

Working with First Nations People Procedure

1. Purpose

Inala Community House (ICH) is committed to providing out of home care (OHC) services that uphold the rights of Aboriginal and Torres Strait Islander peoples, recognises their proud history and traditions and the impact of colonisation upon communities.

This procedure provides detailed guidance about how the ICH OHC service is transformational in our practice with our First Nations service users, including the implementation of the Aboriginal and Torres Strait Islander Child Placement Principle and ongoing casework.

2. Scope

This procedure applies to all persons involved with OHC Service including workers, volunteers, students, trainees and contractors. For the purposes of this procedure, these persons shall be referred to as workers.

3. Definitions

Child: A child is an individual under 18 years as per the *Child Protection Act 1999 (Qld)*

Aboriginal and/or Torres Strait Islander status of a child: For the purposes of identifying a child's cultural status, an Aboriginal or Torres Strait Islander person is someone who:

- Is of Aboriginal or Torres Strait Islander descent;
- Identifies as an Aboriginal person or Torres Strait Islander; and/or
- Is accepted as such by the Aboriginal or Torres Strait Islander community in which they live.

Self-identification by a child or the child's family is the only requirement for practitioners to begin applying the Aboriginal Torres Strait Islander Child Placement Principle in their work with children and families

Note: Aboriginal and Torres Strait Islander peoples are diverse, and individuals and communities choose to define and express their identity in a multitude of ways. The above definition is the predominantly adopted by all Commonwealth departments (and it is a governmental definition, rather than a community-based one). For further detail, refer to SNAICC's resource: Aboriginal and Torres Strait Islander Child Placement Principle – A Guide to Support Implementation.

Carer: A carer refers to both foster and kinship carers.

The Act: The Act refers to the *Child Protection Act 1999 (Qld)*

The Department: Refers to the government Department responsible for Child Safety.

Child Safety Practice Manual: The Manual provides the principles, values, procedures, approaches, and systems that inform the delivery of Queensland child protection services by the Department.

Cultural competence: Is a process where workers respond respectfully and effectively to people of all cultures, languages, classes, races, ethnic backgrounds and religions in a manner that recognises, values and affirms the uniqueness of individuals, families and communities.

Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP): The ATSICPP is a legislative requirement and aims to:

- Ensure an understanding that culture underpins and is integral to safety and wellbeing for Aboriginal and Torres Strait Islander children and is embedded in policy and practice
- Recognise and protect the rights of Aboriginal and Torres Strait Islander children, family members and communities in child safety matters
- Increase the level of self-determination of Aboriginal and Torres Strait Islander people in child safety matters
- Reduce the over-representation of Aboriginal and Torres Strait Islander children in child protection and out-of-home care systems. (SNAICC, 2019)

The five core elements of the ATSICPP include:

- **Prevention:** Protecting children's rights to grow up in family, community and culture by redressing causes of child protection intervention
- **Partnership:** Ensuring the participation of community representatives in service design, delivery and individual case decisions
- **Placement:** Placing children in out-of-home care in accordance with the established ATSICPP placement hierarchy:
 - with Aboriginal and Torres Strait Islander relatives or extended family members, or other relatives and family members; or
 - with Aboriginal and Torres Strait Islander members of the child's community; or
 - with Aboriginal and Torres Strait Islander family-based carers.

If the above preferred options are not available, as a last resort the child may be placed with a non-Indigenous carer or in a residential setting. If the child is not placed according to the highest priority, the placement must be within close geographic proximity to the child's family.

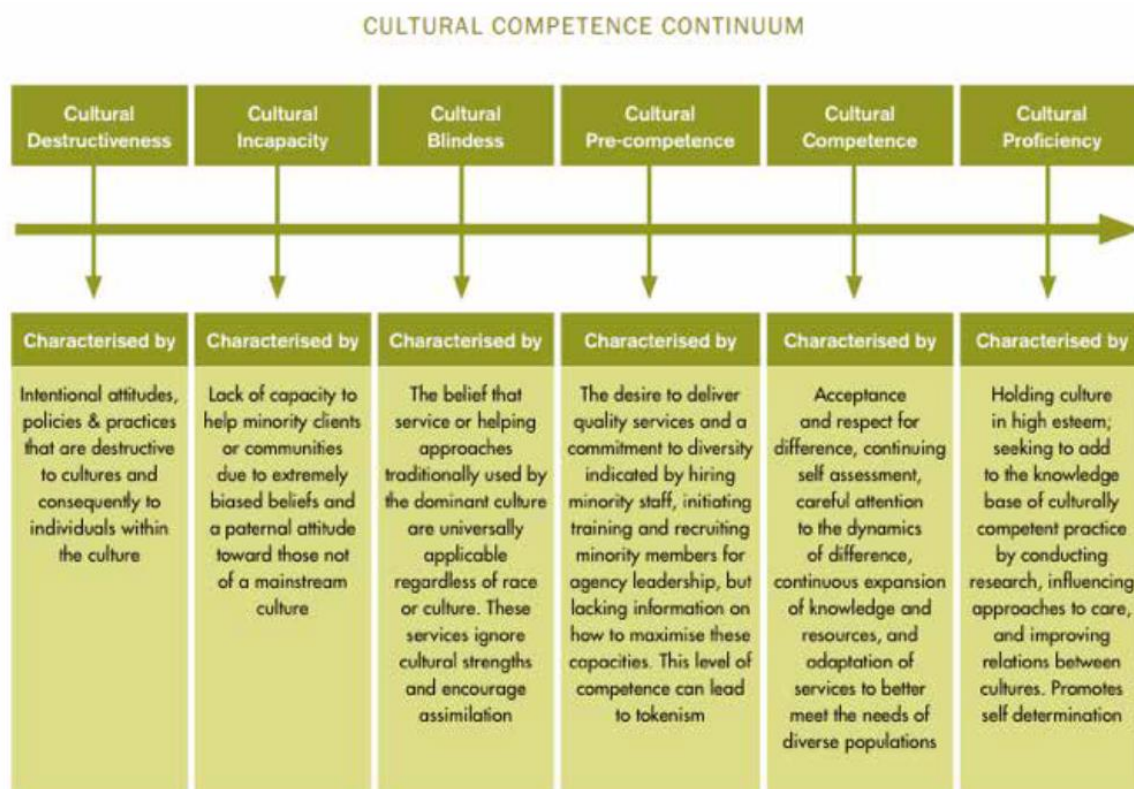
- **Participation:** Ensuring the participation of children, parents and family members in decisions regarding the care and protection of their children
- **Connection:** Maintaining and supporting connections to family, community, culture and country for children in out-of-home care

4. Procedure

ICH OHC workers must consider all five elements of the ATSICPP to be transformational in their practice, which will be affirmative, active, thorough, and timely. The following procedure aligns with the Department's Child Safety Practice Manual:

4.1 Prevention

Protecting children's rights to grow up in family, community and culture by redressing causes of child protection intervention.



ICH OHC recognises that developing cultural competency underpins the prevention principle and our service has an ongoing commitment and investment to learning and changing practice. ICH OHC commits to regularly reflecting on their progression towards cultural competency using SNAICC's 'Cultural Competence Continuum'. At a minimum, this will be undertaken every six months at OHC Team Meetings and actions are to be documented in the service's continuous improvement plan.

ICH OHC workers shall work in collaboration with the Department and other stakeholders to help prevent child protection concerns from reoccurring and to promote reunification. This links to tertiary prevention activities identified by SNAICC. In practice, ICH OHC workers shall support carers in their role to help facilitate reunification, which could involve helping carers to access cultural education and training, and linking carers with appropriate cultural services.

4.2 Partnership

Ensuring the participation of community representatives in service design, delivery and individual case decisions.

ICH commits to developing genuine and respectful partnerships with Aboriginal and Torres Strait Islander peoples and organisations. ICH OHC workers receive cultural training as part of their induction to the service and participate in significant cultural events such as NAIDOC week. ICH OHC also delivers a Welcome to, or Acknowledgement of Country at meetings. Refer to ICH Working with Diverse People's Procedure for further guidance.

ICH OHC works in collaboration with various organisations to support cultural competency, who can also provide direct services to carers and children/young people, for example:

- Inala Wangarra for Aboriginal and Torres Strait Islander programmes
- Kambu and Inala Community Health Centre for Aboriginal and Torres Strait Islander health needs.

ICH OHC workers should seek guidance from the ICH OHC Manager about how to best engage with these organisations to support carers and/or children/young people.

ICH OHC Workers can also advocate with the Department for Aboriginal and Torres Strait Islander organisations or Elders to participate in a child or young person's case plan review or other significant meeting that focuses on their individual care needs.

4.3 Placement

Placing children in out-of-home care in accordance with the established Aboriginal and Torres Strait Islander Child Placement Principle placement hierarchy.

ICH OHC is committed to upholding the placement hierarchy and will always advocate for a child or young person to be placed according to this process. Placement with a non-indigenous carer would only ever be considered as a last resort.

The Department may engage ICH OHC to undertake an assessment of potential kinship carers. All non-indigenous assessors must have cultural competency training and complete the assessments in a culturally safe and timely manner.

Before placing an Aboriginal or Torres Strait Islander child with a non-indigenous carer, ICH OHC must ensure that the child's proposed carer is committed to:

- Facilitating connection between the child and their family members
- Helping the child to develop and maintain a connection with their community and language group
- Helping to maintain a connection with their Aboriginal and/or Torres Strait Islander culture
- Preserving and enhancing the child's sense of Aboriginal and/or Torres Strait Islander identity
- Implementing any actions required of the carer within the child's cultural support plan.

Additionally, the ICH OHC worker shall check with the Department that the child and their family have been made aware of their right to an Aboriginal and/or Torres Strait Islander independent person to help facilitate participation in decisions.

4.4 Participation

Ensuring the participation of children, parents and family members in decisions regarding the care and protection of their children.

ICH OHC workers shall advocate with the Department to ensure that Aboriginal and Torres Strait Islander children, parents and family members participate in care and protection decisions. For example, the worker may suggest convening an informal 'yarning circle' with immediate and extended family members, community members and Elders to partner with them as key decision makers in this process. The objective is to stay focused on the child's best interests, keeping them safe and connected to family, culture and community without laying blame.

Where appropriate, carers will also be supported to empower children to participate in decisions and to seek cultural advice or help from an independent person or entity on how this should be done. For example, carers may need support to explain to a child how decisions will be made about them and what options they have for putting their views forward. This must be done in a way that accounts for the child's age, maturity and evolving capacity.

4.5 Connection

Maintaining and supporting connections to family, community, culture and country for children in out-of-home care.

ICH OHC is committed to ensuring that carers help to maintain and support connections to family, community, culture and country for children in out-of-home care.

ICH OHC workers can advocate with the Department for an Aboriginal and/or Torres Strait Islander child to have a Cultural Support Plan where one is not made available. ICH Workers will seek to obtain these plans from the relevant Child Safety Officer. This request should be escalated to the relevant Team Leader/Manager as required. This process should be documented through a case note.

ICH OHC workers shall support carers to understand their role to help fulfil the requirements of a Cultural Support Plan. ICH OHC can also provide practical assistance such as transportation to family contact, cultural events, and anything that helps a child in care connect with their family, community, and culture.

Where the placement goal is reunification, carers will be supported to undertake ongoing or additional cultural training to meet the placement needs.

5. Review

This procedure shall be reviewed in 12 months.

6. Related Documents

Policies

ICH OHC Pre-Placement Policy
ICH OHC Supporting Placement Policy
ICH Service User Support Policy
ICH Commitment to Community Policy

Procedure

ICH OHC Pre-Placement Procedure
ICH Working with Diverse Peoples Procedure
ICH OHC Caseworker Guide

References

Qld Child Protection Act 1999
Qld Child Protection Regulation 2011
Qld Out-of-Home Care Outcomes Framework:
<https://www.cyjma.qld.gov.au/resources/campaign/supporting-families/qld-out-of-home-care-outcomes-framework.pdf>
Qld Child Safety Practice Manual: <https://cspm.csyw.qld.gov.au/>
Qld Human Services Quality Framework
The Aboriginal and Torres Strait Islander Child Placement Principle: A Guide to Support Implementation: https://www.snaicc.org.au/wp-content/uploads/2019/06/928_SNAICC-ATSI CPP-resource-June2019.pdf