

Policy: Provision of Information for Parents or Caregivers upon removal of a child

Italicised references in this document are located in the Care and Protection Practice Manual.

Policy Purpose

This Policy sets out the practice requirements regarding the provision of information that must be given to parents or caregivers when a statutory decision is made to remove a child from their care.

Policy Statement

Territory Families Case Managers must ensure that any family where a child is to be removed are given all appropriate information about the reason for the removal, the steps the family must take to have the child returned to their care (e.g. participation in a safety plan, engagement with parenting supports, or other services) and information about organisations who can provide legal advice and representation. Case Managers must also ensure that the responsibilities that Territory Families has to the child and family are also clearly explained.

Supporting Participation

Parents and Caregivers must be provided with information in a timely way and in a language and manner that they will understand. All reasonable steps must be taken to arrange for the provision of services (including an interpreter) to facilitate the participation of all people involved. Refer to the Guidance: Using Interpreters, Translators and Assisted Communication Services for information about how to determine if a person requires an interpreter and how to arrange one. The Aboriginal Interpreter Service (AIS) also provides a step by step guide to support the determination of when to use an Aboriginal Interpreter.

Aboriginal Cultural Security Framework

Professionals can support cultural security by working in a respectful and responsive partnership with Aboriginal families and communities to meet their cultural and communication needs. When providing a service to Aboriginal families Territory Families' staff must actively seek to understand and address the concerns and questions the family may have, and appropriately recognise cultural differences within a child wellbeing and development context when developing care plans and safety plans. Case Managers, with the support of Aboriginal Community Workers will seek opportunities to consult with parents, families and their safety network about the child's cultural needs.

Provision of information for parents or caregivers when a child is removed

Provisional Protection

Case Managers must ensure that the parent or caregiver, from whom the child was removed into provisional protection, is provided with a Provisional Protection letter (template available under the heading 'Child Protection – Removing a child to ensure their safety' in the *Care and Protection Practice Manual*) and a copy of the *Factsheet: Keeping children safe - Information for Parents*, at the time of removal or as soon as is practicable thereafter.

Case Managers must ensure that the parent is supported to understand the information provided, including reading the relevant parts of the factsheet for the parents, providing or referring to an interpreter, support from an Aboriginal Community Worker, Senior Aboriginal Community Worker, Aboriginal Practice Advisor or Remote Family Support Worker, and other family members, or a member of the community as appropriate. Case Managers must also make the parent or caregiver aware of the options for legal assistance.

Explanation of decision to invoke Provisional Protection

Information about the reason the child is being removed, e.g. current worries and future dangers, must be shared with the parents or caregivers from whom the child was removed in a clear and understandable manner, and in a language the parents and family understands, including the steps that the parent must take for the child to return to their care, e.g. actively participate in a safety plan, access services, discontinue harmful behaviours, accept support from family and other people nominated by the child or family and provide a clear outline of:

- The Care and Protection Court processes, dates and times of Court hearings and advice regarding access to legal services;
- The child's placement arrangement and adherence to placement principles;
- The interim care plan;
- Any arrangements for contact visits with family; and
- Any arrangements for contact between siblings who are not placed together.

Case Managers must make efforts to develop respectful, cooperative relationships with parents and their safety network, making best efforts to develop a working relationship with them, encouraging the parents to participate in discussions using the Signs of Safety practice method with a focus on worries and the child's future safety and wellbeing.

All information must be shared in a clear and understandable manner, giving particular attention to children and families whose first language is not English or for children, parents or caregivers who may have any other communication based needs, barriers or limitations.

Removal under an order of the Court

A child may be removed as a result of a Court order, which does not require the use of Provisional Protection. When the removal of the child does not include the use of Provisional Protection, the Case Manager must ensure that reasonable attempts to serve the parents with the Court application and supporting affidavit is done in accordance with the [Care and Protection of Children Act 2007](#).

The intention and effect of a Court application and supporting affidavits must be explained to the child (when age and developmentally appropriate), the parent/s, their support network and any other appropriate person nominated by the family, in a respectful, clear and understandable manner. The *Factsheet: Keeping Children Safe - Information for Parents* must also be provided to the parents or caregivers.

If the parent or caregiver is not present when a Protection order is made by the Court, the Case Manager must take steps to ensure the child, the family and their support network is informed of the Court order at the earliest opportunity.

Legislative Basis and Related Documents

[Care and Protection of Children Act 2007](#)

[Procedure: Removing a Child to ensure their Safety](#)

[Factsheet: Keeping children safe - Information for Parents](#)

[Provisional Protection Letter - template](#)

[Interpreters Practice Guideline](#)

[Investigation and Safety Assessment - Guidance - Signs of Safety Practice Model](#)

[Aboriginal Cultural Security Framework](#)

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