

Changes to the Child Protection Act

How they will affect existing relative carers



Kinship carers

In 2004, the Crime and Misconduct Commission (CMC) released a report *Protecting Children: An Inquiry into Abuse of Children in Foster Care*, which recommended that the Queensland Government overhaul the child protection system to ensure better outcomes for Queensland children.

The Queensland Government embraced the Commission's recommendations and responded by creating a new Department of Child Safety with substantially increased funding. *The Child Protection Act 1999* has also been amended to provide even greater levels of protection for our children.

A number of the CMC's recommendations concerned the need for extra care in selecting and supporting foster and kinship carers, in order to ensure that children who must live away from their parents for their own protection receive safe, quality care.

Further improvements to some of the laws concerning child protection came into effect on 31 May 2006. Among these improvements is a greater emphasis placed on kinship care.

What is kinship care?

The *Child Protection Act 1999* defines 'kin' as a relative of significance to the child or a person of significance to the child.

A kinship carer can be a relative, a neighbour or a family friend who is approved by the Department of Child Safety to care for the child.

The new category of 'kinship carer' now replaces the previous category of relative carers.

Kinship carers:

- are approved to care for a **particular** child or children
- can seek permission to care for siblings
- must have a current Blue Card (as must all adult household members)
- are issued with a certificate of approval that states when the period of care will end
- will have to renew their approval as a kinship carer at regular intervals (renewal must occur within a year of the initial approval, then at least every two years after that)
- must provide a level of care consistent with the standards outlined by the department
- will get access to training and support to help them fulfil their roles as carers
- must tell the department about any changes in their household or personal circumstances, including any change in their spousal relationship
- can appeal to the Children Services Tribunal against some departmental decisions.

Household members may include people who stay overnight regularly, for example, once a week every month; once a fortnight in two consecutive months; or once a month in six consecutive months. Your support worker will advise you as to whether a regular visitor is considered a member of your household.

What is the difference between a kinship carer and a foster carer?

Kinship carers are approved to care for **one or more specific children only and approval is for a limited time period**, whereas a foster carer is approved to care for children generally. This means that the assessment of a kinship carer's suitability will focus on the needs of a particular child or children. Likewise, training and support of a kinship carer will also focus on helping the carer meet the specific needs of a particular child or young person.



Why have the assessment and approval processes changed?

These new assessment and approval processes will help ensure that all children placed in care by the department are safe and receive quality care.

What matters will the department consider in assessing my application as a kinship carer?

Under the new laws, the department must consider certain matters before approving a person as a kinship carer. These matters include:

- the applicant must be kin to the child
- the applicant must meet the department's criteria for suitability as an approved kinship carer for the child
- members of the carer household must be 'suitable persons' to associate on a daily basis with the child
- the applicant must be able to provide a level of care for the child that meets the standards set out by the department.

For kinship carers and their household members, suitability is determined in relation to the particular child who may be placed in their care.

The kinship carer and all other adult household members are also required to hold a current Blue Card.

Does a kinship carer need to attend training to be approved?

The department will provide kinship carers with an initial orientation to their role. Carers will then be encouraged to work with their support worker to identify any ongoing training and support they need to help them meet the needs of the child or children in their care.

The department may sometimes require carers to do some particular training to allow them to continue as the child's carer.

Can I seek a review of decisions by the department about my status as a carer?

Kinship carers now have the same rights of review as foster carers. They can ask the Children Services Tribunal to review decisions made by the department about:

- not approving their application to be a kinship carer or renewing their approval as a kinship carer
- not approving any requested changes to their certificate of approval
- amending, suspending or cancelling the carer's approval
- removing a child from their care (criteria apply).

How often do I need to renew my approval as a kinship carer?

New kinship carers can be initially approved for up to one year. Kinship carer approvals apply to a specific child for a specific period of time, which may be less than one year.

For example, a kinship carer may only be required to care for a child for six months so their approval to care for the child would expire six months after the day of approval. After the first renewal, kinship carers may be approved for periods of up to two years.

Who do I contact to find out more?

For more information about the recent legal changes and kinship carers, visit www.childsafety.qld.gov.au or contact your local Child Safety Service Centre.

Aboriginal and Torres Strait Islander people can contact the local Aboriginal and Torres Strait Islander foster care service or ask the Child Safety Service Centre for a list of organisations that can support and advise them.

For more information about the Blue Card, refer to the brochure 'Blue Cards for carers' or contact the Commission for Children and Young People and Child Guardian on **1800 113 611**.

Kinship carers, foster carers and provisionally approved carers can join Foster Care Queensland (FCQ), a non-government organisation that provides support and information for carers and the children and young people they care for. FCQ can be contacted on 07 3268 5955.

