



Interim Placement Policy

Purpose

To outline the approach and circumstances under which a child¹ in the care of the Chief Executive Officer (**CEO**) of the Department of Communities (**Communities**) can be placed in an interim placement. This will also include the approach to undertake initial safety checks and assessments within five working days to determine whether the interim placement should continue and, if so, progressing to complete a carer assessment within six months.

Interim placements

At times, urgent out-of-home care is required for a range of unexpected reasons to ensure a child's safety. In circumstances where urgent care is required a child may be placed in a care arrangement² with a family member or other person significant to the child who is not already approved as a carer under s.79(2)(a) of the *Children and Community Services Act 2004 (Act)* in accordance with outlined in regulation 4 of the *Children and Community Services Regulations 2006 (Regulations)*. This type of care arrangement is referred to as an interim placement arrangement. The individual who provides, or will provide, care for a child under the interim placement arrangement is referred to as the interim carer.³

To support this to occur, Communities undertakes initial safety checks and assessment/s prior to placing the child with the interim carer and these need to be completed within five working days of the child being placed in the interim care arrangement. A decision must be made within five working days of the interim placement commencing by the Assistant Director/District Director about whether to proceed with a family member or significant other carer assessment.

If the decision is made to proceed with the interim placement with a family member or significant other, then an assessment of the interim carer and suitability of the placement in accordance with regulation 4 of the Regulations must be completed within four to six months.

Communities applies the principles set out in section 9(ga) of the Act, to prioritise the placement of all children to preserve and enhance the child's relationships with the child's family and with other people who are significant in the child's life (subject to protecting the

¹ The term child means a person who is under 18 years of age, and in the absence of positive evidence as to age, means a person who is apparently under 18 years of age.

² Care arrangements are referred to as "placement arrangements" in the *Children and Community Services Amendment Act 2004*. It means an arrangement for the placement of a child with certain persons, made under section 79(2) of the Act. In this policy, placement arrangement is used for consistency with the Act.

³ Regulation 4A. Interim placement arrangements of the *Children and Community Services Regulations 2006*

child from harm and meeting the child's needs). Communities adheres to the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) as set out in section 12 of the Act when considering placement options for Aboriginal and Torres Strait Islander children in care. Interim placement options with family are therefore central to the adherence to ATSICPP; however, the best interests of the child is the paramount consideration in decision making.

Aboriginal and /or Torres Strait Islander children have a right to grow up with a communal sense of belonging, a stable sense of identity, to know where they are from, and their place in relation to their family, 'mob', community, land and culture⁴.

Policy statement

Communities' has a statutory role to ensure that where a decision is made to place a child in an interim placement under s.79(2)(a)(iv) of the Act, the time-limited placement is made in accordance with r.4A of the Regulations.

Unlike foster carers who anticipate and expect the assessment process before they can care for a child, interim carers often assume this responsibility in unexpected circumstances. It takes time to adjust to the impact of this on all aspects of their lives, including establishing practical arrangements.

Interim carers may also have other commitments they need to manage in addition to working with Communities to complete an assessment. Their ability to prioritise Communities' assessment tasks will be different from that of a foster carer applicant who has already decided to prioritise caring for a child in care and all that this entails. It may take several months before an interim carer is ready to fully engage with Communities to complete an assessment.

The learning and development of interim carers is seen as central to supporting interim placement arrangements. While this is anticipated by foster carer applicants, it may be viewed as unnecessary and unwelcome by family or significant people to the child who become interim carers in unexpected circumstances. It takes patient and skilled engagement by workers to support and engage interim carers in learning in these circumstances. It is also important that workers acknowledge and recognise the contribution family carers make and that this contribution is considered through an appropriate cultural lens where applicable and valued by Communities.

Aboriginal family members who become interim carers often have multiple family, work and cultural responsibilities to manage alongside any engagement with Communities. The impact of policies and practices that led to the Stolen Generations, including intergenerational trauma, may mean that it is exceptionally difficult for Aboriginal interim family carers to consider being "assessed" by Communities. Assessors must invest time

⁴ SNAICC, The Aboriginal and Torres Strait Islander Child Placement Principle: A Guide to Support Implementation, 2018.

with Aboriginal interim family carers to build rapport, trust, learn and understand cultural differences in child rearing practices so as not to bias an assessment.

Scope

Children in the CEO's care may only be placed in an interim placement arrangement if they are the subject of:

- provisional protection and care
- protection order (time-limited)
- protection order (until 18), or
- negotiated placement agreement.

'Family' is defined in the Act and includes a child's parent, grandparent, or other ancestor, stepparent, sibling, uncle or aunt, cousin, spouse or de facto partner. In the case of an Aboriginal child or Torres Strait Islander child, family is defined as each person regarded under the customary law or tradition of the child's community⁵ to be the equivalent of those previously mentioned persons.

'Significant other' is not defined in the Act but includes adults who have known and demonstrated an active interest in the child or their family for a significant period, are part of a child's safety network and/or have been identified through the Family Finding Model⁶ and/or attendance and participation in Signs of Safety⁷ meetings.

A 'significant other' does not have definite parameters, often these situations require contextual considerations for the child in their unique circumstances. A 'significant other' could be a person who:

- would be included in a child's ecomap
- has known the child and/or their family for a significant period of time
- visits the family home regularly
- is known to the parents not just the child
- is known to the child and not the parents where significant relationships have developed through their out-of-home care arrangement
- has demonstrated an active interest in the child and their family's welfare over an extended period of time
- has been identified in Aboriginal Family Led Decision Making⁸ meetings, and/or
- is considered significant through belonging to the same cultural group.

⁵ Community means, (a) in relation to an Aboriginal child — the child's Aboriginal community; or (b) in relation to a Torres Strait Islander child — the child's Torres Strait Islander community.

⁶ The Family Finding model recognises that all children have extensive family networks, and every child has the right to either be brought up within their own family and community or to maintain meaningful connections with their family where this is not possible. The model complements the WA Signs of Safety Child Protection Practice Framework used by Communities to engage families in case planning and decision making.

⁷ Refer to Signs of Safety Child Protection Practice Framework

⁸ AFLDM provides the family with a culturally safe space in which meetings are facilitated by an Aboriginal convenor and families are supported to make culturally based and family-driven decisions ([SNAICC 2018](#))

Initial safety checks and assessment within five working days

A robust and comprehensive assessment of interim carers must begin early to ensure placement safety and use existing planning and assessment activities. Initial safety checks and assessment focuses on the child's needs and safety. The following requirements in regulation 4A of the Regulations, along with Team Leader consultations and section 81 consultations with an Aboriginal Practice Leader and family members for an Aboriginal child, must be completed before or as soon as possible after an interim placement is made, but within five working days:

- (a) Completion of statutory declaration (Form 562) by the interim carer and all household members.
- (b) Completion of record check consent form (Form 395 or RCCAS application) by the interim carer and all adult household members so that Departmental and criminal record screening can occur.
- (c) Screening Unit to notify the District Director if the applicant or household member has a Negative Notice or Interim Negative Notice under the *Working with Children Check (Criminal Record Checking) Act 2004*.
- (d) Home visit to undertake an initial safety assessment which includes an initial environmental assessment.

The check of Departmental records must occur prior to placement. The home visit and statutory declaration must occur before or at the time of placement unless there are exceptional circumstances (such as an adult household member not being present to complete the forms at the time of the initial home visit).

Working with Children applications for interim carers and household members should, wherever possible, be lodged before the child is placed but must be lodged within five days of the placement occurring.

The initial safety assessment must align with and support the child's safety plan.

Decision whether to progress

When assessing the child's safety in the proposed interim placement, consideration should be given to:

- (a) the interim carer's role in implementing the safety plan and how they have managed any new issues that have arisen, and
- (b) any adverse information received from the record check and what actions the interim carer plans to take to reduce the risk to the child.

If the initial safety checks are not completed within five working days, the child must be removed from the interim placement arrangement and an alternative care arrangement must be made. This must also occur if the interim carer is not approved under regulation 4(1) within six months of the child's placement.

Carer assessment within six months

After five working days a decision is made whether the child will remain in the interim placement. Communities has six months to finalise the assessment of the interim carer against the criteria identified in regulation 4 of the Regulations.

Assessing an interim carer against the carer competencies⁹ begins before or within 24 hours of a child's placement (depending on the circumstances under which a child was placed, for example, overnight) and progresses incrementally over the six months as part of an integrated assessment and case planning process.

Interim carer assessments should consider the context under which the child has been placed, the family or significant other's knowledge of the child's needs, and relationship with the child's family. Depending on the level of prior knowledge and relationship with the child, the sharing of information about the child and family between Communities and the interim carer is a critical aspect of the assessment.

The assessment must consider and acknowledge that the interim carer is adjusting to the significant change of managing the day-to-day care of the child, alongside demonstrating their capacity to meet the competencies. During this period, they are likely to be managing a high level of uncertainty in relation to whether the child will remain in their care or return to the parent(s) while also managing contact with the child's family through formal and informal mechanisms. Communities is committed to promoting meaningful family contact for all children in care which is purposeful, planned, and safe and supports the child's sense of connection to their family and network of significant people. This is a right for all children in care¹⁰.

The assessment should focus on a balance of providing information, developing a learning environment, observations and feedback from others and occur parallel with case planning processes so that a broader assessment of the suitability, safety and functioning of the placement is occurring at the same time.

Further detail is provided below of the likely areas of focus under each competency, and these should be adapted and refined to reflect the specific needs of the interim placement.

Competency 1 r.(4)(1)(a)(i): Is able to provide care for a child in a way that promotes the wellbeing of the child, promotes the child's family and interpersonal relationships, and protects the child from harm:

- Knowledge and understanding of why the child/ren came into care and the child's needs and how the applicant(s) feel about this in relation to providing care to the child.

⁹ Criteria set out in regulation 4 of the Regulations are commonly referred to as the "carer competencies". These competencies need to be met for a person to be approved as a foster carer, and they also provide a foundation for professional practice in the assessment process.

¹⁰ Refer to *Charter of Rights for Children in Care*

- Applicant's role in the child's life prior to placement and the child's perspective of the applicant and their reason for wanting to become a carer.
- Relationship with the child's family and how the applicant(s) will support the child to maintain contact and maintain/strengthen their relationship with the family.
- Sharing with the applicant how the Care Team Approach applies to them and the child and what areas the applicant will be required to support or be included.

Competency 1a r.(4)(1)(a)(ia): Able to provide care for a child in a way that supports the child's culture and identity:

- Demonstrates evidence of cultural competency over the assessment period.
- Cultural awareness (openness and willingness to keep a child connected to culture, community and Country, and to maintain their cultural connections).
- Understanding of the stolen generations and intergenerational trauma.
- Awareness of past policies and practice impacts on Aboriginal peoples.
- Understands the importance of links to country and language.
- Understanding of Culturally and Linguistically Diverse families, importance of customs and traditions and has strategies to support and maintain cultural links.
- Understanding of racism and discrimination and has strategies to respond and support a child in care experiencing these.
- Acceptance of all religions and strategies to support a child to follow their faith.
- Acceptance of gender identity issues, with strategies to support a child identifying as gay, bisexual, transgender or non-binary.

Competency 2 r.(4)(1)(a)(ii): Able to provide a safe living environment for the child:

- Any issues identified in the home safety assessment and progress by the applicants.
- Risk posed by family members or other individuals who come into the home or the family have contact with and the applicant's views and approach to any safety plan developed with them by Communities.
- Plan for managing informal contact with family members and any associated risks.
- How their family home runs and any rules including discipline methods. Include relevant examples or evidence and how this will be adapted/changed to manage the needs of child who has experienced trauma.
- Any current or ongoing health needs for the applicant and how this will be managed.

Competency 3 r.(4)(1)(a)(iii): Able to work co-operatively with officers, a child's family and other people when providing care for a child should consider:

- Views of working with Communities and relevant examples or evidence
- Relationship with birth parents and wider family and ability to work with them
- Relationship with care team members and ability to work with the wider network (professionals and extended family/community).

- Ability to work through difficulties/challenges with safety plan and/or contact arrangements
- Attitudes towards managing situations in which carers disagree with Communities' case plan

Competency 4 r.(4)(1)(a)(iv): Is able to take responsibility for the development of their competency and skills as a carer should focus on:

- The applicants understanding of the challenges for them and the child and their ideas/actions to manage this.
- Provide information on the range of supports available to carers and training opportunities available through Learning and Development.

Competency 5 r.(4)(1)(a)(v) and (b): Is a person of good character and repute should focus on:

- Outcome of the record screening check and any impact of any offences on the ability for the applicant to provide care to this specific child/ren.
- Details of current and previous employment.
- Information provided by the referee and other professionals including Aboriginal Practice Leader who can provide evidence of the carers good repute.

Legislative mandate

Child protection workers must consider the general principles of the Act relating to children, including the best interests of the child being the paramount consideration (section 7 of the Act).

Section 79(2)(a)(iv) of the Act provides for the CEO to make an arrangement for the child's placement in situations where a placement is required with an individual who is not approved in accordance with the requirements set out in regulation 4 of the Regulations.

Communities adheres to the ATSICPP as set out in section 12 of the Act when considering placement options for Aboriginal and Torres Strait Islander children in care. It prioritises, so far as is consistent with the child's best interests and otherwise practicable, placement arrangements as follows:

- a) placement with a member of the child's family;
- b) placement with a person who is an Aboriginal person or Torres Strait Islander in the child's community in accordance with local customary practice;
- c) placement with a person who is an Aboriginal person or Torres Strait Islander who lives in close proximity to the child's community;
- d) placement with either a person who is an Aboriginal person or Torres Strait Islander OR a person who is not an Aboriginal person or Torres Strait Islander but who —
 - (i) lives in close proximity to the child's community; and
 - (ii) is responsive to the cultural support needs of the child and is willing and able to encourage and support the child to develop and maintain a connection with the culture and traditions of the child's family or community;
- e) placement with a person who is not an Aboriginal person or Torres Strait Islander but who is responsive to the cultural support needs of the child and is

willing and able to encourage and support the child to develop and maintain a connection with the culture and traditions of the child's family or community.

Before making a placement arrangement for an Aboriginal or Torres Strait Islander child, Communities' consults with members of the child's Aboriginal family, an Aboriginal officer who has relevant knowledge of the child, the child's family or the child's community. If an interim placement is required and compliance with this consultation requirement is not possible, full consultation occurs as soon as practicable after making the interim placement.

As required in section 80 of the Act, written guidelines for placement of children from culturally and linguistically diverse backgrounds have been developed, with placement arrangements prioritised as follows:

- Placement within the child's family of origin;
- Placement with a carer from the same culture and religion;
- Placement with carers who are accepting, respectful and responsive to meeting the specific cultural and religious needs of the child.

Operational procedures and guidelines

Refer to the Casework Practice Manual for operational procedures and supporting resources, including the *Urgent Placement Handbook*.

Other related documents

- Signs of Safety Child Protection Policy
- Signs of Safety Child Protection Practice Framework
- Care Planning Policy
- Care Team Approach Practice Framework
- Family Finding Manual

Document control

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1 Amendments

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3	Month/year	[position title – not name]	