



Manual of Practice: Ongoing intervention chapter

The Department for Child Protection (DCP) Manual of Practice has been developed to support and guide DCP staff to undertake child protection practice. The Manual of Practice is reviewed and updated regularly to ensure it provides best practice guidance to staff based on research and in alignment with relevant legislation. DCP practitioners are encouraged to apply professional judgment to each individual child protection case in its specific context.

The DCP Manual of Practice contains links to websites that are external to DCP. DCP takes reasonable care in linking to websites but has no direct control over the content of the linked sites, or the changes that may occur to the content on those sites. It is the responsibility of users to make decisions about the accuracy, currency, reliability and correctness of information contained in linked external websites.

Purpose

This chapter supports staff to identify and implement an appropriate response when an investigation has been completed and it has been assessed that further intervention is required to address safety concerns and/or reduce the risk of future harm to the child or young person.

Scope

Applies to all DCP case workers, senior practitioners and supervisors responsible for determining the intervention required to ensure safety and minimise the risk of harm for the child or young person.

The term 'DCP case worker' is used throughout the Manual of Practice to refer to the range of roles held by DCP staff with case management responsibility. Certain powers and functions prescribed by the *Children and Young People (Safety) Act 2017* can only be exercised by DCP staff in specified roles. DCP staff must refer to both the [Guide to authorisations and delegation of powers and functions - by legislative provision](#) and the [Authorised child protection officers – list of positions eligible for authorisation](#) for guidance about what powers can be exercised within their role. It is the decision maker's responsibility to ensure they have the appropriate delegation so that decisions are lawfully made.

'Aboriginal and Torres Strait Islander' is used throughout the Manual of Practice to refer to all people who identify as Aboriginal, Torres Strait Islander or both Aboriginal and Torres Strait Islander. Efforts should be made to explore the specific Language group or Nation an Aboriginal or Torres Strait Islander infant, child or young person may identify with, acknowledging that a family may not hold information about this due to experiences of cultural dispossession.

The term 'culturally and linguistically diverse (CALD) background' is used throughout the Manual of Practice to refer to all children and young people, families and communities from culturally and linguistically diverse backgrounds, inclusive of those who identify as belonging to new and emerging Communities (NECs).

Principles

- Safety of children and young people is the paramount consideration
- Intervention to ensure a child or young person's safety and reduce the risk of harm will:
 - be informed by a high quality assessment of the child protection concerns, parental capacity to change and the child and young person's views and best interests
 - reflect a family led decision making approach, particularly for Aboriginal and Torres Strait Islander families



- be informed by ongoing consultation with the child and young person's care team
- be informed by the child or young person's cultural identity
- be regularly reviewed to ensure an intervention remains appropriate and effective
- be adaptive to changes that impact an assessment of safety and risk that may require a change in case direction
- be reflective of the section 10 principles of intervention within the *Children and Young People (Safety) Act 2017*.

Significant decision making with Aboriginal and Torres Strait Islander infants, children and young people

During the period of ongoing intervention, the following decisions are considered significant for Aboriginal and Torres Strait Islander infants, children and young people:

- decisions about how to keep the infant, child or young person safe
- decisions about where and with whom the infant, child or young person will live
- decisions about how to keep the infant, child or young person safely at home or to reunify the infant, child or young person if they are in care (including supports and intervention for the family)
- decisions to seek a care and protection order (including order type and duration).

Family led decision making for Aboriginal families is enabled when Aboriginal and Torres Strait Islander infants, children, young people and their families are supported to participate in these decisions. Wherever possible and appropriate, Aboriginal and Torres Strait Islander families should be given the opportunity to be actively involved in the decisions affecting their infants, children or young people. Family led decision making recognises that Aboriginal and Torres Strait Islander families have the best knowledge of their family, community and culture, including their strengths and needs.

Active efforts to uphold all elements of the Aboriginal and Torres Strait Islander Child Placement Principle should be made throughout DCP's involvement with the family. Active efforts are affirmative, thorough and timely efforts to ensure Aboriginal and Torres Strait Islander infants, children and young people safety and wellbeing through the application of the Aboriginal and Torres Strait Islander Child Placement Principle.

For further practice support when working with Aboriginal and Torres Strait Islander infants, children, young people and families, refer to the Aboriginal and Torres Strait Islander Child Placement Principle (ACPP) active effort prompts throughout this chapter, the [Family Led Decision Making for Aboriginal families Framework](#) and the [Aboriginal and Torres Strait Islander Child Placement Principle Practice Paper](#). Timely consultation with a relevant Principal Aboriginal Consultant (PAC) can also support quality decision making for Aboriginal and Torres Strait Islander infants, children and young people.

Authority

Sections 10, 12, 21-27, 28, 36, 41, 50, 51, 52, 53, 62, 72, 84, 89, 96, 127-134, Chapter 6 and Chapter 10 of the [Children and Young People \(Safety\) Act 2017](#) (CYPS Act)

Regulations 6, 43(9) of the [Children and Young People \(Safety\) Regulations 2017](#) (CYPS Regulations)

Sections 27 to 36 of the [Children's Protection Act 1993](#) (now repealed)

[Education and Children's Services Act 2019](#)



Flowcharts

- [Ongoing intervention: Assessment, case conceptualisation and case direction flowchart](#)
- [Ongoing intervention: Family group conference flowchart](#)
- [Ongoing intervention: Family preservation flowchart](#)
- [Ongoing intervention: Voluntary custody agreement flowchart](#)
- [Ongoing intervention: Family reunification flowchart](#)
- [Ongoing intervention: Make an application for care and protection orders flowchart](#)

Key steps

1. Continually assess, develop a case conceptualisation and decide case direction
2. Refer for a family group conference
3. Support family preservation with or without Youth Court action
4. Make an application for care and protection orders
5. Support family reunification with or without Youth Court action
6. Undertake family reunification
7. Seek to place the child or young person under long-term guardianship orders
8. Transfer care and protection orders and proceedings within South Australia, or between South Australia and other jurisdictions

1. Continually assess, develop a case conceptualisation and decide case direction

When the case continuation decision has been made following an investigation and substantiation decision and it has been identified that intervention is required to ensure the safety of the child or young person and/or minimise the risk of harm, the DCP case worker must undertake an assessment to determine the case conceptualisation.

Case conceptualisation is the ongoing process of gathering information and reconciling any contradictions or inconsistencies within this information to develop a narrative about the lived experiences of those in the family. The case conceptualisation informs the appropriate case direction.

Case conceptualisation is necessary to form a thorough and coherent understanding of the information gathered, to make sense of its meaning and to develop an appropriate plan for any future action. The process of conceptualisation assists practitioners to clearly describe strengths and child protection concerns in a family and this aids transparency with the child or young person, their family or carer.

A case conceptualisation must occur once all relevant information and assessments have been completed. Case re-conceptualisation should occur as new information is gathered or the situation changes.

All assessments and case conceptualisations must be guided by the [DCP Assessment framework for staff](#). The DCP case worker must consider:





Prevention



Participation

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

The DCP case worker should conduct a culturally informed and comprehensive assessment of the Aboriginal or Torres Strait Islander infant, child or young person and family's needs and circumstances, with careful consideration given to whether the infant, child or young person can remain safely with their family while intervention occurs. Timely and ongoing consultation with a Principal Aboriginal Consultant (PAC) or Aboriginal practitioner can assist in informing a holistic assessment that properly accounts for culturally protective factors. The DCP case worker should seek to build a relationship with the family to ensure they are actively involved in making plans to keep the infant, child or young person safe at home. An integrated service response should be implemented with families, inclusive of supporting families to access culturally appropriate services where available, such as Aboriginal Community Controlled Organisations (ACCOS).

See the [Family Led Decision Making for Aboriginal families Framework](#) and the [Aboriginal and Torres Strait Islander Child Placement Principle Practice Paper](#) for more information about working in partnership with Aboriginal and Torres Strait Islander families throughout an intervention.

Undertake assessment to form case conceptualisation and decide case direction

Assessment is a continuous process that must occur throughout the progression of a case. The DCP case worker must consider the information known to the department and identify gaps, gather detailed information from the child or young person, family and service providers and develop a case conceptualisation to inform the case direction.



A case conceptualisation can be formed after the DCP case worker has:

- gathered relevant, up to date information to inform the assessment
- undertaken any further examinations or assessments of the family as required
- engaged the family to assess the individual strengths and needs of the parents, guardians, caregivers and the child or young person
- undertaken relevant consultations to inform proposed plans and case direction.

As new information is received, the case conceptualisation and, where required, the case direction needs to be re-considered. For further guidance about the assessment process, refer to the [DCP Assessment framework for staff](#).

Engage the child or young person and their family

The DCP case worker should engage with the child or young person and their family to develop a genuine, respectful partnership. This engagement is essential for gathering information about what is happening in the family and identifying their needs. Engagement should be informed by the following:

- engaging in a non-judgemental and respectful manner
- being clear and honest about the purpose of engaging and gathering information
- maintaining regular contact and communication
- considering the family's cultural background and needs and identifying culturally responsive engagement strategies.

For further guidance about the principles of engaging with families, refer to Strengthening families in the [DCP Practice Principles](#), the [Relationship based practice Practice Paper](#) and the [Conduct the investigation: Engage with and assess the family](#) key step in the Intake, investigation and assessment chapter of the Manual of Practice. For further guidance regarding information gathering, refer to [Gather information](#) in the Information gathering and sharing chapter of the Manual of Practice.

There may be circumstances where a family may avoid engaging with DCP while the DCP case worker gathers information and undertakes assessment or during intervention. The DCP case worker must take reasonable, proactive steps to ascertain the safety of the child or young person and determine the most appropriate intervention. For further guidance, refer to 'Respond to difficult-to-locate families' under [Conduct the investigation: Engage with and assess the family](#) in the Intake, investigation and assessment chapter of the Manual of Practice.

Gather and consider information

The DCP case worker should gather information from a range of sources to inform their assessment. This may include but is not limited to:

- the outcomes of previous SDM® assessments
- discussions with the child or young person (where developmentally appropriate) and direct observations of non-verbal cues
- the child or young person's parents or guardians
- other members of the child or young person's family (including siblings and other children and young people in the family/household) and kinship networks
- the child or young person's child care provider or school
- other service providers involved with the child or young person and their family (such as SA Health, SAPOL, SA Housing Authority or disability or health support services).



In reviewing the information gathered, the DCP case worker should consider whether there are gaps in the available information, or inconsistencies between different sources. Gaps and inconsistencies should be used to guide further information gathering.

For further guidance about information gathering, refer to [Gather information](#) in the Information gathering and sharing chapter of the Manual of Practice.

Assess the child or young person's functioning and needs

The child or young person's needs must underpin case conceptualisation and planning for future case direction. The DCP case worker must consider the child or young person's unique strengths, needs and relationships inclusive of (but not limited to) their:



This assessment will be used to identify what supports the child or young person needs to support their recovery from trauma, and to plan for the child or young person's care arrangements. For further guidance, refer to Assessing safety, harm, cumulative harm and risk of harm in the [DCP Assessment framework for staff](#).

In circumstances where additional information or assessment is required to identify the child or young person's physical, emotional, psychological, developmental or disability needs, refer to [Engage with and assess the child or young person](#) in the Intake, investigation and assessment chapter of the Manual of Practice.

Assess the parents' or guardians' strengths and needs

The DCP case worker must consider the parents or guardians' functioning, needs, and capacity for change. This includes an assessment, including but not limited to their:



When assessing the parent or guardian's needs, the DCP case worker should consider whether all identified child protection concerns must be prioritised or whether they can be addressed concurrently. Addressing child protection concerns is challenging and requires time and space for parents or guardians to make sustainable change. The DCP case worker should be mindful of this when planning interventions to avoid



overwhelming parents or guardians with multiple appointments or other tasks. When assessing the parents' or guardians' needs, the DCP case worker should consider:

- what is realistic for a parent or guardian to be able to attend and achieve genuine engagement and change
- whether there are non-negotiable concerns that must be resolved prior to addressing other issues (for example addressing a parent or guardian's substance misuse first, before seeking interventions to improve parenting skills).

For further guidance, refer to the [DCP Assessment Framework for staff](#).

Consider whether further examination or assessment is required to form case conceptualisation and decide case direction

As part of their assessment, the DCP case worker should identify gaps in the available information about the family. Where further information is required to inform decisions about case direction, the DCP case worker must consider whether further examinations or assessments are required.

Examinations and assessments that may be sought for a parent, guardian or caregiver include:

- parenting capacity assessments
- cognitive assessments
- alcohol and/or other drug assessments
- alcohol and/or other drug testing
- alcohol and/or other drug rehabilitation.

Examinations and assessments that may be sought for a child or young person include:

- forensic medical examinations
- paediatric health assessments
- psychological assessments.

Examination or assessments should attempt to be undertaken on a voluntarily basis in the first instance. Where a parent or guardian will not voluntarily engage, or consent to a child or young person engaging, in an examination or assessment DCP may seek to require an examination or assessment through:

- issuing a Chief Executive direction (pursuant to section 36(2) of the CYPs Act)
- seeking a short-term order for the purpose of undertaking an assessment (pursuant to section 53(1) of the CYPs Act).

For information about the different processes and considerations for seeking an examination or assessment for a parent or guardian, refer to the [Conduct the investigation: Seek additional assessments and interventions](#) key step in the Intake, investigation and assessment chapter of the Manual of Practice.

All referrals for assessment should be recorded in the Referrals tab in C3MS. For further guidance, refer to [Referrals – C3MS Guide](#) and [C3MS Referrals Instructions](#).

For information regarding the different processes and considerations for seeking an examination or assessment for a child or young person, including special consent procedures for seeking a forensic medical examination, refer to the [Conduct the investigation: Engage with and assess the child or young person](#) key step in the Intake, investigation and assessment chapter of the Manual of Practice.

Undertake consultations to form case conceptualisation and decide case direction



When assessing the appropriate case direction and interventions in a matter, it is recommended that the DCP case worker (in consultation with the senior practitioner or supervisor) consider consulting with practice leaders and other specialist staff to inform their case conceptualisation.

For Aboriginal and Torres Strait Islander infants, children and young people, consultation with a Principal Aboriginal Consultant or Aboriginal practitioner is recommended to inform an assessment that takes relevant account of strengths in the family and kinship network that can shape a family led response. Consultation with a Principal Aboriginal Consultant or Aboriginal practitioner can also assist in identifying culturally specific services (such as Aboriginal Community Controlled Organisations) that can be included as part of the ongoing intervention response.

For children and young people from culturally and linguistically diverse backgrounds, consultation with DCP Multicultural Services is also recommended to inform the case direction and provide advice regarding culturally appropriate interventions.

A regional disability consultant should be consulted to support an assessment of the appropriate case direction, where disability needs on the part of a child or young person or their parent, guardian or caregiver forms part of the identified concerns for a family.

Matters involving unborn child concerns or infants may benefit from consultation with a high risk infant worker, in addition to consultation with a PAC or Practice Leader, to inform appropriate interventions and ultimate case direction.

Consultations undertaken to inform case direction must be recorded in C3MS consistent with the requirements of the [Consult or Decision Record Procedure](#).



Partnership

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

It is recommended that the DCP case worker consult with a PAC to help identify and mitigate safety issues for the infant, child or young person. PACs and Aboriginal practitioners can hold important community knowledge and may have an understanding of the capacity of particular families inclusive of the broader family network.

Determine case direction

Decide whether the child or young person can safely remain at home

If it is assessed that the child or young person can safely remain in the home whilst an ongoing intervention is undertaken, consideration should be given to an ongoing intervention response that involves:

- referring for a Family Group Conference
- undertaking family preservation work
- securing immediate safety through the use of a safety plan.

See the [Refer for a family group conference](#) key step in this chapter of the Manual of Practice for information about the Family Group Conference process and the [Support family preservation with or without Court action](#) in this chapter of the Manual of Practice for information about family preservation work.

An assessment as to whether a child or young person can safely remain in the home must be informed by the [SDM® Safety Assessment](#), [SDM® Initial Risk Assessment](#) and the [DCP Assessment Framework for staff](#).



Refer to 'Undertake consultations to form case conceptualisation and decide case direction' above for guidance about relevant consultations that can assist in forming case direction.



Participation

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

Family Group Conferences are an important mechanism that enable a formal approach to family led decision making for Aboriginal and Torres Strait Islander families. Referral to FGC should be considered as an opportunity to bring the infant, child or young person's family network together to develop their own plans to address concerns. Refer to the [Family Led Decision Making for Aboriginal families Framework](#) for more information.



Prevention

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

Family preservation is comprised of activities that focus on supporting families to stay together. Prioritising family preservation with Aboriginal and Torres Strait Islander families is an important active effort towards Prevention. Prevention is about minimising the intrusiveness of child protection intervention and upholding the rights of Aboriginal and Torres Strait Islander infants, children and young people to grow up safely within their own family and community.

Decide whether the child or young person must be placed in care

If it is assessed that the risks posed to the child or young person place them at risk of harm/the child or young person is assessed to be unsafe, it may be necessary to remove the child or young person from their parents or guardians. An assessment as to the likelihood of safely reunifying the child or young person, within timeframes appropriate for the child or young person's needs, will then need to be undertaken.

The decision to place a child or young person in care must be based on a thorough, holistic assessment of risk and protective factors for the child or young person and their family. For further guidance about considerations for assessing safety and risk of harm, refer to the [DCP Assessment framework for staff](#). For guidance regarding undertaking an emergency removal, refer to 'Undertake an emergency removal of a child or young person (section 41)' in the [Exercise child protection officer powers \(including removal\)](#) key step of the Intake, investigation and assessment chapter of the Manual of Practice.

Before removing the child or young person, it is strongly recommended that the DCP child protection officer consult with a practice leader to explore potential alternatives to removal and make relevant considerations for the child or young person where a removal is planned to occur.

For Aboriginal and Torres Strait Islander infants, children and young people, consultation must take place with a Principal Aboriginal Consultant and a practice leader before exercising a power of removal unless the delay involved in consulting would prejudice the infant, child or young person's safety (this is a mandatory condition of the delegation). Before placing an Aboriginal or Torres Strait Islander infant, child or young person in care, in accordance with section 12 of the CYPs Act, the DCP case worker must, where reasonably practicable, consult with, and have regard to any submissions of, a recognised Aboriginal organisation (recognised organisation). Refer to the [Consult with a recognised organisation \(for Aboriginal children and young people\)](#) key step in the Place a child or young person in care chapter of the Manual of Practice for further guidance.



For families from a culturally and linguistically diverse background, consultation with DCP Multicultural Services should be considered to inform an accurate assessment and explore alternative supports.



Partnership

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

In circumstances where the DCP case worker assesses that it is not safe for the infant, child or young person to remain at home, consultation with a PAC is recommended for advice about how to map family, community and kinship networks for possible placements to preserve the child or young person's connections to family and culture and meet the Aboriginal and Torres Strait Islander Child Placement Principle placement hierarchy outlined at section 12(3)(a) of the CYPS Act.

Decide whether to pursue reunification or seek long-term guardianship

Family reunification is the planned process of safely reuniting a child or young person with their family after they have spent a period of time in care.

Pursuant to section 50(4) of the CYPS Act, if it is assessed that the removal of the child or young person is necessary to ensure their immediate safety and protect them from harm, the DCP case worker must consider the viability of reunification. The considerations for assessing reunification viability outlined in the [DCP Assessment Framework for staff](#) should be used to guide this assessment, particularly the sections outlining indicators and contraindications to reunification.

The process of family reunification can be supported by the use of either:

- a voluntary custody agreement (VCA)
- a short-term custody or guardianship order for the purpose of reunification.

The appropriate agreement or order to support family reunification will need to be assessed against the risk factors and protective factors identified for the family. Relevant consultations can support decision making for case direction. Refer to 'Undertake consultations to form case conceptualisation and decide case direction' above for more information.

For further guidance, refer to [Support family reunification with or without Youth Court action](#) and [Undertake family reunification](#) in this chapter of the Manual of Practice.



Prevention

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

Reunification supports parents, guardians and caregivers to build their capacity to safely resume the care of their children and young people. Reunification for Aboriginal and Torres Strait Islander families is an important active effort towards Prevention in upholding the rights of Aboriginal and Torres Strait Islander children and young people to grow up safely within their own family and community.

Document case conceptualisation and decision about case direction

The DCP case worker should document their assessment, case conceptualisation (that is current to that point in time), and decision about case direction in C3MS in accordance with the [Consult or decision record Procedure](#). For further guidance about case conceptualisation, refer to the [DCP Assessment framework for staff](#).



Develop the case plan

Once the case conceptualisation has been developed and the case direction determined, the DCP case worker should develop the case plan, selecting the appropriate case plan goal. For further guidance about the case planning and review cycle, refer to the [Case planning, review and annual review chapter](#) of the Manual of Practice.

2. Refer for a family group conference

Family group conferences (FGCs) provide children and young people, families, community members and DCP with a formal opportunity to enable family led decision making to achieve safety for the child or young person. FGCs are governed by sections 21-27 of the CYPS Act. Other opportunities (both informal and semi-formal) to implement family led decision making should be considered in relation to all significant decisions in case work with all families in all phases of child protection intervention.

Family led decision making is guided by the following principles:

- the safety of the child or young person is paramount
- families are experts in their own lives
- the views and feelings of children and young people are critical in any decision making about their safety, wellbeing and care
- family can be broadly defined and includes the child or young person, parents or guardians, extended family, significant friends, kinship networks, neighbours and community figures
- families, including extended family, kinship and community networks, have a pivotal role in the care and protection of children and young people
- families must be empowered to make informed decisions about what is best for their children and young people
- better outcomes are achieved for children and young people when families are involved in decision making processes
- children and young people's connection to their family, culture and religion is crucial to their wellbeing and development.

Family led decision making for Aboriginal and Torres Strait Islander families includes the above principles and in addition:

- Aboriginal and Torres Strait Islander infants, children and young people are best cared for in their family, kin and cultural networks
- supporting families and communities to stay together promotes healing and the protection of future generations
- family is a culturally defined concept and therefore who is included in the decision making process should be decided by Aboriginal and Torres Strait Islander families, children, young people and communities
- families should be enabled to have time together to make decisions without professionals present
- family engagement is strengths based and solution focused.

See the [Family Led Decision Making for Aboriginal families Framework](#) for more information.



Participation

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

FGCs are an important mechanism for enabling a formal approach to family led decision making. A referral for a FGC should be considered in every case for Aboriginal and Torres Strait Islander infants, children and young people (including pre-birth), as it is a valuable opportunity to bring the family network for the infant, child or young person together to develop their own plans to address the concerns. Consideration should also be given to facilitating other mechanisms for family led decision making, throughout DCPs involvement with the family. Refer to the [Family Led Decision Making for Aboriginal families Framework](#) for more information.

Consider referring the family to the FGC - Family Law Options Pilot

The FGC - Family Law Options Pilot (the Pilot) assists families who have an FGC Agreement to develop parenting plans and/or parenting orders under the *Family Law Act 1975*. The FGC Agreement and process is used to expedite the preparation of these family law documents.

For further information about parenting plans and parenting orders and the differences between the two, refer to the [FGC Family Law Options Pilot fact sheet](#).

During this Pilot, DCP will work with Relationship Australia South Australia's (RASA) Ngartuitya Family Group Conference team, and partner with the:

- RASA Family Dispute Resolution (FDR) team to assist families to create parenting plans, and
- Southern Community Justice Centre (SCJC), or
- Aboriginal Legal Rights Movement (ALRM) to create parenting orders.

Queries regarding the operation of the Pilot should be directed to:

PILOT KEY CONTACTS	
DCP	Family Group Conferencing Liaison Officer dcpfamilygroupconference@sa.gov.au
Relationships Australia South Australia (RASA)	Team Leader, Ngartuitya Family Group Conferencing nfgc@rasa.org.au

Consider when to make a referral

The family law process can be initiated at the following points in DCP's work with the family.

Referral point	Key considerations
Before (and instead of) FGC referral	When considering whether refer for an FGC (or after a referral has been made), the DCP case worker, in conjunction with the FGC Coordinator, may assess that the family does not need an FGC to formalise an informal care arrangement, and that a family law process is more suitable. This may occur if the child/ren are assessed to be safe in their informal care arrangement and the family agrees to all the details of the arrangement (on either a temporary or longer-term basis).



After an FGC or after a FGC review meeting	An FGC process may be beneficial to the family if: - the family requires further discussion and agreement about a informal care arrangement, or - the family would benefit from hearing the voice of the child or young person with regard to the informal care arrangement. In these circumstances a family law referral can be made after the FGC or FGC review meeting has occurred. In many circumstances submitting the family law referral after the FGC review is preferable as it gives the family an opportunity to see if the FGC Agreement itself will be enough to support the family. In some circumstances, for example due to high levels of conflict, it may be clear that a family law process will be beneficial prior to the review meeting. In these cases, a referral directly after the FGC may be recommended.
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For further guidance, refer to the [FGC - Family Law Options Pilot flowchart](#).

For each referral it is recommended the DCP case worker consult with one of the Family Law Pilot key contacts listed above as early as possible in their work with the family.

Early consultation (during the FGC preparation phase, or earlier, for example prior to the FGC referral being placed), can help to:

- ensure that the FGC process and the FGC Agreement covers matters that will need to be included in subsequent family law documents
- determine the best point of referral to the Pilot and the most appropriate referral pathway (for more details see 'Consider the most appropriate referral pathway' below).

An open DCP case is not necessary for a family to be referred to this pilot. In these circumstances, RASA will be the key contact point managing the referral process. However, it should be noted that with an open case DCP, there may be more options for collaboration between DCP and the SCJC/ALRM regarding the family court outcome.

For considerations around closing the case, either prior to or after the parenting plan/order being created, refer to 'Consider whether case closure is appropriate' in this key step.

If there is agreement at FGC around all details of the care arrangement, a parenting plan and/or parenting order can be created with the assistance of the FGC Agreement.

Parenting plans can be created in the following ways:

- by the parties themselves
- with the assistance of other professionals or friends (through providing informal input and/or suggestions, or assistance with writing the Plan), or
- by a registered Family Dispute Resolution Practitioner, this is a formal process conducted in accordance with the *Family Law Act 1975* (formal parenting plan). During this pilot, the RASA FDR team can assist with this method to generate a parenting plan.

Parenting orders however, due to being legally binding and enforceable documents, can only be prepared as part of this Pilot by the SCJC or ALRM.



If the family is unable to agree on some or all of the details of a care arrangement at FGC, the provider (RASA, SCJC and ALRM) will refer the family for mediation. This ensures that the family can agree on details to be set out in the parenting plan or parenting order.

There are two options for mediation depending on whether the family is working towards a parenting plan or a parenting order:

- RASA's Family Dispute Resolution (FDR) process (for parenting plans)
- RASA's legally-supported process which also involves ALRM or the SCJC (for parenting orders).

If mediation cannot facilitate agreement between all parties, the parties will need to explore other options in terms of accessing family court processes, by accessing further legal advice. These options are outside the scope of this Pilot.

Consider the most appropriate referral pathway

When deciding the most appropriate referral pathway, the DCP case worker should consider the following referral criteria. Noted that UCCs are not eligible for this Pilot.

Family law pathway	Service provider	Referral criteria	Locations serviced
Parenting plans (for family groups)	RASA FDR team	The DCP office and/or RASA have assessed that a family would benefit from further family law support under the <i>Family Law Act 1975</i>, and the following circumstances apply: • the child/ren and/or young people have a current (or previous) open case with DCP where DCP was involved in supporting a family care arrangement which has created safety without the need for Guardianship orders • all parties on the referral have provided informed consent to participate, and • there is agreement or some agreement between the parties regarding the details of the care arrangement (if agreement is still needed on some details, mediation may be needed as a first step).	All DCP locations for family groups
Parenting order (for one family member only)	SCJC/ALRM	The DCP office and/or RASA have assessed that a family would benefit from further family law support under the <i>Family Law Act 1975</i>, and the following circumstances apply: • the child/ren and/or young people have a current (or previous) open case with DCP where DCP was involved in supporting a family care arrangement which has created	For SCJC, the referring client must live within the SCJC catchment zone. Noted that this approximately corresponds to DCP's Southern and part of Central regions (offices



		safety without the need for Guardianship orders, - all parties on the referral have provided informed consent to participate, - there is some agreement between the parties regarding the details of the care arrangement (if all parties agree to the details of the care arrangement a discussion will be needed with the CLC/ARLM regarding suitability, it may be that a parenting plan is more suitable in this instance).	included are: Inner South, St Marys, Noarlunga, Mount Barker, Limestone Coast, Murraylands, and part of Riverland). To check a postcode and the relevant catchment area, refer to the Community Legal Centres (SA) Webpage. ALRM provides services state-wide.
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Submit the referral

Prepare the referral form and gain consent

One of the Pilot key contacts will be responsible for managing the referral process and submitting the referral form. The DCP case worker may be asked to assist with explaining the Pilot to the family and gaining consent. Alternatively the RASA FGC Coordinator may do this. The DCP case worker can use the [FGC – Family Law Options Pilot Fact Sheet](#) to provide the family with additional information about the Pilot.

The DCP case worker will also be asked to help the Pilot key contact prepare or check the referral form, to ensure the information provided is accurate. The DCP case worker should consult their supervisor on this step and ensure they have provided approval for the referral to proceed.

Submit a conflict check (for referrals to SCJC or ALRM)

A conflict of interest check must be completed by SCJC/ALRM before the referral can be submitted to either of these providers. To initiate the conflict check, one of the Pilot key contacts will submit the first two pages of the [FGC – Family Law Options pilot referral form](#) to SCJC/ALRM.

After the conflict check, it may be clear which family member should be chosen to be represented by SCJC/ALRM. If a conflict exists with one family member, another family member must be the appropriate referring client. If after the conflict check there are still multiple possible family members to be the referring client, the Pilot key contact will liaise with the relevant service provider to determine the most appropriate family member to be referred. The DCP case worker (or RASA FGC Coordinator) may be asked to assist with providing the family with the information about who is the referring client in the matter.

Submit the referral

A Pilot key contact will submit the referral to the RASA FDR team, ALRM or SCJC by emailing the [FGC – Family Law Options Pilot referral form](#) to the appropriate provider.

Advise the Court Services and Liaison Team of the referral

When DCP or RASA submits the referral for the FGC – Family Law Options Pilot, the Pilot key contacts will also notify the DCP Court Services and Liaison Team of the referral. The Court Services and Liaison Team may provide additional support during the family law process, particularly if DCP has closed, or is planning to close the CP case during the Pilot process.

After the referral

After the referral for the pilot has been placed, DCP's FGC Liaison Officer is responsible for:



- monitoring the progress of the referral
- contacting the DCP case worker if further assistance is needed, and
- providing an update on the progress of the referral to the DCP case worker, if required.

The timeframe for the family law process may be between three and six months, depending on factors such as whether mediation is required and the complexity of the mediation process.

The DCP case worker is asked to notify DCP's FGC Liaison Officer if they are intending to close the case during the Pilot period.

Legal representation and additional costs

There will be no cost to families participating in the Pilot and accessing services from RASA, SCJC and ALRM.

When parenting orders are being generated, this relates specifically to the client being referred under the Pilot.

SCJC, ALRM or a Pilot key contact may assist other parties to seek legal representation. In many cases there will be no cost to families for this representation, however services provided by Community Legal Centres not directly part of the Pilot may incur additional costs.

Assess the suitability of FGC for all families

Section 10(1)(d) of the CYPs Act requires DCP to consider making arrangements for the care of a child or young person by way of a FGC, where possible and appropriate.

FGCs do not displace the need for a robust and ongoing assessment of safety and risk. The DCP case worker is responsible for continuing to work with the family and undertake regular assessments of the child or young person's safety and risk of harm throughout the FGC process. FGCs must be used to achieve safety for the child or young person, and the needs of the child or young person must be the key focus throughout the FGC process.

For further guidance regarding assessing safety and risk of harm, refer to the [DCP Assessment framework for staff](#).

Consider a FGC for an Unborn Child Concern (UCC)

Unborn Child Concern (UCC) FGCs provide expectant parents and their family members with an opportunity to address child protection concerns prior to the birth of their infant, or for parents and their family to make decisions about care arrangements once the infant is born. UCC FGCs are available for Aboriginal and Torres Strait Islander families only.

A referral for UCC FGC should be made as early as possible during the pregnancy, to allow the family optimal time to lead decision making and action FGC meeting outcomes. It is recommended that where possible the Referral-In and FGC meeting occur prior to the birth of the unborn child. In circumstances where this is not possible, consideration should be given to implementing a safety plan, if appropriate, until the FGC can be convened. Once the FGC is convened, the FGC Agreement voids the safety plan.

The DCP case worker must consult with a supervisor before referring a UCC for a FGC to ensure safety and risk factors for the infant upon birth are considered. For further guidance, refer to the [DCP Assessment framework for staff](#) and the [Working with infants Practice Paper](#).



Prevention

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

Pre-birth intervention presents a critical opportunity for an active effort toward prevention for Aboriginal and Torres Strait Islander families. The practice of early engagement ensures families are advised of concerns raised in a timely manner and provides an opportunity to work together in a voluntary capacity until the infant is born.

Consider referral criteria

A referral may be made for a FGC where the DCP case worker has assessed that a FGC may support the safety of the unborn child, child or young person and the following circumstances all apply:

- there is an open case in either the Intake, Investigation and Assessment, Protective Intervention (family preservation), or Protection Order (short-term order of 12 months or less) phase
- it is suspected that an unborn child, child or young person is at risk of harm
- SDM® Safety and Risk assessments have been undertaken and the child or young person is safe or conditionally safe to remain in the home or placement for the intervention period, or the safety and risk factors that will be present upon birth have been identified (for an unborn child)
- DCP can clearly articulate the safety and risk factors to the family and the parents or guardians have demonstrated some insight into the child protection concerns and acknowledgement that the child or young person is unsafe, or the unborn child will be unsafe upon birth
- the parents or guardians are willing to work with DCP with the support of family, community and/or other agencies to address the child protection concerns.

When assessing whether to refer a family for a FGC the DCP case worker, in consultation with the supervisor, should also consider:

- outcomes of practice consultation with a practice leader and any recommendations made
- for Aboriginal and Torres Strait Islander families, the outcomes of cultural consultation with a PAC and any recommendations made
- for children and young people from culturally and linguistically diverse backgrounds, the outcomes of cultural consultation with DCP Multicultural Services and any recommendations made
- the child protection history for the child or young person and that of any other children or young people in the family (including details of any care and protection orders for siblings)
- whether family and kinship mapping has been undertaken and if extended family kin or community who can support the family in the FGC process have been identified
- any services currently supporting the family and whether any referrals can be made to engage services to support the family through the FGC process.



Prevention

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

Considering a FGC and taking steps to enable it to occur is an active effort towards prevention and moving Aboriginal and Torres Strait Islander families away from further child protection involvement. Seek cultural advice regarding engagement with families, recognise families as experts in their own lives and acknowledge the strength of culture through their family, kin and community network.

Discuss the FGC process with the family and obtain consent

The DCP case worker should explain the purpose and process of the FGC with the family. This should include a discussion about the child protection concerns identified by DCP and what the FGC process ahead will involve. The DCP case worker should also gain consent from the family at this time to proceed with the FGC process. If the family does not consent to a FGC, the DCP case worker should not proceed with the FGC referral process and instead consult with their supervisor to explore alternative options available to secure safety for the child or young person.

If the family are currently engaged with a service, the DCP case worker should discuss the FGC process with the service provider and consider conducting a joint discussion with the service to explain the FGC process. Written information about each FGC service provider should be given to the family and the opportunity provided for the family to contact the service provider and seek further information about the FGC process directly.

The available support network for Aboriginal and Torres Strait Islander families should be mapped in partnership with the family, to explore family, community and kin that may be able to assist the family's engagement in the FGC process. Timely consultation with a PAC or Aboriginal practitioner should be undertaken to assist in discussing the FGC process with Aboriginal and Torres Strait Islander families. The use of an interpreter or translator must be considered to support discussions. Refer to the [South Australian Aboriginal Languages Interpreters and Translators Guide](#) for more information.

The available support network for families from culturally and linguistically diverse backgrounds should be mapped to explore family and community members that may be able to assist the family's engagement in the FGC process. Consideration must be made for engaging an interpreter or translator for families where English is not their preferred language, to ensure the FGC process is properly explained and understood. For families from culturally and linguistically diverse backgrounds, it is recommended that DCP Multicultural Services are consulted to assist in explaining and engaging the family with the FGC process. Refer to the [Interpreting and translating procedure for people from a culturally and linguistically diverse \(CALD\) background](#) for more information.

Parents or guardians that have, or are suspected to have, a disability that may impact upon their understanding and engagement in the FGC process should be supported by their available networks, advocates and the DCP regional disability consultant. The DCP case worker, in discussion with the FGC coordinator, should discuss how to support a parent or guardian to understand the FGC process and to provide informed consent to participate in the FGC.



Partnership

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

Consult a DCP Principal Aboriginal Consultant (PAC) to provide cultural guidance about promoting engagement with a family in the FGC process and to ensure a cultural lens is applied to any identified strengths and safety concerns. Partnering with a PAC supports workers to overcome knowledge gaps and ensures the Aboriginal and Torres Strait Islander Child Placement Principle is honoured.

If the family indicates that they are unwilling to engage with a formal FGC process, other opportunities (both semi-formal and informal approaches) to implement family led decision making should be considered throughout case work.

Record the decision whether to proceed with FGC

The decision about whether to proceed with a FGC must be made in consultation with the supervisor and recorded in C3MS in accordance with the [Consult or Decision Record Procedure](#).

Determine the appropriate FGC service provider

Depending on the circumstances of the unborn child, child or young person, a referral for a FGC can be made to Relationships Australia South Australia (RASA), Aboriginal Family Support Services (AFSS) or the Courts Administration Authority (CAA).

Providing the family with options to choose their preferred FGC service provider is an important opportunity for a family to engage in self-determination within the FGC process. The appropriate FGC service provider should be determined, having regard to each service's referral eligibility criteria.

The DCP case worker may also contact the different service providers themselves to consider important factors such as the ability to hold the conference within a required timeframe.

Service Provider	Referral eligibility
AFSS	AFSS can accept a referral for a FGC for open cases involving Aboriginal and Torres Strait Islander infants, children and young people (including UCC's) with or without a short-term care and protection order in place. AFSS will not accept a referral for a FGC where an infant, child or young person is the subject of a long-term guardianship order. AFSS will accept referrals from all DCP offices (excluding APY lands). FGCs facilitated by AFSS have a particular focus on self-determination and empowerment for Aboriginal and Torres Strait Islander families and community members to identify strategies to keep their infants, children and young people safe with family and kin.
RASA (Ngartuitya Family Group Conferencing)	RASA can accept a referral for a FGC through their Ngartuitya Family Group Conferencing Program for open cases inclusive of all families, with or without a short-term care and protection order in place. RASA will not accept a referral for a FGC where a child or young person is the subject of a long-term guardianship order. RASA will accept referrals, including UCCs, from all offices. RASA focus on empowering all families to exercise self-determination by the use of family led decision making and restorative relationship practices, to ensure they



	address the child protection concerns to keep the child or young person safe in their family and community.
CAA	The CAA can receive referrals where the Chief Executive or Court <u>suspects</u> that the child or young person is at risk and arrangements need to be made. This includes for cases where a Court application is being prepared, including an application for a Long-term Guardianship (Specified Person) order. For further guidance about referring to CAA, refer to Make an application for care and protection orders in this chapter of the Manual of Practice.



Participation

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

To best support the participation of Aboriginal and Torres Strait Islander families in a FGC, family led decision making approaches should be used throughout the FGC process, such as ensuring the family are actively involved in leading decision making about preferred providers. An Aboriginal Community Controlled Organisation (ACCO) may have cultural and community knowledge that could assist the facilitation of family led decision making for Aboriginal and Torres Strait Islander families. It should not be assumed all Aboriginal and Torres Strait Islander families will choose to have an ACCO facilitate their FGC. The DCP case worker should collaborate with the family to understand their individual preferences for a FGC service provider.

Refer for a FGC

Develop bottom line for unborn children, children and young people's safety

The bottom line is a statement relating to the child or young person's safety that is communicated to the family by DCP at the beginning of the FGC process. The bottom line will indicate the safety and risk concerns that need to be addressed during the FGC process to ensure safety. The bottom line is a key part of the FGC referral and should be considered by the case worker and their supervisor at the beginning of the FGC process.

If there are any areas that are non-negotiable in order to establish safety (for example a child or young person not residing with a particular person), this must be included in the bottom line statement.

The bottom line should be focused on the child or young person's safety and state the child or young person's name if possible. The impact of the identified concerns on the child or young person's safety should be clearly articulated.

The bottom line should be as brief and clear as possible and avoid appearing overly prescriptive.

While the bottom line required to establish safety should be developed before a FGC, the specific actions a family will need to undertake to achieve this bottom line cannot be predetermined by DCP in advance of the FGC. The specific actions required to establish safety in accordance with DCP's bottom line must be developed by the family during the FGC.

The DCP case worker should develop a clear understanding of the child protection issues and how these issues impact on each of the children or young people within the family. Presenting the concerns in a clear and transparent way during the FGC process will assist the family to develop relevant goals as part of the FGC. DCP will normally outline the bottom line at the Referral-in meeting with the family and the FGC coordinator.



Some service providers may use the bottom line in conjunction with a purpose statement to guide decision making during the FGC process. The purpose statement is made by a family and articulates their hopes and goals for the FGC process.

A bottom line must:

- clearly articulate what is making the child or young person unsafe and/or what creates risk of future harm (or what will make the unborn child unsafe once born, what creates risk of future harm)
- be child-focused
- be a concise statement (no more than two sentences long)
- not pre-determine the specific actions a family will need to undertake to achieve the safety bottom line, as this will be developed by the family as part of the FGC.

Examples of a bottom line:

Baby Olivia needs to live in a safe home and not be exposed to substance use, domestic violence or unmanaged mental health, now and into the future.

David and Leon need a responsible, safe caregiver who is not drinking alcohol, or under the influence of alcohol whilst providing care for them and always meets their basic needs.

Toby and Megan need to live in a home that is clean and safe so that all their physical and emotional needs are met.

These are brief statements that are not directive about how the family will address the concerns. When the bottom line is discussed at the Referral-in meeting, the DCP case worker should ensure the impact of the identified harm, or risk of harm, on the child or young person is discussed. Considering the child or young person's present and future needs and using terminology such as 'now and into the future' can support the family to develop an enduring plan, rather than one that only addresses the immediate situation.

Prepare and submit a referral



Participation

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

Work to support optimal participation of Aboriginal and Torres Strait Islander families should start before the FGC. Building respectful relationships with Aboriginal and Torres Strait Islander families, and using strengths based approaches can support families to recognise the opportunity FGCs present to lead decision making for their unborn child, infant, child or young person and consent to the process. Refer to the [Strengths based practice Practice Paper](#) for more information.

The DCP case worker must complete the FGC referral using the referral form and email function in the 'Referrals' tab in C3MS. The DCP case worker must seek the supervisor's approval before submitting a referral. For assistance regarding how to complete the FGC referral, refer to the [C3MS Family Group Conference Instructions](#).

Once the referral is complete, the DCP case worker will send an email from within the referral page in C3MS to the FGC service provider. The referral document generated in C3MS must be attached to the email. Genograms, safety plans and other relevant documents must also be attached. For further information about sharing information, refer to the [Information gathering and sharing](#) chapter of the Manual of Practice.

The service provider is required to acknowledge receipt of the referral by email within one business day. The service provider may initiate a consult (usually via telephone) with the DCP case worker to clarify the child protection concerns and bottom lines. At this time the service provider will also discuss any factors that may impact the FGC process, such as family conflict, the presence of any DAIO's preventing contact between



family members or conflicting appointments that will need to be considered. Alternatively, these details may be further discussed and clarified at the Referral-in meeting (see below). The service provider is required to provide written notice of acceptance of the referral within two business days and advise that they have allocated a FGC coordinator (also known as a facilitator) to the referral.

Once the referral is accepted (or declined), the DCP case worker should document and close the referral in C3MS. If the referral is withdrawn by DCP later in the FGC process this should also be documented in C3MS using the 'withdrawn' tick box in the 'Referral' tab. A FGC referral may be declined as the assessment is considered incomplete by the FGC service provider, for example parenting capacity assessments are awaited or a SAPOL investigation is still pending.

Participate in the Referral-In meeting

After a FGC referral is accepted by a FGC service provider, the DCP case worker must schedule the Referral-in meeting. The Referral-in meeting is a chance for DCP to introduce the family to the FGC coordinator and to ensure the family has all the information they require to move into the preparation phase for the FGC. It is led by the FGC service provider, and is generally attended by the parents or guardians, the DCP case worker and the FGC coordinator. Possible locations for the meeting include the relevant DCP office, or the FGC service provider's office. It may be more appropriate for FGC meetings to be convened in a location that is independent of DCP for some families.

All costs associated with all FGC meetings should be covered by the FGC service provider, including any transport to the venue for family, costs associated with the meeting venue, food, and interpreters, if needed.

The Referral-in meeting should be used to discuss the identified safety and risk concerns and for DCP to present the safety bottom line to the family. The Referral-In meeting should be held within seven business days of the service provider accepting the FGC referral. DCP's support to hold the Referral-in meeting as soon as possible will enable the FGC meeting to be convened in a timely way.

The Referral-in meeting will involve:

1. An introduction of all people present
2. Discussion of the identified safety and risk concerns and DCP's bottom line to achieve safety for the child or young person
3. Time for the family to ask questions
4. Agreement from attending parties on dates for the FGC



Participation

Aboriginal and Torres Strait Islander Child Placement Principle (ACPP) active effort prompt

Enabling participation with Aboriginal families includes working with a focus on [Relationship Based Practice](#), [Strengths based practice](#) and cultural safety. Having a meeting format that respects and responds to Aboriginal family cultural preferences, such as a yarning circle, is an active effort towards participation and involvement of families to lead decision making for their unborn child, child or young person. Meetings that use a yarning circle format should be convened by appropriate facilitators and involve participants being seated in a circle (with no sides), inviting questions from all participants involved, and providing opportunities for the family to actively participate and ask questions.



For families from culturally and linguistically diverse backgrounds, it is important to have an understanding of cultural and familial hierarchy, gendered and culturally based norms and expectations, and how to communicate in a culturally safe manner.

The DCP case worker should create meetings for the Referral-in meeting, the FGC meeting and the Review meeting in C3MS. For further guidance about recording FGC activity in C3MS, refer to the [C3MS Family Group Conference Video Instructions](#).

The service provider will convene the FGC at the date agreed at the Referral-In meeting, which will be, where possible, no longer than eight weeks after the FGC referral. For UCC matters, the FGC meeting will be scheduled prior to the estimated birth due date.

Prepare for a FGC

Preparing families to participate in a FGC is critical to achieving successful outcomes. The DCP case worker, the FGC coordinator and other key agencies who are working with the child or young person and family all have a role to play during the FGC preparation phase so that a productive and useful FGC Agreement can be developed.

The DCP case worker should ensure the family are clear about the identified concerns. This will enable the family to prepare proposed actions to address the child protection concerns to be included in the FGC agreement prior to attending the FGC. The FGC is an opportunity for the family to then present their proposals and negotiate the details of their plan.

The DCP case worker should consider what supports will be required for the family to effectively engage in the FGC process and discuss this with the FGC coordinator in advance of the FGC meeting.



Participation

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

Communicating effectively with Aboriginal and Torres Strait Islander families is essential to ensuring they are well informed, prepared and feel in control during the FGC process. Effective communication also supports self-determination. It will assist in building a respectful relationship that allows families to feel confident to participate in the FGC. Useful strategies are:

- deep listening
- being mindful of non-verbal cues and body language and adjusting your style accordingly
- avoiding jargon and complex language
- giving families time to process and work through strategies together
- attending meetings with a PAC or Aboriginal practitioner, if possible.



Connection

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

Supporting the family to develop and implement their own plans is a strengths-based approach, and recognises the strengths of Aboriginal and Torres Strait Islander culture. Families should be given opportunities to problem solve together and explore how cultural connections can facilitate safety for the child or young person. The DCP case worker should empower families to utilise their positive connections to support them to make required changes.

Roles and responsibilities of DCP and the FGC coordinator - Summary

DCP case worker responsibilities	FGC coordinator responsibilities
- Undertake ongoing assessment and case management during the preparation stage to support the child or young person's safety and wellbeing. - Communicate regularly with the FGC provider about matters including how the family and child or young person's progress, family strengths and protective factors, and any new concerns that have arisen. - Ensure relevant and sufficient information has been provided to the FGC coordinator to assist the coordinator to prepare for the FGC. This is inclusive of cultural/religious background, and language and dialect spoken. - Work with FGC coordinator to prepare the child or young person, family and other participants for the FGC. - Continue to discuss child protection concerns and the 'bottom line(s)' with family and FGC coordinator.	- Contact parents or guardians and the unborn child, child and young person to scope family and friends to participate, ensuring relevant consents have been obtained. - Ensure a wide and inclusive group of family and friends are invited to the FGC. - Exclude any family members if necessary - where a family member is excluded from the conference, their views are sought in the preparation phase. - Negotiate with any services that the parents or guardians may wish to attend the FGC (for example, disability advocates or interpreters). - Speak with the family and child or young person (if appropriate) to discuss how they would like to participate in the meeting and have their views heard. - Identify and prepare a suitable advocate for the unborn child, child or young person, unless the FGC coordinator is satisfied that the child or young person has made an informed decision to waive their right to representation. - Create the right conditions to enable the child or young person's participation in the FGC by working with family and the child or young person advocate. - Ensure all participants are prepared to participate in the FGC, including understanding the purpose of the FGC, expectations and the bottom line(s). - Be aware of, and sensitive to, the cultural factors that can influence communication processes with Aboriginal families and families



	from culturally and linguistically diverse backgrounds. • Organise cultural representatives and interpreters for Aboriginal and CALD families, if required or considered appropriate by the FGC coordinator. • Organise time, date, and venue for the FGC in consultation with the family and DCP case worker. The FGC must be held at a time and place that is suitable for the child or young person and their parents or guardians. • Communicate with the DCP case worker about their efforts in speaking to family members, preparing them for the FGC and making arrangements for the time, place and date of the FGC.
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Identify who will participate in the FGC

The FGC coordinator is responsible for working in partnership with the child or young person, family and the DCP case worker to decide who will attend the FGC. This decision is based on whether the participation or attendance of a person is likely to make a useful contribution to the FGC.

Section 23 of the CYPS Act and regulation 6 of the *Children and Young People (Safety) Regulations 2017* (CYPS Regulations) prescribe that the following people are entitled to attend a FGC:

- the child or young person (noting that decision making about the child or young person's attendance will involve consideration of the impact on the child or young person of being exposed to information about their parents' or guardians' struggles and previous trauma, as well as the risk that issues are not discussed as deeply and openly as required due to the child or young person being present).
- the parents or guardians of the child or young person
- members of the unborn child, child or young person's family including extended family as well as potential family and kin carers
- a suitable person arranged (as far as reasonably practicable) by the FGC coordinator to act as an advocate for the unborn child, child or young person at the conference (unless the child or young person waives this right - refer below for more information about arranging a child or young person advocate for the child or young person)
- a person authorised by the Chief Executive under section 23(1)(f) (for example the DCP case worker)
- if persistent absenteeism from school is involved and:
 - the child or young person is enrolled in a Government school, an employee of the administrative unit of the Public Service assisting a Minister with the administration of the [Education and Children's Services Act 2019](#) nominated by the Chief Executive of that administrative unit; or
 - if the child or young person is enrolled at a non-Government school, a person nominated by the Principal of the school
- any persons who have a close association with the child or young person and who should, in the opinion of the FGC coordinator, attend the conference
- any other person (not being a legal practitioner) who the child or young person, or their parents or guardians, wish to support them at the conference and who, in the opinion of the FGC coordinator, would be of assistance in that role



- a person nominated by the FGC coordinator who has examined, assessed, counselled or treated the child or young person in the course of the investigation under the CYPS Act if an investigation into the child or young person's circumstances has been carried out
- if the unborn child, infant, child or young person is Aboriginal and Torres Strait Islander, a person nominated by an Aboriginal Community Controlled Organisation (ACCO) of a kind that is, in the opinion of the FGC coordinator, relevant to the subject of the conference
- any other person in the opinion of the FGC coordinator who has specialist knowledge, experience or other skills or authority that would be of assistance in relation to the FGC. This can include DCP Multicultural Services for unborn children, children or young people from culturally and linguistically diverse backgrounds.

The FGC coordinator may also exclude a person (including the child or young person) from attending a FGC if they are satisfied that to do so would be in the best interests of the child or young person, or if it would assist with the FGC process.

If the FGC coordinator does exclude a person, they must take reasonable steps to consult with the excluded person(s) and bring their views to the FGC.

DCP's representation at the FGC can include the DCP case worker only, or the DCP case worker and supervisor. The decision about who from DCP should participate in the FGC should be determined with the FGC coordinator and family prior to the meeting and should consider what will ensure DCP is able to agree to (or not) actions proposed by the family in order to create valid decisions at the FGC. If two DCP workers are attending, only one should negotiate the plan with the family members.

There is a standing authorisation in place under section 23(1)(f) of the CYPS Act for DCP workers in a variety of roles to attend FGCs. The list of authorised positions are detailed in the [Guide to authorisations and delegation of powers and functions – by legislative provision](#).

In addition, supervisors have delegated authority to authorise an individual employee who does not hold a listed position to attend a specific FGC at their discretion on a case by case basis. Supervisors can do this by completing the [Instrument of authorisation pursuant to section 23\(1\)\(f\)](#).

Arrange a child or young person advocate

Section 23(4)(c) of the CYPS Act requires that the FGC coordinator arrange for a suitable person to act as an advocate for the child or young person. This should happen in all cases, unless the FGC coordinator is satisfied that the child or young person has made an informed decision to decline this and waived their right to have an advocate. An unborn child should always have a child advocate. The advocate is responsible for articulating the wishes and feelings of the unborn child, child or young person and advocating for the best FGC outcome for the unborn child, child or young person.

The advocate must be a 'suitable person'. They do not have to be a legal practitioner or professional person, but they must be someone who is able to focus on and present the child or young person's perspective. An advocate could be:

- a family member
- a family friend or member of the child or young person's local community
- someone with cultural authority who knows the child or young person
- a relevant professional (for example a school teacher, health worker, counsellor, youth worker) who works with or knows the child or young person
- an independent professional advocate.



An advocate for the unborn child, child or young person in this context must not be a parent or guardian, or the unborn child, child or young person's DCP case worker, as both have a vested interest in the outcome and are mandated decision makers of the FGC Agreement.

Arrange financial support for participants to attend a FGC

The DCP case worker should consider whether the family will require financial assistance to implement the FGC Agreement. A FGC Agreement cannot include payments to any carer's determined during the FGC process.

DCP may provide financial assistance to families on a case by case basis if it is determined to be necessary to meet the unborn child, child or young person's care and protection needs. Negotiation and approval by the financial delegate must be undertaken in the preparation stage prior to the FGC (refer to the [DCP Financial Authorisation Register](#)).

If the child or young person has a National Disability Insurance Scheme (NDIS) plan, DCP should not pay for services which are funded through the NDIS. It is recommended that the DCP case worker consult with the DCP regional disability consultant for further advice.

Attend a FGC meeting

In accordance with section 24 of the CYPS Act, the FGC has three stages:

1. Information sharing

An Acknowledgement of Country will be undertaken prior to introductions. Participants introduce themselves and the FGC coordinator keeps the focus on the unborn child, child or young person while discussing the purpose, roles and responsibilities, and confidentiality provisions relevant to the FGC. The DCP case worker will present the child protection concerns and bottom line to the family as well as service providers so all participants understand what specific issues the plan needs to address (this may be a brief discussion as the concerns should have been discussed in detail at the Referral-In meeting). The nominated child advocate, or the child or young person themselves, will present their views. The family will have the opportunity to ask questions during this stage.

2. Family time

Family time is private time for the family to make decisions about what solutions they can provide within their own family and community to address the concerns raised (the bottom line). This is time for the family to have open, honest and robust discussion. During this time, families usually write down the strategies as a draft FGC Agreement. If requested by the family, the FGC coordinator may provide support regarding family time.

3. Agreement to the decisions

All participants re-join the meeting, and the proposed actions are presented by the family for discussion. The FGC Agreement must include what needs to be done and by whom to ensure the safety of the unborn child, child or young person.

The actions proposed by the family are negotiated and, where possible and will ensure the safety of the child or young person, agreement is reached by the participants. The FGC coordinator will facilitate the discussion to encourage productive conversation and participation.

The DCP case worker must ensure that the actions proposed by the family directly address the identified bottom line to achieve safety. To inform this decision, the DCP case worker may need to consult with their supervisor, request additional time to read the draft FGC Agreement and communicate to the FGC attendees when actions require further clarification or detail.



Pursuant to section 24(4)(c) of the CYPS Act, a FGC decision will only be 'valid' where the decision is agreed by:

- the child or young person
- both parents or guardians
- the Chief Executive (as represented by the DCP worker in attendance at the FGC).

The FGC decision can include agreements regarding:

- care arrangements
- cultural support and connections
- contact arrangements
- actions required by the DCP case worker, parents or guardians, other agencies and family members
- whether a review FGC meeting is required
- any other relevant decisions.

The FGC coordinator will prepare a FGC Agreement at the conclusion of the meeting to capture the decisions that were proposed, even if the FGC Agreement was not agreed to by all participants. Participants in agreement will sign and be provided with a copy of the FGC Agreement.

Not all FGCs will result in a FGC Agreement and sometimes a valid decision will not be reached. If there is no agreement or valid decision reached in the FGC, the conference may need to be reconvened or DCP may need to consider if other intervention is required to ensure the unborn child, child or young person's care and protection needs are met. Alternatively, a FGC Agreement may contain decisions that are not considered 'valid' for the purposes of the CYPS Act (for example when both parents refuse to sign the agreement) but may still improve the safety of the unborn child, child or young person. In these circumstances, DCP may still consider working with the family pursuant to the FGC Agreement.

Under section 27 of the CYPS Act, any discussions and statements made at a FGC are not admissible in any subsequent Youth Court proceedings, to ensure participants are comfortable sharing information during the FGC process. The FGC Agreement itself is admissible and must be attached to any subsequent Youth Court applications and recorded in the 'Family Group Conference' section in the child or young person's case plan, as well as under the 'plan' tab in C3MS. Refer to the [Case planning, review and annual review](#) chapter of the Manual of Practice and the [C3MS Family Group Conference Video Instructions](#) for further guidance.

Implement the FGC agreement

The FGC coordinator will ensure that all participants receive a copy of the FGC agreement on the day of the FGC, or at least within five business days.

The DCP case worker must upload the FGC Agreement to C3MS in the 'Plan' tab, selecting 'Family Group Conference' as the plan type.

For family preservation cases, the DCP case worker must record the decisions in the FGC Agreement in the child or young person's case plan.

For FGCs convened for UCC matters, a copy of the FGC Agreement will be shared with the intended birthing hospital and any involved infant support services by the DCP case worker, to ensure key stakeholders are aware of the agreed plan at, and following, birth.

Under section 26 of the CYPS Act, the Chief Executive will implement valid decisions made at a FGC. Key family members, with the assistance of DCP are responsible for implementing and monitoring all actions in the FGC Agreement. The FGC Agreement should guide DCP's work with the family, but sit alongside an ongoing assessment of the child or young person's safety in light of agreement. DCP's case conceptualisation



should be reconsidered where the FGC Agreement no longer provides adequate safety for the child or young person.

The DCP case worker is responsible for supporting the implementation of the FGC. Examples of implementation activities may include completing support letters or referrals for any other support services as articulated in the FGC Agreement (or as agreed at other meetings with the family), or providing practical assistance (for example, providing advice and feedback during a home visit).

In circumstances where a familial new allegation is made or other child protection concerns are identified, the DCP case worker should:

- address the concerns with the family
- discuss the concerns with the FGC coordinator and consider options for intervention (including, but not limited to, bringing the FGC review meeting date forward)
- undertake case consultation as required
- continue to re-assess and re-conceptualise the case as new information arises.

The DCP case worker may close the case following the FGC in situations where the FGC Agreement has been implemented, the safety concerns are resolved satisfactorily, and the risk factors are reduced. If case closure is planned, the DCP case worker must notify the FGC service provider. Further guidance about case closure is provided under the 'Consider a FGC review meeting, case closure or another ongoing intervention response' sub-step below.



Prevention

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

Maintaining partnership with a DCP Principal Aboriginal Consultant (PAC) through consultation following the birth of the infant supports culturally responsive practice with a focus on preventing and diverting Aboriginal and Torres Strait Islander families away from further child protection involvement.



Partnership

PAC consultation brings a cultural lens to identified strengths and safety concerns and supports positive engagement and collaboration with the family. This ensures that the family are actively involved in leading decisions about plans to keep the infant safe at home.

Consider attending the FGC review meeting, case closure or another ongoing intervention response

FGC review meeting

Under section 25 of the CYPS Act, a FGC review meeting may be convened to review the arrangements made at the FGC if:

- it is required by a valid decision made at the previous conference, or-
- two or more members of the child or young person's family who attended the previous conference request a review, or-
- at any other time the FGC coordinator thinks a further FGC is necessary or desirable.



In most circumstances, the FGC meeting will set a date for review within three months to consider the progress under the family's FGC Agreement. The review will be initiated by the FGC coordinator four weeks before the review date.

The FGC review meeting notes should be uploaded in C3MS under the 'Meetings' tab. Refer to the [C3MS Family Group Conference Video Instructions](#) for further guidance.

DCP's participation in the FGC review meeting may be useful to support the family's progress under the FGC agreement.

A decision to close a case prior to FGC review should be made on a case by case basis. For guidance about assessment considerations for case closure, refer to the 'Consider whether case closure is appropriate' section below.

Consider whether case closure is appropriate

Consider case closure criteria

Consideration should be given to closing the case either prior to the review meeting or following the review meeting if the following criteria are met:

- [SDM® Safety Assessment](#) outcome is safe or conditionally safe
- [SDM® Risk Reassessment](#) outcome is moderate or low
- actions in the FGC Agreement have been achieved
- the circumstances of the family have changed which indicate that the child or young person is no longer at risk of harm.

In circumstances where the case closure criteria are not met and the [SDM® Risk Reassessment](#) outcome remains high, an exception can be made to close the case with the manager's approval. When considering if case closure in these exceptional circumstances is appropriate, weight should be given to:

- the child or young person's current functioning, needs and level of vulnerability (based on factors including but not limited to their age, development, experiences of trauma, health or medical conditions and disability)
- the nature of the identified risks
- previous child protection history and cumulative harm
- the strengths and protective factors within the family
- the family's engagement with supports
- the likelihood of harm to the child or young person in the context of the family's current dynamics, functioning and capacity to respond to the child or young person's needs.

For further guidance about assessment of risk of harm, refer to the [DCP Assessment framework for staff](#).

Consult as required

For complex cases, it is recommended that the DCP case worker and supervisor consult with a practice leader.

The DCP case worker should consider consulting with a PAC for Aboriginal and Torres Strait Islander families to inform a case closure decision and link the family with culturally responsive support services, if required.

Consultation with the DCP Multicultural Services should also be considered to assist in informing a case closure and identifying future supports for a family from a culturally and linguistically diverse background.

Advise the FGC coordinator of the intention to close the case

Where case closure is assessed as appropriate, the DCP case worker should:



- notify FGC service provider of the intention to close the case
- provide the service provider with an update regarding the family's progress under the FGC agreement to enable them to convene the review
- arrange for the FGC service provider to provide DCP with a copy of the review meeting agreement (if they are not attending the meeting).

Close the case

If it is assessed that case closure is appropriate using the criteria in 'Consider case closure as part of regular case review and consultation', the DCP case worker should record the case closure in C3MS. Prior to closing a case, the DCP case worker must ensure that:

- all SDM® assessments are completed and approved
- service referrals and service provision are accurately recorded in C3MS (for further guidance, refer to [Referrals – C3MS Guide](#) and [C3MS Referrals Instructions](#))
- a case closure note has been forwarded to the supervisor for approval.

The supervisor will then consider the case closure note, and if supportive, approve closure and record an appropriate outcome code. The DCP case worker will receive a workflow advising that the case has been closed. For additional information refer to the [C3MS Guide: Closing a CP Case](#) and the [Outcome Codes Procedure](#).

Prepare the family for case closure

Where an assessment is made that case closure is appropriate and the relevant case closure tasks and consultations have been completed, the DCP case worker should discuss the intention to close the case with the family, FGC coordinator and other relevant parties. This conversation is an opportunity to discuss the family's current progress, their achievements to date, any remaining concerns the family or DCP case worker may have, and what supports they will require into the future.

In addition to the child or young person and their family and the FGC coordinator, the DCP case worker should consider advising relevant participants in the FGC process of the case closure. The family should be advised of any other stakeholders who are to be informed of case closure.

The amount of time that a family requires to prepare for eventual case closure may vary, depending on:

- their level of engagement with the FGC provider and any other services or supports
- the level of support they currently require
- their current progress in implementing the FGC Agreement.

Provide the family and relevant stakeholders with written notice of case closure

The DCP case worker should provide the family with written notice that DCP will no longer be involved with them at this time by completing the [Ongoing intervention case closure letter](#) template. Other relevant stakeholders (such as the FGC coordinator and any other family members who participated in the FGC) should be advised of the case closure decision by email or telephone. As part of the case closure letter, the DCP case worker should ensure that the family are advised of any other parties who have also been provided with written advice of case closure. The case closure letter should be signed by the supervisor and provided to the family.

The DCP case worker should record the date and time advice of case closure was provided to the family and other stakeholders and the mode of delivery using a case note in C3MS.

Refer to the [C3MS Guide: Closing a CP Case](#) for further guidance.



Pursue an alternative form of ongoing intervention

Where a family does not follow the FGC Agreement, or the safety and risk issues escalate, the DCP case worker should consider an alternative form of ongoing intervention, such as applying for Youth Court Orders, to achieve safety for the child or young person. Refer to [Continually assess, develop a case conceptualisation and decide case direction](#) and [Make an application for care and protection orders](#) in this chapter of the Manual of Practice for further information.

Existing Family Care Meeting arrangements

Prior to the introduction of FGCs under the CYPS Act, Family Care Meetings (FCM) were convened in accordance with sections 27 to 36 of the [Children's Protection Act 1993](#) (now repealed).

At the time the CYPS Act commenced, there were FCM agreements in place for a number of children and young people to place them in the long-term care of another person. These FCM agreements are subject to transitional arrangements under regulation 43(9) of the CYPS Regulations.

The transitional arrangements provide that any FCM agreements that were in place immediately before the commencement of the CYPS Act will remain valid until they:

- expire, or
- are superseded by another authority, or
- are reviewed and converted into a FGC Agreement.

If a FCM agreement is reviewed but the care arrangements for the child or young person remain unchanged, the FCM placement authority remains valid.

A FCM authority must not be used to source any foster, respite or other kinship placements, other than that stated in the FCM agreement.

If a FCM agreement is reviewed and the care arrangements change as a result of the FGC, the FCM placement authority will no longer be valid.

Case management is required for all children and young people placed under a long-term FCM agreement. The DCP case worker is responsible for all day to day case management tasks equivalent to children and young people placed under the Guardianship of the Chief Executive. This includes case planning requirements in accordance with section 28 of the CYPS Act.

3. Support family preservation with or without Youth Court action

Family preservation is intensive intervention undertaken in partnership with a family to ensure the child or young person's safety and reduce the risk that they will suffer harm in the future whilst the child or young person remains in the home.

While the case is open in family preservation, the DCP case worker must continuously monitor the safety of the child or young person and assess the efficacy of the intervention against the goal and planned outcomes of the child or young person's case plan. This process of monitoring and assessment should occur by undertaking:

- frequent home visits (at a minimum frequency as outlined by the [SDM® Risk Reassessment](#) tool)
- discussions with the child or young person
- discussions with the family
- obtaining information from services working with the child or young person and/or the family.

Throughout the family preservation process, the [DCP Assessment framework for staff](#) must be applied and relevant SDM® assessments must be completed to inform an ongoing consideration of safety and risk.



Family preservation work can be undertaken with or without the support of a Youth Court order, depending on the requirements of the case and assessment of safety and risk.

For family preservation cases, the [SDM® Risk Reassessment](#) tool must be completed once every two months. This assessment, used in conjunction with the [DCP Assessment framework for staff](#) and professional judgement, must be used to inform re-assessment, re-conceptualisation and case plan review.

Consider applying for a Youth Court ordered written undertaking (with supervision)

A written undertaking pursuant to section 53(1)(a) of the CYPS Act can be sought alongside an order of supervision to support family preservation work where the family may be better supported by the additional level of accountability provided via the Youth Court. For example, DCP may seek an undertaking that requires a parent or guardian to ensure that their child or young person receives medical treatment or attends school every day. A child or young person will remain in the home while an undertaking and order of supervision is in place.

Written undertakings with supervision can include a number of written undertakings to which each party must consent, requiring certain actions to be taken (or to be ceased) to address the identified risks.

Written undertakings with a supervision order may be appropriate where:

- an assessment is made that risk factors to the child or young person can be safely addressed while the child or young person remains in the family home as long as the parents or guardians do, or refrain from doing, certain tasks, actions or behaviours
- it is assessed that the parents or guardians may be more likely work with DCP to address the risks if written undertakings are in place
- DCP has assessed that the situation should be actively monitored via a written undertaking.

A written undertaking with supervision does not grant DCP any powers of custody or guardianship over the child or young person. During the orders, the DCP case worker must continually assess the safety and risk of future harm posed to the child or young person in the parents' or guardians' care. The DCP case worker must consider orders to secure custody or guardianship (including through a section 41 removal) if circumstances change and the risk of harm becomes unacceptably high.

A written undertaking with supervision cannot exceed 12 months (section 53(1), CYPS Act).

For guidance about making an application for a written undertaking, refer to the [Make an application for care and protection orders](#) key step in this chapter of the Manual of Practice.

Sight and engage the child or young person and their family

The DCP case worker must sight and engage with the child or young person and their family in their home regularly to make an accurate assessment of safety and risk. Refer to the [SDM® Initial Risk Assessment](#) or [SDM® Risk Reassessment](#).

During contact with the child or young person and their family in their home the DCP case worker must:

- monitor and assess the safety of the child or young person and any other children or young people in the home and the risk of harm
- assess the child or young person and family's needs and strengths
- identify support needs and establish a support team for the family including family members, friends, service providers, community supports, Elders and ACCOs (for Aboriginal and Torres Strait Islander families); and community and/or religious leaders
- work in partnership to develop, implement and review the case plan, ensuring that the child or young person's views are sought and reflected in the case plan



- work with the family to support them to undertake actions to achieve the outcomes identified in the case plan
- monitor and review supports provided to ensure they are meeting the family's needs and effectively addressing the child protection concerns
- monitor progress of actions within the case plan
- monitor and review safety plans, including considering whether a safety plan is required in response to new or additional child protection concerns
- investigate and assess any new child protection concerns.

When undertaking family preservation, the DCP case worker should in the first instance seek parents' and guardians' voluntary participation in undergoing assessments, engaging with support services and undertaking any actions required to address child protection concerns.

All referrals for services should be recorded in the Referrals tab in C3MS. For further guidance, refer to [Referrals – C3MS Guide](#) and [C3MS Referrals Instructions](#).

The DCP case worker should use the principles of relationship based practice to engage with families, and where necessary, to identify and address barriers to engagement. Refer to the [Relationship Based Practice Practice Paper](#) for further information.

In circumstances where the family avoids engagement with DCP (for example, repeatedly failing to attend appointments or refusing to allow the DCP case worker to enter the home), the DCP case worker must take reasonable steps to ascertain the child or young person's safety, re-assess and re-conceptualise the case, and if required, consider whether the case direction continues to be appropriate. For further guidance, refer to 'Respond to difficult-to-locate families' under [Conduct the investigation: Engage with and assess the family](#) key step in the Intake, investigation and assessment chapter of the Manual of Practice.

When working with Aboriginal and Torres Strait Islander families, the DCP case worker should discuss the use of Aboriginal Community Controlled Organisations (ACCOs) in the delivery of culturally responsive services. Consideration of the wider family, community and kin network in consultation with the family should be undertaken to identify people that may be able to offer additional support towards family preservation.

When working with families from culturally and linguistically diverse backgrounds, the DCP case worker should consider whether additional supports or alternative approaches are required to ensure that the family understands the purpose of interventions such as safety plans, assessments or referrals to services. The DCP case worker should consider the need for an interpreter or translator and consult with DCP Multicultural Services for advice about engaging with the family. Refer to the [Working with cultural diversity Practice Paper](#) for more information.



Participation

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

Family participation enables informed decisions to be made about the needs of the infant, child or young person. Encouraging family participation and creating opportunities for views to be expressed is best practice and assists the DCP case worker to develop genuine, respectful and supportive relationships with infants, children and young people, their families and communities. The DCP case worker should ensure their approach is consistent with relationship based practice to build strong relationships with Aboriginal and Torres Strait Islander families and achieve optimal outcomes for infants, children and young people. Refer to the [Relationship Based Practice Practice Paper](#) for more information.

To ensure the safety of children and young people and to monitor progress towards the goal of family preservation, the DCP case worker must maintain regular contact with children and young people, families, carers and services providers.



There are minimum contact levels for undertaking family preservation:

	Family preservation with no Youth Court action	Family preservation with Youth Court action (Written undertaking with DCP supervision)
Child or young person Face to face contact	<u>Moderate risk as per SDM® Risk Assessment or Reassessment:</u> Two contacts per month <u>High risk as per SDM® Risk Assessment or Reassessment:</u> Three contacts per month, including two in the home	Three per month
Parents or guardians and family Face to face contact	<u>Moderate risk as per SDM® Risk Assessment or Reassessment:</u> Two contacts per month <u>High risk as per SDM® Risk Assessment or Reassessment:</u> Three contacts per month, including two in the home	Three per month

Refer to the [SDM® Risk Assessment](#) and the [SDM® Risk Reassessment](#) for further information about contact requirements based on SDM® Risk Assessment outcomes.

Develop, implement and review the case plan

Based on their assessment and case conceptualisation, the DCP case worker must develop a case plan for the child or young person. Where the case plan goal is family preservation or reunification, the case plan must provide details of the specific outcomes that parents and guardians are working toward to address the child protection concerns, and ensure the child or young person's safety and reduce risk of harm, and the actions required to meet these outcomes.

The DCP case worker must prepare a case plan for all children and young people where the child or young person:

- remains in the home and there is an open family preservation case
- is subject to a FGC agreement and there is an open case
- is under the custody or guardianship of the Chief Executive (including Voluntary Custody Agreements).

The DCP case worker must review the case plan regularly to assess progress against the case plan goal and to inform case re-conceptualisation.



Participation

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

The Aboriginal Child Identity Support Tool (ACIST) is embedded in the case plan to respond appropriately to the needs and circumstances of Aboriginal and Torres Strait Islander infants, children and young people. It is recommended that the DCP case worker develop, review and update the case plan and the ACIST with the child, young person and family members to ensure families are enabled to participate in decision making.

Refer to the [Case planning, review and annual review chapter](#) in the Manual of Practice for further guidance about developing, implementing and reviewing the case plan.

Refer for intensive family services (IFS)

Families who present with multiple, complex needs and experience high or very high levels of risk may be referred to IFS. IFS work with families to improve the safety and wellbeing of children and young people to enable children and young people to remain at home safely with their family, community and culture.

Referral for IFS is appropriate where:

- investigation and assessment of the child protection concerns has concluded
- the substantiation decision(s) has been recorded
- the child or young person is not entering care
- DCP are seeking services to support the family to build parenting capacity and increase safety for the child or young person.

Where the above criteria are all met and the DCP case worker assesses that referral to IFS is required, the DCP case worker must:

- seek approval from their supervisor to refer to the Child and Family Support System Pathways Service (CFSS)
- speak with the family and gain their consent for a service request to be made of IFS via the CFSS Pathways Service
- complete the [CFSS Family Service Request Form](#)
- submit the CFSS Family Service Request Form by emailing the CFSS Pathways Service (dhssfscfsspathwaysservice@sa.gov.au) with the subject line: CFSS Family Service Request re *[insert surname of youngest child]* – *[insert C3MS ID of youngest child]*. The supervisor name and approval of the Service Request must also be noted within the email.

Once a referral is received, the service undertakes a screening and service matching process to match families to the IFS Providers (NGOs) and Safer Family Service programs, collectively known as IFS.

CFSS Pathways Service aim to process referrals within ten working days. To enquire about the status of the referral or provide additional information, the DCP case worker should contact the [CFSS Pathways Service](#).

Where the referral to IFS is undertaken as a Refer to State Authority, the DCP case worker will complete the [CFSS RSA Request Form](#). Refer to the [Child and Family Support System Pathways Service \(CFSS\) Requests flowchart](#) for further information.

Once the referral has been accepted, the DCP case worker should assess whether it is appropriate to proceed to case closure. For further guidance about assessment considerations and case closure criteria, refer to the 'Close the family preservation case or consider another form of ongoing intervention' section below.



Provide intensive support in family preservation cases

If the family is not being supported by IFS, the DCP case worker must undertake intensive support and intervention with the family. Intensive family support and intervention includes regularly visiting the family home to engage in discussions about addressing the child protection concerns.

When undertaking home visits and engaging with the family, the DCP case worker should:

- establish a positive working relationship with the family including the child or young person (for further guidance, refer to the [Relationship Based Practice Practice Paper](#))
- listen to, consider and meaningfully empathise with the family's perspective
- highlight successes and strengths in relation to case plan goals, outcomes and actions
- make ongoing assessments of the child or young person's safety and risk of harm via discussion and observation (in accordance with the [DCP Assessment framework for staff](#))
- observe and document the child or young person's interactions with their parents or guardians and other family members
- consider the family's cultural context and its impact on their engagement with DCP and other service providers
- seek further advice or support from a PAC or Aboriginal practitioner for Aboriginal and Torres Strait Islander families
- seek further advice or support from DCP Multicultural Services for families from culturally and linguistically diverse backgrounds
- consider any disability needs within the family and accommodations that should be made to properly explain the identified concerns, purpose of family preservation work and required outcomes to be achieved
- seek further advice or support from a regional disability consultant.



Identity

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

To ensure a strength based approach when working with Aboriginal and Torres Strait Islander families, the DCP case worker should recognise the strengths provided by the family's culture and identity. It is important to view Aboriginal and Torres Strait Islander families as being able and capable. Cultural consultation with a PAC will assist in the family's cultural knowledge, identity and sense of belonging being appropriately acknowledged and opportunities to build community connections and the family's resilience are identified. The child or young person's cultural identity must be accurately recorded in C3MS once confirmed with the family.

The DCP case worker may also work in partnership with the child or young person's parents or guardians to increase parenting skills and capacity by:





Where the concerns include domestic and family violence (DFV), the DCP case worker should also:

- undertake the Domestic Violence Risk Assessment and make a Family Safety Meeting referral if required (see the [Family Safety Framework and Family Safety Meetings Procedure](#) for more information)
- assist parents or guardians to understand the characteristics and impacts of DFV and to access supports to create safety and heal from trauma
- help those that perpetrate violence to understand how their behaviour impacts children, young people and others and encourage them to engage with services or supports that can assist them to address their use of violence.

Where other services are also working with the family (such as SA Housing Authority, Drug and Alcohol Services SA, Child and Family Health Service), the DCP case worker may undertake joint home visits as appropriate.

If in the course of family preservation work the DCP case worker needs to coordinate or provide transport refer to the [Transporting children and young people](#) key step in the Supporting children and young people chapter of the Manual of Practice.

Close the family preservation case or consider another form of ongoing intervention

Consider case closure as part of regular case review and consultation

As family preservation work with the family progresses, the DCP case worker should consider the appropriateness of case closure, in consultation with their supervisor.

Where case closure is assessed as appropriate, consideration should be given to when and how the child or young person, their family, and any other relevant stakeholders will be advised of plans to close the case.

In addition to the child or young person and their family, the DCP case worker should advise members of the child or young person's extended family, service providers and other community supports who may continue to work with the family following case closure. The family should be advised of any other stakeholders who will be informed of case closure.

The amount of time that a family requires to prepare for case closure may vary, depending on:

- their level of engagement with DCP
- the level of support they currently require
- their current progress toward the case plan goal.

Prepare the family for case closure

Where it is assessed as appropriate, the DCP case worker should begin discussions with the family and other relevant stakeholders about the possibility of case closure (pending a final assessment of the case closure criteria and, where appropriate, case closure consultation). This conversation is an opportunity to discuss the family's current progress, their achievements to date, and what supports they will require into the future.



Consider case closure criteria (and consult as required)

Family preservation cases can be closed when the:



For further guidance about assessment of risk of harm, refer to the [DCP Assessment framework for staff](#).

Close the case

If it is assessed that case closure is appropriate using the criteria in 'Consider case closure as part of regular case review and consultation', the DCP case worker should record the case closure in C3MS. Prior to closing a case, the DCP case worker must ensure that:

- all SDM® assessments are completed and approved
- service referrals and service provision are accurately recorded in C3MS
- a case closure note has been forwarded to the supervisor for approval.

The supervisor will review the case closure note, and if supportive, approve closure and record an appropriate outcome code. The DCP case worker will receive a workflow advising that the case has been closed. For additional information refer to the [C3MS Guide: Closing a CP Case](#) and the [Outcome Codes Procedure](#).

Provide the family and relevant stakeholders with written notice of case closure

The DCP case worker should provide the family with written notice of case closure by completing the [Ongoing intervention case closure letter](#) template. Other relevant stakeholders should be advised of the case closure decision by email or telephone. As part of the case closure letter, the DCP case worker should ensure



that the family are advised of any parties who have also been provided with advice of case closure. The case closure letter should be signed by the supervisor and provided to the family.

The DCP case worker should record the date and time advice of case closure was provided to the family and other stakeholders and the mode of delivery using a case note in C3MS.

4. Make an application for care and protection orders

Applying for a care and protection order with the Youth Court

Consider a FGC

The CYPS Act requires that in each case, if possible and appropriate, consideration should be given to making arrangements for the care of the child or young person by way of a FGC (pursuant to section 10(1)(d) of the CYPS Act).

The DCP case worker must give consideration as to whether the child or young person's safety can be achieved through a FGC before making an application for a Youth Court order.

The DCP case worker must document the outcome of the decision to refer to a FGC, or to proceed to Youth Court without one in the child or young person's case plan and in the report in support of the Youth Court application.

See [Refer for a family group conference](#) within this chapter of the Manual of Practice for the referral process for FGC's.

Conduct a reunification assessment

The DCP case worker must complete an initial reunification assessment before making an application for an order of custody or guardianship. Refer to the [Undertake family reunification](#) key step in this chapter of the Manual of Practice for further guidance.

The reunification assessment:

- must assess the likelihood of reunification occurring
- if reunification is likely, the period within which reunification is likely to occur.

The DCP case worker must document the outcome of the reunification assessment in the child or young person's case plan and in the report in support of the Youth Court application. The length of time necessary for reunification interventions to be successful must be clearly rationalised and justified. Refer to the [DCP Practice Approach](#) and [DCP Assessment framework for DCP staff](#) for further information.

Consult with a recognised organisation

Before placing an Aboriginal or Torres Strait Islander infant, child or young person in care, in accordance with section 12 of the CYPS Act, the DCP case worker must, where reasonably practicable, consult with, and have regard to any submissions of, a recognised Aboriginal organisation (recognised organisation).

The role of a recognised organisation is to provide informed and culturally sound advice regarding the best placement option for the child or young person.

Aboriginal Family Support Services (AFSS) and Kornar Winmil Yunti Aboriginal Corporation (KWY) have been declared by notice in the Government Gazette as recognised organisations for the purpose of this section.

Refer to the [Consult with a recognised organisation \(for Aboriginal children and young people\)](#) key step in the Place a child or young person in care chapter of the Manual of Practice for further guidance.



It is recommended that the DCP case worker consult with DCP Multicultural Services for guidance about placement arrangements for the children and young people from culturally and linguistically diverse communities. Refer to the [Culturally and linguistically diverse child placement Policy](#) for further guidance.

Consultations must be recorded in C3MS consistent with the requirements of the [Consult or Decision Record Procedure](#).

Prepare Youth Court documents and forward to the Crown Solicitor's Office within required timeframes

The DCP case worker must provide the documents in support of an application for a care and protection order to the CSO within the required timeframes to ensure they are able to be filed with the Youth Court and, if required, served on parties. These documents should be sent to the CSO child protection inbox (by emailing childprotection@sa.gov.au) prior to a CSO solicitor being allocated to a matter.

The DCP case worker must submit the following documents:

- [Crown Solicitor Instruction Letter](#) outlining the orders DCP are seeking
- [report in support of an application](#) providing evidence of DCP's assessment as to why the orders sought are required. The supervisor must review, approve and sign the report before it is sent to the CSO to allow the CSO to meet required Youth Court filing timeframes. Subsequent reports ([addendum reports](#)) may be provided to the Youth Court to provide an update about matters from the initial report
- case plan to inform the Youth Court of DCP's plans for the child or young person and their family should the orders sought be granted. Refer to the [Case planning, review and annual review chapter](#) in the Manual of Practice for further guidance about developing, implementing and reviewing the case plan
- the child or young person's birth certificate to verify their legal name and birth parents. A birth certificate must be included with the Youth Court application or requested if not yet within DCP's possession. Refer to the [Information gathering and sharing](#) chapter of the Manual of Practice for more guidance about requesting birth certificates and the [Support the child or young person to obtain proof of identity documents](#) key step of the Supporting children and young people in care chapter. Children and young people from culturally and linguistically diverse backgrounds (and in particular those with a refugee or asylum seeker experience born overseas) may not have birth certificates. In these cases, the child or young person's [Australian Convention Travel Document \(CTD\)](#) or [Certificate of Identity \(COI\)](#) should instead be obtained.
- any supporting documentation relevant to the application. This could include psychological reports, drug and alcohol assessments or reports from service providers engaged with the family. Consultation must occur with the allocated CSO solicitor if there is uncertainty about whether documents are relevant to file with the Youth Court.

Required timeframes for documents in support of care and protection orders

Type of application	Key timeframes for Youth Court	Timeframe for Youth Court documents to be provided to Crown Solicitor's Office (CSO)
Application made following a section 41 removal	Day of removal	The CSO must be informed as soon as possible following a removal (and at least on the day of the removal) to ensure a Court hearing can be secured within the required five day timeframes.



	Next business day following removal	The CSO instruction letter and approved Court report must be provided to the CSO the next business day following the removal. The report in support of an application must be reviewed, approved and signed by the supervisor before being submitted to the CSO. A further addendum report may be required to be filed prior to the first Court hearing to provide an update about how a matter has progressed since the initial Youth Court report was filed.
	Three clear business days before the first Youth Court hearing	The case plan, supporting documents and birth certificate must be filed three clear business days before the first Youth Court hearing in compliance with Youth Court Rule 11(5), so that all parties can be served within three business days in compliance with section 52(4) of the CYPS Act. Providing parties with the required service period supports them to engage legal representation at the first Youth Court hearing. The DCP case worker should encourage parties to seek legal representation as soon as a removal occurs (information for parents and guardians with contact details for relevant legal services is included at the end of the Section 41 removal of a child or young person notice template.)
Application made following a short-term order for the purpose of undertaking an assessment	14 days prior to the expiry of the assessment order	Where it is determined that a short-term order is required following an assessment order, a Youth Court application in support of the short-term order must be provided to the CSO at least 14 days prior to the expiry of the assessment order . The Youth Court application must include the CSO instruction letter, the approved report in support of the application and case plan.
Application made following another type of order (for example, an application for a long-term order following a short-term order for the purpose of pursuing reunification)	Four weeks prior to the expiry of the existing order	The CSO instruction letter, approved report in support of the application and case plan must be provided to CSO at least four weeks prior to expiry of the existing order .
Application for a long-term order following a referral out of Reunification Court	21 days prior to the next listed hearing date	The Reunification Court will set the next hearing for a matter that is being referred out of the Reunification Court stream. The amended CSO instruction letter and approved report in support of long-term orders must be provided to CSO 21 days prior to the next hearing date . The CSO will also require all addendum reports filed in



		Reunification Court to support an application for long-term orders.
Application planned, no previous orders currently in place	As soon as it is assessed that care and protection orders are required	The CSO instruction letter, approved report in support of the application and case plan to be provided to the CSO as soon as it has been assessed that care and protection orders are required as part of DCP's intervention response. The hearing will be held at least three clear business days after the application has been filed. It should be noted that the Chief Executive does not have custody or guardianship during this period.
Addendum Court report, updated case plans, new specialist reports	Three clear business days prior to next Youth Court hearing	All addendum reports, updated case plans and new specialist reports are required three clear business days prior to the next Youth Court hearing in compliance with Youth Court Rule 11(5).

Provide updates to the Youth Court and parties between hearings

Notable events and updates in a matter that arise between hearings should be detailed in addendum reports and provided to the CSO in a timely manner (and ideally three clear business days before the next hearing). Immediate updates can be provided to the CSO solicitor prior to a hearing.

The DCP case worker or supervisor must consult with the allocated CSO solicitor if any changes to case direction are being considered whilst a matter is proceeding through Youth Court. While the decision making authority sits with the supervisor, the CSO will advise if sufficient evidence exists to support an amended application.

The [addendum report template](#) must be used if an addendum report is required to be completed.

Serve sealed Youth Court documents

Youth Court documents are 'sealed' when they have been stamped by the Youth Court registry. The Youth Court seal signifies that the documents have been formally received by the Youth Court and will usually include the time and date listed by the Youth Court registry for the first hearing of the matter.

As sealed documents contain the details for the first hearing of a matter, it is vital that sealed copies of the Youth Court documents are served personally on all parties to the application to enable their attendance at Youth Court. **The DCP case worker must ensure that parties are served at least three business days before the hearing unless it is not reasonably practicable to serve a party.** Service days do not include the date the application is filed with the Youth Court, the day of the hearing, weekends or public holidays.

Under section 51 of the CYPS act, the following are parties to the proceedings:

- the applicant (DCP)
- the child or young person who is subject to the application
- each parent or guardian of the child or young person.



In accordance with section 52 of the CYPS Act, all parties to the proceedings must be served with a sealed copy of the Youth Court application.

Difficulties in serving a party

The DCP case worker must make reasonable efforts to locate and serve all parties. This includes:

- conducting a Centrelink search
- making enquiries at a last known address (including visiting the residence)
- discussing whereabouts with family or community
- conducting a Medicare search
- undertaking a search of the Electoral Commission roll.

When serving documents, the DCP case worker must not leave documents in the letterbox or under the door of the person being served.

The DCP case worker must document all efforts and attempts to locate and serve all parties prior to the first Youth Court hearing or as soon as possible after the first hearing in the case of emergency applications.

Consultation with the CSO should occur where there are issues in serving a party.

DCP may contract [Process Servers \(Australia\)](#) to serve the documents when a party to the proceedings is difficult to locate, or there may be safety issues. Process Servers are a private company that are able to locate and serve documents (and prepare affidavits of service) during and outside of business hours. Refer to the [Process Servers \(Australia\)](#) website for further guidance.

Where the DCP case worker anticipates that an order to dispense with service will need to be sought over a party, they should identify this in their [Crown Solicitor Instruction Letter](#). The solicitor will provide advice about dispensing with service or reducing the period between service and the time for the hearing of the application under section 52(5) of the CYPS Act.

Service upon the child or young person

Section 52 of the CYPS Act requires the application and supporting documents to be personally served on the child or young person who is the subject of the application if they are aged ten years or older. However, the Youth Court can dispense with service on any party, including the child or young person, for 'any proper reason.'

Due to the sensitive information contained within the Youth Court application and supporting documents, the DCP case worker should consider the appropriateness of the child or young person being provided with Youth Court documents and instruct the CSO to seek an order dispensing with service upon the child or young person if necessary.

Where the person being served the application is under the age of 18 years, wherever possible, personal service should be carried out in the presence of a person over 18 years of age (which may include their carer or another trusted person).

Complete an Affidavit of Service

The affidavit of service evidences that the sealed Youth Court documents were served on parties. If the DCP case worker or supervisor has served the documents on the parties, the DCP case worker or supervisor must swear or declare an affidavit of service and ensure the information in this document is accurate. A Justice of the Peace will witness an affidavit of service. The completed affidavit of service must be scanned, uploaded to C3MS and emailed to the CSO. A copy of an application must be endorsed with a notification of the place, date and time for the hearing of the application.



An affidavit of attempted service should be completed where a party is unable to be served. An affidavit of attempted service should detail the date and manner in which attempts have been made to serve a party.

The DCP case worker must use the [affidavit of service](#) template to evidence service, or amend the template to outline the attempts made to serve a party.

If a process server is used, the process server will prepare the affidavit of service, which will be provided to the DCP case worker to email to the CSO.

Support children and young people to participate in the Youth Court process

Assist the child or young person to attend a meeting with the child representative

Under section 62 of the CYPs Act, a child or young person who is subject to care and protection proceedings has the right to have their views presented to the Youth Court.

A solicitor known as the child representative acts as the solicitor for the child or young person in the Youth Court proceedings. Child representatives are usually employed or engaged by the Legal Services Commission. When representing the child or young person, it is the role of the child representative to test and examine the facts and assessments presented to the Youth Court by the parties in light of the instructions given or wishes expressed by the child or young person. The child representative has a duty to ensure that all matters relevant to the child or young person's wishes and instructions are before the Youth Court.

A child representative must be engaged for all care and protection matters, unless:

- the Youth Court is satisfied the child or young person has made an informed and independent decision not to be represented, or
- the application must be heard as a matter of urgency and a child representative is not available.

The DCP case worker must serve a copy of the Youth Court application on the Child Representative's Office (at the Youth Court) at the same time that the application is filed in the Youth Court.

Once the child representative is appointed, the DCP case worker will arrange for the child or young person to meet with them at their office. DCP staff should refer to the [Transporting children and young people](#) key step in the Supporting children and young people chapter of the Manual of Practice for guidance about coordinating or providing transport for a child or young person to a meeting with the child representative.

If the child or young person lives regionally, a country child representative may be appointed and may meet with the child or young person in their town. The meeting may occur at the child or young person's school or at their placement. Depending on the age of the child or young person, they may be interviewed over the telephone.

The role of the child representative is to explain to the child or young person, having regard to their age and circumstances:

- the nature of the proceedings
- the role of the child representative, including the limitations of their role
- the role of other parties, their legal representatives and the Judicial Officer
- the possible outcomes and consequences for the child or young person
- if the child or young person wishes to express their views to the Youth Court, how those views will be communicated and the impact these views may have on proceedings.

The child representative must act, as far as possible, in accordance with any instructions given by the child or young person. If the child or young person can only provide limited instructions, the child representative can supplement the child or young person's instructions using their own judgement and in accordance with their own view of the child or young person's best interests. The child representative will have to be clear with the



Youth Court when representing a view, they have formed themselves, based on an assessment of the child or young person's best interests.

Assist the child or young person to present evidence directly to the Youth Court

According to the CYPs Act, the child or young person must be given a reasonable opportunity to personally present their views to the Youth Court about their ongoing care and protection, unless the Youth Court is satisfied that the child or young person is not capable of presenting their views or if it would not be in their best interests to do so. To present their views to the Youth Court, the child or young person can make a request to talk directly with the Judge hearing their matter. In some cases, the Judge may also request to talk directly to the child or young person. To hear the child or young person's views, the Judge will usually meet privately with the child or young person in the Youth Court precinct.

Aboriginal and Torres Strait Islander infants, children and young people

Taking time to build trust with Aboriginal and Torres Strait Islander infants, children and young people is essential to supporting them to express their views and feel safe to participate in decision making throughout the Youth Court process. The DCP case worker must be aware of, and sensitive to, the cultural factors which can influence communication processes with Aboriginal and Torres Strait Islander infants, children and young people. The DCP case worker should consider consulting with a PAC or Aboriginal practitioner for further advice regarding supporting Aboriginal and Torres Strait Islander infants, children, young people and families to participate in Youth Court processes. For additional information refer to the [Aboriginal and Torres Strait Islander Child Placement Principle Practice Paper](#).

The DCP case worker should liaise with the child representative to discuss the infant, child or young person's cultural support plan and ensure that consideration is given to their connection to culture and the specific decision making requirements in the CYPs Act.

Children and young people from culturally and linguistically diverse backgrounds

The DCP case worker must consider differing cultural perspectives and beliefs when involving children and young people from culturally and linguistically diverse backgrounds in decision making throughout the Youth Court process. If English is not the child or young person's first language, additional time or a more flexible approach may be needed to support their participation. The need for an interpreter and/or translator should be communicated to the Child Representative's Office prior to any interviews occurring. For additional information refer to the [Working with cultural diversity Practice Paper](#).

Children and young people with additional needs

Children and young people's individual circumstances or needs (including developmental issues or disability) may impact their engagement in the Youth Court process. It is essential to develop an understanding of how these factors may impact the child or young person's capacity to understand information and express themselves. These children and young people may need additional time, assistance or a different or more flexible engagement method to support them. For example, children and young people who have disabilities that impact their capacity to engage verbally can be supported to express themselves through other non-verbal methods (that is, technology, drawing, use of pictures or writing).

The DCP case worker should seek advice from professionals (such as therapists and disability workers) to assist in understanding how to engage best with these children and young people. It may assist to partner with a therapist or disability worker to support the child or young person to express their views or participate in decision making.



Advise the Youth Court of supports required for the child or young person

The DCP case worker should advise the Youth Court if additional support is required for the child or young person to attend Youth Court hearings. This will enable the Youth Court to make appropriate arrangements for the child or young person.

Support parents or guardians to participate in the Youth Court process

The DCP case worker should ensure that parents or guardians are assisted and supported in reaching decisions and taking actions to promote their child or young person's safety and wellbeing and should be engaged throughout all stages of the Youth Court process. To ensure that parents or guardians can fully participate in the Youth Court process, the DCP case worker should actively engage with them prior to the commencement of the proceedings. This includes ensuring that parents or guardians are:

- provided with information in a language and by a method they can understand about the Youth Court process and why DCP is seeking Youth Court orders
- engaged in the preparation and given a copy of the child or young person's case plan
- given sufficient notice of any meetings proposed to be held and have an opportunity to involve people to support them to participate
- aware of Youth Court hearing dates, the Youth Court location and have a means to get to Youth Court
- served with the Youth Court application (including Youth Court report) in a timely manner in accordance with Youth Court rules (three clear business days).

The DCP case worker should encourage parents or guardians to obtain legal advice in advance of all hearings. Where possible, parents or guardians should be provided with the list of legal practitioners specialising in child protection matters to engage legal representation (contact the CSO for a copy of the list).

Legal aid may be available for eligible parents or guardians in child protection matters (refer to [Legal Services Commission](#) for more information). If legal aid is granted a private lawyer will be provided to act on behalf of the parents or guardians. The parent or guardian's lawyer is responsible for:

- providing their client with legal advice
- acting on their client's instructions
- advocating on behalf of their client.

The DCP case worker should inform unrepresented parents or guardians at the first Youth Court hearing that the matter is likely to be adjourned to enable them to engage legal representation.

Using interpreters in the Youth Court process

Parents and guardians have a right to understand and be understood in their communication with DCP and the Youth Court. The Youth Court must be advised if interpreting or translation services are required to support a parent or guardian to participate in proceedings. The Youth Court is responsible for making arrangements for any such interpreter or translator.

The DCP case worker should consult with the CSO when an interpreter is required for any proceedings before the Youth Court.

Aboriginal and Torres Strait Islander families

The DCP case worker must be aware of, and sensitive to, the cultural factors which can influence communication processes with Aboriginal parents and guardians during Court processes. PACs and Aboriginal practitioners can provide advice and assistance as required. If working with an Aboriginal or Torres Strait Islander person whose first language is not English, it is recommended the DCP case worker



seeks advice from the family and the relevant PAC or Aboriginal practitioner about communication needs and protocols. The DCP case worker may need to engage an interpreter or translator to ensure the family are able to communicate effectively. For additional information refer to the [South Australian Aboriginal Languages Interpreters and Translators Guide](#).

Families from culturally and linguistically diverse (CALD) backgrounds

The DCP case worker must consider the cultural perspectives and beliefs of parents or guardians from culturally and linguistically diverse backgrounds that may impact engagement and understanding throughout the Youth Court process. The DCP Multicultural Services team can provide advice and assistance as required to support a family to engage in the Youth Court process. If English is not a parent or guardian's first language the DCP case worker should use an interpreter to ensure that the family are able to communicate effectively. Additional time or a more flexible approach may be needed to support the participation of a family from a culturally and linguistically diverse background in the Youth Court processes. For interpreter and translating services refer to the [Interpreting and translating procedure for people from a culturally and linguistically diverse \(CALD\) background](#).

Parents or guardians with additional needs

It is essential that the DCP case worker considers how disability may impact a parent's or guardian's capacity to understand information presented by the DCP case worker or engage fully in the Youth Court process. Any need for support must be addressed at the earliest opportunity. The DCP case worker must ensure that information is communicated in a way that is accessible and adopt flexible engagement methods to support parents or guardians. This includes ensuring that information is provided in an easy to read format and creating opportunities to give information to parents or guardians face-to-face. Seeking advice from professionals (such as regional disability consultants) can assist in understanding how to engage best with a parent or guardian who has a disability. The DCP case worker may partner with a regional disability consultant to support the parent or guardian to participate in the Youth Court process.

The DCP case worker must consider whether a parent or guardian's special needs will impact their ability to attend Youth Court and whether DCP should arrange for assistance to be provided (for example, if a parent or guardian is unable to use public transport due to physical or mental health issues, or whether they need to travel with a support person). If the DCP case worker makes an assessment that a parent or guardian lacks the capacity to provide instructions to their legal representative, a litigation guardian may need to be appointed. The DCP case worker should advise the CSO of the potential need for a litigation guardian at the earliest opportunity. The solicitor from the CSO will bring this to the attention of the Youth Court.

Other specific circumstances

Parents or guardians who are incarcerated can be supported to attend Youth Court hearings by arranging an audio video link (AVL) with the Court registry. The DCP case worker must contact the allocated solicitor from the CSO as soon as possible to advise that a parent or guardian is incarcerated and the prison they are in, to enable the allocated solicitor from the CSO to make arrangements with the Youth Court for an AVL.

When a parent or guardian lives in a remote location, the DCP case worker must consider what assistance can be provided to assist the parent or guardian to participate in the Youth Court proceedings. Where possible, remotely located parents or guardians should be asked to attend their nearest Magistrates Court to be linked via AVL into the Youth Court proceedings. Where there is no Court accessible to a remotely located parent or guardian, the possibility of establishing a link from the local DCP office (if safe and appropriate to do so) or another government building should be explored in consultation with the CSO.

The Youth Court Rules disallow links being made to mobile telephones. However, this should be discussed with the allocated solicitor from the CSO if there are no other viable options for a remotely located parent or guardian to attend a Youth Court hearing.



Advise the Youth Court of supports required for the parents or guardians

The DCP case worker should advise the Youth Court if additional support is required for the parents or guardians to attend hearings. This will enable the Youth Court to make appropriate arrangements.

Attend the Youth Court hearings if required

The allocated solicitor from the CSO will request any further documents or information from the relevant DCP team prior to the first hearing. The CSO solicitor will advise if the DCP supervisor is required to attend the first or subsequent hearings to provide further instructions in person. The CSO solicitor may only require DCP attendance by telephone if they anticipate that the matter will be routine.

It is the responsibility of the DCP case worker to alert the CSO solicitor of any risks posed by a party that may attend the Youth Court. The CSO solicitor will then complete a [Risk assessment information form](#) and submit this to the Youth Court Registry prior to the hearing to ensure additional security arrangements are made where required.

Observe Youth Court etiquette

For DCP staff simply attending the Youth Court, the following points of etiquette should be observed:

- when arriving at the Youth Court, provide the Sheriff's Officer with their name, position and which hearing they are attending
- when the matter is 'called on', enter the Youth Court room and take a seat at the back of the room
- when the Judge or Magistrate enters, stand and bow, and, if entering the Youth Court room and the Judge or Magistrate is already present, bow as they enter
- when the Judge or Magistrate leaves the Youth Court, stand and bow, and, if they leave the Court room and the Judge or Magistrate remains, bow as they exit.

It is not appropriate for DCP staff to speak directly to the Judge or Magistrate unless a question is directed to the DCP staff member by the Judge or Magistrate. Questions will typically be directed to and answered by the allocated solicitor.

If the DCP staff member needs to inform the Youth Court of something, they should approach the solicitor as quietly and unobtrusively as possible (the Sheriff's Officer can assist), noting this should only happen if it is strictly necessary.

Attend trial if required

If a party to the proceedings does not consent to the orders sought, the matter may be adjourned to provide an opportunity for the parties to confer or it may need to be heard at an extended hearing known as a trial. Trials allow each party to present their evidence through documents and witnesses to enable the Judicial Officer (a Magistrate or Judge) to determine the orders that should be made.

Attend a pre-trial conference

A pre-trial conference is a hearing that provides a last attempt to resolve a matter before trial and narrows the issues in contention if a matter is to proceed to trial.

Supervisors must attend the Youth Court for a pre-trial conference. Consultation with the Crown Solicitor's Office should be undertaken to inform whether it is appropriate for a DCP case worker to attend a pre-trial conference, given they may be called to give evidence at trial.

The conference aims to:



- achieve an agreed resolution of the matter, if possible
- clearly identify the areas of agreement and the areas to be contested by the parties
- determine which witnesses and evidence are required to be called at the trial and how the trial will run.

The Judicial Officer hearing the pre-trial conference may speak to the parties regarding:

- perceived strengths and weaknesses of their case
- likely results of the trial based on the current evidence.

The Judge or Magistrate hearing the pre-trial conference will not be the Judicial Officer who hears the trial if the matter does proceed to trial.

Prepare for trial

The CSO will direct what is required from the DCP case worker to prepare for trial. Typically, the DCP case worker will need to be available to provide evidence and be cross-examined by other parties. The CSO may ask any prospective witnesses to attend an informal proofing to test the evidence the witness could provide. This involves:

- explaining Youth Court processes and protocols
- going through the evidence to be given
- discussing questions that may be asked.

Staff who have never appeared as a witness may request to observe another case to prepare. This can be arranged through the CSO.

When the supervisor (or nominated support staff member) is not available to accompany the DCP case worker to the Youth Court for a pre-trial conference or trial, support from a team member from the Court Services and Liaison team may be requested. The level of assistance depends on the specifics of each case, but the primary focus is to support the DCP case worker throughout the trial process. To request trial support, the DCP case worker should contact the Court Services and Liaison team (by emailing DCPCourtsInterfaceTeam@sa.gov.au).

A representative of the department must always be present throughout the trial unless otherwise directed by the Crown Solicitor's Office or the Youth Court. If the departmental instructor is required to give evidence, the Court Services and Liaison team can be contacted to act as the CSO instructor. Witnesses cannot be present in the Youth Court room prior to or after giving evidence in a trial.

Present evidence

As a witness, the DCP case worker cannot be present in the Youth Court room during the trial until it is their turn to give evidence. The DCP case worker must swear an oath or make an affirmation (the Sheriff's Officer will check the DCP case worker's preference prior to giving evidence).

The DCP case worker has a crucial role in giving the Youth Court a summary of the application and case plan for the child or young person.

When presenting evidence at the trial, the DCP case worker should:

- tell the truth
- remain calm and composed
- present evidence clearly, precisely and confidently
- give evidence in the first person singular
- listen to the questions carefully
- take the time necessary to answer any questions
- remain flexible and objective in respect to any questions put to them



- ask for any questions they do not understand to be repeated or re-phrased.

During cross examination, the representative for the parents or guardians or child or young person will ask the DCP case worker a number of questions to:

- evaluate the witness' evidence
- highlight inconsistencies in reasoning or material
- reveal gaps in knowledge or the absence of thoroughness.

The child or young person's representative may still choose to cross examine the Minister's witness even if they are supporting the application.

Action a Youth Court order

If the Youth Court grants final orders, the DCP case worker must undertake any required actions to give such orders effect. This might include commencing reunification efforts and assessments with the family, undertaking assessments, or making long-term care arrangements for the child or young person under guardianship.

Careful arrangements should be made to support an order granting the removal of the child or young person from being actioned. The family should be strongly discouraged from bringing the child or young person to the Youth Court precinct, and alternative arrangements such as having the child or young person cared for by a safe third party at the time of the Court hearings should instead be explored. DCP case workers must avoid undertaking removals in the Youth Court precinct wherever possible, and should instead make arrangements to collect the child or young person following any orders being granted from a safe location. DCP staff should refer to [Transporting children and young people](#) key step in the Supporting children and young people chapter of the Manual of Practice for guidance if they are required to coordinate or provide transport for the child or young person.

The allocated CSO solicitor must be notified as soon as possible where no arrangements can be made to avoid removing the child or young person from the care of their parents or guardians at the Youth Court.

5. Support family reunification with or without Youth Court action

Establish a voluntary custody agreement

A voluntary custody agreement (VCA) is a legal agreement between DCP and the parents or guardians of the child or young person. The agreement voluntarily gives custody of the child or young person to the Chief Executive. The requirements of a VCA are outlined at section 96 of the CYPs Act. A parent or guardian, or a young person themselves (if aged 16 or older) can approach DCP to discuss entering into a VCA. A VCA can be terminated at any time by any of the parties to the VCA, including by the parents or guardians.

A VCA is appropriate when it has been assessed that the identified child protection concerns can be addressed within three to six months, and the parents or guardians understand the child protection concerns and are willing and able to work towards addressing these on a voluntary basis. A VCA is not appropriate as a means to defer a likely Youth Court application.

The DCP case worker may consider entering into a VCA when all of the following conditions apply:

- there is no less intrusive response that is appropriate than to place the child or young person into care while safety and risk are addressed (for example, a FGC Agreement or safety plan)
- the parents or guardians and young person (if aged 16 years or older) have the capacity to provide informed consent to the VCA
- the risks posed to the child or young person are likely to be resolved within three to six months



- the parents or guardians of the child or young person understand the child protection concerns and agree to the VCA and are capable of working cooperatively with DCP and other service providers to achieve required change
- there are no family or community strategies that could be used to ensure safety as an alternative to placement into care under a VCA (for example, a FGC Agreement).

The following are contra-indicators for entering into a VCA:

- any of the above criteria are not met
- the child or young person has experienced sexual harm or sustained significant physical or psychological harm inflicted by their parents or guardians
- the child protection concerns are unlikely to be resolved within three to six months
- the parents or guardians lack insight into the child protection concerns
- the parents or guardians have demonstrated some uncertainty or ambivalence about entering into an agreement, including changing their mind or failing to engage or maintain contact with DCP
- prior to entering into an agreement, there is an intention to seek Youth Court orders.

The decision to enter into a VCA with a family and place the child or young person outside of the family home must be approved by a supervisor.

Refer to the [Guide to authorisations and delegations of powers and functions - by legislative provision](#) for details of the appropriate delegate for decisions relating to VCAs.

Establish a VCA

The DCP case worker must complete the [Consent to Voluntary Custody Agreement](#) form in partnership with the family. The DCP case worker must record the Authority in C3MS. Refer to the [C3MS Guide: Administrative Authorities – recording and ending](#).

Pursuant to section 96 of the CYPS Act, a single VCA cannot exceed three months and can only be extended with a subsequent VCA so that the VCA is in effect for a total period not exceeding six consecutive months.

It is preferable that the VCA be in place for less than three months where it is assessed that the identified risks are capable of being addressed by the family within a shorter duration.

Enter into a VCA with the parents or guardians

The DCP case worker must obtain the informed consent of both of the child or young person's parents or guardians, and the young person themselves if they are aged 16 years or older, unless:

- a particular parent or guardian cannot be located despite reasonable (documented) attempts
- a particular parent or guardian has failed to respond within a reasonable period of time to (documented) attempts to seek their consent to a VCA
- it is not reasonable, given all the circumstances of the case, to request a particular parent or guardian to enter into a VCA. The DCP case worker should consult with DCP Legal to discuss if 'reasonable' grounds exist to not seek the informed consent of both parents or guardians.

The DCP case worker must ensure that all parties are able to provide informed consent. This includes the ability of the young person if they are aged 16 years or older to understand the nature and purpose of the VCA and be capable of consenting to the VCA freely.

The DCP case worker must assess whether or not the parties are able to give informed consent. Consent must be recorded using the [Consent to Voluntary Custody Agreement form](#). If a party (including a young person aged 16 or over) cannot give informed consent, a VCA cannot be used.



To determine if a party is able to give consent, the DCP case worker must assess whether or not the party is able to:

- understand information relevant to the decision and the choices that exist
- retain information long enough to make a decision
- weigh up the consequences of the decision and understand how it affects them
- clearly communicate their decision.

It is recommended that the DCP case worker record any conversations or consultations relating to assessing informed consent, or deciding not to seek informed consent, in a C3MS case note.

Where a party presents with a significant mental health condition or intellectual impairment, it is recommended that the DCP case worker consult with the parties' treating specialists (if possible). Where a party has an intellectual disability, consultation should also be undertaken with a regional disability consultant to inform the best approach in considering if informed consent can be provided for a VCA.

The DCP case worker must give consideration to the following factors that may impact the capacity of a parent or guardian, or young person aged 16 years and over to provide informed consent:

- intellectual disability or deficits
- communication or language barriers
- limited literacy or education
- significantly under the influence of alcohol or other drugs (licit or illicit)
- significant mental health issues.

If a party has a support person, it is recommended that arrangements be made for them to be present during conversations about the VCA and when the DCP case worker seeks the party's consent.

While the consent of a child or young person under 16 years of age is not required, it is recommended that the DCP case worker discuss the VCA process with the child or young person if the DCP case worker assesses that they have a sufficient understanding of the consequences of the VCA and assesses that the consultation is in their best interests.

Where a parent or guardian is Aboriginal or Torres Strait Islander, support and consultation with a PAC or Aboriginal practitioner should be undertaken to obtain informed consent and ensure a family understand the implications of a VCA. Refer to the [Aboriginal Languages Interpreters and Translators Guide](#) for guidance about engaging Aboriginal and Torres Strait Islander language interpreting or translating services to support discussions where required.

Where a parent or guardian is from a culturally and linguistically diverse background (particularly if English is not their first language or where there are language barriers), the DCP case worker should consult with the DCP Multicultural Services team to ensure that VCA processes and expectations are fully understood by a family before proceeding. Refer to the [Interpreting and translating procedure for people from a culturally and linguistically diverse \(CALD\) background](#) for more information about using an interpreter or translator.

Develop and review the case plan

It is critical that while a VCA is in place, the child or young person has an approved case plan. The DCP case worker should ensure that the case plan is approved within five business days of the child or young person coming into care.

The case plan should clearly articulate how the child protection concerns will be addressed while the VCA is in place. Regular case plan reviews should also be undertaken as required to:

- assess progress toward planned actions
- review and monitor contact arrangements



- assess the effectiveness of planned actions in addressing the child protection concerns
- assess whether a VCA continues to be appropriate.

For further guidance, refer to the [Case planning, review and annual review chapter of the Manual of Practice](#).

Maintain regular contact with the child or young person and family during a VCA

To ensure the safety of children and young people and to monitor progress towards the case plan goal, the DCP case worker must maintain regular contact with the child or young person, families, carers and services providers.

There are minimum contact levels that apply for families whose children or young people are under a VCA. The DCP case worker must have, at a minimum, monthly face to face contact with both the child or young person and the parents or guardians in matters where a VCA is in force.

All home visits and contacts with the child or young person, family and service providers must be recorded in C3MS.

Refer to the [SDM® Risk Assessment](#) and the [SDM® Risk Reassessment](#) for further information about contact requirements based on SDM® Risk Assessment outcomes.

Undertake ongoing assessment of safety and risk to the child or young person

The DCP case worker must undertake a regular, holistic assessment of the child or young person's safety and risk of harm, informed by the [DCP Assessment framework for staff](#), their professional judgement, and the outcomes of regular SDM® assessments.

The DCP case worker, in consultation with their supervisor, can make the decision to end a VCA and reunify a child or young person into their parents or guardians care if they assess that:

- the safety threats have been resolved or the risk of harm has been reduced
- the child protection concerns have been addressed during the period of the VCA
- the child or young person will be safe without the VCA continuing
- the parties are agreeable to ending the VCA.

If the DCP case worker assesses that sufficient progress has not been made to ensure the child or young person is safe and the risk of harm has not been sufficiently reduced, they must give consideration to extending the VCA or pursuing another appropriate means of ongoing intervention (such as applying for care and protection orders).

Respond if consent to a VCA is withdrawn

If a parent or guardian, or young person aged 16 years and over, withdraws consent to a VCA the DCP case worker must complete a [SDM® Safety Assessment](#) immediately to determine what, if any, intervention response may be required to ensure the safety of the child or young person.

The DCP case worker must complete the [SDM® Safety Assessment](#) under the 'Assessments' tab in C3MS and workflow the assessment to the supervisor for approval.

The SDM® Safety Assessment, in conjunction with the [DCP Assessment framework for staff](#) and professional judgement, must be used to inform decision making about interventions, including safety planning or placement. This may include removing the child or young person pursuant to section 41 of the CYPS Act (refer to [Exercise child protection officer powers \(including removals\)](#) key step in the Intake, investigation and assessment chapter of the Manual of Practice for further guidance). Refer to the [SDM® Safety Assessment](#) for further information about completing the SDM® Safety Assessment.



Consultation with a practice leader can assist in exploring options to have parties re-engage with a VCA or pursue an appropriate alternative response.

Consultation with a PAC or Aboriginal practitioner is strongly recommended in supporting discussions with Aboriginal and Torres Strait Islander families as to why the family have withdrawn consent and how a VCA may be re-established, if required.

For children and young people from a culturally and linguistically diverse background, consultation with the DCP Multicultural Services team is strongly recommended to explore options with a family for re-engaging with a VCA or forming an alternative ongoing intervention response.

Seek short-term care and protection orders to pursue reunification

Where it is assessed that an order is required to keep the child or young person safe, the DCP case worker must consider all of the Youth Court orders available and determine which order/s are required to support the case direction. Youth Court orders may be required to secure the safety of the child or young person at any phase of a child protection response.

An application for a Youth Court order must meet the requirements of section 50 of the CYPS Act. An application for a Youth Court order must consider the individual needs of the child or young person and their family and be consistent with the determined case direction.

Where necessary, the DCP case worker and supervisor should consult with a practice leader regarding the type of order to apply for.

When considering Youth Court orders for Aboriginal and Torres Strait Islander infants, children and young people, consultation with a PAC should also be undertaken.

When considering Youth Court orders for children and young people from culturally and linguistically diverse backgrounds, consultation with DCP Multicultural Services is recommended to inform the assessment of safety and risk, and to consider alternative means for achieving safety for a child or young person outside of seeking a Youth Court order.

Refer to the [Guide to authorisations and delegations of powers and functions - by legislative provision](#) for details about the appropriate delegate for decisions relating to applications for care and protection orders.



Participation

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

Seeking a care and protection order for an Aboriginal or Torres Strait Islander infant, child or young person is a significant decision. Engage with and include the family and extended family in decision making focused on the need for an order, the order type and the proposed duration of the order. Consultation with a PAC is recommended to plan the approach and to reflect on whether the family's cultural information is recorded accurately and being appropriately considered as part of the decision.

When seeking a Youth Court order with custody or guardianship for an Aboriginal or Torres Strait Islander or child or young person, the DCP case worker must adhere to the [Aboriginal and Torres Strait Islander Child Placement Principle](#), including undertaking consultation with a recognised organisation. See the [Consult with a recognised organisation \(for Aboriginal children and young people\)](#) in the Place a child or young person key step of the Manual of Practice for more information.

Short-term custody or guardianship orders to pursue reunification

The DCP case worker should seek a short-term order to support reunification when they have undertaken a holistic assessment and determined:



- the child or young person is at risk
- an order is necessary to protect them
- reunification may be viable.

Reunification may be considered viable where:

- reunification can be achieved within six months for a child under the age of two years
- reunification can be achieved within 12 months for a child or young person over the age of two years.

Refer to the [SDM® Family Reunification Assessment](#) and the [DCP Assessment framework for staff](#) for further guidance.

This order may be made concurrently with other orders such as a written undertaking/s to seek specific actions be undertaken towards the reunification goals.

A short-term order in support of reunification should not exceed 12 months and must be supported by clear reunification outcomes in a reunification case plan. The DCP case worker must provide a strong rationale as to why a short-term order is required, and for the duration sought. Refer to the [Case Planning, review and annual review](#) chapter of the Manual of Practice for more information.

While other orders are possible under the CYPS Act, the following orders are most commonly sought to place a child or young person under short-term custody or guardianship:

- Short-term guardianship to the Chief Executive (pursuant to section 53(1)(e) of the CYPS Act)
- Short-term custody to the Chief Executive (pursuant to section 53(1)(j) of the CYPS Act).

Custody vs guardianship powers

Where it is assessed that orders are required to ensure the safety of the child or young person, a decision must be made as to whether an order of custody or guardianship is required.

An order of custody or guardianship can be sought on either a short-term (no longer than 12 months) or long-term (until the child or young person attains 18 years of age) basis.

A long-term order should almost always be accompanied by an order of guardianship, to reflect the decision making powers required to appropriately care for the child or young person for an extended period.

Custody and guardianship powers provide the Chief Executive with different responsibilities and decision making powers over the child or young person (pursuant to section 84 of the CYPS Act). An assessment must occur to determine what level of parental responsibility is required to appropriately ensure the child or young person's safety.

Custody orders

When the child or young person is placed under an order of custody, the parents or guardians remain legal guardians of the child or young person. This means the parents or guardians must be engaged to the fullest extent possible to seek their agreement when making decisions likely to have a significant or long-term impact on the child or young person's wellbeing and development. Where possible, all other day to day decisions made on behalf of the child or young person should also be undertaken in partnership with the parents or guardians.

Guardianship orders

When the child or young person is placed under an order of guardianship, the Chief Executive or a specified person becomes the legal guardian of the child or young person and can exercise most parental responsibilities, to the exclusion of all others. This includes making decisions on behalf of the child or young person that are capable of having an enduring or significant impact. Genuine efforts should be made to



engage parents or guardians in decision making and consider their views wherever possible despite the presence of a guardianship order. However, decision making responsibilities for the child or young person under guardianship ultimately lie with their guardian and do not require parental consent.



Participation

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

It is recommended that the DCP case worker maintain ongoing engagement with the family network of the Aboriginal and Torres Strait Islander infant, child or young person and ensure the inclusion of key family members in the care team. The [Family led decision making for Aboriginal families Framework](#) is critical to supporting Aboriginal and Torres Strait Islander infants, children and young people in care to grow up strong in their identity and culture.

Key considerations

When assessing whether a custody or guardianship order is appropriate for a matter, the DCP case worker must consider the following:

- the appropriateness of leaving decision making powers with family wherever possible
- the parent or guardian's capacity to work in partnership with DCP to make decisions on behalf of the child or young person
- the length of the order being pursued and the appropriateness of assuming responsibility for long-term decision making in light of this
- the circumstances or functioning of the parents or guardians, including any issues regarding their capacity or availability, that may impact their ability to adequately exercise parental responsibilities
- the ability of the parents or guardians to prioritise the needs and interests of the child or young person when exercising their parental responsibilities
- the need to work in genuine partnership with parents or guardians when making decisions on behalf of the child or young person wherever possible
- the nature and severity of the child protection concerns that have been identified
- any cultural considerations and the outcome of any cultural consultations undertaken to assist in forming case direction
- the outcome of any other consultations undertaken to inform case direction.

If required, the decision to pursue either an order of custody or guardianship should be determined through consultations with practice leaders, DCP psychologists, the care team, and where relevant with PACs and DCP Multicultural Services. Where a consultation with the Crown Solicitors Office (CSO) is necessary, a written referral is required. Refer to the [Make an application for care and protection order](#) key step in this chapter of the Manual of Practice for guidance about consulting the CSO.

Prior to any final order being granted by the Youth Court, an application can be amended to change the orders sought. This could include an amendment to seek a new order of custody or guardianship due to changing circumstances or new information being received. Consultation must occur with the CSO to discuss the feasibility of amending an existing application with the allocated CSO solicitor. All amended applications must be supported by a clear and strong rationale justifying the requirement for the amendment.

Written undertaking when sought with custody or guardianship

A written undertaking may be sought in addition to a short-term custody or guardianship order where a parent or guardian is unwilling to work with DCP to undergo an assessment or intervention on a voluntary basis and where they have not complied (or are unlikely to comply) with a Chief Executive direction.



The written undertaking requires the child or young person, or parent or guardian to do, or refrain from doing, specified tasks, actions or behaviours.

A written undertaking sought concurrently with a short-term custody or guardianship order is appropriate when:

- the parents or guardians will not take an action, or cease an action, on a voluntary basis
- the actions that must be taken by the parents or guardians are able to be clearly defined and understood by all parties
- the parents or guardians are likely to adhere to the undertakings.

The DCP case worker must monitor compliance with the written undertakings.

Refer to the [Make an application for care and protection order](#) key step in this chapter of the Manual of Practice for further information about making an application for a written undertaking order in partnership with the CSO.

Reunification Court

Reunification Court is a court process where the Adelaide Youth Court monitors reunification progress by convening regular court hearings (usually every six to eight weeks). Reunification Court hearings are somewhat less formal than other Care and Protection hearings held in the Adelaide Youth Court and discussions take place between all participants.

The participants involved in Reunification Court hearings are:

- the parties to proceedings (the parent/s or caregiver/s) being considered for reunification
- the child representative
- the DCP case worker
- the Judicial Officer.

The Reunification Court does not replace the support or intervention that would be generally made available to a family during a reunification intervention. The Reunification Court is primarily concerned with the making of interim orders and monitoring progress towards reunification (refer to [Undertake family reunification](#) in this chapter of the Manual of Practice for further information about reunification processes).

Reunification Court referrals

Care and Protection order applications that identify reunification as the goal of the case plan can be diverted to the Reunification Court. For a matter to be diverted to the Reunification Court, all parties must consent to both the granting of the Care and Protection order (namely the order in which reunification will be attempted) and the matter being referred to the Reunification Court. If the parties do not consent to the making of the Care and Protection order, the matter is not referred to the Reunification Court and typical court processes would apply (such as progressing to trial).

The [Crown Solicitor Instruction Letter](#) should indicate whether DCP considers that the matter may be appropriate for the Reunification Court. While DCP may consider that a matter is appropriate for the Reunification Court, the Judicial Officer is ultimately responsible for determining if the matter will be referred to the Reunification Court (with the consent of the parent or caregivers to the referral and making of interim short-term orders).

The Court Services and Liaison Team will contact the DCP supervisor and case worker when a child or young person's court matter is referred to the Reunification Court and offer support to understand and engage in



the process (as needed). The Crown Solicitor's Office and the parent or caregiver's legal representation (if legally represented) will cease their involvement upon a matter being referred to the Reunification Court.

Interim orders and critical Reunification Court processes

Interim Guardianship Orders are granted for the initial requested period requested by the department. Extension of orders is granted upon the request of the department with the consent of the parent or caregiver and the Judicial Officer. Reunification Court hearings are usually held every six to eight weeks. The DCP case worker and the parents should also meet regularly between meetings to discuss case plan goals and progress.

Reunification Court is conducted without legal representation to allow for direct discussions to be facilitated by the Judicial Officer with the child's representative, the DCP case worker and the parents or caregivers. Each Reunification Court hearing is allocated 30 minutes to enable a robust discussion. Separate hearings may be held for each parent or caregiver, depending on the circumstances of the case. Parents or caregivers who are not being considered for reunification are not included in Reunification Court hearings at the direction of the Judicial Officer. The communication of such processes is the responsibility of the DCP to the parents or caregivers.

During the initial Reunification Court hearing, the case plan goals will be negotiated and agreed between parties. An update of progress against these goals will be discussed at the subsequent Reunification Court hearings.

Prepare necessary Reunification Court documents within required timeframes

Prior to the initial Reunification Court hearing, the following actions are required:

- the DCP case worker prepares and sends a completed [Reunification Court Addendum](#) report and [case plan to Courts Services and Liaison Team six clear business days prior to the hearing](#)
- the Court Services and Liaison Team files the Court documents with the Adelaide Youth Court as soon as practicable
- the Court Services and Liaison team forwards the sealed documents to the DCP case worker via email for service on the parties
- the DCP case worker serves the relevant parents involved in the Reunification Court proceedings at least **three** clear service days before the hearing. Please note that an affidavit of service is not required.

Prepare Reunification Court documents for subsequent hearings within required timeframes

A Reunification Court Addendum report should be prepared in the required timeframes (as per the timeframes for the initial hearing above) before each Reunification Court hearing, and include updates regarding:

- the parent's or caregiver's progress towards reunification
- feedback from service providers working with the family
- updates or changes in case direction
- any other significant and relevant information regarding the child or young person and parents or caregivers.



The case plan must be updated to reflect any changes to the case plan goals or case direction. Updated case plans should be filed **six** clear working days and at least **three** clear working days prior to the next Reunification Court hearing. See the [Case planning, review and annual review](#) chapter of the Manual of Practice for more information regarding developing case plans.

The addendum report is the primary document required for all Reunification Court hearings and it is expected that supplementary information like drug test results, progress reports from support services can be summarised within the addendum report. Only significant parenting capacity assessments and Psychological/Psychiatric reports need to be filed with the addendum report.

Attend Reunification Court hearings

The DCP case worker who attends Reunification Court hearings should be prepared to discuss:

- progress toward the case plan goal
- feedback from support services working with the family
- the progress or outcome of any assessments, testing or interventions being undertaken with the family
- any challenges in progressing the case plan goals
- a rationale for any changes to the case plan, including case plan goals and contact determinations
- updates regarding the child or young person, including information about placement changes.

Support parents or guardians in Reunification Court Hearings

The DCP acknowledges that the Adelaide Youth Court can be a challenging environment for parents or caregivers, particularly Aboriginal and Torres Strait Islander people. The Reunification Court offers parents and caregivers and the opportunity to speak directly with a Judicial Officer regarding their progress towards their reunification. The Youth Court facilitates a specific Reunification Court listing for Aboriginal and Torres Strait Islander families, where the hearing commences with an Acknowledgement of Country, traditional artwork is displayed on the walls and an Aboriginal Youth Justice Officer is present to engage with families (providing they consent) prior to and during Reunification Court Hearings.

The DCP case worker should support the parents or caregivers involved in the Reunification Court process to understand the expectations and processes of Reunification Court. Information and resources can be located on the [Adelaide Youth Court website](#). Resources include:

- Reunification Court Frequently Asked Questions
- Reunification Court video
- Parent checklist to assist parents or guardians to prepare for Reunification Court hearings
- Reunification Court brochure in Pitjantjatjara

The Judicial Officer will introduce Reunification Court processes at the first hearing and is generally accommodating to parents or caregivers during hearings.

Upon request from the parents or caregivers, the Judicial Officer may allow support people for the parents or caregivers to attend Reunification Court hearings. Any concerns about the appropriateness of a support person being present in Reunification Court should be raised by the DCP case worker with the Judicial Officer.

The Court should be informed of any requests for attendance of support persons, social work students, interpreters, split hearings, AVL or phone links. The communication of such requests can be made via email to



the Courts Services and Liaison Team [DCP: Family and Youth Court Liaison](#) or telephone 8226 2961. Requests should be made two days in advance of the hearing.

For families who identify as being from a culturally and linguistically diverse (CALD) background, additional supports may be required. This includes, but is not limited to the use of interpreters, the use of cultural community members or advocates to assist parents or caregivers to navigate the Reunification Court process and adherence to cultural etiquette where feasible. Permission to attend can be requested from the Judicial Officer prior to the hearing. It is also important for DCP staff to provide a culturally safe and culturally sensitive service. To assist with this, consultation with DCP Multicultural Services is also recommended. Refer the [Working with cultural diversity Practice Paper](#) for further information.

Reunification Court hearing transcripts

The Court Services and Liaison Team will upload a copy of the Reunification Court hearing transcript to C3MS when it becomes available, generally within two to four weeks of the hearing. Where separate Court hearings are held, separate transcripts are sent to ensure confidentiality. Copies of transcripts can be provided to the parents or caregivers (upon request) involved in the Reunification Court but not to parents (or any other person) who are not involved in the Reunification Court process.

Implement and review the case plan and assess reunification progress

Matters before the Reunification Court require active implementation and review of the case plan including Aboriginal Cultural Identity Support Tool (for Aboriginal and Torres Strait Islander children and young people). Assessment regarding the viability of reunification should be guided by the DCP Assessment framework. Consultation can occur with practice leaders as required to assist in reviewing the case plan progress and undertaking an ongoing assessment of the viability of reunification. For Aboriginal and Torres Strait Islander families, consultation with a Principal Aboriginal Consultant should occur throughout the matter to assist in identifying further cultural, family and kin supports that may be available. The DCP Multicultural Services Team can be consulted to provide support when working with families from culturally and linguistically diverse backgrounds.

When reunification is not assessed to be viable

If during the Reunification Court process DCP assesses that reunification is no longer viable and a long-term Care and Protection Order is required, an application for a long-term order should be prepared and the matter referred out of Reunification Court.

To refer a matter out of Reunification Court the following steps are required:

- an Addendum report is submitted to the Reunification Court articulating the assessment rationale for long-term orders under section 'case direction'
- the Judicial Officer provides a hearing date in the Care and Protection listing (generally in four to six weeks)
- the Crown instruction letter seeking a long-term order, in addition to the report in [support of an application for care and protection orders, with](#) all of the Reunification Court Addendum reports attached must be submitted to the Crown Solicitor's Office at least four weeks prior to Youth Court hearing date
- refer to [Make an application for care and protection orders](#), in this chapter of the Manual of Practice for more information about long-term Care and Protection order applications. Hearings in the Youth Court regarding an application for long-term guardianship orders will involve legal representatives as per typical court processes.



When reunification proceeds

When reunification is assessed as viable and proceeds, the DCP case worker should consider what supports the child or young person and their family will require post reunification. The information should be provided to the Reunification Court in Addendum reports, included in case plans and discussed verbally in hearings. Refer to [Develop the case plan to support transition from care](#) key step in the Transition to adulthood chapter of the Manual of Practice for more information.

If extra time is required in Reunification Court to allow for reunification to be finalised, interim orders can be extended by the Judicial Officer with the consent of the parents or caregivers.

6. Undertake family reunification

Family reunification is the planned process of safely reuniting a child or young person with their family after a period in care. It is a complex process requiring continuous assessment and the provision of case work and other services to meet the child or young person's needs whilst also supporting parents or guardians to address the child protection concerns in a timely manner.

The viability of reunification must be assessed on a continual basis throughout the process. Decisions about reunification viability and progress must be underpinned by the [DCP Assessment framework for staff](#), the [SDM® Family Reunification Assessment](#) and professional judgement, and must be child centred. The SDM® Family Reunification Assessment must be completed every two months where at least one child or young person is in care under a formal authority pursuant to the CYPs Act (including VCAs) with a goal of reunification. The SDM® Family Reunification Assessment must be approved by the supervisor.

Family reunification processes must be timely. Decisions about reunification viability must be made **as soon as possible and within six months for infants who enter care before the age of two years and within 12 months for children and young people older than two years**. This ensures that very young children are provided with an opportunity to form attachment relationships with caregivers by achieving stability in their care arrangements as soon as possible. Timely decisions also minimise the impact of uncertainty on children and young people, their families and their carers. Concurrent planning is a key aspect of high quality reunification work. For further guidance, refer to the [Reunification for children and young people Practice Paper](#), [Attachment Practice Paper](#) and the [Permanency Planning Practice Paper](#).



Prevention

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

Prioritising reunification for Aboriginal and Torres Strait Islander families is an important active effort towards prevention, as it upholds the rights of Aboriginal and Torres Strait Islander infants, children and young people to grow up safely within their own family and community. Refer to the [Aboriginal and Torres Strait Islander Child Placement Principle Practice Paper](#) for more information.

The DCP case worker must engage with the child or young person, their family and service providers regularly to support their ongoing assessment and the associated interventions. The DCP case worker must have, at a minimum, monthly face to face contact with both the child or young person and the parents or guardians while undertaking family reunification work. Reunification work may include the DCP case worker providing services directly to the family and/or referring families to specialist reunification and other services, such as mental health, drug and alcohol, and domestic and family violence services. Refer to family reunification service providers for details about family reunification services and referral procedures.



The DCP case worker must ensure that the case plan is reviewed regularly to reflect the current assessment of the viability of reunification and goals related to reunification and concurrent planning. Regular case plan reviews are critical to the assessment of progress toward reunification and ensuring concurrent planning is progressing. For further guidance about case planning and review, refer to the [Case planning, review and annual review chapter](#) in the Manual of Practice.

Where orders of short-term custody or guardianship to the Chief Executive have been sought to pursue reunification, most matters will be referred to the Reunification Court. For further guidance refer to [Support family reunification with or without Youth Court action](#) in this chapter of the Manual of Practice.

Assess and respond to the child or young person's needs in the context of reunification

Children and young people's needs must be carefully considered in reunification work. The majority of children and young people who have been placed into care have experienced considerable trauma and may require a range of supports to begin to heal. The child or young person's functioning including any developmental delays, disabilities or psychological or medical conditions must be considered both in the context of their ability to cope with a reunification process and their parents' or guardians' ability to meet their needs post reunification.

An assessment of the child or young person's needs should consider:



For further guidance, refer to the [DCP Assessment framework for staff](#).

Concurrent planning

A key aspect of high quality and child centred reunification practice is concurrent planning.

Concurrent planning requires practitioners to simultaneously pursue reunification with parents or guardians whilst also making plans for alternative arrangements for children and young people's long-term care. Urgent scoping for kinship carers who are willing to care for the child or young person during (and post) the reunification process but also to provide long-term care in the event that this is necessary is a critical part of concurrent planning. For further guidance about scoping for kinship carers, refer to [Gather and assess information to identify placement pathways](#) in the Place a child or young person in care chapter of the Manual of Practice.



Consider the cultural needs of Aboriginal and Torres Strait Islander infants, children and young people

For Aboriginal and Torres Strait Islander infants, children and young people, the application of the Aboriginal and Torres Strait Islander Child Placement Principle must be considered and actively implemented from the start of intervention. During reunification, application of the Aboriginal and Torres Strait Islander Child Placement Principle includes, but is not limited to:

- providing the family with an opportunity to confirm the child or young person's cultural identity and seeking information about the infants, child or young person's cultural connections
- regularly revisiting and updating the infant, child or young person's genograms and ecomap in partnership with the family to map family, community and kin networks
- considering the family's views about potential placement options and contact arrangements
- supporting the active participation of family and kin in discussions about the family's strengths and support needs
- considering placement options that best support the infant, child or young person's meaningful connection to their family, community, culture and Country
- considering how members of the infant, child or young person's broader kinship and community network can support reunification efforts, including post-reunification support.

For further guidance about active efforts to implement the Aboriginal and Torres Strait Islander Child Placement Principle, refer to the [Aboriginal and Torres Strait Islander Child Placement Principle Practice Paper](#).

Plans to support the child or young person's connection to culture whilst in care must be recorded in the child or young person's ACIST as part of the case plan. For further guidance about cultural maintenance planning for Aboriginal and Torres Strait Islander infants, children and young people, refer to the [Develop the case plan](#) key step in the Case planning, review and annual review chapter and to [Identify and respond to the cultural needs of Aboriginal and Torres Strait Islander children and young people](#) in the Supporting children and young people in care chapter of the Manual of Practice.

Consider the cultural needs of children and young people from culturally and linguistically diverse backgrounds

The cultural needs of children and young people from culturally and linguistically diverse backgrounds must be considered throughout intervention. Placement decisions should be made in accordance with the [Culturally and linguistically diverse child placement Policy](#). For further guidance about cultural maintenance planning for children and young people from culturally and linguistically diverse backgrounds, refer to the [Develop the case plan](#) key step in the Case planning, review and annual review chapter and the [Identify and respond to the cultural needs of children and young people who are culturally and linguistically diverse \(CALD\)](#) key step in the Supporting children and young people in care chapter of the Manual of Practice.

Refer to family reunification service providers

Family reunification services are funded by DCP to support families to make the changes necessary for children and young people to be safely reunified.



Family reunification service providers

DCP funds family reunification service providers to ensure statewide service delivery across metropolitan and regional areas. Refer to the [Family Reunification Services Quick Reference Guide](#) for service provider locations and specialisations. For further information about each provider, please see below:

- [Aboriginal Family Support Services](#)
- [ac.care \(Anglican Community Care\)](#)
- [Anglicare SA](#)
- [Centacare \(Catholic Church Endowment Society\)](#)
- [Centacare Catholic Country SA](#)
- [Connecting Families](#)
- [Konar Winmil Yunti \(KWY\) Aboriginal Corporation](#)
- [Life Without Barriers](#)
- [Uniting Country SA](#)

The DCP case worker may refer a family to a family reunification service when their assessment indicates the potential for safe and permanent family reunification.

Referral can occur at varying points once the child or young person has entered care and may occur whilst the viability of reunification continues to be assessed. The DCP case worker should contact the service provider regarding the service's capacity and whether they have a preference for early referral prior to decisions about reunification viability or later when it has been assessed that reunification is viable. Progress towards achieving the goals outlined in the DCP referral (and case plan) will form part of DCP's assessment of reunification viability and the overall case direction.

Family reunification service providers are contractually obliged to provide, at a minimum, each of the following six types of therapeutic and practical support, tailored to the needs of the individual family:

Support type	Description	Examples of types of support provided
Therapeutic parenting intervention	To encourage parenting practices that keep children and young people emotionally and physically safe, by addressing issues such as: • Parents' or guardians' ability to provide emotional regulation, warmth and nurturance, remain focused on the child or young person's needs, respond sensitively and appropriately to their needs and cues (including those of pre-verbal infants) • parents' or guardians' own experiences of being parented, including any traumatic experiences • parents' or guardians' empathy for the child or young person and insight into their child's experiences in their care and placement in care • parents' or guardians' ability to understand and prioritise their child's needs above their own • parents' or guardians' sense of parenting confidence and competence	• Intensive therapeutic parenting sessions held with family for minimum of four to eight hours per week



	• parents' or guardians' ability to heal parent-child relationship ruptures (including those associated with child protection issues) • parents' or guardians' ability to provide the quality of care that will ameliorate the impact of trauma on the child or young person.	
Therapeutic parenting coaching and modelling	Therapeutically informed coaching and modelling during child-parent interaction (at contact visits and as the child or young person transitions to full-time care of a parent). Practitioners support parents or guardians to develop and enhance their parenting skills (such as emotion regulation or responding sensitively to the child or young person's cues) by modelling appropriate parenting practices and by providing in-the-moment coaching. Coaching includes positive instructive feedback and reflective questions.	• Therapeutic family contact sessions (one hour session plus 30 minutes pre and post contact to prepare and debrief with parent or guardian)
Practical skill development	Supporting parents or guardians to ensure a safe home environment where children and young people's needs are met.	• Modelling and supporting parents or guardians to develop cooking, cleaning, budgeting skills
Connecting parents with specialist services	Supporting parents or guardians to engage with any specialist services identified in the DCP case plan, in order to address issues which compromise their ability to keep the child or young person emotionally and physically safe (for example specialist alcohol and other drug misuse, mental health, domestic and family violence, NDIS services). It should be noted that additional issues and needs may emerge during intervention.	• Supporting parents or guardians to work through barriers to attending sessions with their mental health practitioner
Linking parents to material support	Supporting parents or guardians to access material support to stabilise the family environment, as identified in the DCP case plan (for example appropriate housing, household items, financial counselling, Centrelink, NDIS).	• Supporting parents or guardians to access financial counselling or explore government payment entitlements
Connecting parents with community supports	Connecting parents or guardians with appropriate community supports to increase positive social connection (including natural supports outside the service delivery landscape).	• Supporting parents or guardians to join community centre activities, sporting groups, playgroups

Other service provider responsibilities include:

Service	Service provider responsibility
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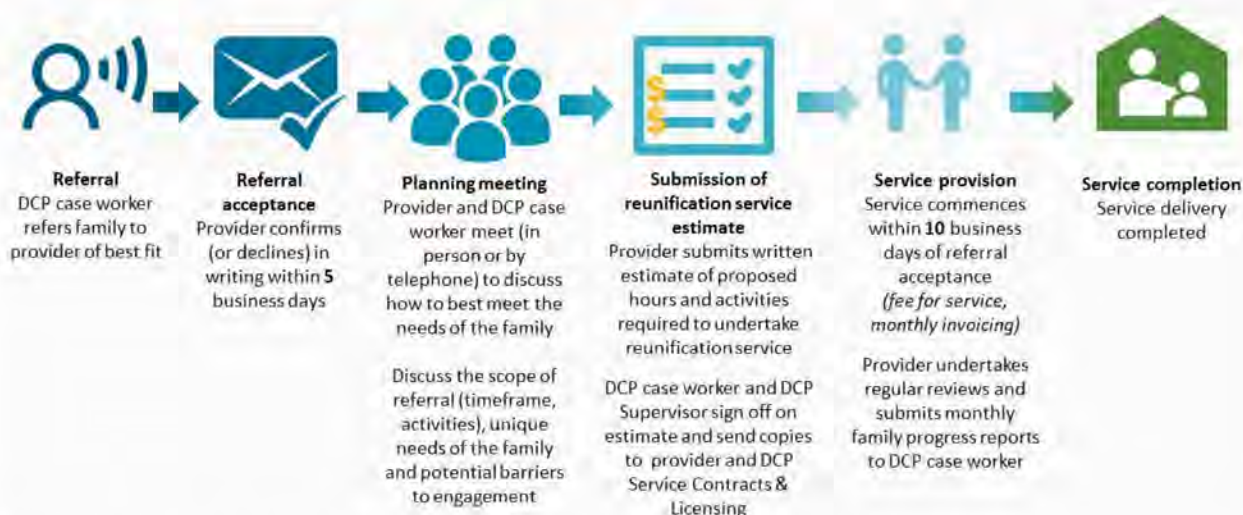


Progress reports detailing evidence of continual assessment	Providers are required to record their assessment of the following (on a monthly basis): • The parent's or guardian's progress towards parent change goals identified in the DCP referral • the parent's or guardian's progress towards safety and risk factors being addressed (including physical and mental health, alcohol and other drug use, self-harm, risk taking behaviours, domestic and family violence) • parenting skills and knowledge including ability to meet the child or young person's physical and emotional needs and ability to manage behaviour appropriately • quality of parent-child interactions (including the parent's or guardian's ability to identify and respond to the child or young person's needs and cues, including those of pre-verbal infants) • child or young person's wellbeing and developmental progress • family functioning (including basic care and routines, safety and boundaries).
Evidence at Youth Court hearings	Providers must ensure family reunification staff are able and willing to give evidence in Youth Court hearings of their observations of family progress should their evidence be required.
Hours and location of service delivery	Emphasis should be placed on the provision of face to face services, predominantly in the parent or guardian's home, in community, at contact visits (including supervised at DCP offices) or wherever else best meets the needs of the parent or guardian. The core hours of reunification services are 7am to 7pm Monday to Friday. Reunification services may provide on-call and after-hours arrangements to respond to escalation and crisis and to undertake parent coaching during child-parent contact occurring outside business hours, including on weekends.

The process for engaging with reunification service providers is as follows:



FAMILY REUNIFICATION SERVICE PROCESS



Prepare and submit a referral for family reunification services

The DCP case worker will identify the appropriate service provider. When determining the suitability of a service provider, the DCP case worker will consider cultural issues and other factors such as the family's location and preferences, and any goals for intervention that have already been identified. Refer to the [Family Reunification Service Quick Reference Guide](#) for a list of providers with location and specialisations.

Consideration should be made for engaging a family reunification service that is culturally responsive for Aboriginal and Torres Strait Islander families, such as an Aboriginal Community Controlled Organisation. Discussion with the family should occur to determine the appropriate service provider in partnership.

The DCP case worker must also contact the service provider to confirm the suitability of the referral and the provider's capacity to assist before submitting a referral.

The DCP case worker must complete the [Reunification referral form](#). All referrals require supervisor approval and must be submitted through C3MS. The DCP case worker will also provide a copy of the child or young person's DCP case plan and any other documentation relevant to the referral. For further guidance about recording a referral in the Referrals tab in C3MS, refer to [Referrals – C3MS Guide](#) and [C3MS Referrals Instructions](#).

Once the referral is complete an email will be generated from C3MS to the service provider.

The service provider will communicate acceptance of the referral to the DCP case worker within five business days.

The service provider will arrange a planning meeting with the DCP case worker to discuss how to best meet the needs of the family. The planning meeting is an opportunity to discuss the scope of the referral (including timeframes and activities to be undertaken), the unique needs of the family and potential barriers to family engagement.

The service provider will submit a written estimate of hours and activities required to provide the reunification service for a period of up to six months. Follow up estimates will be necessary if the reunification case continues. The estimate is developed based on information available to date and discussions held at the planning meeting. The estimate must include an itemised list of the proposed activities (such as direct service



delivery or travel time) and the estimated hours for each activity required to carry out the reunification intervention. For further guidance, refer to the [Reunification Service Estimate template](#).

The DCP case worker will review the estimate to ensure the proposed activities align with the identified needs of the family. The DCP case worker should sign the estimate before undertaking a final review with the supervisor and obtaining supervisor endorsement (noting that all costs are approved and managed by DCP Contracts and Licensing).

Once the estimate is endorsed, the DCP case worker will scan and upload the signed estimate in C3MS and then email a copy to both the service provider and DCP Service Contracts and Licensing (by emailing DCPContractsData@sa.gov.au) within one business day to enable timely service delivery. The DCP case worker must retain the hard copy of the signed estimate on the child or young person's physical file.

Work with the service provider

The service provider will commence reunification services within ten business days of accepting the referral. The DCP case worker will be involved in initial meeting(s) with the family to introduce service provider staff and establish relationships, roles and responsibilities, and the process for reviewing progress.

Service provider staff are expected to attend all DCP review meetings, submit monthly family progress reports and liaise with the DCP case worker and other services supporting the family.

The service provider will issue monthly invoices, in arrears, to DCP Service Contract and Licensing who will validate the invoices against the original estimate and approve payment. Additional estimates must be provided to the DCP case worker by the provider if the family requires additional service or where the length of service engagement needs to be extended beyond the original estimate.

See 'Work with service providers' under the Provide case management services to support the reunification step below for more information.

Service completion

Reunification service delivery by the reunification service provider will be considered complete once the DCP case worker assesses the family as no longer requiring services due to agreed goals set for the family being met, or in the event the provider is unable to provide further assistance (for example, they are unable to engage the family in proposed activities). The provider will be asked to submit a written closure report to the DCP case worker.

For further information or assistance, the DCP case worker should contact the DCP Program Manager (Family Support Services) by emailing DCPFamilySupportServices@sa.gov.au.



Consider a referral to Newpin (New Parent and Infant Network) program

The Newpin program, delivered by Uniting Communities, is an intensive, therapeutic centre based program that provides reunification support services to families who meet the eligibility criteria.

The DCP case worker may refer a family to a family reunification service when their assessment indicates the potential for safe and permanent family reunification. Referral to the Newpin program can occur at varying points once the child or young person has entered care and may occur whilst the viability of reunification continues to be assessed.

Eligibility criteria for the program is for families who at the point of referral have a child aged six years or under who:

- are in care on a short-term order
- have had reunification identified as a potentially viable goal (as determined by DCP)
- are able to attend the program for at least nine months and up to 18 months
- have at least one parent identified by DCP as viable for reunification who is willing and able to attend a Newpin centre twice a week

Additionally, children born to a parent who is already participating in the Newpin program can also be included as part of Newpin's work with the family.

There are three Newpin centres currently in operation. These centres are located in Smithfield, Port Adelaide and Morphett Vale. It is recommended that the DCP office financially support families in getting to and from these centres where required.

Expression of Interest

Where a family or external service have self-identified the Newpin program as a potentially suitable reunification pathway, they can submit an expression of interest to participate in the program by completing an Expression of Interest (EOI) Form directly to Uniting Communities. Once an EOI Form has been received, Uniting Communities will liaise directly with the DCP case worker to discuss the family's suitability for the program.

The submission of an EOI Form does not guarantee a referral will be accepted to the program. All decision-making regarding program suitability and referral remains with the DCP case worker.

DCP case worker should prepare and submit a referral to the program where:

- eligibility criteria are met
- the DCP case worker assesses the family are suitable for referral to the program.

Prepare and submit a referral for Newpin program

The DCP case worker should discuss a potential referral with the family to ensure they understand the commitment and requirements of the program and to confirm their willingness to participate. The family must sign the [Consent to share information form](#) prior to a referral being submitted.

The DCP case worker must complete the [Newpin referral form](#). All referrals require supervisor approval and are to be submitted to the [DCP Program Manager](#) via [email](#) along with a copy of the child or young person's DCP case plan, signed [Consent to share information form](#) and any other documentation relevant to the referral.



Once the referral has been accepted, the DCP case worker should scan and upload the signed [Newpin referral form](#) and signed [Consent to share information form](#) in C3MS under the 'Referral' tab.

Work with the service provider

The DCP case worker will be involved in initial meeting(s) with the family to establish relationships, roles and responsibilities, and to determine a commencement date for attendance at the relevant centre.

Uniting Communities will arrange a meeting with the family and the DCP case worker at the nominated centre. The meeting is an opportunity to discuss the scope of the referral, the unique needs of the family, proposed service interventions and any potential barriers to family engagement.

Children enrolled in the Newpin program must be able to attend the centre two days per week. DCP staff must ensure the child or young person is able to attend the centre on the assigned days and that appropriate transport is secured.

Uniting Communities staff are expected to submit monthly progress reports and liaise with the DCP case worker and other services supporting the family.

Service completion

Families are able to attend the Newpin centre for up to nine months while they work towards reunification. For families that achieve reunification, centre based post-reunification support is available for up to a further nine months to facilitate a smooth and safe transition from care.

Reunification service delivery by Uniting Communities will be considered complete once the DCP case worker assesses the family as no longer requiring services due to agreed goals set for the family being met, or in the event the service provider is unable to provide further assistance (for example, they are unable to engage the family in proposed activities). The service provider will be asked to submit a written closure report to the DCP case worker.

For further information or assistance, the DCP case worker should contact the DCP Program Manager via email DCPSocialImpactBonds@sa.gov.au.

Refer to other service providers as required

Holistic assessment is pivotal to effective intervention. The DCP case worker (often in partnership with reunification service providers) must consider if other services are required to address the child protection concerns, such as mental health, drug and alcohol, and domestic and family violence services. Interventions to improve the quality of the parent-child relationship may also be pivotal to achieving a successful reunification.

The DCP case worker should consider whether select interventions should be prioritised or whether multiple interventions can occur concurrently. This should take into consideration the referral criteria and parameters for specific services as well as waitlists or other constraints. Some risk factors impact on others and consideration should be given to the primacy of issues. For example, mental health issues may be exacerbated in the context of drug and alcohol use and therefore drug and alcohol counselling may need to be prioritised. Consideration must also be given to ensuring that the parents or guardians are not overwhelmed with too many interventions at any one time. The DCP case worker should discuss the family's needs with the parents or guardians and possible service providers to develop a case plan that maximises the likelihood of successful reunification.

When referring parents or guardians to services, it is important to be clear about:



- the specific child protection concern to be addressed
- the outcome that the parent or guardian is working toward
- the timeframes in which change needs to occur.

These discussions with the parent or guardian should occur as early as possible so that the DCP case worker and the parents or guardians have a shared understanding of the changes that need to occur to improve their ability to provide safe care to their child.

Where more than one service is involved with parents or guardians to address the child protection concerns, a collaborative approach to the case should be supported. Ensuring all service providers are involved in review meetings is key to working in partnership and ensuring relevant information is openly shared amongst service providers. For further guidance, refer to 'Review progress and assess evidence of change' below.

Provide case management services to support the reunification

Establish and work with the care team

Reunification work is enhanced when those who care for or are working with the child or young person and their family form a care team.

Establishing a care team and ensuring all members are clear about their roles and responsibilities is key to successful reunification processes. All care team members must be actively supported to prioritise the child or young person's needs and to recognise that all decisions must be made in the best interests of the child or young person. The DCP case worker must ensure that the child or young person's views are represented and considered as part of care team meetings. Age and developmentally appropriate options for children and young people's contribution to the meetings should be considered (refer to the [Seek the views of the child or young person](#) and [Support the placement](#) key steps in the Supporting children and young people in care chapter of the Manual of Practice for further guidance about supporting the child or young person's participation in decision making).

Care team meetings are an opportunity to implement family led decision making. Where possible and appropriate, consideration should be given to supporting the participation or contribution of the child or young person's parents or guardians (and broader family and kinship networks) in care team meetings. For further guidance about family led decision making for Aboriginal and Torres Strait Islander families, refer to the [Family Led Decision Making for Aboriginal families Framework](#).

Care team meetings should be used as an opportunity to monitor progress with the care team. Refer to 'Work in partnership with the child or young person's care team' in the [Support the placement](#) key step of the Supporting children and young people in care chapter of the Manual of Practice for further guidance.

Depending on the circumstances and the topics to be discussed as part of the care team meeting, participants may include:

- the DCP case worker
- the child or young person's parents or guardians
- the child or young person's carer
- placement support workers
- service providers working with the child or young person
- service providers working with the parents or guardians
- other relevant parties (such as cultural representatives for Aboriginal and Torres Strait Islander infants, children and young people or children and young people from culturally and linguistically diverse backgrounds).



The DCP case worker is responsible for arranging regular meetings or other communication mechanisms such as group emails for sharing and discussing information and reviewing the case plan. Key topics for discussion include but are not limited to:

- the child or young person's needs, including their trauma recovery
- the child or young person's progress in care
- the parents' or guardians' progress towards addressing the child protection concerns
- the quality of contact visits
- concurrent planning, transition plans and processes, and post reunification support.

The frequency of care team meetings or other communication mechanisms should be agreed with the care team but should enable regular monitoring of progress and support timely decision making. Care team meeting minutes should be recorded using the [Care team meeting template](#). The care team meeting minutes should be circulated to care team members after the care team meeting. The minutes should also be uploaded to C3MS in the 'Notes and Documents' tab.

Undertake regular placement visits

Regular placement visits should be undertaken to monitor and support the child or young person's wellbeing, to support the child or young person's carer, and to assess progress toward reunification.

The child or young person may demonstrate behaviours in their placement that can provide critical insight into how they are managing the reunification process and their trauma healing. It is critical to give the child or young person opportunities to talk about their trauma experiences and express their feelings about the reunification process, including family contact.

Placement visits also provide an important opportunity to observe the child or young person's relationship with their carer and assess the carer's ability to meet the child or young person's needs. Placement visits can provide the carer with support, both in relation to the day to day demands of caring for the child or young person and managing the uncertainty inherent in the reunification processes.

As part of concurrent planning, it is important for the DCP case worker to gain an understanding of the carer's intentions regarding the placement, including their support of the reunification process, and/or their willingness to provide a long-term placement if required. For further guidance about permanency planning and concurrent planning, refer to the [Permanency Planning Practice Paper](#). For further guidance regarding working in partnership with the child or young person's carer, refer to the [Support the placement](#) key step in the Supporting children and young people in care chapter of the Manual of Practice and the [Supporting and collaborating with carers Practice Paper](#).

Undertake regular home visits

The DCP case worker should undertake regular home visits to the child or young person's parents or guardians. Home visits provide opportunities to monitor the implementation of the case plan. This includes, but is not limited to:

- gathering information about the parents' or guardians' progress against specific actions recorded in the case plan
- identifying any challenges or barriers the parent or guardian is experiencing in completing actions
- identifying areas where further support is needed
- gathering feedback about the parent or guardian's work with service providers
- identifying whether new actions are required to achieve required outcomes
- assessing the safety of any children and young people in the home.

For further guidance about implementation and monitoring of the case plan, refer to the [Case planning, review and annual review](#) chapter of the Manual of Practice.



Work with service providers

Establish relationships

The DCP case worker should engage early with service providers working with the child or young person or their family to establish relationships and to identify how DCP and the service provider will work together. As part of initial engagement with service providers, the DCP case worker should establish:

- the respective roles and responsibilities of DCP and the service provider
- how the service provider will participate in the case planning and review cycle (including participation in review meetings)
- how the service provider will participate in the child or young person's care team (where appropriate)
- the frequency and method of contact between the DCP worker and the service provider.

Share information

The DCP case worker is responsible for ensuring that service providers are provided with relevant and up to date information about the child or young person, their family and their carers. This may include:

- the child or young person's case plan
- relevant child protection history
- relevant information about the child or young person's family and carer
- changes or escalation in the child or young person, family and carer's needs.

The DCP case worker must ensure that information is shared in accordance with the [Share information](#) key step in the Information gathering and sharing chapter of the Manual of Practice.

Seek information

The DCP case worker should seek information from service providers throughout their engagement with the child or young person or their parents or guardians. This may include, but is not limited to:

- written or verbal reports about the child or young person's or parents or guardians' progress
- holding discussions about the child or young person's or parents or guardians' progress
- copies of any relevant assessments undertaken
- feedback about the child or young person or family's engagement with the service
- other relevant information that may be used to inform further reassessment and case re-conceptualisation.

The DCP case worker should seek information about:

- the parents' or guardians' attendance, presentation and engagement in sessions with the reunification service provider
- the parents' or guardians' acknowledgement, insight, and empathy regarding the child protection concerns
- the extent to which the parents or guardians demonstrate progress consistent with the case plan goals.

The DCP case worker should ensure that information is sought in accordance with gather information to assess and manage risk in the [Information gathering and sharing](#) chapter of the Manual of Practice.

Manage family contact arrangements to support family reunification

As part of case planning, the DCP case worker must consider how contact arrangements will support the goal of reunification. Family contact can support the child or young person and their parent or guardian to repair and strengthen their relationship. The extent to which the parent or guardian demonstrates their ability to



meet the child or young person's needs during contact and how the child or young person responds to contact with the parent or guardian are important indicators of whether reunification is viable.

Observations of family contact play a critical role in informing assessments about the parent-child relationship. During a contact visit, the DCP case worker should assess the following:

- the child or young person's reactions to their parent or guardian prior to, during and after contact
- the parent or guardian's ability to interact positively with their child or young person
- the parent or guardian's ability to meet the child or young person's needs during the visit.

Refer to the [DCP Assessment Framework for staff](#) for more information about assessing the quality of the parent-child relationship.

At the commencement of the reunification process, contact visits should occur at a frequency and duration that facilitates positive interactions between the child or young person and their parent or guardian. For example, in the early stages of reunification where the child protection concerns remain unresolved, visits can be confusing or distressing to the child or young person and may negatively impact on their placement. It may be necessary to facilitate short, supervised visits in the DCP office to ensure the child or young person's safety and wellbeing and facilitate positive interactions between the child or young person and parent or guardian.

Family contact must be reviewed regularly to ensure that the arrangements are consistent with progress towards and the child or young person's needs. Parents or guardians should be provided with regular feedback and suggestions to improve the quality of visits. Visits can be increased in duration and then frequency as the parent or guardian makes progress towards addressing the child protection concerns and the quality of the parent-child relationship improves. Consideration should also be given to contact venues, which may include progressing from a very structured and supported environment (such as the DCP office or a children's centre) to venues in the community or the parent or guardian's home.

When concerns arise regarding the quality of the parent-child interactions during contact visits, the DCP case worker should consider intervention options. Some parents or guardians may benefit from a worker facilitating contact visits by suggesting activities or modelling parenting skills and attuned interactions. At times, parenting education or formal therapeutic interventions may be required.

The duration or frequency of contact arrangements should be re-assessed if:

- the child or young person is experiencing significant distress before, during or after contact
- the parent or guardian is unable to attend consistently or the quality of interactions during contact is poor
- the parents or guardians are not making progress in relation to addressing the child protection concerns.

For detailed guidance about assessing, facilitating and reviewing family contact and issuing contact determinations, refer to [Support the child or young person to develop and maintain family and community connections through contact arrangements](#) in the Supporting children and young people in care chapter of the Manual of Practice, the [Family contact for children and young people Practice Paper](#) and the [Attachment Practice Paper](#).

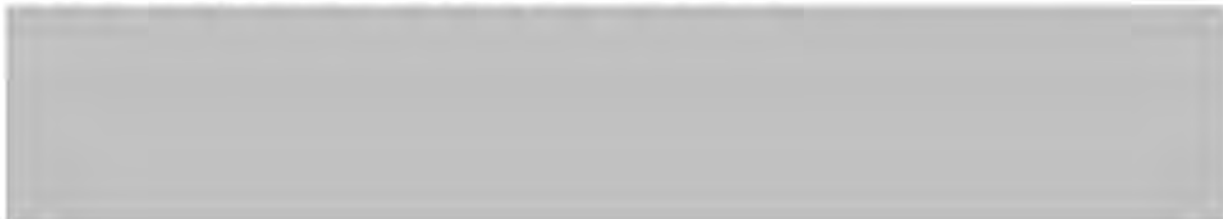
Review progress and assess evidence of change

Assessment of progress towards reunification must be an continual process. The DCP case worker should continue to gather information and reconceptualise the case as new information is identified. It is important that the DCP case worker sets aside regular time to review information, assess progress, and complete their case re-conceptualisation as part of the reunification process.



Parents or guardians

When assessing the parent or guardian's progress, the DCP case worker must consider all of the child protection concerns and the extent to which the parents or guardians have demonstrated change in accordance with the goals outlined in the case plan. This can include:



It is important that the DCP case worker's assessment considers how sustainable the changes are or are likely to be. While it may be possible for parents or guardians to demonstrate compliance with actions in the case plan (such as engaging with services or completing tasks) on a short-term basis, it is important to assess whether the parent or guardian has developed skills that support the maintenance of these changes in the long-term. These may include appropriate coping strategies and problem-solving skills, including a demonstrated capacity to seek support when needed.

Child or young person

When assessing the child or young person's healing from their trauma experiences, their unique needs and their overall progress, the DCP case worker should consider key information including, but not limited to the child or young person's:



The DCP case worker should also consider relevant information obtained from professionals working with the child or young person (such as their therapist) regarding the child or young person's progress and healing.

For guidance about indicators and contra-indicators for reunification, refer to the [DCP Assessment framework for staff](#).

Complete SDM® Family Reunification assessments

The DCP case worker must completed the SDM® Family Reunification Assessment every two months (that a child or young person is placed in care while reunification is being assessed). For guidance about completing the SDM® Family Reunification Assessment, the DCP case worker should refer to the [SDM® Family Reunification Assessment Policy and Procedures Manual](#).

The DCP case worker must complete all SDM® assessments under the 'Assessments' tab in C3MS and workflow them to the supervisor for approval. Refer to the [SDM Family Reunification Assessment in C3MS Guide](#) for further information.



Hold reunification review meetings

Reunification review meetings are an opportunity to review progress against the reunification case plan. Review meetings should include:

- the child or young person's parents or guardians
- the child or young person's carer
- relevant professionals working with the parents or guardians such as family reunification service providers.

Other review meeting participants may include:

- other DCP specialist staff such as a PAC or DCP Multicultural Services
- advocates for the parents or guardians.

As with care team meetings, the DCP case worker must consider how the child or young person will be supported to participate in, or contribute to, reunification review meetings. Consideration must also be given to the frequency of reunification review meetings and agreed upon by participants.

As part of these meetings, the DCP case worker, the parents or guardians and other participants should review progress against actions and planned outcomes in the case plan, identify strengths and successes, and consider overall progress toward reunification. The case plan review should be used to develop new actions and outcomes to support the case plan goal. These meetings inform the DCP case worker's holistic assessment of the case direction and the extent to which reunification continues to be in the child or young person's best interests.

There may be circumstances where there are differences of opinion between DCP and the reunification service providers. The DCP case worker should consider any information or assessments provided by the reunification service provider when making decisions (noting that DCP is ultimately responsible for all decision making about the viability of reunification). It is the DCP case worker's responsibility to maintain a child centred focus when assessing information provided by the reunification service provider and making decisions about whether to continue working toward reunification. This may mean that the DCP case worker may assess that reunification is no longer in the child or young person's best interests, even if the parents or guardians and the reunification service provider wish to continue reunification efforts.

Where reunification work is being supported by a Youth Court order, the matter may be referred to the Reunification Court. The Reunification Court will convene regular review meetings to track progress toward case plan goals and the ongoing viability of reunification.

In addition to the Reunification Court hearings, review meetings should also be held regularly to ensure service providers are able to participate in the assessment of progress and associated decision making.

See 'Reunification Court' in the [Support family reunification with or without Youth Court action](#) key step of this chapter of the Manual of Practice for more information.

Consult as required

Family reunification work is extremely complex. In addition to regular supervision between the DCP case worker and supervisor, consideration should be given to consulting with practice leaders, DCP psychologists and other specialised DCP staff to support high quality assessment and decision making.

Consultation with family reunification service providers should be undertaken regularly to receive updates about the progress of the parents or guardians.

For Aboriginal and Torres Strait Islander families, consultation with a PAC is recommended to inform an assessment of the progress and viability of reunification, considering relevant cultural strengths, protective



factors and culturally appropriate services that could be engaged to offer support (including Aboriginal Community Controlled Organisations.)

For families from culturally and linguistically diverse backgrounds, consultation with DCP Multicultural Services is recommended to inform an understanding cultural complexities, strengths and barriers that may be impacting reunification progress.

Record a decision about whether to proceed with reunification

Following assessment of progress toward reunification, the DCP case worker should, in consultation with the supervisor, consider whether to proceed with reunification or whether reunification efforts should cease. For complex cases, it is strongly recommended that consultation occur with a practice leader, and relevant cultural advice is sought from a PAC and/or DCP Multicultural Services (as appropriate). This decision should be recorded in accordance with the [Consult or Decision Record Procedure](#).

If it is determined that reunification efforts cannot proceed, an application for a long-term order to secure the ongoing care arrangements of the child or young person should be made as soon possible (should no alternative action be appropriate). The decision to seek a long-term order should be recorded in accordance with the [Consult or Decision Record Procedure](#). Refer to the [Make an application for care and protection orders](#) key step for further guidance about applying for a custody or guardianship care and protection order.

Plan and implement reunification transitions (where reunification is proceeding)

When the supervisor has determined that reunification will proceed, a plan must be developed to support the child or young person's transition back to the care of their parents or guardians and to ensure they have access to suitable supports post reunification.

Engage the child or young person, parents or guardians, care team and reunification service providers

It is critical to ensure that the child or young person, their parents or guardians, carers and reunification service providers are engaged in the transition planning process.

When preparing the child or young person for the transition to their parent or guardian's care, the DCP case worker should provide them with an opportunity to share their thoughts and feelings about the prospect of reunification, which may include both positive feelings and feelings of uncertainty or anxiety. The DCP case worker must ensure that the child or young person is engaged throughout the process and provide them with an age and developmentally appropriate explanation of what is happening.

The DCP case worker must also work closely with the child or young person's parents or guardians, carers and reunification service provider to explore how they will be involved in the transition process and to consider what supports the parent or guardian and carer may need as part of the process of reunification and case closure.



Participation

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

It is important to recognise the significant role kinship carers have as members of the child or young person's family. Make active efforts to bring everyone together to work toward a common goal and to maintain transparency in conversations with the family. It is important to encourage the participation of kin, who will continue to be involved and have cultural obligations to raise and/or be involved with the infant, child or young person.



Plan the reunification transition

Reunification transitions require careful planning in an attempt to minimise the child or young person's possible distress and to ensure that the parents, guardians and carers have supports in place during the critical transition period.

When developing a plan for transition plan in partnership with the child or young person's parents, guardians and carers, the DCP case worker should consider:

- undertaking relevant consultations with practice leaders, Principal Aboriginal Consultants and DCP Psychological Services to support the development of the transition plan
- seeking the support of the carer in facilitating the transition (for example, whether they will be involved in providing support to the parents or guardians post-transition or providing respite care)
- providing support to the parents or guardians post-transition or providing respite care)
- the role of the reunification service provider in supporting the parents or guardians through the transition
- increasing family contact to include overnight stays and how the carer will support and facilitate this
- what services or other wrap around supports the parents or guardians will need in the post-transition period (such as adequate disability/NDIS support) and what approach will be taken to reducing support as both the parents or guardians and child or young person adjust
- whether longer-term support strategies are required to support the ongoing stability of the child or young person's care arrangements, including the role of extended family members or other supports
- the use of FGC to develop an agreement for the child or young person's care
- in circumstances where DFV concerns are present, ensuring that the child or young person and reunifying parent or guardian are safe and as relevant support the safe parent or guardian to pursue family law or other legal conditions (such as a DAIO) where this would appropriately address risk and ensure the child or young person's ongoing safety.

The transition plan must be recorded and shared with the parents or guardians, carers and the child or young person (as appropriate).

Implement and monitor the plan

The DCP case worker is responsible for monitoring and reviewing the reunification transition plan throughout the transition and revising or amending the plan as required.

Undertake post-reunification support

Once the child or young person has returned home, the DCP case worker should work in partnership with the child or young person, parents or guardians and service providers to provide post-reunification supports.

The purpose of post-reunification support is to ensure that the child or young person and the parent or guardian have adjusted to the child or young person's return home, and to identify and manage any risks that emerge to ensure the child or young person can safely remain in their parents' or guardians' care.



Prevention

Aboriginal and Torres Strait Islander Child Placement Principle active effort prompt

Actively supporting and working with family post-reunification is an active effort toward the prevention element in keeping children and young people with their family and community, to enable the family to maintain changes and ensure that their children remain safe in their care.



The DCP case worker should work in partnership with the parents or guardians, family and community supports, and service providers to identify potential risks, plan and implement responses to those risks, and identify supports for the family. Post-reunification case planning may include:

- practical strategies to keep the child or young person safe (for example, how the child or young person will be safely cared for if the parent or guardian experiences a relapse)
- identification of key family, kinship or community members who can provide support
- arranging continued support from service providers to support the parents or guardians to strengthen and consolidate parenting skills, with a plan to reduce the intensity of the support over time.

The DCP case worker should continue to meet regularly with the child or young person and their parents or guardians to monitor and review the post-reunification support and to ascertain the child or young person's continued safety and wellbeing as well as that of any other children and young people in the home. As part of regular post-reunification contact with the family and the child or young person, the DCP case worker should, where appropriate, discuss plans for case closure (pending final assessment and case closure consultation).

Close the family reunification case or consider another form of ongoing intervention

Consider case closure criteria (and consult as required)

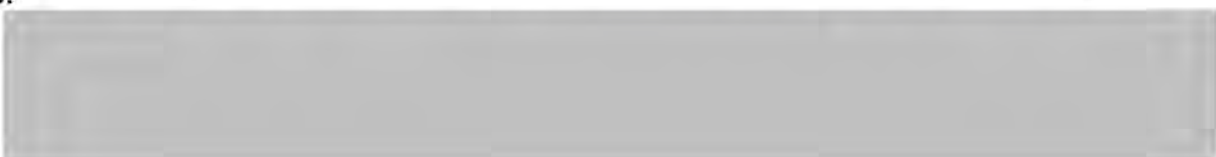
A reunification case may be closed when all of the following are completed:



The DCP case worker, senior practitioner and supervisor should undertake a 'Case Closure Consultation' to ensure the above case closure criteria have been met.

In circumstances where the case closure criteria are not met and the [SDM® Risk Reassessment](#) outcome remains high, an exception can be made to close the case with the manager's approval. When closing a case under these circumstances, it is strongly recommended that the DCP case worker and supervisor consult with the practice leader (and a PAC for Aboriginal and Torres Strait Islander families, or DCP Multicultural Services for the children and young people from culturally and linguistically diverse families). The consult should be recorded in C3MS in accordance with the [Consult or Decision Record Procedure](#) and approved by all parties.

When considering if case closure in these exceptional circumstances is appropriate, weight should be given to:





For further guidance about assessment of risk of harm, refer to the [DCP Assessment framework for staff](#).

Close the case

If it is assessed that case closure is appropriate using the criteria in 'Consider case closure as part of regular case review and consultation', the DCP case worker should record the case closure in C3MS. Prior to closing a case, the DCP case worker must ensure that:

- all SDM® assessments are completed and approved
- service referrals and service provision are accurately recorded in C3MS
- a case closure note has been forwarded to the supervisor for approval.

The supervisor will then consider the case closure note, and if supportive, approve closure and record an appropriate outcome code. The DCP case worker will receive a workflow advising that the case has been closed. For additional information refer to the [C3MS Guide: Closing a CP Case](#) and the [Outcome Codes Procedure](#).

Provide the family and relevant stakeholders with written notice of case closure

The DCP case worker should provide the family with written notice of case closure by completing the [Ongoing intervention case closure letter](#) template. Other relevant stakeholders should be advised of the case closure decision by email or telephone. As part of the case closure letter, the DCP case worker should ensure that the family are advised of any parties who have also been provided with advice of case closure. The case closure letter should be signed by the supervisor and provided to the family.

The DCP case worker should record the date and time advice of case closure was provided to the family and other stakeholders and the mode of delivery using a case note in C3MS.

7. Seek to place the child or young person under long-term guardianship orders

Long-term guardianship order until 18 years (to the Chief Executive)

If the DCP case worker assesses that reunification is not viable within an appropriate timeframe for the child or young person, it may be appropriate to seek a long-term guardianship order pursuant to section 53(1)(g) of the CYPs Act. An application for a long-term guardianship order must be supported by a long-term in care case plan to demonstrate DCP's plans for the child or young person's care.

If no further assessments are required to inform case direction and reunification is assessed as unviable, a long-term guardianship order can be sought without first applying for a short-term custody or guardianship order. A short-term custody or guardianship order does not need to act as a pre-requisite for a long-term guardianship order if sufficient evidence exists to support an assessment that reunification is not viable. Refer to the [DCP Assessment framework for staff](#) and specifically the contra-indicators for reunification for more information.

Refer to [Make an application for care and protection orders](#) for further information about making an application for long-term guardianship orders in partnership with the CSO.



Long-term guardianship order until 18 years (to a specified person)

Long-term guardianship to an approved carer where an application under section 89 has been made

A long-term guardianship (specified person) order transfers guardianship powers with respect to the child or young person from the Chief Executive to one or two approved carers pursuant to section 53(1)(h) of the CYPS Act.

Refer to the [Long-term Guardianship \(Specified Person\)](#) chapter of the Manual of Practice for further guidance about the application and assessment process.

Long-term guardianship to a specified parent

An application can be made by the Chief Executive (or Minister, or person authorised by the Chief Executive) under section 53(1a) for an order that places the child or young person under the guardianship of a specified parent, to the exclusion of the rights of any other parent.

This order should only be considered following extensive consultation with the CSO, manager, practice leader, PAC (if the child is Aboriginal or Torres Strait Islander) and the child or young person's family. Approval must be sought from the regional director before proceeding with an application for long-term guardianship to a specified parent.

Transfer or close the case

When the child or young person is placed under a long-term order for guardianship to the Chief Executive, the case must be transferred to the relevant Guardianship team for case management. For further guidance about supporting young people to transition from long-term care and close the case, refer to the [Transition to adulthood](#) chapter.

8. Transfer care and protection orders and proceedings within South Australia, or between South Australia and other jurisdictions

All Australian states and territories and New Zealand have compatible legislation for transferring care and protection orders and proceedings between jurisdictions. Each jurisdiction has also signed the [Interstate Child Protection Protocol](#) and appointed interstate liaison officers (ILOs) who are responsible for facilitating all interstate and New Zealand transfers.

Within South Australia, the relevant legislation for the transfer of orders and proceedings is Chapter 10 (sections 127-134) of the CYPS Act.

A care and protection order can be transferred interstate via:

- an administrative process where the parent or guardian consents (where consent is required) and there is a compatible order in the receiving jurisdiction; or
- a judicial process, which may be sought where a parent or guardian does not consent and/or there is no compatible order in the receiving jurisdiction.

Care and protection proceedings that have not yet been finalised can only be transferred by a judicial process.



Nearly all care and protection orders are transferable across jurisdictions. In South Australia, the exception to this is an order granting long-term guardianship of the child or young person to a specified person. This is because long-term guardianship (specified person) orders do not fit within the definition of 'child protection order' for the purpose of Chapter 10 of the CYPS Act. In circumstances where a long-term guardian (specified person) order is required to be transferred interstate the DCP case worker should seek assistance from DCP Legal.

In most cases where DCP is seeking to transfer an order or proceeding, the interstate child protection department will already be providing case work assistance to DCP. More information regarding casework assistance requests can be found in the [Interstate Child Protection Protocol](#) and the [Interstate Liaison](#) webpage.

Transfers of care and protection orders or proceedings between DCP Offices must be undertaken in accordance with the requirements of the [Case transfer Procedure](#).

Transfer care and protection orders out of South Australia

Before a request is made to transfer a Youth Court order interstate, the DCP case worker must assess whether the child or young person's interstate placement is stable, appropriate and in the child or young person's best interests.

When undertaking the assessment, the DCP case worker must apply the guiding principles of the CYPS Act. If the child or young person is Aboriginal or Torres Strait Islander, it is strongly recommended that the DCP case worker consult with a PAC with regards to the intention to transfer the order. The Aboriginal and Torres Strait Islander Child Placement Principle's five key elements of Prevention, Participation, Partnership, Placement and Connection and the precursor of Identity must be considered as part of the assessment. The DCP case worker must ensure that the documentation for the transfer includes an updated or completed cultural maintenance plan which reflects active efforts being undertaken to implement the key elements of the [Aboriginal and Torres Strait Islander Child Placement Principle](#).

When a transfer of an order interstate is being considered, the DCP case worker should consult with:

- the child or young person (if developmentally appropriate)
- the child or young person's carers
- the child or young person's family
- the interstate casework assistance co-worker (where applicable)
- any relevant services and professionals involved with the child or young person (for example, school or therapist).

If the outcome of the assessment is that the placement is stable, appropriate and in the child or young person's best interests, the DCP case worker should seek supervisor approval to commence the transfer process.

If the outcome of the assessment is that the placement is not stable, appropriate or in the child or young person's best interests (or if the assessment otherwise raises concerns) the proposed transfer of the order should not proceed. The DCP case worker should liaise with the interstate casework assistance co-worker assigned to the child or young person's case and take any required actions to ensure the child or young person's safety and support the placement.

Administrative transfer of a care and protection order

In most cases, a South Australian Youth Court order can be transferred interstate administratively. This pathway should be pursued whenever it is available.

To complete an administrative transfer of a Youth Court order the following steps must be undertaken:



1. Confirm compatibility of order and compare carer payments	For a South Australian Youth Court order to be transferred interstate, DCP must: - confirm that an order of the same or similar effect exists in the interstate jurisdiction ('the receiving State or Territory') - compare the payments the carer currently receives in South Australia, with the anticipated payments in the receiving State or Territory, and ensure the carer is made aware of this information. To complete these steps, the DCP case worker must contact DCP Interstate Liaison Officer by email and request that they contact the receiving State or Territory to confirm whether the Youth Court order is transferable and to conduct a carer payment comparison check. The email request should include: - a copy of the relevant Youth Court order - the details of the payments the carer currently receives (including all fortnightly, quarterly and/or annual payments and any additional expenses covered by the local DCP office). The allocated DCP ILO will liaise with the receiving State or Territory ILO to conduct the checks and provide the outcome to the DCP case worker via email. If amendments or variations of the Youth Court order are required for it to be transferred, or if the Youth Court order is not transferable, the DCP case worker must consult with their supervisor, DCP Legal and the DCP ILO regarding next steps. In some cases, the Youth Court order can be varied administratively with the approval of the Chief Executive or a judicial transfer may be considered (refer to Judicial transfer of a care and protection order).
2. Consult with relevant parties and seek consent (where applicable)	The proposed transfer of a Youth Court order is an important decision. Wherever possible, the DCP case worker should seek and give appropriate consideration and weight to the views of the child or young person, their parents or guardians and any person with whom the child or young person has an ongoing significant connection. In addition to seeking the views of relevant persons, the written consent of the child or young person's parents or guardians must be obtained before a custody or written undertaking (with supervision) Youth Court order can be transferred, unless the parent or guardian: - resides, or intends to reside, in the receiving State or Territory or - cannot, after reasonable enquiries, be found or - fails to respond within a reasonable period of time to a request for consent. The consent of the child or young person or their parents or guardians is not required to transfer a Youth Court guardianship order interstate.



	To seek the views or consent (where applicable) of relevant parties, the DCP case worker must complete the applicable letter templates. To obtain a copy of the applicable letter templates, email the DCP ILU. Wherever possible, the DCP case worker should deliver the letters in person. If personal delivery is not possible, the letters should be sent via registered post. The DCP case worker must ensure that there are appropriate arrangements in place for the completed forms to be returned to them (including for example, provision of a return address and stamped envelope). The DCP case worker must also contact the child or young person's carer to discuss the letter and seek their assistance to support the child or young person to complete the documents and return them. If the proposed transfer relates to a Youth Court custody order or written undertaking with supervision order and a parent or guardian cannot be located, or they fail to respond to the letter seeking their consent, the DCP case worker must complete an Affidavit for interstate transfer matters where consent is required documenting the reasonable enquiries they have made to contact and seek the consent of the parent or guardian. Where the whereabouts of the parent or guardian are unknown, reasonable enquiries must include completing a request for information from a Commonwealth agency pursuant to the Information Sharing Protocol between the Commonwealth and Child Protection Agencies. Refer to the Gather information from interstate or Commonwealth agencies key step in the Information gathering and chapter of the Manual of Practice. If the parent or guardian of the child or young person under a Youth Court custody order or written undertaking with supervision order responds and does not provide consent, the proposed administrative transfer cannot proceed. In these circumstances, the DCP case worker may consider whether a judicial transfer of the Youth Court order may apply.
3. Seek written consent from the receiving State or Territory	Once the views of the child or young person and the consent (where required) or views of their parents or guardians have been obtained, the receiving State or Territory must also consent to the proposed transfer in writing. To seek consent from the receiving State or Territory, the DCP case worker must complete the Request to transfer care and protection order or proceedings to other jurisdiction form and attach supporting documentation. The form and supporting documentation must be reviewed and signed by the DCP case worker's supervisor and manager then forwarded to the DCP ILU via email. The allocated DCP ILO will review the completed form and supporting documents, prepare a covering letter and forward the documents to the ILO for the receiving State or Territory. If the receiving State or Territory consents in writing to the request for transfer, the DCP ILO will request that the receiving State or Territory commence the process of approving or registering the child or young person's carer(s) in the receiving State or Territory. In some



	circumstances, a receiving State or Territory must assess, approve and register the child or young person's carer(s) before they can consent to the proposed transfer. If the receiving State or Territory does not consent to the transfer and DCP is dissatisfied with this outcome and is of the view the matter requires further consideration, the DCP case worker should follow the dispute resolution process outlined in the Interstate Child Protection Protocol.
4. Seek Deputy Chief Executive approval of transfer	Once the views or consent of relevant parties has been obtained, the DCP ILO should prepare and submit a report to the relevant director and Deputy Chief Executive that recommends that the Youth Court order is transferred to the receiving State. The Deputy Chief Executive has delegated authority to approve the administrative transfer of a Youth Court order. The report must include: - the draft notices in writing of the decision to transfer the Youth Court order (to be signed by the Deputy Chief Executive) - a summary of the DCP case worker's assessment, confirming that the interstate placement is stable, appropriate and in the child or young person's best interests - the views of relevant parties about the proposed transfer - a copy of the written consent to the transfer provided by the receiving State or Territory - where the proposed transfer relates to a Youth Court custody order, the report must also include a copy of the parents or guardians written consent or the affidavit completed by the DCP case worker. Once Deputy Chief Executive approval is received, the DCP ILO must promptly provide the signed written notices of the decision to the DCP case worker and advise the receiving State or Territory ILO of the decision via email. The DCP ILO should record an Administrative Authority in C3MS (code AA29), record the issue date as the date of the Deputy Chief Executive's approval, and the expiry date to the existing Youth Court custody or guardianship order. Where a Youth Court order of this type does not exist, allow the default setting to be recorded (12 months). If the Deputy Chief Executive is not available, the Executive Director, Service Delivery and Practice has delegated authority to make this decision.
5. Provide notice of decision	Within three business days of the decision being made by the Deputy Chief Executive, the DCP case worker must ensure that the written notice of the decision signed by the Deputy Chief Executive is served on the child or young person (if they are ten years of age or older) and their birth parents or guardians. The written notice also provides information about appeal rights.



	Notices must be served personally. Where the child or young person resides interstate, the DCP case worker should consider whether the casework assistance co-worker is best placed to serve the notice. If it is not practicable to serve the notice on a parent or guardian personally, or their whereabouts are unknown, the service of the notice can be by post to their last known address. Any person who is required to be notified of a decision to transfer a Youth Court order has 13 business days from the date of the decision to apply for a review in the Youth Court. The DCP ILO will advise the receiving State or Territory if no application for review is lodged during the review period. The receiving State or Territory will then register the order in the relevant Court. Refer to the 'Actions once a care and protection order or proceeding is transferred' section below for further guidance regarding the steps that must be taken once a Youth Court order is transferred.
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Judicial transfer of Youth Court order to an interstate jurisdiction

A judicial transfer of a Youth Court order should only be pursued in rare circumstances where an administrative transfer is not appropriate or possible. Judicial transfer of a care and protection order is governed by sections 127-130 of the CYPS Act.

Circumstances where a judicial transfer may be appropriate include where:

- the child or young person is under a Youth Court order providing custody to the Chief Executive, or is the subject of a written undertaking with supervision order and one or both of their parents or guardians do not consent to the transfer, or
- the Youth Court order requires variation to have the same or similar effect in the receiving State or Territory and it cannot be varied administratively.

1. Seek legal advice	If a judicial transfer is being considered, DCP Legal and the DCP ILU must be consulted at the earliest opportunity. The DCP case worker should seek supervisor approval to contact the DCP ILU and request that the DCP ILU liaise with DCP Legal regarding whether the proposed transfer is possible and if so, what variations to the existing Youth Court order will be required to enable it to be registered in the receiving State or Territory. Once the legal advice is received, the allocated DCP ILO must provide a copy to the DCP case worker.
2. Consult	If the advice confirms that a judicial transfer is viable, it is strongly recommended that the DCP case worker consult with a practice leader and PAC if the child or young person is Aboriginal. If the views of the child, young person and their parents or guardians have not already been sought, the DCP case worker must seek their views by contacting the DCP ILU to obtain and completing the applicable letter templates.



3. Seek written consent from the receiving State or Territory	Once the views of the child or young person and the consent (where required) or views of their parents or guardians has been obtained, the receiving State or Territory must also consent to the proposed transfer in writing. To seek consent from the receiving State or Territory, the DCP case worker must complete the Request to transfer care and protection order/proceedings to other jurisdiction and attach supporting documentation. The form and supporting documentation must be reviewed and signed by the DCP case worker's supervisor and manager then forwarded to the DCP ILU via email. The allocated DCP ILO will review the completed form and supporting documents, prepare a covering letter and forward the documents to the ILO for the receiving State or Territory. If the receiving State or Territory consents in writing to the request for transfer, the DCP ILO will request that the receiving State or Territory commence the process of approving or registering the child or young person's carer(s) in the receiving State or Territory. In some circumstances, a receiving State or Territory must assess, approve and register the child or young person's carer(s) before they can consent to the proposed transfer. If the receiving State or Territory does not consent to the transfer and DCP is dissatisfied with this outcome and is of the view the matter requires further consideration, the DCP case worker should follow the dispute resolution process outlined in the Interstate Child Protection Protocol.
4. Advise the Deputy Chief Executive	If the receiving State or Territory provides written consent to the proposed transfer, the allocated DCP ILO must prepare a briefing to the Deputy Chief Executive advising that a judicial transfer is being pursued and the reasons for this. The briefing must also be reviewed and endorsed by the relevant regional director.
5. Apply to the Youth Court to transfer the proceeding	Once the Deputy Chief Executive has noted the proposed transfer, the DCP case worker must complete a report and the application to the Youth Court for judicial transfer template (and variation of the order, if required), refer the matter to the Crown Solicitor's Office and update C3MS.
6. Transfer the Order	Once the transfer order has been made by the Youth Court, the DCP ILO will email a copy of the application and a certified copy of the Youth Court order to the ILO in the receiving State or Territory. The allocated DCP ILO will also provide written confirmation to the ILO for the receiving State or Territory once the 10 business day appeal period has passed. The allocated DCP ILO will receive advice from the receiving State or Territory that the Youth Court order has been registered in the Court of the receiving State or Territory and that the transfer is complete.



Refer to the 'actions once an order or proceeding is transferred interstate' section below for information regarding the steps that must be taken once a Youth Court order is transferred interstate.

Transfer care and protection proceedings from South Australia

In rare circumstances, it may be appropriate to transfer care and protection proceedings that have commenced in South Australia to another jurisdiction. For example, this may occur where:

- care and protection proceedings have commenced in South Australia for a child or young person who usually resides interstate and has been removed from their parent or guardian's care and placed under the custody Chief Executive while temporarily in South Australia, or
- South Australia and another State or Territory are both seeking care and protection orders for siblings from the same family and it is assessed as appropriate for proceedings to be transferred to the State or Territory where the parents or guardians currently reside, so that the applications can be heard together in one Court.

Transfer of care and protection proceedings to another State or Territory is governed by sections 131-133 of the CYPS Act.

To transfer a care and protection proceeding, the DCP case worker must take the following steps:

1. Seek legal advice from the Crown Solicitor's Office (CSO)	The DCP case worker must consult with the allocated solicitor from the CSO to confirm whether the proposed transfer is lawful and appropriate in the circumstances.
2. Obtain supervisor and manager approval	If the CSO advises that the proposed transfer of proceedings is lawful and appropriate, the DCP case worker must seek approval from a person with delegated authority (such as a supervisor or manager) to proceed with the transfer. Once approval is obtained, the DCP case worker must advise the DCP ILU of the decision via email.
3. Seek consent from the receiving State or Territory	The DCP case worker must complete a Request to transfer care and protection order/proceedings to other jurisdiction form and attach the supporting documentation. Once complete, the form and supporting documents must be reviewed and signed by the DCP case worker's supervisor and manager and then forwarded to the DCP ILU via email. If interstate assistance is required to locate a placement for the child or young person, the DCP case worker must also complete a Request to locate an interstate placement form. The allocated DCP ILO will review the completed form(s) and supporting documents, prepare a covering letter, and forward the documents to the ILO for the receiving State or Territory. If the receiving State or Territory provides written consent to the proposed transfer of proceedings, the allocated DCP ILO will notify the DCP case worker via email.



	If the receiving State or Territory does not consent to the transfer and DCP is dissatisfied with this outcome and is of the view the matter requires further consideration, the DCP case worker should follow the dispute resolution process outlined in the Interstate Child Protection Protocol.
4. Apply to the Youth Court to transfer the proceeding	Once the receiving State or Territory has provided its consent to the proposed transfer, the DCP case worker must prepare a report and application to the Youth Court for a transfer of the proceeding. The report and supporting documents must be reviewed by the DCP case worker's senior practitioner and supervisor then forwarded to the CSO. The CSO will lodge the application with the Youth Court and provide the DCP case worker with a copy of the application to be served on the child or young person and their parents or guardians. The DCP case worker must serve a copy of the application to transfer proceedings on the child or young person and their parents or guardians. The matter will be heard in the Youth Court, and the Youth Court will make a decision as to whether an order (including an interim order) is granted to transfer proceedings. The DCP case worker must record the outcome and upload a copy of the Youth Court order to C3MS and forward a copy of the Youth Court order to the DCP ILU via email. As soon as possible after receiving a copy of the Youth Court order, the DCP ILO must notify the ILO for the receiving State or Territory and forward a copy of the Youth Court application and order. The DCP ILO will also provide written confirmation to the ILO for the receiving State or Territory once the three business day appeal period has passed. The receiving State or Territory will only register the proceedings in their jurisdiction once the appeal period has passed. Refer to the 'Actions once an order or proceeding is transferred interstate' section below for guidance regarding the steps that must be taken once proceedings are transferred interstate.

Undertake required actions once a care and protection order or proceeding is transferred interstate

The ILO for the receiving State or Territory will advise the DCP ILO in writing once the Youth Court order or proceeding has been registered in the Court and the transfer is complete.

Upon receiving the advice, the DCP ILO must notify the DCP case worker and any relevant parties via email.

Where a Youth Court proceeding has been transferred, the DCP ILO will also advise the CSO who in turn will seek for Youth Court proceedings to be discontinued in South Australia.

As soon as possible, the DCP case worker must (where applicable):

- notify the Carer Payments team (DCPCarerPayments@sa.gov.au) of the date when carer payments from South Australia must cease
- provide the new interstate case worker details to the child or young person (if ten years or older), their parents, guardians and carer(s) (both verbally and in writing)



- convene a teleconference with the receiving State or Territory case worker
- notify relevant service providers (including the National Disability Insurance Agency if applicable) of the case transfer and the new interstate case worker details
- advise the receiving State or Territory case worker when South Australian payments to the carer will cease
- end the order in C3MS
- send the following original documents to the receiving State or Territory:
 - original birth certificate(s)
 - life story book(s)
 - original photographs and letters
- Advise the Subpoena and Information Release Team (SIRT) via [email](#) that these documents have been sent.

Once these actions are complete, the DCP office will close the child protection case.

The DCP SIRT will collate all information for the child or young person held by DCP and arrange for this to be sent to the receiving State or Territory. This includes:

- all electronic and copied paper files
- Life Story Book.

The DCP case worker will collate and send the following to the receiving State or Territory:

- original birth certificate
- any original photographs and letters that DCP have on file for the child or young person.

Once these actions are complete, the DCP office will close the child protection case.

Transfer care and protection orders or proceedings from interstate to South Australia

A relevant State or Territory may seek to transfer a care and protection order to DCP where the child or young person is placed in South Australia. In rare circumstances, ongoing care and protection proceedings may also be transferred to South Australia.

Care and protection orders may be transferred to South Australia via an administrative or judicial process. Care and protection proceedings can only be transferred via a judicial process. Under section 134 of the CYPs Act, care and protections orders or proceedings transferred into South Australia must be filed for registration in the Youth Court as soon as possible.

To respond to requests to transfer care and protection orders or proceedings, DCP workers must take the following steps:

1. Receive and assess request	The DCP ILU is responsible for receiving interstate requests to transfer child protection orders and proceedings. Upon receiving a request, the allocated DCP ILO, in consultation with the DCP co-worker providing casework assistance (if applicable), will assess the request and seek advice from DCP Legal. Where the request relates to the transfer of an order, the assessment must ensure that:
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	1. the legal requirements for the proposed transfer have been met (including that any required consents have been obtained in writing) 2. the order is not subject to an appeal or is otherwise stayed 3. the same or similar order exists in South Australia 4. all placement assessments (such as approval of carer and working with children check) have been completed. The DCP co-worker is responsible for undertaking all tasks that may be required in order for the transfer request to be progressed (this may include completing the referral for approval of carer and working with children check). The DCP ILO will assist with these tasks where possible. In accordance with the Interstate Child Protection Protocol, if these requirements are met, the request to transfer the order should be accepted by South Australia unless it is assessed that the transfer is contrary to the best interests of the child or young person, is an exceptional case where it is not practical to accept the request, or it is not legally possible to accept the request. Where the request relates to the transfer of care and protection proceedings, the DCP ILO will seek information from the sending State or Territory regarding the intended or actual location of the child or young person and their parents or guardians in South Australia. The DCP ILO should also consult with the manager of the local office for the intended location of the child or young person and invite them to provide advice for inclusion in a report to the Deputy Chief Executive. The allocated DCP ILO will record the transfer request in C3MS.
2. Seek Deputy Chief Executive approval	The Deputy Chief Executive is responsible for approving decisions relating to the transfer of care and protection orders and proceedings into South Australia. Once the DCP ILO has completed their assessment, they must prepare a report for the Deputy Chief Executive that includes the following information: • the recommended outcome or decision (for example, whether the transfer should be accepted or not) • the child or young person's case and child protection history • a summary of the assessment findings and legal advice received • confirmation that the child or young person's carers are approved in South Australia pursuant to section 72 of the CYPs Act. The briefing must also be reviewed and endorsed by the relevant regional director. If the Deputy Chief Executive is not available, the Executive Director, Service Delivery and Practice has delegated authority to make this decision.



3. Inform the sending State	The DCP ILO must advise the sending State or Territory and DCP case work assistance co-worker via email that South Australia consents (or does not consent) to the transfer. If consent is refused, no further action is required in relation to the proposed transfer. Negotiation may occur as to whether casework assistance will continue on an ongoing basis. If consent is provided, the sending State or Territory will advise the DCP ILO in writing once the administrative transfer has been approved or the judicial transfer order has been made. The ILO for the sending State or Territory will also advise the DCP ILO once the appeal period for the transfer has passed (where applicable).										
4. Register the interstate order or proceeding in the Youth Court	The DCP ILO will refer the matter to the relevant DCP local office. The local office will assign a DCP case worker to the case (usually this will be the DCP co-worker providing casework assistance) to provide case management and prepare the relevant documentation to file in the Youth Court, including a copy of the care and protection order/s made by the interstate Court. These documents must be reviewed by the DCP case worker's senior practitioner and supervisor then forwarded to the CSO. The CSO will advise the DCP ILO and the DCP case worker once the transfer has been registered in the Youth Court. The DCP ILO will notify the sending State or Territory ILO and the relevant DCP office via email. The DCP ILO will record the relevant administrative authority in C3MS (according to the table below). The DCP ILO will record a copy of the registered order in the 'Notes and documents' tab of this administrative authority. C3MS codes <table border="1" data-bbox="523 1301 1430 1648"> <tr> <td>A31</td><td>Reg Interim Order During Transfer of CP Proceedings (to SA)</td></tr> <tr> <td>A30</td><td>Reg Transfer of CP Proceedings (to SA)</td></tr> <tr> <td>A36</td><td>Reg interstate order – Custody to CE up to 12 mths</td></tr> <tr> <td>A34</td><td>Reg interstate order- Guardianship to CE to 18 yrs</td></tr> <tr> <td>A37</td><td>Reg interstate order – Guardianship to CE up to 12 mths</td></tr> </table> Once a care and protection order has been registered in the Youth Court it will be taken for all purposes to be a care and protection order made by the Youth Court on the day it was registered and it may be varied or revoked, or the period of the order extended, pursuant to the CYPs Act.	A31	Reg Interim Order During Transfer of CP Proceedings (to SA)	A30	Reg Transfer of CP Proceedings (to SA)	A36	Reg interstate order – Custody to CE up to 12 mths	A34	Reg interstate order- Guardianship to CE to 18 yrs	A37	Reg interstate order – Guardianship to CE up to 12 mths
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A34	Reg interstate order- Guardianship to CE to 18 yrs										
A37	Reg interstate order – Guardianship to CE up to 12 mths										
5. Assume ongoing case management responsibility	Once the care and protection order or proceeding has been transferred to South Australia, the DCP case worker must: notify the Carer Payments team (DCPCarerPayments@sa.gov.au) to commence carer payments from South Australia (where relevant)										



	• arrange for the case in C3MS to be moved to the Protective Order phase by the team supervisor • attend the handover teleconference convened by the sending State or Territory case worker • receive all relevant documentation from the sending State or Territory in relation to the child or young person.
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Document control

Reference No./ File			
Document Owner		Lead Writer (position)	
Directorate/Unit: Quality and Practice		Operational Policy Team, Quality and Practice	
Accountable Director: Director Quality and Practice			
Commencement date	15 May 2026	Review date	4 October 2027
Risk rating	Consequence Rating	Likelihood	Risk Rating
	Moderate	Unlikely	Moderate

REVISION RECORD		
Approval Date	Version	Revision description
13/11/2019	1.0	Final document
19/12/2019	2.0	Change to content on Family Group Conference
24/04/2020	3.0	Changes to reflect new Outcome Codes Practice Guide
7/10/2020	3.1	Minor amendments made to update SDM references
4/12/2020	3.2	Inclusion of Transfer of care and protection orders and proceedings between South Australia and other jurisdictions
12/01/2021	3.3	Additions regarding considerations / requirements for culturally and linguistically diverse children, young people and families and minor changes made for consistency in language across all Manual chapters and formatting of the Word version of the Chapter
11/02/2021	3.4	Minor changes to update hyperlinks and references to Outcome Codes Procedure
30/03/2021	3.5	Minor changes to include details of the Aboriginal Unborn Child Concerns Family Group Conferencing pilot program.
4/05/2021	3.6	Minor amendment to include hyperlink to the Consent to Voluntary Custody Agreement form.
7/05/2021	4.0	Review of Family Group Conferences. Separate information about RASA FGCs and CAA FGCs.
23/06/2021	4.1	Minor changes to include details regarding family reunification
10/08/2021	4.2	Amendments to consultation requirements
17/11/2021	4.3	Minor changes to update C3MS codes and C3MS recording procedures and responsibilities
01/04/2022	5.0	Full review as part of the policy review cycle, including structural changes to increase utility.



REVISION RECORD		
Approval Date	Version	Revision description
16/06/2022	5.1	Minor amendment to guidance regarding considerations for case closures.
28/10/2022	5.2	Amendment to include additional considerations for undertaking ongoing intervention with families and child and young people from CALD backgrounds.
14/11/2022	5.3	Minor amendment to update references to guidance on working with Aboriginal families.
02/12/2022	6.0	Amendment to guidance on family group conferences to update referral criteria and create consistency between service providers. Amendment to update guidance on case closure and addition of links to case closure letter template. Updates to document titles and hyperlinks.
09/01/2023	6.1	Minor amendment to update guidance on referral-in meetings for family group conferences.
23/01/2023	6.2	Amendments to describe expanded service eligibility and timeframes required during FGC process in line with new contracts with service providers
03/02/2023	6.3	Minor amendment to insert references to ongoing intervention flowcharts (Assessment, case conceptualization and case direction, Family group conference, Family preservation, Voluntary custody agreement, Family reunification, Make an application for care and protection orders).
24/02/2023	6.4	Minor amendment to clarify reunification assessment timeframes.
15/02/2023	6.5	Minor amendments in response to learnings from coronial findings in relation to assessment of the safety of siblings, case closure following referral to a service, and responding to families who refuse to engage with DCP.
12/05/2023	6.6	Minor amendment to Scope section to include reference to authorisations and delegations.
2/06/2023	6.7	Minor amendment to correct reunification service written estimate period (for hours and activities) from three months to six months, in accordance with practice.
4/07/2023	6.8	Minor amendment to highlight filing times for Court documents in 'Required timeframes for documents in support of care and protection orders' table.



REVISION RECORD		
Approval Date	Version	Revision description
24/08/2023	6.9	Minor amendment to clarify CAA FGC referral criteria and further clarify expectations around Court documentation to CSO.
06/05/2022	6.10	Minor amendments to add links to the Transporting children and young people guidance.
06/10/2023	6.11	Minor amendments regarding CAA FGC referrals and VCA guidance.
22/09/2023	6.12	Minor amendment in response to recommendations from the Independent Inquiry into Foster and Kinship Care in South Australia.
26/10/2023	6.13	Minor amendment to update family reunification service providers.
8/11/2023	6.14	Minor amendments to clarify case closure approval requirements from manager when SDM Risk Reassessment outcome remains high.
22/12/2023	6.15	Minor amendments to include new C3MS guides.
24/01/2024	6.16	Minor amendments to include new C3MS guides in FGC content.
5/04/2024	6.17	Minor amendments to include guidance about care team meetings and making a referral to the Newpin family reunification program.
28/06/2024	6.18	Minor amendments to include guidance about care team meetings and making a referral to the Newpin family reunification program.
20/08/2024	6.19	Minor amendments to distinguish between DCP Interstate Liaison Unit (ILU) and DCP Interstate Liaison Officer (ILO).
20/08/2024	6.20	Minor amendments to clarify requirements for recording referrals in the Referrals tab in C3MS.
04/10/2024	7.0	Comprehensive review as per the DCP policy review cycle.
31/03/2025	7.1	Minor amendments to support the implementation of the new Expression of Interest process for the Newpin Program.
03/06/2025	7.2	Inclusion of information for referring to the FGC – Family Law Options Pilot and minor amendments to participation in the referral in meeting section, as well as roles and responsibilities of DCP and the FGC Coordinator.
23/06/2025	7.3	Minor amendments to reflect changes to FGC eligibility criteria.
22/07/2025	7.4	Minor amendments to FGC content to update new eligibility for AFSS.



REVISION RECORD		
Approval Date	Version	Revision description
11/05/2026	7.5	Minor amendments to update reference to guidance about Reunification Court and to clarify requirements for case planning and documenting case conceptualisation and case direction decisions.