

This guide is intended to assist Foster and Kinship carers (Carers) understand the Department for Child Protection (DCP) care concern process.

What is a care concern?

A DCP care concern is a notification to the Child Abuse Report Line (CARL) where the following criteria have been met:

- A. The child or young person was, or is in care, pursuant to the Children and Young People (Safety) Act, SA, 2017 (the Act) at the time of the allegation:
- B. The concerns relate to the care provided by:
 - i. an approved carer and/or
 - ii. registered or approved household member; or
 - iii. temporary carer (pursuant to s77 for the Act); or
 - iv. Department for Child Protection (DCP) employee and/or DCP volunteer, providing direct care and/or contracted carer; AND
- C. There is a reasonable suspicion that:
 - i. A child or young person has been harmed; or
 - ii. There is a likelihood that the child or young person will suffer harm; or
 - iii. The carer, DCP employee or DCP volunteer, has failed to meet the Standards of Care, to a degree that the child or young person has been harmed or there is a likelihood that they will suffer harm.

If you have been notified a care concern has been raised against you and you require further information, please contact your Foster Care Agency support worker or Kinship support worker immediately. If you require additional support, please contact Connecting Foster and Kinship Carers SA (CF&KC-SA) to speak with a member of the Advocacy team.

Principles of the care concern management process

Below is a summary of the principles of the care concerns management process:

- The safety of children and young people is the paramount consideration.
- Decision making is child and young person centred.
- Responses and decision making occurs in a timely manner.
- Children and young people have a voice in decisions made about them.
- Responses to care concerns are culturally safe, respectful and responsive to the needs of Aboriginal children, young people, families and communities in line with the Aboriginal and Torres Strait Islander Child Placement Principle (ACPP).
- The management of care concerns is responsive to the needs of children and young people from culturally and linguistically diverse (CALD) communities.
- The management of care concerns will be responsive to the developmental and disability needs of children and young people.
- Responses to care concerns consider the needs of children and young people who identify as LGBTIQ+.
- The management of care concerns provides procedural fairness by ensuring timely advice for those subject to a care concern and ensuring that they will be afforded the opportunity to hear and respond to allegations raised about the care they have provided.
- Interagency collaboration leads to better outcomes.

What to expect if you are subject to a care concern:

- Timely advice that a care concern has been raised
- Invitation to discuss the allegations, hear the allegations in full and an opportunity to respond
- Support through your agency throughout the process
- An opportunity to discuss any additional training and supports you consider would be important to improving the level of care or capacity to care
- Advice of an outcome finding and rationale (for moderate and/or serious matters)
- Correspondence to advise of the closure of the care concern process

Any allegations which are criminal in nature are forwarded to South Australian Police (SAPOL) for their consideration and potential action. Should SAPOL undertake inquiries and investigation there may be a delay in advice provided by DCP regarding the care concern. DCP will continue to take advice from SAPOL in relation to this and continue to maintain contact with SAPOL until the conclusion of any investigation to ensure coordinated efforts and responses to the care concern.

Care concern determinations

When making an assessment determination of either: No Action, Minor, Moderate or Serious, a Senior Care Concern Officer (SCCO) will consider the child and/or young person's history, the carer's care concern history and any additional information (for example case plan and/or assessments) with which to make a determination. There is also a Structured Decision Making Tool which assists the SCCOs in making determinations.

Quality Assurance is undertaken for each assessment by the Principal Care Concern Officer or Manager of the Care Concern Management Unit. For each matter which is considered serious or involving an allegation of sexual abuse, the matter is presented to the Care Concern Assessment Panel who finalise the assessment. This ensures an additional level of due diligence regarding the assessment.

Minor care concern

Minor care concerns are minor breaches of accepted standards of care that pose a minor risk to the safety or wellbeing of a child or young person.

A minor care concern results in a case management response which is led by the responsible DCP office. The intention of the process is to consider training and support to both carer and young person alike to improve the quality of care and enhance the caring capacity of the carer.

There is no outcome recorded for a minor care concern. There may be an action plan resulting from the care concern in which you, the support agency, young person and DCP may be involved in undertaking further actions to address the concerns. This action plan may include training, therapeutic support, assessments, behavioural support etc. As each matter and family is unique, it is expected that all actions suggested will similarly be unique for your situation and the child and/or young person for whom you are providing care.

For minor matters, the care concern is finalised by the local DCP office. It is allocated to the relevant DCP supervisor for review, approval and closure. No outcome finding is attached.

Moderate care concern

Moderate care concerns are moderate breaches of accepted standards of care where the actions, behaviour or attitude of a staff member or caregiver pose a moderate or more serious risk to the safety or wellbeing of a child or young person.

A moderate care concern response requires a formal Care Concern Review Meeting and will be managed by the responsible DCP office. There is an outcome finding made of either abuse/neglect and/or deficit in care substantiated, not substantiated or undetermined when the matter is finalised by the DCP office.

It is expected that you will receive timely advice that a care concern has been raised and a meeting with the case manager will be scheduled.

At the meeting you will have the opportunity to hear and respond to the allegations in full, as well as provide any additional information and/or context to the concerns. Following this meeting the case manager will write to you, the letter will include a summary of the discussion and afford you the opportunity of an additional 7 days with which to provide any further information that you wish be considered prior to any findings made.

It remains the responsibility of the responsible office to make the final outcome decision. It is expected that you will receive written correspondence advising of the outcome, a rationale for the findings made, and any actions and/or supports discussed within the meeting to address the concerns.

The closure of moderate matters is allocated to the relevant DCP supervisor for review and finalisation. Approval and closure is undertaken by the Manager of the DCP office.

Serious care concern

Serious care concerns are serious breaches of accepted standards of care that pose a serious risk of harm to a child or young person's safety or wellbeing.

Serious care concerns are dealt with by way of a serious care concern investigation conducted by the DCP Care Concerns Investigation Unit (CCIU).

A serious care concern planning discussion (SCCPD) is convened to plan and coordinate actions and responses to the serious care concern. Consideration will be given to:

- Any actions required to safe guard the child/young person
- When and what advice can be provided to the person subject to the concern and who provides this information
- Investigation plan and scope
- What support carer may require throughout the process and who is best place to provide this
- What support the child/young person may require throughout the process and who is best placed to provide this

At times SAPOL may elect to commence an investigation, should this occur it is possible that advice regarding the serious care concern may be delayed whilst SAPOL undertake further investigation. In such instances, DCP will take advice from SAPOL and continue to liaise with SAPOL as a matter of priority to ensure coordinated efforts to address the concern.

A serious care concern fact finding investigation will be undertaken by the Investigations Unit, within DCP Human Resources. The Senior Investigating Officer will not make any outcome recommendations, they will however compile a report of all the information obtained during the course of the investigation, this will include (but is not limited to) the voice of the child and/or young person and the person subject of concern. The final investigation report is then tabled at the Care Concern Outcome Panel (CCOP). The CCOP will consider the investigation and make findings and recommendations for future action. The findings are then provided, along with the investigation report to the DCP Director of Quality and Practice to endorse, at which time the Care Concern Management Unit will provide written advice to the carer and support agency regarding the outcome and rationale for the findings.

Serious matters are finalised by the CCOP, endorsed by the Delegate, and then administratively closed by the Care Concerns Management Unit.

All care concerns are overseen by the Care Concerns Management Unit.

Please note: all documentation regarding care concerns is retained on file within DCP, even if a care concern is unsubstantiated. The benefit for all carers is the knowledge that a clear record is kept regarding any concern raised including how the matter was assessed and managed.

If a care concern has been raised against me, how will this affect my Working with Children Checks?

The Department for Human Services (DHS) Screening Unit considers information from a range of sources with which to make their determination on work clearances, including criminal history checks and the DCP data system. Further information regarding the assessment process is available on the DHS website: <https://screening.sa.gov.au/about-checks/check-process>

Carer support

For more information, or to discuss your personal circumstances, please contact us:

Email: support@cfc-sa.org.au

Freecall: 1800 732 272