Decision Making Table

Direction to staff

This document provides supplementary information to support Child and Youth Protection Services (CYPS) staff to perform their role.

Note: Unless otherwise indicated, the term 'child' or 'children' also refers to 'young person' or 'young people'. The term 'children in care' refers to 'children in out of home care'.

Procedures are available to guide staff on making type 1 and type 2 decisions. Refer to the 'Related Materials' section.

Purpose of this document

This Decision Making Table provides information about the different types of decisions that may need to be made about children and young people, including decisions made by CYPS staff.

Scope

This Decision Making Table supports staff within CYPS who are required to make a decision about a child or young person.

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Note: If the Director-General shares parental responsibility for a child or young person, CYPS staff must consult with any other person who shares parental responsibility in making a decision.

Decision	Sits with	Made by	Recorded
Type 1: Risk Assessment and Best Interests Decisions			
Create a CP Report	**CYPS** only	Team Leader	CCR/CPR Form
Proceed to appraisal	**CYPS** only	Team Leader	CCR/CPR Form
Substantiate	**CYPS** only	Team Leader	Appraisal Form
Record PBR	**CYPS** only	Team Leader	Appraisal Form
Care Order application	**CYPS** only	ARC panel	DoSA: ARC
Proceed to Family Assessment	**CYPS** only	Team Leader	Appraisal Form
Emergency Action	**CYPS** only	Operations Manager Case Manager – on rare occasions	DoSA: Emergency Action
Application for EPR/Adoption	**CYPS** only	ARC panel	DoSA: ARC
Case closure - CP	**CYPS** only	Operations Manager	DoSA: Case Closure
Increase or reduce a young person's youth justice (YJ) supervision frequency	**CYPS** only	Team Leader	DoSA: YJ Supervision Decision
Interstate Supervision Transfer	**CYPS only**	EBM Operations	DoSA: YJ Supervision Decision
Cease YJ supervision early	**CYPS only**	Team Leader	DoSA: Case Closure
YJ Interstate travel > 24 hours	**CYPS only**	Team Leader	DoSA: YJ Supervision Decision
Young person transfer of YJ community supervision to ACT Corrective Services at 18 years or older	**CYPS only**	Operations Manager or Senior Director	DoSA: YJ Case Management Transfer Decision

Decision	Sits with	Made by	Recorded
Case Closure -YJ	**CYPS only**	Team Leader	DoSA: Case Closure
Issue a warning letter a young person under YJ orders	**CYPS only**	Team Leader	DoSA: Managers Consultation
Issue a Breach for a young person on a community-based justice order supervised by the D-G (e.g. GBO/SSO/Bail order)	**CYPS only**	Team Leader	DoSA: Breach Action
DNA Testing DNA testing only occurs in exceptional circumstances. A decision to undertake DNA testing will be made by CYPS only if: it is believed to be in a child's best interest e.g., to determine a care placement or significant conflict or uncertainty over a child's parentage which requires resolving.	**CYPS only**	Operations Manager	ECN
Termination of Pregnancy A decision about termination of pregnancy would be made by CYPS based on information provided by the care and health treating team. For a young person over 14 a health practitioner would assess whether a young person can consent to termination of pregnancy through an assessment of Gillick competence. (Case Manager and Team Leader to consider possible abuse of young person and if a CCR should be raised dependent on age and context)	**CYPS** Young person – if considered competent by health professional (confirmed by S19(5) CYPA 2008)	Operations Manager	DoSA: Health
Type 2: Best Interests Case Management Decisions			
Contact frequency	**CYPS** in collaboration with Care Team	Team Leader	DoSA: Contact Arrangements Decision Care plan

Decision	Sits with	Made by	Recorded
Contact duration	**CYPS** in collaboration with Care Team	Team Leader	DoSA: Contact Arrangements Decision Care plan
Contact location	**CYPS** in collaboration with Care Team	Team Leader	DoSA: Contact Arrangements Decision Care plan
Contact Supervision	**CYPS** in collaboration with Care Team	Team Leader	DoSA: Contact Arrangements Decision Care plan
Restoration (inc. ceasing efforts)	**CYPS** in collaboration with Care Team	If impact on Court Orders or applications, ARC panel If no impact on Court Orders or applications, Operations Manager	DoSA: Restoration
Placement	**CYPS** in collaboration with Care Team	SPA authorised by Operations Manager/Senior Director/CYPS Executive	DoSA: Placement Decision Copy of SPA placed on CYRIS
Home schooling	**CYPS** in collaboration with Care Team	Executive Branch Manager	DoSA: Education
Education enrolment – Private school funding by CYPS	**CYPS** in collaboration with Care Team	Executive Branch Manager	DoSA: Education
Religion – baptism, confirmation	**CYPS** in collaboration with Care Team	Operations Manager	DoSA
Cultural Traditions	**CYPS** in collaboration with Care Team	Operations Manager	DoSA: Cultural Plan for Aboriginal and Torres Strait Islander children

Decision	Sits with	Made by	Recorded
Travel – interstate > 5 nights	**CYPS** in collaboration with Care Team	Operations Manager	DoSA
Travel – international	**CYPS** in collaboration with Care Team	Executive Group Manager (Deputy)	ECN
Birth Certificates – changes	**CYPS** in collaboration with Care Team	Change of Name – Operations Manager Change of Sex – Senior Director If change is part of adoption or EPR Orders, ARC Panel	DoSA
Gender Identity Dysphoria Treatment including Stage 1 medication to put puberty on hold to provide a young person with time to decide future treatment. It stops physical changes of puberty and is reversible. Stage 2 hormone treatment to change a young person's body to be more consistent with their gender identity	**CYPS** in collaboration with Care Team Young person – if considered competent by health professional (confirmed by S19(5) CYPA 2008)	Stage 1: Operations Manager Stage 2: Executive Branch Manager	DoSA: Health
Life Limiting conditions A child may have a life limiting condition such as Cerebral Palsy, cancer etc. Decisions regarding the child's treatment will be made by the Director-General who will have consulted with the child's declared care team which will include the child's health professionals.	**CYPS** in collaboration with Care Team Young person – if considered competent by health professional (confirmed by S19(5) CYPA 2008)	For significant decisions: Executive Group Manager, Children, Youth and Families (Director-General has PR) If parental responsibility (PR) is shared, consultation with person who shares PR	DoSA: Health

Decision	Sits with	Made by	Recorded
Dental Treatments that require general anaesthetic	**CYPS** in collaboration with Care Team Young Person - if considered competent by health professional (confirmed by S19(5) CYPA 2008)	Operations Manager	DoSA: Health If ACT Together case-managed, Decision Making Template (DMT)
Immunisations (interim order or Shared PR order) The ACT Government supports the Australian Government's National Immunisation Program Schedule.	**CYPS** in collaboration with Care Team Young person – if considered competent by health professional (confirmed by S19(5) CYPA 2008)	Case Manager Foster/Kinship carers (orders to 18 and SPA)	Child's Health Passport
Psychotropic medication Psychotropic medications are any drugs capable of affecting the mind, emotions and behaviour. The three mains classes of psychotropics prescribed are anti-depressants, anxiolytics/hypnotics (mostly benzodiazepines to manage anxiety and insomnia) and antipsychotics. **All** children and young people on psychotropic medication must have a behaviour support plan. See Knowledge Portal for more information.	**CYPS** in collaboration with Care Team	Operations Manager	DOSA: Health If ACT Together case managed - Decision Making Template (DMT)
All surgical procedures which require general anaesthetic	**CYPS** in collaboration with Care Team	If ACT Together case managed – recommendation	DoSA: Health

Decision	Sits with	Made by	Recorded
	Young person – if considered competent by health professional (confirmed by S19(5) CYPA 2008)	Operations Manager	If ACT Together case managed - Decision Making Template (DMT)
Type 3: Carer Decisions			
Education enrolment	**Carer**	Carer	ECN (CYPS case managed) MyStory (ACT Together case managed)
Consent for school excursions	**Carer**	Carer	ECN (CYPS case managed) MyStory (ACT Together case managed)
Travel – interstate < 5 nights	**Carer**	Carer	ECN (CYPS case managed) MyStory (ACT Together case managed)
GP appointment A carer wishes to take a child to see the GP due to a concern linked with the child's health/development.	**Carer** Young Person - if considered competent by health professional (confirmed by S19(5) CYPA 2008)	Carer	ECN (CYPS case managed) MyStory (ACT Together case managed)
Allied health appointment Appointments for a child with allied health professionals for example; speech therapist, optometrist, audiologist, physiotherapist etc. which have	**Carer** Young Person - if considered competent by health professional	Carer	ECN (CYPS case managed) MyStory (ACT Together case managed)

Decision	Sits with	Made by	Recorded
been agreed as part of a child's case plan or at case conference	(confirmed by S19(5) CYPA 2008)		
Administration of prescribed medication as part of health or dental treatment *(excluding psychotropic medication)*	**Carer** Young Person - if considered competent by health professional (confirmed by S19(5) CYPA 2008)	Carer	ECN (CYPS case managed) MyStory (ACT Together case managed)
Blood Test (*excluding DNA testing)* Including HIV and Hepatitis testing	**Carer** Young Person - if considered competent by health professional (confirmed by S19(5) CYPA 2008)	Carer if under 'routine visits to, and treatments by, a health professional' in SPA	ECN (CYPS case managed) MyStory (ACT Together case managed)
Covid Immunisation for Children aged 5- 17	**Carer** Young Person - if considered competent by health professional (confirmed by S19(5) CYPA 2008)	Case Manager Foster or Kinship carers (orders to 18 and SPA)	CYRIS Health Event Young person's decision recorded as DoSA or MyStory (for ACT Together case managed)
Dental Treatment Annual dental check up Ongoing routine dental treatments requiring **local** anaesthetic (eg fillings)	**Carer** Young Person - if considered competent by health professional (confirmed by	Carer	ECN (CYPS case managed) MyStory (ACT Together case managed)

Decision	Sits with	Made by	Recorded
	S19(5) CYPA 2008)		
Immunisations (if long-term orders) If immunisations under National Immunisation Program Schedule and child is on orders to 18 years.	**Carer** Young person – if considered competent by health professional (confirmed by S19(5) CYPA 2008)	Carer	Child's health passport
Dog or Snake Bites **Bites** should be monitored for signs of infection. Check if the child is up to date with tetanus jab. *A Critical Incident Report to be provided to CYPS.* Snake Bites require **immediate** medical assistance	**Carer** Young Person - if considered competent by health professional (confirmed by S19(5) CYPA 2008) ***In situations where a dog bite causes a significant injury requiring surgery the decision reverts to the Director-General.***	Carer CYPS	ECN (CYPS case managed) MyStory (ACT Together case managed) Critical Incident Report added to CYRIS
Emergency situations In the event of an emergency a carer will make decisions based on a child's best interest and in collaboration with health professionals. The carer MUST inform the OOHC service and CYPS at the earliest possible opportunity.	**Carer** ***In situations where an emergency leads to a significant injury requiring surgery or end-of-life prognosis the decision reverts to the***	Carer CYPS for consent to surgery or end-of-life decisions	ECN If CYPS consent, DoSA

Decision	Sits with	Made by	Recorded
	Director-General.		
Local Anaesthetic All treatments requiring local anaesthetic	**Carer** Young Person – if considered competent by health professional (confirmed by S19(5) CYPA 2008)	Carer if under 'routine visits to, and treatments by, a health professional' in SPA	ECN (CYPS case managed) MyStory (ACT Together case managed)
(minor) Surgery requiring Local Anaesthetic	**Carer** Young Person – if considered competent by health professional (confirmed by S19(5) CYPA 2008)	Carer if under 'routine visits to, and treatments by, a health professional' in SPA	ECN (CYPS case managed) MyStory (ACT Together case managed)
Melatonin If being taken for sleep onset without an identified behaviour of concern there is no reporting requirement. Assessments of melatonin as a chemical restraint should consider why it is being used and if it is targeting a specific behaviour of concern	**Carer** - If for treatment of medical problems **CYPS** - If to be used for behaviour management Young Person – if considered competent by health professional (confirmed by S19(5) CYPA 2008)	Carer if under 'routine visits to, and treatments by, a health professional' in SPA	DoSA: Health
Over the counter medication e.g., Antihistamine Coughs/Cold medication	**Carer**	Carer	Information may not be shared by carer

Decision	Sits with	Made by	Recorded
Fungal creams for athlete's foot Nappy cream Paracetamol or Ibuprofen for pain relief Teething Gel etc.	Young Person – if considered competent by health professional (confirmed by S19(5) CYPA 2008)		with CYPS or ACT Together
Haircut (no identity impact)	**Carer**	Carer	Information may not be shared by carer with CYPS or ACT Together
Type 4: Court Decisions			
Making a Care Order	**Court** only	ACT Childrens Court	CYRIS
Residence provisions	**Court** only	ACT Childrens Court	CYRIS
Contact provisions	**Court** only	ACT Childrens Court	CYRIS
Supervision provisions	**Court** only	ACT Childrens Court	CYRIS
Parental responsibility provisions	**Court** only	ACT Childrens Court	CYRIS
Amending Care Order	**Court** only	ACT Childrens Court	CYRIS
EPR/Adoption Order	**Court** only	EPR - ACT Childrens Court Adoption – ACT Supreme Court	CYRIS
Making a Good Behaviour Order or other community based sentenced or deferred sentence order	**Court** only	ACT Childrens Court ACT Supreme Court	CYRIS
Making a Custodial Order (including Remand in Custody and Committal Order/Imprisonment)	**Court** only	ACT Childrens Court ACT Supreme Court	CYRIS
Making a Bail Order	**Court or Police** only	ACT Childrens Court ACT Supreme Court	CYRIS

Related materials

The following materials directly relate to this procedure.

Legislation

- *Children and Young People Act 2008*
- *Human Rights Act 2004*
- *Information Privacy Act 2014*
- *Territory Records Act 2002*

Policies, procedures and practice guides

- Policy: Decision Making
- Procedure: Decision making - Type 1 decisions
- Procedure: Decision making - Type 2 decisions

Document information

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Version history

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14/12/2022	First publication.

Definitions

For definitions of terms used in this document, access the CYPS glossary.