

CONCERNS ABOUT THE SAFETY OF CHILDREN IN CARE

Policy Purpose

This policy details the process to be used when information is received that suggests the care provided, or not provided, to a child in the care of the Chief Executive Officer (CEO) is impacting or likely to impact on that child's safety and wellbeing. This policy describes how concerns will be responded to in a timely and consistent way.

Policy Statement

The Department must respond to all concerns for the safety and wellbeing of children in care in order to:

- ensure that the child, and all other children in care, are safe and not at risk of harm;
- that any child that has been harmed receives a timely, thorough assessment of the concerns and appropriate services to minimise trauma;
- determine that all approved care arrangements remain suitable; and
- address concerns and prevent future instances of concerns arising.

All concerns must be recorded, assessed, and responded to regardless of the type of living arrangement, person believed responsible and or location of where the concerns arose, in either of two ways as follows:

A) All concerns that suggest that a child in the care of the CEO **has suffered, is suffering or likely to suffer harm or exploitation** will be assessed under the investigation powers of s84A of the *Care and Protection of Children Act* (the Act). All matters will be outcomed as a Child Protection (CP) report, with the CCIS intake report context 's84A Abuse in Care Allegation' and receive a priority response rating of 24–72 hours.

OR

B) **All other concerns** that do not fall within the scope of s84A will be progressed with an intake report context 's83B concerns about children in care' and proceed as a CP Report with a priority response rating of 3–5 working days. These concerns will be assessed using the powers of inquiry under s83B of the Act.

Every Departmental response, regardless of whether it is a s83B Inquiry or s84A Investigation will be coordinated by the Internal Review Unit.

Any concerns for a child who was previously in the care of the CEO will receive a response either under:

- a s35 Child Protection Investigation, (where they are still under 18 years of age); or

- a complaints management framework, when the child has turned 18 years of age. These matters are to be referred to the Complaints Coordination Unit.

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Receiving Concerns

All concerns that suggest the care provided, or not provided, to a child in the care of the CEO is impacting or likely to impact on that child's safety and wellbeing must:

1. be referred to the Central Intake Team for classification;
2. be recorded as a Child Protection Report; and
3. be assessed through a new child protection investigation case allocated to the work unit for responsibility for the area where the child is currently located, unless the concerns warrant an investigation by the Child Abuse Taskforce.

All actions to provide for the safety and protection of the child will be put in place immediately in accordance with standard child protection procedures. This includes informing the child's case manager and completing the Reportable Incident Form. When a report is received outside of business hours, CIT staff will take any action necessary to ensure the immediate safety of the child/children.

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Coordinating responses

When a work unit receives a CP report for investigation, staff must contact the Internal Review Unit (IRU) immediately (08 8999 2919). The IRU will convene an investigation planning meeting, and engage all relevant departmental personnel including:

- the child's case manager (maintains lead case management responsibility for the child through their substitute care case);
- the Out of Home Care Division (respond to any placement change for the subject child and any other children, provide support to the place of care, and determine the utilisation of the place of care during the investigation);
- the investigating team, potentially including the Child Abuse Task Force and Police (assess the concerns, document the investigation actions in the investigation case and produce a report containing findings and recommended actions).

The IRU may also engage with the:

- Grants and Contract Management Unit (who may determine the contractual and service delivery response for any funded out of home care provider); or
- Human Resources Unit (who may provide Human Resource/Workforce advice).

The IRU will monitor the investigation to ensure that tasks and timeframes are met and will coordinate any strategic Departmental responses that results from the finalised investigation.

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Investigating concerns

All investigations will commence with a documented investigation plan developed by the investigating work unit presented to, and finalised at the coordination meeting. The scope of the investigation will be commensurate with the seriousness of the concerns. For some investigations, this will mean a limited assessment is made and outcomes documented; for others it will involve a significant multi-disciplined investigation response.

A 's84 Abuse in Care Allegation' investigation will be completed within 28 days and must involve interviewing the child, and the individual/s believed responsible. Investigations that confirm that a child in the care of the CEO has suffered, is suffering or is likely to suffer harm or exploitation will be substantiated.

Investigations of 's83B Concerns about a child in care' must result in a written record of the assessment of the concern and the actions taken in response to the concerns recorded on the child's file.

Once an investigation plan is prepared, the responsible parties will undertake the planned action. The Internal Review Unit will monitor the progress of the investigation against the plan and obtain status reports directly from responsible individuals and units on a regular basis.

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Investigation Outcomes

A child protection investigation will only have a substantiation outcome recorded where the investigation has assessed that the child has suffered, is suffering or likely to suffer harm or exploitation. Harm to the child will take into consideration the definition of harm at s15 of the Act. All investigations where the assessment ascertains that the child has not suffered harm or is not at risk of suffering harm will have a No Abuse Found investigation outcome recorded.

For clarity, an assessment of a lower level concern, using the Inquiry powers under s83B, may only result in a substantiation outcome where the investigation determines that the threshold for harm, as described above, has been met. All other concerns will be outcomed No Abuse Found.

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Recording documentation

Once the investigation is completed a report will be prepared by the Investigating officers for presentation to the Internal Review Unit and for approval by the Work Unit Manager.

All investigation documentation will be recorded on the clients Child Protection Investigation (CPINV) case. Reference to the CPINV case will be made in the child's substitute care case.

An investigation report on the CPINV case will contain:

- the details of the concerns;
- the process taken to consider the concerns;
- the findings in relation to the concerns and the rationale for those findings; and
- the action to be taken in response to the findings and the rationale for those actions.

All investigation documentation (in so far as it relates to a carer and or placement arrangement) will be documented on the:

- Departmental carers CCIS Place of Care record; or
- Purchased placement DCF TRIM file and/or relevant Grants and Contracts management file;
- for all other placement arrangements a DCF created TRIM file.

A case will not be closed until there is sufficient evidence that a full assessment has been performed and supporting documentation completed.

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Concluding an Investigation

If in the course of an investigation, other remedial action in response to the incident and findings will need to occur (this may include Human Resource process for involved staff, carer registration assessment for carers, engagement of therapeutic services for children, or the review of a contractual relationship with a service provider). These remedial actions will occur in accordance with the appropriate Departmental policies and should not prevent the completion of the investigation and the recording the investigation outcome.

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Notification to the Children's Commissioner

Section 84C of the Act requires DCF to report all matters of substantiated harm to a child in care to the Northern Territory Children's Commissioner. The Internal Review Unit will perform this function at the completion of a substantiated investigation.

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Legislative authority

Care and Protection of Children Act: Division 4A Monitoring Wellbeing of Children in CEO's care

Care and Protection of Children (Placement Arrangement) Regulations 2010: Regulation Part 4

Children's Commissioner Act 2013: Section 10

Standards

- 1.1 A child's safety and wellbeing is the paramount consideration and staff take all reasonable care to avoid causing further harm to children.
- 2.9 DCF responds professionally to adverse events to address the safety of clients, carers and workers as well as departmental risk.
- 6.1 DCF ensures that children are cared for by individuals who are able to provide safe, caring, and stable environments.
- 6.11 DCF takes immediate action to resolve all issues, concerns and allegations in relation to the safety of any placement.

DCF Standards of Professional Practice

Procedures

- All concerns regarding the wellbeing of children in care are referred to CIT.
- All concerns regarding the wellbeing of children in care are outcomed as a CP report.
- All concerns regarding the wellbeing of children in care will be investigated through a CP Investigation case.
- The investigating work unit will notify the Internal Review Unit on receipt of a child protection report relating to a child in care.
- An investigation planning meeting will be convened by Internal Review Unit.
- Roles and responsibilities in the investigation will be documented on an Investigation Plan.
- The investigation will be completed within 28 days.
- The Internal Review Unit will notify the Children's Commissioner of all substantiated section 84A investigations.

Resources

- Concerns about the Safety of Children in Care Investigation Action Plan
- 'Child Protection Investigation Summary Report' template located in CCIS.

Response to concerns about the safety of children in care - coordinated response process.

