

Child Safety POLICY

Title: High Support Needs Allowance

Policy No: 296-9

Policy Statement:

The Department of Children, Youth Justice and Multicultural Affairs (Child Safety) will provide the High Support Needs Allowance (HSNA) to assist eligible carers meet the direct and indirect care costs of caring for children and young people assessed as having high support needs that regularly exceed the scope of the fortnightly caring allowance.

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 Aboriginal or Torres Strait Islander children and families.

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 in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights.

Principles:

- The safety, wellbeing and best interests of the child or young person are paramount (*Child Protection Act 1999*, section 5(1)).
- Children and young people placed in care will receive a quality of care that is consistent with the Charter of Rights for a Child in Care (*Child Protection Act 1999*, Schedule 1) and the Statement of Standards (*Child Protection Act 1999*, section 122).
- The continuity of care for a child will be maintained through care arrangements with the same respite carer whenever possible.
- Approved carers and guardians have the right to receive support that will contribute to a safe and therapeutic care environment being provided to meet the needs of children and young people (*Child Protection Act 1999*, section 7(h)).
- Approved carers are volunteers who care for children subject to statutory child protection intervention in the carer's own home without expectation of remuneration.
- Approved carers and guardians are entitled to financial assistance, paid in the form of allowances, as reimbursement towards the direct and additional indirect financial costs of responding to the care needs of children placed in their care.
- The level of financial assistance provided is based on the child's needs and the associated costs to carers and guardians.

- For a child currently subject to an order granting long-term guardianship to a suitable person or a permanent care order, Child Safety acknowledges that the full needs of the child may not be evident or anticipated prior to the making of the order.
- 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*.
- The five elements of the child placement principle (prevention, partnership, placement, participation and connection) under section 5C of the *Child Protection Act 1999*, apply to processes, decisions and actions taken for an Aboriginal or Torres Strait Islander child.

Objectives:

The purpose of the HSNA is to respond to and meet the needs of children assessed as having high support needs, and thereby promote improved outcomes for children both throughout and following the care arrangement.

HSNA will provide financial assistance to carers and guardians so that children and young people's needs are met in a timely and effective manner.

HSNA will be used to provide efficient financial assistance to carers and guardians by supporting them to meet predictable care costs through an allowance rather than individualised reimbursements.

Scope:

HSNA may be provided to approved foster and kinship carers, provisionally approved carers and long-term guardians. For permanent guardians, the HSNA is provided only in exceptional circumstances for a time limited period (not exceeding six months).

HSNA is not an income for providing care. The allowance is provided in expectation of the expenditure necessary to meet both the ongoing direct and additional indirect costs of the care arrangement. Persons in receipt of the allowance do not need to provide receipts or acquittal of expenditure.

HSNA applied for the care of a young person will cease when they are 18 years old.

HSNA cannot be provided to meet costs that are covered by other payments and schemes, for example, costs paid by the National Disability Insurance Scheme. HSNA should not be refused or withdrawn until it is confirmed the NDIS plan is in place and meeting costs.

Receipt of HSNA does not preclude carers from receiving additional financial assistance through child related costs for specific approved purposes, where the costs exceed the level of the allowances.

HSNA is not subject to tax and is not to be cited as income for any purpose, including yearly tax returns, applications for Commonwealth benefits, or when applying for loans from financial institutions.

Criteria for applying HSNA and what the allowance it is to cover are detailed in the High Support Needs Procedure.

Eligibility:

HSNA may be provided to approved foster and kinship carers and provisionally approved carers who are caring for a child, who is assessed as having high support needs as per the assessment process in the High support needs allowance (296) procedure and who is subject to a signed assessment or child protection care agreement; an assessment order granting custody to the chief executive; a child protection order granting custody or guardianship to the chief executive; or an adoption care agreement; or where one of the child's parents has consented to adoption or the need for consent has been dispensed.

Eligibility criteria specific for children subject to a long-term guardianship order to a suitable person

Long-term guardians are eligible for complex support needs allowance if they were an approved foster or kinship carer and caring for the child when the order was made; and either:

- the allowance was approved for the child prior to the making of the long-term guardianship order or
- the child has developed or presents with emerging special needs as identified in the assessment process in the high support needs allowance (296) procedure *and* the emerging needs were unknown or not present at the time the long-term guardianship order was made.

Eligibility criteria specific for children subject to a permanent care order

Permanent guardians are eligible for HSNA when:

- the child has developed or presents with emerging special needs as identified in the assessment process in the high support needs allowance (296) procedure and the emerging needs were unknown or not present at the time the permanent care order was made; and
- Evidence, such as medical reports and/or specialist assessments is provided to support the application for the complex support needs allowance.

The HSNA for permanent guardians will only be paid to for a time limited period **not exceeding six months**. The allowance will be provided to assist the guardian to establish a care environment to meet the child's newly emerged needs.

The HSNA is not subject to tax and is not to be cited as income for any purpose, including yearly tax returns, applications for Commonwealth benefits, or when applying for loans from financial institutions.

Roles and Responsibilities:

The procedures which give effect to this policy are contained in the High Support Needs Allowance procedure and the Child Safety Practice Manual.

Authority:

Child Protection Act 1999

Adoption Act 2009

Child Protection Regulation 2011

Financial Accountability Act 2009

Delegations:

Refer to instruments of delegation for information on delegations for decision-making under the *Child Protection Act 1999*.

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Help Contact: Tertiary Care and Support

Links:**Procedures**

High support needs allowance (296)
 Child Safety Practice Manual
 Child Related Costs – Carer support (645-5)
 Child Related Costs – Child and Young person Support (645-4)
 Child Related Costs – Education and Child Care Support (645-2)
 Child Related Costs – Health and Wellbeing (645-1)
 Child Related Costs – Travel (645-3)

Related Policies

Case planning (263)
 Child related costs – placement funding (628)
 Child related costs – placement support funding (629)
 Dual payment of carer allowances (289)
 Expenses – Fortnightly caring allowance and inter-state foster payments (365) High support needs allowance (296)
 Supporting children in the care of long-term guardians (607)

Related Legislation or Standard

Child Protection Act 1999

Child Protection Regulation 2011

Financial Accountability Act 2009

Adoption Act 2009

Human Rights Act 2019

Statement of Commitment between the Department of Child Safety, Youth and Women and the Foster and Kinship carers of Queensland.

Rescinded Policy

High Support Needs Allowance Policy (296-8)

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Director-General