A GUIDE TO NAVIGATING DCP

This guide is provided to assist carers and potential carers through the systems operated by the South Australian Department for Child Protection (DCP).

This is not a definitive guide, and professional advice should be sought on anything impacting financial or legal matters.

If you have a private arrangement or if the child self-places with you:
In South Australia, informal Kinship carers (those caring for family members or friends without DCP intervention) have limited legal rights and do not automatically possess parental responsibility. Decision-making requires parental consent or formal court orders, though you are entitled to access certain government and financial support.

Your Legal Standing -

- **Parental Responsibility:** By default, parents retain legal responsibility for the child. Informal carers do not have automatic rights to enroll the child in school or authorise medical treatment without consent.
- **Statutory Declarations**: To access local SA government services, you can use the Informal Relative Caregiver Statutory Declaration (available from Grandcarers SA) as proof of your caregiving status.
- **Formalising Arrangements:** If you need secure legal authority, you can negotiate Consent Orders with the parents through the Family Court or seek a parenting order through family dispute resolution.

Financial Support & Welfare available

- **Centrelink**‹: You may be eligible for Commonwealth assistance, such as the **Carer Allowance** or **Double Orphan Pension** depending on your circumstances.
- **Child Support**: You have the right to seek child support payments from the child's birth parents.
- **Crisis Support**: If your arrangement turns into a statutory or formal child protection case, you may become eligible for ongoing financial subsidies from DCP.
- **NGO's**: Grandcarers SA Education and Development Fund, The Smith Family, The Salvation Army, Carers SA.
- **Legal Aid** for legal advice or representation while dealing with the child protection system, Legal Aid, South Australia. may offer legal assistance to eligible individuals.

If DCP is, or becomes involved:
Navigating the complexities of the child protection system can be a challenging and overwhelming experience for grandparents. Understanding the intricacies of the legal processes and advocating for the well-being of the children requires access to extensive information and support.

When a child is placed in your care via DCP it is because the safety of children and young people is the paramount consideration.

Preference is given to safe placements with a person with whom the child or young person has an existing relationship. Attention is paid to early scoping of kinship placements and other supports within the child or young person's family.

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The Placement of Aboriginal and Torres Strait Islander infants, children and young people is consistent with the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP). The placement of children and young people from culturally and linguistically diverse (CALD) backgrounds is consistent with the Culturally and linguistically diverse child placement Policy.

DCP decision making processes are meant to be transparent and staff are accountable for their decisions. They prioritise placing children who cannot stay safely at home with extended family or kin. Children are placed with approved carers. In urgent circumstances, a temporary placement may be authorised for a non-approved carer while a full assessment is completed.

The DCP Placement Process

1. **Scoping and Assessment**: DCP case workers identify and assess potential kinship carers through interviews, background checks (working with children checks), and home environment checks.
2. **Emergency/Temporary Placement**: If a child requires immediate removal from home, DCP can authorise a **Temporary Placement** under section 77 of the *Children and Young People (Safety) Act 2017*. The carer must then undergo a full carer assessment and gain approval within 90 days.
3. **Aboriginal and Torres Strait Islander Placements**: For Indigenous children, DCP is legally required to follow the Aboriginal and Torres Strait islander Child Placement Principle, which prioritises placement within the child's family, then their community, and finally other Indigenous carers.

Working collaboratively with DCP

Working with the DCP requires clear communication, mutual respect, and a commitment to the well-being of children and families. Here are some steps to effectively work with them:

1. Understand the role and responsibilities of the DCP: Familiarize yourself with DCP's mandate, mission, and policies. This will help you understand their perspective and approach to child protection.
2. Establish a point of contact: Identify a specific individual within the DCP who will serve as your primary point of contact.
3. Build relationships: Attend meetings, training sessions, and events organised by DCP to get to know their team and build rapport. Building trust is crucial for effective collaboration.
4. Maintain open lines of communication: Communicate openly and honestly with the DCP. Keep them informed about any relevant information and be responsive to their requests for information or updates.
5. Respect confidentiality and privacy: Child protection cases involve sensitive and confidential information.
6. Attend meetings and reviews: Participate in meetings, case conferences, and reviews organized by the DCP. Contribute your insights and actively engage in discussions about your children's needs and progress.

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When reunification is proposed:

DCP prioritises family reunification as its primary goal whenever a child enters out-of-home care. This process is suggested and actively supported for several core reasons:

- **Right to Family**: Children possess a fundamental right to grow up with their biological family, connect with their identity, and maintain their cultural heritage.
- **Child's Best Interests**: Child protection legislation asserts that children are best raised within their own families whenever it is safe and possible to do so.
- **Lasting Belonging**: Successful reunification helps restore family relationships and builds long-term, permanent belonging, which is crucial for a child's emotional development.
- **Trauma Reduction**: By safely returning a child to their parents, DCP minimizes the potential trauma of prolonged separation and placement instability.

This decision is *not personal*. It is part of DCP's policies and gives the parents the opportunity to improve their parenting skills and build bridges. The reunification process DOES NOT mean that the children are automatically going to be returned to their parents' care.

The process of reunification involves several steps, which may vary depending on the specific circumstances. Here are some general stages involved in the reunification process:

1. **Initial Removal**: The child is removed from their home due to safety concerns, DCP take temporary custody of the child. The child is then placed in alternative accommodation. That is commonly kinship care.
2. **Case planning**: Once the child is removed, a case plan is developed by child protection workers. This plan outlines the steps and conditions that need to be met for reunification to occur.
3. **Family support**: During the separation, the child protection authorities work with the birth parents to address the issues that led to the removal of the child.
4. **Supervised visitation**: Depending on the circumstances, supervised visitation may be arranged between the child and their birth parents to maintain their relationship while ensuring the child's safety. These visits are typically supervised by child protection workers or a designated third party.
5. **Progress assessment**: The child protection authorities regularly assess the progress made by the birth parents in addressing the issues identified in the case plan.
6. **Reunification decision**: The decision to reunify the child with their birth family is made based on the assessment of the parents' progress and the child's safety and well-being. If it is determined that the parents have addressed concerns and can provide a safe environment, efforts are made to transition the child back into their care.
7. **Transition and support**: Before the child is returned to their birth family, a transition period may be established to gradually reintroduce the child to their home environment.

It's important to note that the reunification process prioritises the best interests and safety of the child. If it is determined that reunification is not possible or in the child's best interest, alternative placement options will be explored. Including child-focused grandparent and kinship care.

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How to demonstrate that you are 'Child Focused'.

Child focused refers to a perspective or approach that prioritises the best interests, well-being, and voice of the child in all decisions and actions. This perspective is particularly important in the fields of parenting and child protection.

1. **Best Interests of the Child**: This means prioritising their safety, health, educational needs, and emotional well-being over other considerations.
2. **Child's Voice and Participation**: Child-focused emphasises the importance of listening to the child's views and involving them in decision-making processes, in a manner appropriate to their age and maturity.
3. **Developmentally Appropriate:** Child-focused parenting is adapted to the child's age, maturity, and developmental stage. This includes considering the child's individual needs and capabilities when making decisions about things like education, discipline, or therapeutic interventions.
4. **Holistic View of the Child:** A child-focused approach also means considering all aspects of a child's life. This includes their relationships with parents, siblings, and peers, their experiences at school and in the community, and their physical, emotional, and psychological health.
5. **Building Resilience and Capacities**: Child-focused strategies aim to support the child in building their own strengths and capacities rather than merely solving problems for them.

How to handle a decision you do not agree with:

Grandcarers may submit complaints to DCP for many reasons e.g. seeking action or resolution on a decision, tabling an incident of a negative experience or identifying concerns of overall treatment and behaviour. Areas of complaint may include:

- the care concern process
- poor process approach
- miscommunication and/or lack of communication
- removal of a child and/or young person from an existing alternative care placement
- contact arrangement/determination.

If a significant decision is made that has dramatically affected the care arrangement for the child or young person in your care and you wish to challenge it, please consider contacting your child or young person's DCP worker first for clarification.

- Know your rights as a Carer by familiarising yourself with the Children and Young People (Safety) Act 2017:
- Know what you want out of making this complaint;
- Be clear and honest about what you want
- Be clear about what you are requesting, e.g. case conference, care team meeting, mediation; and
- make sure you have any relevant information on hand when making the complaint - e.g. emails reflecting communications, requests you have made & phone calls

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If you have made contact and are not satisfied with the outcome or haven't received a response in a reasonable time frame, contact your child or young person's DCP supervisor and/or manager prior to submitting a formal complaint via the DCP Complaints & Feedback Management Unit.

While this is happening:
Grandparent and kinship carers in South Australia can find support while navigating the child protection system.

- **Department for Child Protection (DCP):** is the primary agency responsible for child protection in South Australia. They have staff who can provide information, support - visit their website for assistance.
- **Relationships Australia SA:** offers counselling and support services for families going through difficult situations, including those involved in the child protection system. They can provide guidance and assistance to parents in understanding their rights and responsibilities.
- **Legal Aid South Australia**: If you require legal advice or representation while dealing with the child protection system, you can contact Legal Aid, South Australia. They offer legal assistance to eligible individuals and can provide guidance on your rights and options.
- **Grandcarers SA** https://grandcarers.au/

What to do if the child in your care is subject to a Child Protection Order.

If the child in your care has been placed on a child protection order, it indicates that there are concerns about their safety or well-being. This can be a challenging and emotional situation for you both.

1. **Stay calm** and gather information: Understand the reasons for the child protection order. Don't focus or obsess over who 'reported you'.
2. **Cooperate with the authorities**: It is essential to cooperate fully with the child protection services. Attend all meetings, interviews, and court hearings as required. Work closely with the social worker assigned to your case and provide them with any information or documentation they request.
3. **Seek legal advice**: Consult with a lawyer who specialises in family law or child protection. They can provide guidance on your rights, explain the legal processes involved, and help you navigate through the system. They may also represent you in court if necessary. Free legal advice is available through several organisations including Uniting Communities.
4. **Comply with requirements**: Follow any instructions or conditions outlined in the child protection order. This may involve attending counselling sessions, completing parenting programs, or addressing specific concerns related to your child's safety. Demonstrating your willingness to address the issues can positively impact the outcome.
5. **Maintain communication**: Stay in regular contact with your child's social worker or case worker. Provide updates on your progress in addressing the concerns and ask for guidance or clarification when needed. Keeping an open line of communication shows your commitment and willingness to work towards the best interests of the child.

6. **Build a support network**: Reach out to trusted friends, family members, or support groups who can offer emotional support and guidance during this difficult time. They can provide a listening ear or assist with practical matters as needed.
7. **Make necessary changes**: Assess the concerns raised in the child protection order and take steps to address them. This may involve making changes in your living situation, improving or updating parenting skills, seeking counselling, or eliminating any factors that may be harmful to the child.
8. **Follow court procedures**: If the child protection order involves court proceedings, ensure you understand and follow all court procedures and deadlines. Attend court hearings and provide any necessary documentation or evidence to support your case.
9. **Focus on the child's well-being:**
    - Keep your child's best interests at the forefront of your actions.
    - Ensure they feel loved, supported, and safe.
    - Complying with the child protection order and actively addressing the concerns raised can help demonstrate your commitment as a responsible carer.

Grandcarers SA is here to help:

T – (08) 8212 1937

E – contactus@grandcarers.au

W - https://grandcarers.au/