

# TYPES OF OUT-OF-HOME CARE

## Kinship Care

**Kinship care** is the care provided by relatives, family friend(s) or a member of the child's social network.

Kinship care is the explicitly preferred placement type for children who cannot live with their parents.

**Aboriginal kinship care** is care provided by relatives or friends to an Aboriginal child who cannot live with their parents, where Aboriginal family and community and Aboriginal culture are valued as central to the child's safety, stability and development. Aboriginal kinship services are operating in every region of the state.

**Statutory kinship placements** occur when a child protection intervention has occurred and a decision has been made to place a child with relatives or a significant friend, and may also involve an order made by the Children's Court.

**Private, informal or non-statutory kinship care** are terms which may be used to describe arrangements where children are cared for by relatives or significant friends without any Child Protection intervention.

## Foster Care

**Foster care** is temporary care of children by accredited foster carers when children and young people cannot live with their birth family.

Children and young people are placed in foster care for a range of reasons, and foster care can occur as a result of a court order, or through a voluntary arrangement between the child or young person's parent and a service provider. The care could be overnight, for a month or longer – it all depends on the needs of the child.

## Permanent Care

**Permanent care** placements are made under legal orders and agreements to provide vulnerable children with a safe and supportive family environment for when children are no longer able to live with their birth families.

Children placed in permanent care come through Child Protection services. Unlike adoption, it is not a voluntary placement. The department makes decisions about the safety of children, and for a few this sometimes means they are unable to return home to their birth parents. In these cases the decision is made for permanent care.

This comes about when a permanent care order is made by the Children's Court, granting custody and guardianship to the permanent family. Legally this means that as a permanent care parent you'll be responsible for day-to-day care of the child and also long-term decisions like education, residence and health. In all other ways, it means you'll be the child's parents into the future and will be providing them with enduring relationships.

As a permanent carer you have all financial responsibility for the child but financial assistance is available to help with some expenses. The permanent care order expires when the child turns 18 years of age.

*The information contained in this factsheet is based primarily on information from the Manual for Kinship Carers, published by the former Department of Human Services (now department of Families, Fairness & Housing) in 2017.*

## Residential Care

**Residential care** services in community-based houses are provided to children and young people in out-of-home care.

Children and young people who live in residential care are often those who have experienced the greatest level of trauma and who, therefore, require the most expert therapeutic care and support.

Placement in residential care is based on assessment of each individual's needs. This includes consideration of alternative placement in home-based care, and in particular kinship care, wherever possible.

## Lead Tenant

Provides supported semi-independent accommodation options for young people aged 16–18 years who are Child Protection clients and transitioning to independence from state care. Young people are supported by a volunteer **'lead tenant'** who shares the accommodation and by an outreach support team. Young people are able to stay in Lead Tenant programs for 12–18 months as they learn independence skills.

## Voluntary Out-of-Home Care

**Voluntary out-of-home care** is where there is no court order requiring a child to live out of their parent's/parents' care. Parents consent to a voluntary arrangement with a service for the temporary care of their child. This may be the Department of Families, Fairness & Housing (DFFH) or an out-of-home care or disability service within the community. The service will arrange for the child to be cared for by carers, who may be volunteers assessed and trained to care for children in their own home, or employees who care for children in residential facilities.

Voluntary out-of-home care is regulated by the *Children, Youth and Families Act 2005*. Before a child is placed in out-of-home care, a parent must sign a **child care agreement**. These agreements authorise the service to provide for the child's care and ensure parents are aware of their rights and responsibilities.

The *Children, Youth and Families Act* requires the Secretary of the department be notified of agreements, be consulted on their extension, undertake their review at certain times, approve the entering into of long-term agreements and in some cases, approve a person as suitable to provide long-term care for a child. Senior child protection managers in local department offices undertake agreement decision-making on behalf of the Secretary.

A parent of the child, the child, or any other person whose interests are affected by a decision made by DFFH in relation to a childcare agreement can request a review of that decision.

### RESOURCES

<https://services.dffh.vic.gov.au/children-care>

<https://services.dffh.vic.gov.au/kinship-care>

<https://services.dffh.vic.gov.au/foster-care>

<https://services.dffh.vic.gov.au/permanent-care-services-contacts>

<https://services.dffh.vic.gov.au/residential-care>

<https://services.dffh.vic.gov.au/voluntary-out-home-care>

## Report to Child Protection

### Informal kinship care arrangements

- This is a private (Informal) kinship arrangements (also known as informal or non-statutory kinship care) made by the child or young person's family without Child Protection or ACAC intervention.
- Carer has not been assessed and approved by child protection
- Not eligible for DFFH care allowance.
- May be eligible for Commonwealth Government financial supports and can access family services and other services available in the community.
- There could be a Family Law Court order in place determining parental responsibility or living arrangements.

### Voluntary kinship care arrangements

- No court order in place.
- During investigation phase, work occurs with the family to consider who within family network is willing and able to care for child.
- Child Protection assesses appropriateness of voluntary placement (Kinship Part A completed).
- The parent (or the young person) agrees for the child (or young person) to reside with the kinship carer and a safety plan is developed.
- Child Protection may cease involvement or may remain involved in a voluntary capacity.
- Carer receives level 1 care allowance or higher as assessed by child protection.
- Child protection will cease involvement when the child is reunified with family or it is determined the child could remain safely with the kinship carer without a court order (**this is known as a closed kinship arrangement**).
- Care allowance continues if child protection assess support is required to maintain the voluntary kinship arrangement post closure. Carer/child eligible for care allowance until 21 if attending school but not eligible for Home Stretch or Flexible Funding post 18 years.  
*EG: Parent is aware they are unable to safely care for child. They agree (in discussion with Child Protection) for child to be placed with a family member who will be supported by a care allowance.*

### Statutory kinship care arrangements

#### Child Protection involvement

- Child Protection assesses that further legal protection is required.
- Child Protection works with family to consider who within family network is willing and able to care for child.
- Kinship assessment (Part A & B) completed. First Supports referral made. Part C completed at 12 months.
- If placement is determined to be suitable, child protection issues protective application, court order grants.
- Carer receives level 1 care allowance or higher as assessed by child protection.
- Biological parents supported to make necessary changes to progress reunification and carer supported to enable contact with biological family.
- If there is an undertaking to third party, child turns 18yrs and/or Child Protection cease / allow order to lapse and child remains in a kinship placement, this then becomes a **"closed kinship arrangement"**
- Care allowance continues until child is 18yrs of age.
- Carer/child eligible for Home Stretch and Flexible funding from 18 to 21 years.

#### Assessment for permanent care

- Permanent care case plan endorsed by Child Protection case planner.
- Permanent care assessment of carer undertaken by child protection or permanent care team.
- Permanent Care Order granted by the court.
- Child Protection ceases.
- Care allowance continues until child is 18yrs of age. Carer/child eligible for Home Stretch and Flexible funding from 18 to 21 years.