:	
If Yes, please complete the following:	

Date of the meeting? [Click here to enter a date.](#)

Meeting venue:

Attendees:

Cultural and family information and advice provided:

Assistance provided at meeting:

Meeting with the parents	
Did the Recognised Entity accompany Child Safety in a meeting with the child/ren to discuss the application for a child protection order?	<input type="checkbox"/> Yes <input type="checkbox"/> No