

What will happen next?

The Chair of the Panel will decide if a hearing for the review is to take place. Not all reviews require a hearing. Some may be conducted on the basis of written material including any written information you have provided. If a hearing is to take place, you will receive a letter regarding where and when the hearing will be held and how it will be conducted, and you will be invited to attend.

You may wish to prepare additional information for your discussion with the Panel at the hearing.

You should carefully consider each decision of the care plan that you are objecting to, and it may be helpful for you to develop some short notes to help you clearly state your objections when you are speaking to the Panel.

Once the review process is finished, the Panel will make its recommendations to the CEO of the Department, who will make a decision. A letter will be sent to you notifying you of the CEO's decision.

What happens if I am not satisfied with the decision?

If you are not satisfied with the CEO's decision following the review by the Panel, you may apply to the State Administrative Tribunal for a further review, in accordance with Rule 9 of the State Administrative Tribunal.

If you are going to make an application to the State Administrative Tribunal, you must do so within 28 days of receiving the letter outlining the CEO's decision. The Tribunal may extend this period.

Additional things to consider

You can bring another person to the Panel hearing with you for support. If you are going to bring someone, you must let the Secretariat of the Panel know.

You are entitled to have an interpreter, including an AUSLAN interpreter, at a review hearing if needed. If you need an interpreter, you must also let the Secretariat know.

Further Information

For more information contact:

The Secretariat
Care Plan Review Panel
Department for Child Protection and Family Support
189 Royal Street
EAST PERTH WA 6004
Tel: (08) 9222 2593



Government of Western Australia
Department for Child Protection
and Family Support

Care Plan Review Panel

Requesting a review

What is the Care Plan Review Panel?

The Care Plan Review Panel (the Panel) has been established under the *Children and Community Services Act 2004* to review decisions that are made as part of a care plan for children in the care of the Chief Executive Officer (CEO) of the Department for Child Protection and Family Support (the Department).

The Panel makes a recommendation to the CEO of the Department, also referred to as the Director General.

Who is on the Care Plan Review Panel?

The Panel is made up of at least three members including the Chair, who has legal training.

Department staff cannot be Panel members.

If the Panel is reviewing a decision relating to a child who is an Aboriginal or Torres Strait Islander or from a culturally and linguistically diverse background, a person with specific knowledge and experience from that background will give advice to the Panel.

During a review, the Panel may require advice and/or information about the Department's practices and procedures from a person with relevant expertise. This person is appointed by the Department to provide such advice.

What is a care plan and case planning decision?

Every child in the care of the CEO must have a care plan.

A care plan is a written plan that identifies the needs of a child and how those needs will be met, and sets out decisions about the care of a child including decisions about:

- placement arrangements

- contact arrangements with family and others considered to be significant to the child, and
- services to be provided to the child, for example, counselling.

These decisions are called 'care planning decisions' and are made at a care plan meeting. You will get a copy of the care plan sent to you after the meeting, showing the care planning decisions.

The Panel cannot review points in a care plan covered in areas that outline identified needs of the child. It also cannot review decisions that are made as part of a provisional care plan for a child in the provisional protection and care of the CEO.

In addition, the Panel cannot review decisions made by the courts. These decisions generally involve matters before the Children's Court of Western Australia or the Family Court of Western Australia.

Who can ask the Care Plan Review Panel to review a decision?

If you are one of the following and are not satisfied with a care planning decision in a care plan, or a modification of a decision to a care plan, you can ask the Panel to review the decision:

- the child who the care plan is for
- the parent(s) of the child
- the child's foster carer(s), or
- a person who can show that they have a direct and significant interest in the wellbeing of the child, such as a relative of the child or someone from an agency that works with the child and their family.

The best interests of the child are the most important consideration in any decision making.

How do I make an application?

If you are considering making an application to the Panel, it is a good idea to contact the person who chaired the care plan meeting and talk to them about the decision that you are not satisfied with.

This will help you to understand the reason why the decision was made. You may also be able to get some changes to the decision and not need to apply for a review.

If you want to make an application for a review of a decision by the Panel, you must complete an application form.

In the application form, you must identify:

- the specific care planning decision/s that you want to have reviewed, and
- the reasons for seeking the review.

Applications to the Panel must be made within 14 days of you receiving a copy of the care plan or modified care plan.

If there are special circumstances, this period may be extended. To get an extension you must:

- write to the Chair of the Panel to ask for an extension, and
- clearly state the reason why you need the extra time.

Your completed application form can be sent by post or faxed to (08) 9222 2932. It should be directed to:

Care Plan Review Panel

Department for Child Protection and Family Support
189 Royal Street
EAST PERTH WA 6004
Fax: (08) 9222 2932