

# Child Safety POLICY

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**Title:** Residential care

**Policy No:** 606-4

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## Policy Statement:

The Department of Children, Youth Justice and Multicultural Affairs (Child Safety) will provide residential care services for children and young people in accordance with the legislated standards of care (*Child Protection Act 1999* (the Act), section 122, and the Charter of Rights for a Child in Care (section 74 and schedule 1 of the Act). This includes residential care services and therapeutic residential care services.

Residential care is provided at premises (not a carer's own home) that are owned or leased for the specific purpose of accommodating children and young people subject to statutory intervention, and may range in levels and combinations of staffing, including rostered workers with a combination of sleepover shifts and on-call arrangements, rostered workers on duty 24 hours a day or live-in workers such as houseparents.

Therapeutic residential care may be provided to children and young people with complex and extreme support needs. These children and young people are provided with intensive therapeutic care, in a therapeutic living environment, to facilitate recovery from the impacts of physical, psychological and emotional trauma resulting from their experiences of harm or risk of harm.

The decisions about where or with whom a child will live is a significant decision for an Aboriginal or Torres Strait Islander child. When making these decisions, Child Safety will, in consultation with the child and family, arrange for an independent Aboriginal or Torres Strait Islander entity for the child to facilitate the child's and family's participation in decision making.

The safe care and connection of Aboriginal and Torres Strait Islander children with family, community, culture and country will be a key consideration when placing children in a residential care arrangement.

Residential care services are provided by non-government organisations, funded by Child Safety and licensed under section 127 of the Act. These services will be delivered in line with the Hope and Healing Framework for Residential Care which sets out the foundation for caring and working with young people in residential care in a way that understands and responds to trauma and is therapeutic in approach. This recognises that, while not all young people in residential care require specialist therapeutic care, all have experienced trauma.

Child Safety is committed to properly considering human rights when entering into a care agreement with parents, and to acting and making decisions compatibly with human rights.

Child Safety is committed to respecting, protecting and promoting human rights. Under the *Human Rights Act 2019*, Child Safety has an obligation to take action to ensure that decisions to place children in a residential care arrangement are made a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights.

### Principles:

- The safety and wellbeing of a child or young person, both throughout childhood and the rest of the child or young person's life, are paramount.
- Young people who have experienced or are experiencing trauma, loss, grief or poor attachment have the right to receive appropriate therapeutic and behavioural support to meet their individual needs.
- Child Safety and residential care service staff will be supportive of the young person's individual rights and ethnic, religious and cultural identity and values and all interactions with young people in residential care will be respectful.
- Case planning and decision-making about care arrangements will be undertaken by Child Safety through genuine consultation and participation with the child or young person, parents and other family members (where appropriate), carers and direct care staff, and other specialist staff and professionals.
- The five elements of the child placement principle (prevention, partnership, placement, participation and connection) under section 5C of the Act will be taken into account when making decisions for an Aboriginal or Torres Strait Islander child.
- 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*.
- Child Safety will work in partnership with residential care services to provide quality care in a safe and stable living environment to meet children and young people's needs, in accordance with the Statement of Standards and the Charter of Rights outlined in the Act and consistent with the Hope and Healing Framework for Residential Care.
- Child Safety and residential care services will work in partnership to identify, establish and maintain, where appropriate, connections between the child and their family (including extended family), their community and persons of significance (such as elders or close family friends).
- Children and young people have a right to access support and programs that will help them develop new knowledge, skills and behaviours to enhance their life outcomes and prepare them for reunification with family, transition to other forms of care or transition to adulthood.
- Child Safety and residential care services will work in partnership to provide access to training and professional supervision and support to assist direct care staff to provide support to all children and young people in residential care.
- Therapeutic residential care will be evidence-based and informed particularly by theories of child development, attachment, trauma and grief and loss.

**Objectives:**

This policy aims to ensure that residential care services:

- provide services that are consistent with the Hope and Healing Framework for residential care
- prepare the child or young person for reunification, to transition to a family-based or other appropriate care arrangements (to meet specific identified needs) or to transition to adulthood
- meet the child or young person's need for safety, belonging and wellbeing in a medium- or long-term stable care arrangement, when a comprehensive assessment has identified that the child or young person has needs that are best met by non-family-based care, and regular case reviews indicate that the placement continues to be meeting the best option for meet the child or young person's needs.
- promote the safe care and connection of Aboriginal and Torres Strait Islander children and young people with their family, community, culture and country.

Regardless of the purpose of the care arrangement, residential care services will liaise and build linkages with other relevant placement and support services to enhance coordinated service delivery to children and families and to facilitate transitions for children and families between services.

**Scope:**

This policy refers to residential care placements are for young people aged 12 to 17, who are subject to either a care agreement, assessment order or an order granting custody or guardianship to the chief executive under the Act, including a temporary custody order or a transition order.

A residential care placement may only be considered for children younger than 12 years may only be considered for placement if:

- comprehensive assessment indicates that their safety, wellbeing and belonging may need best be met by placement in residential care and/or
- they are one of a sibling group that would benefit from being placed together and/or
- the service model has been explicitly developed and approved for children younger than 12, for example Indigenous Community Residential Care and Family Intervention Services ("Safe Houses").

**Therapeutic residential care**

Therapeutic residential care provides enhanced levels of residential care and support for children and young people with extreme to complex support needs.

Placements in therapeutic residential care may be made for children and young people aged 12 to 17, who are subject to an order granting custody or guardianship to the chief executive, including a temporary custody or a transition order, who have been assessed as having complex or extreme needs, who are unable to be placed in family-based care or other forms of residential care, but have capacity to live in a small-group (co-tenanted) setting.

Children younger than 12 years may only be considered for placement if comprehensive assessment indicates they have therapeutic needs best met by therapeutic residential care and/or they are one of a sibling group, who all have complex or extreme support needs and would benefit from being placed together.

The Therapeutic Residential Care (Placement) Services State-Wide Protocol provides details of the behaviours and characteristics that are considered appropriate for children and young people to be placed in therapeutic residential care, as well as behaviours and characteristics that are out-of-scope for treatment by therapeutic residential care services.

### **Roles and Responsibilities:**

The procedures to give effect to this policy are in the Child Safety Practice Manual, the Child Safety Licensing Manual and the Therapeutic Residential Care (Placement) Services State-Wide Protocol.

Non-government service-providers will be responsible for developing operational policies and procedures for each residential care service provided, in line with care service licensing requirements.

### **Care arrangements**

Care arrangements for children and young people placed under section 82(1) of the Act, in residential care, including therapeutic residential care will be:

- made in accordance with placement-matching procedures in the Child Safety Practice Manual
- with the approval of the delegated officer and in accordance with Child Safety financial delegations.

Decisions about residential care arrangements will take into account the child young person's views, strengths and needs, individual abuse and trauma history, culture, disability and developmental needs (including any diagnosed mental health conditions), the views and wishes of the child or young person's family, continuity of relationships, and the needs of other children and young people already residing with the service.

For Aboriginal and Torres Strait Islander children and young people, Child Safety will make care arrangements that are consistent with section 83 of the Act.

Residential care services will be informed by attachment, trauma and child development theories and research and respond to the physical, social and emotional needs of each child or young person placed.

Residential care services may provide placements for up to six children and young people, and may also include individual care. Placement of more than six children may only be made where all children in the placement are of one sibling group, and the premises can reasonably accommodate the children. In such instances, the placement should be considered temporary and a more appropriate placement identified as soon as possible.

Placement of a child or young person in residential care and therapeutic residential care will be for a period of up to 18 months.

Therapeutic residential care services will be provided in the least restrictive environment, which is physically designed to minimise the risk of self-harming and violence.

## Case management and client support

Child Safety is responsible for case management of young people placed in residential care, including case planning and ongoing assessment to inform case plan reviews, which must integrate outcomes from the following:

- Child strengths and needs assessment
- Child health passport
- Education support plan
- Cultural support plan
- Transition to adulthood plan, where applicable
- specialist assessments, such as those conducted by Evolve Interagency Services and, and any behaviour support and/or treatment plans.

Residential and therapeutic residential care services will aim to meet the individual care and support needs of each child and young person placed, which will be assessed, planned for, and reviewed in partnership with the child or young person, family and community, Child Safety and the residential care service and relevant support services. Other relevant or significant persons (such as school staff, support workers and previous carers) will also be included in these processes.

The provision of care and support, and planning for transitions, will be conducted in consideration of the child or young person's unique history of attachment and trauma, connections and relationships with family and community, and cultural background.

For all young people, actions taken must seek to maintain positive family relationships and be supportive of individual rights and ethnic, religious and cultural identity or values.

## Aboriginal and Torres Strait Islander young people

Child Safety will provide a range of residential care services to meet the particular needs of Aboriginal and Torres Strait Islander children and young people, including a number of services located in Aboriginal and Torres Strait Islander communities, to enable Aboriginal and Torres Strait Islander children and young people to safely remain in, or return to, their communities of origin (for example, Indigenous Community Residential Care and Family Intervention Services, commonly known as "Safe Houses").

Therapeutic residential care services provided to Aboriginal and Torres Strait Islander young people will be conducted in a way that considers their cultural and spiritual wellbeing.

Decisions or actions taken under the Act, for Aboriginal and Torres Strait Islander young people, must support the young person to develop and maintain a connection with their family, community, culture, traditions and language. They must also include consideration of the five elements of the child placement principle (prevention, partnership, placement, participation and connection).

When Child Safety is making significant decisions about an Aboriginal or Torres Strait Islander child, Child Safety will, in consultation with the child and family, arrange for an independent Aboriginal or Torres Strait Islander entity for the child to facilitate the child's and family's participation in decision making, including case planning.

## Therapeutic residential care

Therapeutic residential care will be delivered as a collaborative service, including:

- Child Safety, as the lead agency responsible for making care arrangements and undertaking case planning and transition to adulthood planning
- non-government organisations funded by Child Safety to deliver therapeutic residential care services
- Evolve Therapeutic Services, which is a partnership between Child Safety, the Department of Health and Hospital and Health Services

Evolve Therapeutic Services provides specialist intensive trauma-informed mental health interventions to children and young people in care. Evolve Therapeutic Services teams may also provide support, professional development and training to a range of stakeholders, including residential care and therapeutic residential care staff, to build inter-sectoral capacity.

Evolve Therapeutic Services sits within the broader continuum of services provided by the child and youth mental health, alcohol and other drugs service system funded by Queensland Health. Children and young people placed in therapeutic residential care will be referred to appropriate specialist services, which may include Evolve Therapeutic Services.

Young people placed in therapeutic residential care who are not current clients of Evolve will be referred to Evolve or other relevant specialist services.

Child Safety and therapeutic residential care services will take a planned approach to promoting and supporting positive behaviour of children and young people, as outlined in the Positive behaviour support (604) policy.

Where reactive responses are required to prevent harm to children or young people or others, it will be in accordance with the Positive behaviour support (604) policy.

## Regulation of care

Foster and kinship carers providing care as part of a therapeutic residential care service (specialist foster care component) must be approved as foster carers or kinship carers under the Act.

## Concerns about the standards of care

Concerns raised about the quality of care provided to a child or young person placed in residential care will be responded to in accordance with the procedures outlined in the Child Safety Practice Manual, Support and monitor care.

## Licensing

Residential care and therapeutic residential care is provided by non-government service providers that are either licensed under the authority of the Act, are actively proceeding to apply for a license, or are awaiting the outcome of an application.

**Authority:**

*Child Protection Act 1999*

*Child Protection Regulation 2011*

**Delegations:**

Refer to instruments of delegation for delegations related to residential care and therapeutic residential care.

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**Links:**

**Procedures**

Child Safety Practice Manual

**Related Legislation or Standard**

*Human Rights Act 2019*

Statement of Commitment between the Department of Communities, Child Safety and Disability Services and the foster and kinship carers of Queensland

**Related Policies**

Complaints management

Decisions about Aboriginal and Torres Strait Islander children (641)

Participation by children and young people in decision-making (369)

Permanency planning (594)

Placement of children in care (578)

Positive behaviour support (604)

Responding to concerns about the standards of care (326)

Transition to adulthood (349)

**Rescinded Policies**

606-3 Residential care

577-3 Therapeutic residential care

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