



INFORMATION FOR STAFF

Significant decisions about Aboriginal and Torres Strait Islander children and young people



Significant decisions about an Aboriginal or Torres Strait Islander child are decisions about:

- where or with whom a child subject to a child protection care agreement or order granting custody or guardianship to the chief executive will live
- matters that have a significant impact on the child's life including:
 - how to keep a child safe (immediate safety planning during investigation and assessment and ongoing intervention)
 - whether a child is in need of protection
 - case planning regarding the type of ongoing intervention that will be undertaken and how the child's needs will be met
- whether to refer a matter regarding an application for a child protection order for the child to the Director of Child Protection Litigation
- support service planning prior to the birth of an Aboriginal or Torres Strait Islander child
- a matter the child and/or family consider significant or is significant in the child's particular circumstances.



Every time a significant decision needs to be made, advise the child and family of their right to have an independent person help them participate in the decision and make necessary arrangements in consultation with them. Exceptions to this are if:

- the child and/or their family do not agree to have an independent person
- it is not practicable because an independent person is not available or because the decision must be made urgently
- it is likely to have a significant adverse effect on the safety or emotional wellbeing of the child or another person
- it would not be in the child's best interest for another reason.



Complete the independent person form in ICMS for each significant decision to record:

- whether the child and/or family agree to an independent person
- whether one of the exceptions apply and if so, the factors considered when the senior team leader made the decision
- who the child and/or family nominates to be their independent person (if they nominated separate persons)
- whether the nominated person is someone who can be an independent person (*Child Protection Act 1999* 6(1) and 6(2))
- whether the senior team leader is satisfied the person is a suitable person to be an independent person
- whether the nominated person agrees to be the independent person.

For detailed information refer to CSPM 10.1