[date]

[name]

[address]

Dear [name]

**Re: Decision made to amend Certificate of Approval as kinship/foster carer (an authority)**

On DATE, I provided you written notice under section 138(4) of the *Child Protection Act 1999* (‘the Act’), advising that I considered grounds existed to amend your [jointly held]**[[1]](#footnote-1)** certificate of approval.

I have also considered your written representations, received on [date]**[[2]](#footnote-2)**.

In accordance with section 138(6) and (7) of the *Child Protection Act 1999*, I provide notice that I have decided to amend your Certificate of Approval (issued on [date] and expiring on [date]) effective as of today’s date.

I have made the decision to amend your certificate of approval in accordance with section 138(1)(b) of the Act, as I consider it is necessary and desirable as –

*Select all the relevant grounds/delete what doesn’t apply*

1. the holder is not meeting the standards required under the authority or a condition of the authority; or
2. the holder has contravened a provision of the *Child Protection Act 1999*; or
3. the authority was issued because of a materially false or misleading representation or declaration (made either orally or in writing); or
4. of another circumstance prescribed under a regulation.

I have made this decision based on the following reasons:

* outline reasons with examples, if a standards issue, outline standards not meet and the information supporting standards not being met, taking into consideration any response/written submission provided by the carer
* if contravened the Act, provide details of evidence supporting this, taking into consideration any response/written submission provided by the carer
* If the certificate was issued due to materially false information, outline how this information became known, steps taken to confirm the information and the implications to the certificate, taking into consideration any response/written submission provided by the carer
* If another circumstance outline the circumstance and consequences to the certificate, taking into consideration any response/written submission provided by the carer

I consider the amendment is necessary and desirable and will amend your certificate with the following :

Example of wording:

For section 122 (1) (b)of the Act, the child’s needs for physical care will be met, including adequate food, clothing and shelter:

1. Carer Name will engage in a cognitive assessment to determine what supports they require to assist with coaching and developing the ability to meet the children’s physical day-to-day care, supervision, hygiene and household routine needs.

For section 122 (1) (c) of the Act, the child will receive emotional care that allows him or her to experience being cared about and valued and that contributes to the child’s positive self-regard:

1. Carer Name will engage with therapeutic supports and interventions with the children to respond and implement positive guidance to the children’s behaviours and sleep routines by utilising strategies from therapy within the home environment to meet the children’s emotional care.
2. Carer Name will engage with their psychologist/ counsellor on at least a monthly basis and will provide consent for the therapist to provide feedback to the department in relation to the concerns identified and outlined above.

For section 122 (1) (g) of the Act, the child will receive positive guidance when necessary to help him or her to change inappropriate behaviour:

1. Carer Name will engage with in-home support services to establish daily routines, provide a predictable care environment, redirecting behaviours of the children in an age-appropriate manner, setting boundaries and following through with natural consequences.

For section 122 (1) (h) of the Act, the child will receive dental, medical and therapeutic services necessary to meet his or her needs:

1. Carer Name will continue to attend and follow through with recommendations made by the children’s professional medical team by implementing the paediatric plans and addressing the children’s development.

In accordance with the *Child Protection Act 1999*, section 141(3), you are required to return your current Certificate of Approval by [INSERT DATE - not less than 7 days]. Your Certificate of Approval granted on DATE, will then be amended and a new Certificate of Approval will be issued, with the existing expiry date of DATE.

I have also considered the impact of my decision on human rights under the *Human Rights Act 2019*. I understand that it limits your human rights, in particular the right of [consider: protection of families and children, cultural rights, privacy and reputation; etc]. However, at this time I consider that the limits on these human rights are reasonable and justifiable to ensure the best interests of a child.

My decision to amend your certificate of authority is a reviewable decision by the Queensland Civil and Administrative Tribunal (QCAT) and if you wish to have the decision reviewed, you must apply to QCAT within 28 days of receiving this letter. As part of an application to review this decision QCAT has the ability to make a ruling that stays some decisions until a hearing of the matter has taken place. This means QCAT is able to issue a temporary order to stop Child Safety’s decision [taking/having] effect. To discuss your right of review further please contact the QCAT registry directly at:

Queensland Civil and Administrative Tribunal

Level 11 / 259 Queen Street

BRISBANE QLD 4000

Telephone 1300 753 228 (1300 QLD CAT) – tollfree

Alternatively, should you live in a rural or remote area, contact QCAT through your local Magistrates Court [INSERT NAME OF MAGISTRATES COURT AND CONTACT PHONE NUMBER].

If you have any questions, please do not hesitate to contact me at the [name] CSSC on (07) [xxxx-xxxx]

Yours sincerely

[name]

**Manager**

**[name] Child Safety Service Centre**

1. [delete before finalising letter] Remove ‘jointly held’ if it is a single entity carer [↑](#footnote-ref-1)
2. [delete before completing letter] Only include this sentence if the carer/s provided you with a written representations in response to your s140(1) letter [↑](#footnote-ref-2)