



What is permanency planning?

Permanency planning is what the Department for Child Protection and Family Support (the Department) does to enable children to have a stable and secure home, and to be connected to the people most important to them. This is because children need safe, continuous and stable care arrangements, lifelong relationships and a sense of belonging.

The Department's best hopes are that children who come into care are able to live at home with their parents¹ (called reunification). We know that going home and coming back into care or moving from one care arrangement to another is not good for children.

What is the Department's role in permanency planning?

The Department's role is to make permanency and stability a priority from the moment the Department becomes involved in caring for a child so there is a clear plan for their future. It is also the Department's role to give family members and carers as much support as possible to help children return home within the agreed timeframe, or to establish an alternative permanent option for the child.

How will the Department decide on a child's permanency plan?

In most cases, the Department will work with parents and family members to address the dangers that led to the child coming into care so that the child can return home.

Parents and family members will be involved in Signs of Safety case planning meetings to talk about the child's permanency plan. These meetings will determine what has to happen for a child to return home including the timeframe.

Carers may be involved in these meetings, or they may have separate meetings with the child's child protection worker to discuss the child's permanency plan and be kept informed of how the plan is going.

Decisions about a child's permanency will be recorded in the case plan and the Department will explain to all parties what the plan is.

¹ The term parent refers to a person, other than the CEO, who at law has responsibility for the day-to-day and long-term care, welfare and development of the child.

Parallel planning

The planning around a child's permanency must be realistic, so while the Department's best hope is for the child to return home, this may not always be possible. This means the Department will need to have a backup plan for permanent out-of-home care if reunification does not happen. This is referred to as 'parallel planning' which means having a primary permanency plan and a secondary permanency plan running alongside each other.

Reunification

When a child is in temporary care (provisional protection and care or on a protection order (time-limited)) the primary permanency plan will be to return a child to live with their parents.

The secondary permanency plan will be permanent out-of-home care. The Department will therefore explore permanent placement options just in case the child's parents are unable to make the necessary changes within the timeframe that has been set.

What if a child can't go home?

The permanent out-of-home care options that may be considered as part of permanency planning for a child include:

- protection order (until 18) and stable care arrangement with:
 - family or significant other carer; or
 - foster carer
- protection order (special guardianship) with family or significant other carer
- protection order (special guardianship) with foster carer
- parenting order with a person with an established relationship with a child such as a family member
- carer adoption² with a relative, significant other or foster carer.

When a child is on a protection order (until 18) permanent out-of-home care is the only permanency plan.

What are the timeframes for permanency planning?

Permanency planning means that decisions about the permanent plans for a child will be made within set timeframes.

² Adoption is not part of Aboriginal culture, and therefore the adoption of a child in the CEO's care who is Aboriginal must occur only in circumstances where there is no other appropriate alternative for that child (s.3(2) *Adoption Act 1994*).

Decisions about whether to proceed with reunification and what is in the child's best interests must be made within:

- 12 months for children who enter provisional protection and care at less than 3 years of age; and
- two years for all other children.

For sibling groups the youngest child's age should direct the timeframe for decision making.

Who will get a say in the decisions about a child's permanency plan?

All parties involved in the child's care, including family, carers and others who are significant to the child, should have input into the permanency plan for the child.

What if I disagree with a child's permanency plan?

If a family member, carer, the child, or any other person significant to the child disagrees with a case planning decision regarding the child's permanency plan they are able to discuss the matter with the child protection worker. Alternatively, they may wish to discuss the matter with the team leader, assistant district director or district director.

Where a decision is made for the child to remain in permanent out-of-home care, the Department will be required to make application to the Children's Court to revoke the protection order (time-limited) and replace it with a long-term protection order - either a protection order (until 18) or protection order (special guardianship).

Once the Department has lodged an application with the Court, all parties will have an opportunity to have their say.

All parties should seek independent legal advice from a solicitor or from the Legal Aid Commission if they wish to be involved in the Court proceedings or if they are seeking to return to Court to apply for a revocation and replacement order.

Will there be contact between the child and their family?

Yes, in the majority of cases. Contact between a child and their parents, siblings and other family members, as well as with significant others, is an important part of planning for children in care regardless of their permanency plan.

Contact helps children maintain their identity as well as their sense of belonging and culture. Contact should be purposeful, planned and safe, with an open dialogue between the child's family, carers and the Department so that the needs of the child remain the focus.

Contact can include face-to-face meetings, written communication (such as emails and letters) and phone calls.

The amount of contact that a child has with their parents will depend on the plan for the child. For example, where the plan is for a child to remain in permanent out-of-home care, the frequency of contact may be less than where the plan is for a child to return home.

What does permanency planning mean for an Aboriginal child?

Aboriginal children have a right to maintain links with their family and community. This connection enables Aboriginal children to maintain or develop a strong sense of identity, which includes their culture and belonging to their country.

The Department is guided by the Aboriginal child placement principle which states the preference for placement with family, kin, or community members for Aboriginal children who are in the CEO's care.

In the event that all options to place an Aboriginal child with family or kinship carers are inappropriate or exhausted, it may be necessary to place the child with non-Aboriginal carers. The Department must assess the potential carer's long-term suitability, taking into account the child's cultural background. This is necessary to promote preservation and enhancement of the child's cultural and spiritual identity. It is important that potential carers be willing to engage with the child's birth family and/or cultural group.

What does permanency planning mean for a culturally and linguistically diverse child?

The same principles that apply for Aboriginal children also apply for children from culturally and linguistically diverse backgrounds.

If parents make significant changes, will the Department support a child returning home after a protection order (until 18) has been granted?

The emphasis of permanency planning is for the child to have a long-term plan and for them to know where they will grow up. Where a child is under a protection order (until 18), and they have been in a planned and stable care arrangement that meets their needs for more than two years, a change in placement (including going home) is generally not appropriate.

However, the Department's permanency planning policy does not change a parent's right to seek a revocation of a protection order (until 18).