

If there are concerns that a child might be being neglected or abused, the state government may become involved through child protection services. The role of child protection services is to protect children and young people from harm or neglect.

Child protection services try to keep children with their families wherever possible. Children are only removed from families and placed in out-of-home-care, when there are serious concerns about their health and wellbeing.

If a child is removed from the family home by child protection services because of serious concerns about their health and wellbeing, they will be placed in out-of-home care.

In Australia, most children who are placed in out-of-home care are eventually reunited with their families¹.

What is out-of-home care?

Out-of-home care is accommodation organised by governments and child welfare organisations for children and young people under 18 who are unable to live with their family.

Out-of-home care services help to look after the needs of children and young people who cannot remain living with their families because:

- of concern for the child's safety;
- of serious parent-child conflict;
- the young person's behaviour is out of control.

Children can be placed in out-of-home care voluntarily or through some type of court order.

Such orders include: care and protection orders and other legal orders such as juvenile justice orders.

In the past children who could not live at home were placed in orphanages or institutions. Now state governments and welfare agencies provide care for at risk young people in family homes or in small residential units.

They also provide counselling and support to help these young people and their families with the problems that contribute to their need for housing and care away from the family home.

Types of out-of-home care

There are a number of different types of out-of-home care. Some of the main care options are described below (their names may differ from state to state):

Kinship care: where the carer is a family member or a person who already has a relationship with the child or young person and cares for them in their home. Examples include living with grandparents, other relatives or close friends.

Foster care: where care takes place in the home of a substitute family who aren't related to the young person. The carers are called foster care workers and they receive some payment to assist them to meet the child or young person's living expenses.

Residential care: where up to six young people live in a residential house paid for by the government. Supervision and support is provided by paid staff called residential care workers.

Family group homes: where two or three children or young people are placed with a family in a home. They are cared for and supervised by the parents in the home or by a live-in carer.

Respite care: where children or young people stay with carers regularly to give their family a break from caring for them. It might be on weekends, once a month or during holidays. Respite carers can be known to the family or young person or they may not.

Lead tenant accommodation: where young people who cannot live at home are housed in small groups with one member taking a lead role. They develop independent living skills under the guidance of a mentor or lead tenant.

Where do most young people in out-of-home care live?

More than half the children and young people who live in out-of-home care live with relatives in kinship care².

¹ Australian Institute of Health & Welfare, Child Protection Australia, <http://www.aihw.gov.au/publications/cws/cpa02-03/cpa02-03-c04.pdf>, 2003.

² *Public parenting: A review of home-based care in Victoria*, Department of Human Services, Victorian Government, 2003

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Wherever possible:

- siblings are placed together.
- placements are made with extended family members.
- Aboriginal and Torres Strait Islander children are placed with extended family or within the child's Indigenous community³.

Three quarters of young people living in out-of-home care are likely to live in more than one style of accommodation during their placement⁴.

Migrant and Refugee Child placements

In the past children from non-English speaking backgrounds who were placed in care sometimes experienced more confusion and difficulty adapting than others.

The out-of-home care placement involved the child or young person having to adjust to the customs and culture of new carers.

State governments now have guidelines requiring out of home care providers to support the child as far as possible to maintain their cultural identity and religion.

This means that wherever possible attempts are made to place children and young people from migrant or refugee families:

- with extended family or
- with carers who share the same cultural and religious background as the child's.

If your child is placed in care

Having your child or young person placed in out-of-home care is a stressful experience. You may feel guilt, shame and concern. You may also feel relief if caring for your child was difficult.

Some parents feel anger towards child protection workers, carers and the system if their child has been placed in care against their wishes. Some parents may even feel angry with their child.

Every parent has different hopes and expectations for their family. As your young person moves into out-of-home care you may be frustrated and feel powerless. You might have questions such as:

- Will I get to see my child often?

- How long will my child be in care for?
- Will my child continue to attend the same school?
- Will my child be cared for in ways that fit with my culture and beliefs?
- Will our customs and cultural beliefs be respected?
- Why did this happen?

Case-Planning Meetings

Child protection services are required to have regular planning meetings with you, your child and the out-of-home care workers. The child protection worker should be able to answer the questions you have about the welfare of your child.

Having contact with child protection workers is often stressful for parents. It's not unusual for parents to be unsure as to why child protection services are involved at all.

The child protection worker's role is to support the young person and at times this may make you feel that you have little or no say in what happens to your child. You may feel that your requests are not acted upon or that your knowledge of the young person is being ignored.

If you want your child returned to your care then stay in regular contact with their care team:

- the carers who are looking after your child
- and the child protection worker involved.

What are my rights as a parent or carer when someone enters out-of-home care?

Parents and carers of young people placed into out-of-home care the right:

- To know that their child or young person is being cared for in a safe space.
- To be treated with respect.
- To be informed wherever possible about the young person's accommodation and welfare issues.

What if my rights aren't respected?

If you think that your rights or your child's rights are not being respected, you can speak to a number of people about your concerns:

- Firstly speak to the welfare organisation or government department taking care of your child.

³ Department of Human services, Aboriginal Child Placement Principle Guide, http://www.cyf.vic.gov.au/_data/assets/pdf_file/0019/17083/placement_aboriginal_cpgguide_2002.pdf

⁴ *Public parenting: A review of home-based care in Victoria*, Department of Human Services, Victorian Government, 2003

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- If you are not satisfied that your concerns are responded to, you can also contact the Ombudsman in your state. The Ombudsman investigates complaints about Government departments and agencies. For information telephone: 1300 362 072.
- Or speak to a lawyer who is experienced in handling child protection cases.

What is the 'Charter for children in out-of-home care'?

Some states in Australia, such as Victoria and New South Wales have a charter of rights for children and young people in out of home care.

The charter provides a guide for young people about what they have the right to expect while they are in care.

It also provides a guide for workers and carers about the sorts of things they need to make sure happen for children and young people in care. The Victorian government charter⁵ includes the following rights for children in out-of-home care:

- To be safe and feel safe.
- To stay healthy and well and go to the doctor, dentist or other professional for help when they need to.
- To be allowed to be a child and be treated with respect.
- If they are Aboriginal to feel proud and strong in their own culture.
- To have a say and be heard.
- To be provided with information.
- To tell someone if they are unhappy.
- To know that information about them will only be shared in order to help others look after them.
- To have a worker who is there for them.
- To keep in contact with their family, friends and people and places that matter to them.
- To have careful thought given to where they will live so that they have a home that feels like a home.
- To have fun and do activities that they enjoy.
- To be able to take part in family traditions and be able to learn about and be involved with cultural and religious groups that are important to them.
- To be provided with the best possible education and training.

- To be able to develop life skills and grow up to be the best person they can be.
- To have help preparing themselves to leave care and to have support after they leave.

→ Tips from this Fact Sheet

- Children and young people under 18 who can't live with their family because of abuse or neglect may be placed in out-of-home-care accommodation.
- Child protection services try to place children with other relatives wherever possible.
- Children may be placed in the care of other families or workers when there are no relatives that can look after them.
- There are guidelines about how young people should be treated when they are in out-of-home-care.
- Attending planning meetings with child protection services shows you want to have a better relationship with your child
- Remember that the health and safety of the young person always comes first.

→ Related Fact Sheets

- Child Protection Services
- Dealing with Conflict

Strong Bonds

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⁵ Office of Child Safety, Charter for Children in Out of Home Care, <http://www.cyf.vic.gov.au/every-child-every-chance/charter-for-children>, 2008.