

Policy: Care Planning for Children in Care

Policy Purpose

To detail the mandatory care planning requirements for a child in the care of the Chief Executive Officer.

Policy Statement

The [Care and Protection of Children Act \(2007\)](#) (the Act) provides Territory Families with the statutory responsibility of safeguarding and monitoring the wellbeing of children who are in the care of the CEO. Sections 69-76 of the Act provide the legislative framework for care planning.

- Every child in care must have a comprehensive Care Plan, written in clear and plain language that identifies the care goals, the child's needs including their cultural needs, the actions to be taken to address these needs, decisions about placement arrangements, and contact between the child and their family or other significant people in their life.
- **The Care Plan must set out what is required to reunify the child with the child's parents, unless it has been determined that reunification is not in the child's best interests.**

The Care Plan may contain a number of related components including the *My Care Plan*, *Reunification Plan*, *My Leaving Care Plan* (for children 15 years of age or older) and any other relevant material, e.g. care planning notes and completed Signs of Safety tools such as *Three Houses*, *Hand of Safety*, *Words and Pictures*. The child's *My Care Plan* needs to be completed in unison with the *Reunification Plan*. Refer to Guidance: Reunification.

Supporting participation

When developing a child's Care Plan, participants must be provided with information in a timely way and in a language and manner that they will understand. All reasonable steps must be taken to arrange for the provision of services (including an interpreter) to facilitate the participation of all people involved. Refer to the *Guidance: Using Interpreters, Translators and Assisted Communication Services* for information about how to determine if a person requires an interpreter and how to arrange one. The Aboriginal Interpreter Services (AIS) also provides a step by step guide to support the determination of when to use an Aboriginal Interpreter.

Applications before the Court

Section 122 of the Act requires that a copy of the Care Plan must be filed with an application to the Court for a Protection Order or Permanent Care Order.

If the application is for a short term Protection Order, the goal of the Care Plan should be reunification. The Care Plan will demonstrate, using Signs of Safety practice and tools, what is required to happen for the child to be reunified with family.

Where the application is for a Long Term Protection Order, the Care Plan goal will be long term care. The Care Plan must clearly demonstrate the plan for the ongoing support, care and development that will be provided to the child into the future. The Care Plan must support an application, which in effect is stating that the best means to safeguard a child's wellbeing is to remain in care and not to be reunified with family.

If a child is currently under a Long Term Protection Order and an application for a Permanent Care Order is made, the Care Plan must demonstrate that a Permanent Care Order will be the best means to safeguard the child's wellbeing.

If a copy of the Care Plan is not filed with the application then the Court may set a date by which the Care Plan must be filed which must be no more than 21 days after the application.

Care Planning

Interim Care Plan (s76 of the Act)

As soon as possible after a child enters the care of the CEO an Interim Care Plan must be prepared and implemented. The Interim Care Plan must:

- Be written in clear and plain language on the *My Care Plan* template;
- Identify the child's immediate needs, including the immediate cultural needs and the actions required to address those needs;
- Include the placement information;
- Set out the contact arrangements between the child, their parents, siblings, family or any other significant persons in their life; and
- For an Aboriginal child, include reasonable measures to maintain their identity and encourage the child's connection to their Aboriginal culture, tradition, language and country.

Care Plan (s70 of the Act)

Within three weeks of a child entering the care of the CEO, a Care Plan must be prepared and implemented. The Care Plan must:

- Be prepared in consultation with the child, their parents, family, Carers and significant others where appropriate;
- Be written on the *My Care Plan* template in a way that is cognisant of the child, family and community's language and cultural needs;
- Include what is required to reunify the child with the child's parents, unless reunification is not in the best interests of the child;
- Identify the child's needs and actions required to meet those needs across the life domains;
- Identify the child's cultural needs and include a proposal to meet the cultural and identity requirements for the child;
- Include the views and wishes of the participants expressed during the development of the Care Plan, the decisions made, and a brief rationale for decisions;
- Include the placement information;
- Set out the contact arrangements between the child, their parents, siblings, family or any other significant persons in their life; and
- Outline the arrangements for the Case Manager or third party contact with the child to monitor their safety and wellbeing.

If the child is 15 years of age or older the *My Leaving Care Plan* template must be used for care planning. Refer to *Procedure: Transition to Independence*.

Modification of the Care Plan (s71 of the Act)

The Care Plan may be modified at any time that the CEO or their delegate considers appropriate, for example, when new information emerges or events occur that have an effect on the planning decisions for the child.

The Care Plan must be modified if the child is about to leave the care of the CEO unless this information is already in the Care Plan. Refer to *Procedure: Transition to Independence*. This requirement also applies when a child is leaving the care of the CEO under a Permanent Care Order (PCO). Refer to *Procedure: Care Planning for Permanent Care Orders*.

Participation in Care Plan (s72A of the Act)

When preparing or modifying a Care Plan, they must be developed in a manner that encourages and facilitates the participation of the child, their parents, their Carer, and their natural support network, including any involved professionals.

If the child is Aboriginal, a person from the kinship group or an Aboriginal representative organisation nominated by the child or the child's family will be included as a member of the support network. And if the child is not an Aboriginal child, a person nominated by the child or the child's family who represent the cultural group to which the child belongs will be included as a member of the support network.

Section 72 of the Act requires the views and wishes of a child be taken into account when preparing, reviewing or modifying a Care Plan, as is reasonable and appropriate in the circumstances. The views of the child must be sought through direct, meaningful interactions with them, e.g. during visits with them at their placement wherever possible. It may be appropriate to provide a young person with a copy of the *My Care Plan* or the *My leaving Care Plan* template prior to care planning discussions to afford them time to consider their needs, views and wishes.

The Care Plan must outline how contact will be managed between the child and their parents, siblings, other family members, culturally relevant people or significant others while the child is in the care of the CEO.

Use Viewpoint

The Viewpoint self-assessment questionnaire software should be used to support the participation of children in care to articulate their views, needs and wishes. This information is then to be used to assist with the development of their Care Plan.

When facilitating participation, the Case Manager will take all reasonable steps to arrange for any assistance as considered necessary, including but not limited to interpreter or translation services, to ensure that the information in Care Plan is given to each participant in a timely way and in a language and manner they understand.

Other parties may also participate in the care planning process. The child's carer should be involved in care planning as they will be responsible for implementing elements of the Care Plan in the child's placement. Teachers, medical professionals or members of the child's natural support network can also provide valuable information.

Provision of Care Plan to interested parties (s73 of the Act)

Within two weeks of the Care Plan having been prepared, reviewed or modified, the Care Plan must be given to:

- The child;
- Each parent of the child;
- The Carer of the child;
- Any other person considered by the CEO to have a direct and significant interest in the wellbeing of the child.

The CEO must take reasonable steps to provide assistance to the person given a Care Plan to understand its contents.

The Team Leader has the delegation to determine who the Care Plan or any component of the Care Plan should be shared with, some of which may need to be kept confidential, e.g. the *My Parent Plan*. In making the decision not to share any component, consideration should be given to the wishes of the child, any risk of harm to the child, or any other matter the CEO considers relevant. The reasons for not sharing all or any part of the Care Plan should be documented in CCIS.

Review of the Care Plan (s74 of the Act)

Within two months of a child entering the care of the CEO, and every six months thereafter, the Care Plan must be reviewed. The review must:

- Be written on the *My Care Plan* or *My Leaving Care Plan* template;
- Be prepared in consultation with family and significant others where appropriate; and
- Include the views and wishes of the participants expressed during the review, the decisions made, and a brief rationale for decisions.

The Care Plan must also be reviewed immediately after:

- The death, significant injury or serious illness of a parent or Carer of the child;
- A change of placement arrangement for the child;
- An extension or variation of a Protection Order;
- A significant change in the child's circumstances, such as significant medical diagnosis, or significant circumstances that may arise in relation to the care and wellbeing of the child.

Legislative Basis and Related Documents

[Care and Protection of Children Act \(2007\)](#) Sections 69 to 76, s122.

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Version 1.0	Outlines the legislative requirements for undertaking care planning for a child in the care of the Chief Executive Officer		

Current Version	V2.01		
Approver:	Director, Policy	9/09/2020	Active from: 11/09/2020
Update:	Replace <i>My Parent Plan</i> with <i>Reunification Plan</i> to align with the <i>Reunification Guidance</i> .		
Review due:	March 22	Maintenance:	<i>TF.policy@nt.gov.au</i>