

Child Safety POLICY

Title: Intervention with parental agreement

Policy No: 343-9

Policy Statement:

The Department of Child Safety, Youth and Women (Child Safety) is responsible for the provision of intervention when a child is in need of protection and requires ongoing assistance under the *Child Protection Act 1999* (the Act). The preferred way of providing ongoing intervention is with parents' agreement.

Intervention with parental agreement refers to intervention with a child and family based on agreement by the parents to work with Child Safety to meet the safety, belonging, wellbeing and cultural needs of the child without the need for a court order granting custody or guardianship.

The safe care and connection of Aboriginal and Torres Strait Islander children with family, community, culture and country will be a key consideration when undertaking intervention with parental agreement with Aboriginal or Torres Strait Islander children and families.

Intervention with parental agreement aims to build the capacity of the family so they are able to meet the child's needs following the intervention.

Intervention with parental agreement is appropriate for a child's circumstances when:

- there is no child protection order granting custody or guardianship of a child to anyone and Child Safety is satisfied the child is in need of protection and needs ongoing help under the Act
- the child's views and wishes have been considered
- the child's safety, belonging and wellbeing needs can be met by the family with time-limited intensive intervention
- the child's parents agree to work cooperatively with Child Safety to keep the child safe and are able and willing to work actively to reduce the level of risk in the home
- it is likely that the child can safely remain in the home for all, or most of, the intervention
- the child's parents will be able to continue to meet the child's safety, belonging and wellbeing needs when intervention has ceased.

Child Safety is committed to respecting, protecting and promoting human rights. Under the *Human Rights Act 2019*, Child Safety has an obligation to act and make decisions about intervention with parental agreement in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights.

Intervention with parental agreement is not a suitable ongoing intervention type if it is likely the child will be at immediate risk of harm if the parents withdraw their agreement to the intervention.

Principles:

- The safety, wellbeing and best interests of a child, both through childhood and for the rest of the child's life, are paramount.
- Every child has a right to be protected from harm or risk of harm.
- A child's family has the primary responsibility for the child's upbringing, protection and development.
- The preferred way of providing ongoing intervention and ensuring a child's safety and wellbeing is with parental agreement and through supporting the child's family.
- Child Safety staff will act and make decisions in a way that is compatible with human rights and obligations under the *Human Rights Act 2019*.
- Aboriginal and Torres Strait Islander worldviews of child-rearing and child development are recognised and valued.
- The five elements of the child placement principle (prevention, partnership, placement, participation and connection) under section 5C of the Act, apply to processes, decisions and actions taken for an Aboriginal or Torres Strait Islander child.
- A child and the child's family are the primary source of cultural knowledge for the child and will be supported to effectively participate in making significant decisions about the child to promote their safe care and connection with family, community, culture and country.
- The intervention addressing the child protection concerns is in collaboration with the family, based on the child and family's strengths, to identify goals and action steps to build future safety for a child.
- In consultation, and with the consent of, an Aboriginal or Torres Strait Islander child and their family, Child Safety will arrange for an independent person to facilitate the child's and family's participation in significant decisions.
- Whenever safe, possible and practical, consent is obtained before sharing personal information about a child or their family with someone else.

Objectives:

This policy aims to outline the circumstances in which Child Safety may undertake intervention with parental agreement when a child is in need of protection and requires ongoing assistance under the Act.

Scope:

This policy refers to the provision of services to parents of children and young people in need of protection and ongoing assistance under the Act, when the parent agrees to work with Child Safety staff, and a custody or guardianship child protection order is not required to meet the child's safety, belonging and wellbeing needs.

Ongoing help provided to a family may include giving support services to their child and the family, as relevant to the child and family's needs. Where required during an intervention with parental agreement case, a child may be placed in a short-term placement using a child protection care agreement.

Substance testing of a child's parent will occur, in conjunction with other intervention strategies to help them meet their child's ongoing needs, if it is probable that substance misuse is having, or will have, a significant impact on the child's safety and wellbeing. Substance testing of a parent can only occur with the parent's consent.

If parents withdraw their agreement to the intervention or do not adhere to the case plan and any required safety plan, Child Safety needs to re-evaluate if the child is at immediate risk of harm and review the level of intervention required to reduce the level of risk and ensure the child's safety.

Roles and Responsibilities:

The roles and responsibilities of Child Safety staff are outlined in the Child Safety Practice Manual, Support a child at home, and associated resources.

Authority:

Child Protection Act 1999, sections 5, 6, 10, 11, 14, 21A, 51A – 51ZI and Chapter 5A.

Delegations:

Refer to instruments of delegation for delegations relevant to intervention with parental agreement.

Records File No.:	Not applicable
Date of approval:	28 January 2020
Date of operation:	31 January 2020
Date to be reviewed:	31 January 2023

Office:	Child and Family Operations
Help Contact:	Operational Support

Links:

Procedures

Child Safety Practice Manual

Related Policies

Care agreements (415)

Case planning (263)

Decisions about Aboriginal and Torres Strait Islander children and young people (641)

Information sharing for service delivery coordination (403)

Structured Decision Making (407)

Suspected Child Abuse and Neglect (SCAN) Team System (405)

Related Legislation

Human Rights Act 2019

Queensland Civil and Administrative Tribunal Act 2009

Forms

Care agreement form

Rescinded Policies

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