



MEDIA RELEASE

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Landmark Reforms for Carers and Children as Safety and Support Bill Passes Parliament

Connecting Foster & Kinship Carers SA (CF&KC-SA) the state's independent peak body for family based carers welcomes the recent passage of the *Children and Young People (Safety and Support) Bill 2024* through both houses of South Australian Parliament, —a hard won milestone in the pursuit of procedural fairness, transparency, and recognition for family-based carers and the children they care for.

Since 2022, CF&KC-SA has fiercely advocated for crucial legislative reform that reflects the direct experience of South Australian foster and kinship carers. The areas the peak body championed for inclusion in the Bill were shaped directly by input gathered through our annual carer surveys, individual advocacy casework, support calls, and robust feedback from carer reference groups. This input served as the foundation for the peak body's 2022 state election asks, calling for "systems that work" for carers and their young people. CF&KC-SA is pleased that our sustained advocacy efforts over the past three years, and those of the carer community, are reflected in the Bill's passage.

Key reforms now embedded in the legislation include:

- **Quality of Care Guidelines:** The Department for Child Protection (DCP) must now develop clear guidelines—co-designed with the carer peak body—to guide when, how and if concerns about the quality of care should be raised. This changes, from the ground up, the current flawed care concerns process. It aims to *provide vital transparency and consistency around how care concerns are managed*—an issue carers have long identified as confusing and unjust.

This inclusion delivers on CF&KC-SA's 2022 election ask for care concerns to be a prescribed function in legislation.

- **Procedural Fairness:** The Bill now mandates carers must be afforded procedural fairness in cases involving quality of care concerns—marking *a significant shift from current practices, where carers are often left in the dark about decisions affecting their families*. This means that carers must be given sufficient information to understand how DCP have reached a decision and the opportunity to be heard if allegations are made against them.

This inclusion delivers on CF&KC-SA's 2022 election ask for procedural fairness to be prescribed in legislation.

- **Whole-of-Government Strategy:** The Bill mandates the development of a State Strategy for children and young people in care, with the Minister for Child Protection empowered to direct inter-agency collaboration across health, education, and human services, responding to long held carer concerns about a fragmented support system. CF&KC-SA want to see this strategy result in greater ease of access to health services and educational supports, with less red tape and more practical solutions.

This inclusion delivers on CF&KC-SA's 2022 election ask for a coordinated government response to address the needs of children under guardianship.

- **Recognition of the Carer Peak Body:** It is now formally recognised that the peak body for carers must be consulted in key policy developments. This means that, by law, the carers voice is required to be considered. This provides a statutory foundation for our role and ensures carers have a strong, independent voice at the decision-making table—fulfilling a core recommendation of the Arney Report.
- **Carer Statement of Commitment Enshrined:** The Statement of Commitment to Foster and Kinship Carers— a document championed by and developed with CF&KC-SA, will now be embedded in law—reinforcing a partnership approach between DCP, the Minister for Child Protection and the carer community.
- **Timely Reviews and SACAT Access:** A new 60-day timeframe for internal reviews. This means that the current practice, whereby internal reviews can take an unknown period of time, addresses long-standing concerns about delays and unresolved decisions affecting placements. Carers will never have to wait more than 60 days, if the DCP has not made a decision in that period then they can go to SACAT to have a decision reviewed externally.
- **Complaints Reform:** The introduction of Complaints & Feedback Management Guidelines, providing the necessary clarity regarding the management of complaints and feedback relating to decisions made under the legislation. These guidelines will be developed in consultation with peak bodies and prescribed child protection stakeholders - welcome measures that increase access to natural justice and accountability.
- **Mandatory Consultation:** The legislation now requires the Minister to consult with peak bodies, including CF&KC-SA, during the mandated five-year review—ensuring carers' voices remain central to future reform.

“These reforms are a direct result of carers speaking up and sharing their experiences with us as the independent peak body, and we are proud to see those voices reflected in legislation,” said Fiona Endacott, Chief Executive of CF&KC-SA. “The Bill represents a fundamental step forward in affirming carers’ rights and embedding them in legislation, rights that were absent until now.”

CF&KC-SA acknowledges that not all issues raised by our membership were included, or issues were addressed less robustly than hoped. CF&KC-SA respects and values the diversity of views within the SA carer community, and remain committed to continuing this conversation, and to ensuring all carers feel heard and represented.

“This Bill is not perfect—no legislation is—but it is a significant step forward. It is time to put this refreshed legislation into action as carers have waited long enough,” Ms Endacott said. “Family based carers have functioned within a system that has lacked transparency and fairness. This Bill enshrines carer rights, amplifies their voice and ensures the carer peak body has a meaningful role in shaping policy and practice.”

CF&KC-SA thanks the carers, staff, stakeholders and policymakers who have worked alongside the peak body to make this progress possible, and calls for the swift implementation of these reforms to ensure that the rights and voices of carers are not just recognised—but upheld.

Further information can be found at www.cfc-sa.org.au or freecall 1800 732 272