APPRAISALS

In this document: Information for parents and carers about the appraisal process and their right to understand and participate in this appraisal.

All children have a right to be safe and protected from abuse and neglect. They also have the right to live in a home that is free from domestic and family violence.

The ACT has legislation which protects children from harm and gives certain powers to Child and Youth Protection Services (CYPS) to investigate (called an 'appraisal') their safety.

What is an appraisal?

An appraisal helps us understand if children are safe and well cared for.

We will consider if your child and their siblings:

- have experienced abuse, neglect or violence;
- are experiencing abuse, neglect or violence; and/or
- are at high risk of experiencing abuse, neglect or violence.

We will look at a child's home or care environment from everyone's perspective.

What happens during an appraisal?

A CYPS case manager will come and talk to you, and other family members, about the concerns they received about your child or children. The law does NOT allow us to tell you who provided the information in the Child Protection Report.

During an appraisal we may do any or all of the following activities:

- see and talk to your child/ren at school or without your knowledge
  - the CYPS case manager will ask your child if they want a support person present when we talk to them, such as a teacher
  - CYPS workers have skills and training in interviewing children
  - Sometimes we do these interviews with the police or a health professional
- talk to any other children you have, or siblings of your child
- talk to other people in your child's life (for example your child's teacher, a doctor, anyone else important in your child's life)
- gather information about you and your child
- ask you or your child to see a doctor or other professional for an assessment
- visit the home your child lives in
- involve the police if there are concerns that a crime may have been committed.

The legislation (the *Children and Young People Act, 2008*) allows us to speak with your child without your permission. If we do this, in most situations we will tell you about it after talking with your child. Sometimes, we won't tell you straight away if they think a crime has been committed or if we think it might make your child/ren unsafe.

We often interview children and their parents more than once. We can ask to speak with you several times over the course of an appraisal process. Most appraisals take about one month, but sometimes it takes longer.

If your child is at serious risk and cannot be kept safe at home, we may decide to temporarily move your child to somewhere safe, this may be with a relative or someone you both know. This is called **Emergency Action**. The CYPS case manager will talk to you about this if this happens.

What should I do during an appraisal?

During an appraisal you may feel worried. This is normal. The CYPS case manager will talk you through the process and answer any questions to make you feel more comfortable. You are the expert in your family's life, and we are trying to understand what is going on for you and your child.

When the CYPS case manager visits, remember to:

- think about the question. Take your time to answer
- be open and honest
- ask what is meant by the question or statement if you don't understand
- ask for a break if you feel overwhelmed or confused

Do I have to agree to an appraisal?

Either before or after interviewing your child/ren the CYPS case manager will ask you to agree to participate in the appraisal. This is called **appraisal agreement**.

You do not have to agree to an appraisal but, if you choose not to agree, we can still complete the appraisal without your input. If a parent does not agree to discuss their child/ren's safety with us or allow entry to their home, we may get a Court Order (s376) which may:

- allow us to enter and search my home (s373b); and/or
- remove your child/ren from the home to ensure the safety of your child/ren by placing them in the temporary care of the Director-General (s373a).

It is better for you and your children if you do agree to an appraisal. This gives you an opportunity to tell us your version of events and provide any information or context about your situation. This can also be a chance to get extra support if you are finding things difficult at home. Asking for help can be hard but it is an important step in making sure your child is safe and cared for.

My rights

You have the right to:

- be treated respectfully
- be told what needs to change and why
- be told why decisions were made
- receive honest and timely information about your child
- have a support person to be present (such as a friend, family member)

- contact the CYPS Aboriginal and Torres Strait Islander Cultural Services Team for support if you are Aboriginal and/or Torres Strait Islander.

What will CYPS do during an appraisal?

When the CYPS case manager visits, they will:

- identify themselves and show you their identification card
- be clear about why we are doing an appraisal and explain the concerns
- let you know you can have a support person or advocate with you
- if you are Aboriginal or Torres Strait Islander, provide you with information about how to contact the Aboriginal and Torres Strait Islander Cultural Services Team
- if English is your second language, organise a translator/an interpreter if that will help
- listen
- keep a record of the visit

You can ask the CYPS case manager to see what has been recorded during the appraisal.

What happens after an appraisal?

Once we have completed all the interviews and collected information, we will decide what needs to happen next.

If we assess that your child **is safe and cared** for, we may:

- have no further involvement with you
- provide you with information about supports in your community.

If we still have concerns about your child's safety, we may:

- stay involved with you and your family (for up to 3 months) to connect you with community supports to help your family stay safe and together. This is called a **Family Preservation response**.

If we believe your child **is not safe or cared** for, we may:

- investigate further by doing a **Family Assessment**. This is a report to help us understand more about your family.
- apply to the court for a **care and protection order**. This order allows us to stay involved with your family and it will require you to do certain things to help make sure your child is safe.
- take **Emergency Action** as a last resort. This is where your child needs to live with someone else to keep them safe.

I have been recorded as a person believed to be responsible for abuse and/or neglect. What does this mean?

We will substantiate an appraisal if we find that your child:

- has experienced abuse, neglect or violence;
- is experiencing abuse, neglect or violence; and/or
- is at high risk of experiencing abuse, neglect or violence.

We will then record a person believed responsible for the abuse, neglect or violence.

If you are recorded as a person believed to be responsible, this may impact your Working with Vulnerable People registration, if you have one.

If you are a carer, this may affect your caring responsibilities and status as an 'approved' carer.

If you work for certain organisations or are a foster or kinship carer, we must report the matter to the ACT Ombudsman under the Reportable Conduct Scheme.

Please contact your child's case manager or team leader, if you have any questions about what being found to be a person believed responsible means for you.

More information

If you have any questions about the appraisal process, please call:

- Case manager's name: Phone number:
- Aboriginal and Torres Strait Islander Cultural Services Team Phone number: 6207 2228

Complaints and feedback

If you are unhappy with the appraisal process, including not being satisfied with how we are working with your family, you can contact the complaints unit.

If you wish to provide any feedback or make a complaint, you can contact:

- Children Youth and Families, Complaints and Client Services Team by
  - phone: (02) 6207 5294
  - email: CSDCYFComplaints@act.gov.au

Note: The terms 'child' and 'children' also refer to 'young person' and 'young people'.