

PRACTICE GUIDE

Assess a proposed guardian

This practice guide provides information to help assess the suitability of a member of a child's family or another person (a 'proposed guardian') to have long-term guardianship of a child (either as their long-term guardian or permanent guardian). This assessment is completed in accordance with relevant provisions in the [Child Protection Act 1999](#), the [Human Rights Act 2019](#) and the [Child Protection Regulation 2023](#).

The assessment of a proposed guardian must be a thorough and rigorous process, giving proper consideration to whether it is in the child's best interests for the proposed guardian to have:

- the child's daily care, including the right and responsibility to make decisions about their daily care
- all the powers, rights and responsibilities in relation to the child that would otherwise have been vested in the person having parental responsibility for making decisions about their long-term care, wellbeing and development.

Before making a recommendation in relation to an Aboriginal or Torres Strait Islander child, consider the long-term effect of the proposed guardian having long-term guardianship on the child's identity and connection with their family, culture and community.

The assessment of a proposed guardian is documented in the [Proposed guardian assessment report](#) (the assessment report). The assessment report organises the assessment into five parts:

- Part A – Assessment details, Child details, Proposed guardian details
- Part B – Information informing the assessment
- Part C – Assessment of the proposed guardian
- Part D – Recommendation
- Part E – Approval.

The guidance set out in this practice guide is organised according to each part of the assessment report (excluding Part A, which is self-explanatory).

Before an assessment is commenced, it is important that the proposed guardian is made aware of the privacy notice and disclosure statement outlined in the [Consent to collect a proposed guardian's personal information](#) form and the assessment report. Information contained in the assessment report, as well as other personal information about them including criminal or domestic and family violence may be shared with the Director of Child Protection Litigation (DCPL) and parties to future court proceedings (including the child's parents).

Part B – Information informing the assessment

The assessment of a proposed guardian is informed by information contained in relevant documents, the views of the child, the views of the parents, the views of other significant people and the views of the proposed guardian.



Relevant documents

Review and consider information contained in relevant documents that relates to the child's strengths or needs, and the proposed guardian's ability or willingness to have guardianship of the child.

The assessment report indicates which documents must be reviewed (to help inform the assessment) and attached, but there may be additional documents that are relevant to informing the assessment. For example, an NDIS plan.

Views of the child

Children have a right to decide whether they participate and how they participate in decisions about what is, and what is not, in their best interests. An Aboriginal or Torres Strait Islander child has an additional right to participation that needs to be upheld (see below).

Provide opportunities for the child to participate in the assessment in purposeful and meaningful ways. If the child is too young to express a view or participate, or cannot express a view or participate, make genuine attempts to gather the child's views from others who are actively providing support or advocacy to the child. For example, a child's psychologist or community visitor.

To help a child participate in an assessment:

- Provide them with information, such as
 - how their views will be used
 - who their views will be shared with
 - the different types of long-term child protection orders and what they mean
 - information about the [Charter of rights](#) for a child in care
 - [My rights in care – information for children](#)
 - [My rights in care – information for young people.](#)
- Tell them how they can be helped to participate. For example, they can have a support person help them participate, an Aboriginal or Torres Strait Islander child can have an independent person help facilitate their participation, or they might be able to have help through the Office of the Public Guardian.
- Communicate with them in a way that is appropriate for them, having regard for their age, maturity, capacity, culture and circumstances. Speaking with a child who has a disability might require different methods of communication. Consider consulting a Specialist Services Clinician for information about how to engage a child living with disability and how to help them to participate in the assessment.
- Give the child options about how they may participate and allow them to decide. For example, the child might wish to speak with a CSO or their community visitor, or they might wish to write their views down.

If a child decides to participate and express a view:

- Hear the views expressed by the child about
 - the proposed guardian having the right and responsibility to make all decisions about them until they become an adult
 - their relationship with the proposed guardian, or each proposed guardian (where relevant)
 - the proposed guardian having responsibility for their relationships and connection with family, culture, community and other persons of significance to them
 - any other matter relevant to the assessment.

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- Gather information about any specific concerns they have about the proposed guardian having long-term or permanent guardianship to address during the assessment process.
 - Consider their views in the assessment and recommendation about the proposed guardian's suitability.

Engagement tools such as the Three Houses, the Future House or the Safety House tool may be useful to help a child participate and express their views. Speaking with the child several times and allowing them some time to think about and consider their responses might also be helpful for the child, and for the assessor to understand the views.

Record how the child was helped to participate and the views they expressed (if they decided to participate), including how they shared their views, and by using their own words (if appropriate) in the assessment report.

If the child decided not to participate and express a view, or was too young or unable to participate and express a view, record:

- how the child was helped to decide whether to participate in the assessment
- whether the child's views were obtained from another source, including who provided the child's views and what they were
- the genuine attempts made to obtain the child's views from another source, if the child's views could not be obtained in another way.

Views of parents

Ensure parents are given information and are helped to participate in the assessment. Make reasonable attempts to obtain the views of each parent and allow them to participate in a meaningful way.

For a parent who is an Aboriginal or Torres Strait Islander person, make thorough, timely and purposeful efforts to help them participate (see below).

Provide each parent with information about the types of long-term orders and what each mean, including the obligations of the proposed guardian and how their parental rights are limited under each type of order.

Allow each parent time to consider the information before they express a view.

Views of other significant people

'Other significant people' are people who are significant to the child or the proposed guardian, who have a right or responsibility to express a view about the proposed guardian having long-term or permanent guardianship of the child. It includes the child's siblings, other family members of the child, professionals working with the child or proposed guardian or family members of the proposed guardian.

If a child's sibling is also a child in care, the decision about whether the proposed guardian has long-term or permanent guardianship of the child may be a decision about what is or is not, in their best interests, because it could impact the relationship between the child and the sibling. Ensure the sibling is offered the same opportunities to participate in the decision as the child (see above).

Record whose views were obtained, their relationship to the child or proposed guardian and the views that were expressed in the assessment report.



Views of the proposed guardian

To help a proposed guardian express a view about having long-term or permanent guardianship of the child, ensure they are provided with adequate information about:

- the types of long-term orders the Childrens Court may make
- the effect of the orders, including the obligations under each type of order
- the [Charter of rights](#) for a child in care and what this means for the care of the child
- information about the different support available to a carer or a guardian under each type of long-term order.

Record the proposed guardian's views, motivation and willingness to have guardianship of the child for the remainder of their childhood and their willingness to uphold the child's rights in accordance with the Charter of rights.

Further, discuss and record their parenting style, coping strategies and any support they would consider necessary to have guardianship of the child. Include their understanding of the obligations of a long-term or permanent guardian in the assessment report.

Uphold an Aboriginal or Torres Strait Islander persons' right to participate

Aboriginal and Torres Strait Islander children, parents and family members have a right to participate in significant decisions about Aboriginal and Torres Strait Islander children (*Child Protection Act 1999*, [section 5C\(2\)\(d\)](#)) – the *participation* principle).

When seeking the views of an Aboriginal or Torres Strait Islander child, or the views of the parents or family members of an Aboriginal or Torres Strait Islander child, make thorough, timely and purposeful efforts to help them participate in the assessment process. This includes arranging an independent person to help facilitate their participation in the process if they consent to this.

Aboriginal and Torres Strait Islander persons also have a right to participate in significant decisions about Aboriginal and Torres Strait Islander children (*Child Protection Act 1999*, [section 5C\(2\)\(b\)](#)) – the *partnership* principle). It may be appropriate to seek the views of persons with cultural authority (identified by the child's family) to inform the assessment, and record these in the 'Views of significant people' section.

Ensure the voices of children, parents, family and Aboriginal and Torres Strait Islander peoples are heard and are present in the assessment.

Part C – Assessment of the proposed guardian

Part C of the assessment report is made up of six sections (see below), each addressing provisions under the [Child Protection Act 1999](#) that relate to the proposed guardian's ability to uphold the obligations and their suitability to have long-term or permanent guardianship of the child.

It is important that the assessment is informed by actions the proposed guardian has taken, or ways they have demonstrated their suitability, rather than an expression of willingness to meet the obligations. For each section, seek examples from sources informing the assessment (Part B) that demonstrate or corroborate the proposed guardian's ability to meet the child's permanency needs, and the obligations of a permanent or long-term guardian.

A list of the obligations of a long-term or permanent guardian under the [Child Protection Act 1999](#), is contained in [Appendix A](#).



[Appendix B](#) provides prompts to assist with assessing each section contained within Part C.

Suitable person

The Child Protection Regulation 2023, [section 18](#), states that a suitable person to have guardianship of a child is a person who:

- does not pose a risk to the child's safety
- is able and willing to care for the child in a way that meets the standards of care
- is able and willing to protect the child from harm
- understands and are committed to the relevant principles.

This part of the assessment is informed by:

- personal history checks
- departmental records about harm or risk of harm to a child
- departmental records about harm or concerns about the quality of care provided to a child in care, if the proposed guardian is or was previously an approved carer.

Family connection and relational permanency

This component of the assessment is about the proposed guardian's ability and willingness to develop, maintain and support a child's connection to and relationships with their family for the remainder of their childhood.

It requires the assessor to consider how the proposed arrangement would enable the child to experience ongoing, positive, trusting and nurturing relationships with persons of significance to them. This includes the proposed guardian's ability and willingness to provide opportunities for ongoing contact with parents, siblings and other family members, and to give parents information about the child's care and where the child is living.

Children have a right to maintain relationships with their family and community. In addition, Aboriginal and Torres Strait Islander children have a right to be supported to develop and maintain their connection with family, which also enables them to maintain a connection to their culture. In forming a recommendation about the proposed guardian's suitability to have guardianship of the child, consider their ability to uphold these rights.

Cultural identity

This part of the assessment focuses on the proposed guardian's ability and willingness to preserve the child's cultural identity and connection and uphold their right to develop, maintain and enjoy a connection to their culture.

The child and their family have expert knowledge about their culture and are the primary source of cultural advice for matters affecting them. When assessing the proposed guardian's ability and willingness to preserve the child's cultural identity and connection to culture, ensure the voices of the child and family are heard and reflected in the assessment.

Aboriginal culture and Torres Strait Islander culture

Colonisation and historical government policies forced segregation and assimilation of Aboriginal and Torres Strait Islander peoples, resulting in disconnection from culture and loss of cultural identity.



Aboriginal and Torres Strait Islander peoples hold distinct cultural rights enshrined in the [Child Protection Act 1999](#) and the [Human Rights Act 2019](#) to protect and uphold their right to develop, maintain and enjoy a connection to their culture.

Identity and diversity

Identity and diversity refer to the things that make a child or young person unique including sexuality, gender, disability, languages and religion. (A persons' culture is also an important part of a persons' identity, but this has been explored and assessed above.)

This part of the assessment focuses on the proposed guardian's ability and willingness to uphold a child's right to be treated fairly and with respect, and to develop, maintain and enjoy their identity.

Consider whether the proposed guardian:

- demonstrates a flexible, inclusive and open-minded perspective that would enable them to accept the child as they are now and, in the future
- is able and willing to actively support the child to develop, maintain and enjoy their identity, throughout their childhood and the rest of their life, including advocating for them in circumstances where the child may experience exclusion or discrimination
- is able and willing to support a child to enjoy their identity even when the child's faith, values or beliefs are different to their own.

Child's support needs and physical permanency

This part of the assessment focuses on the proposed guardian's ability and willingness to provide the child with a safe and stable living environment, meet their support needs and help them as they transition to adulthood.

It requires the assessor to consider whether the proposed guardian:

- has enabled the child to experience a stable living arrangement
- has helped the child to maintain their connection to their community, such as continuity of schooling and health care providers
- has demonstrated an ability to meet the child's developmental, educational, emotional, health, intellectual and physical needs
- is willing to continue to meet the child's needs for the remainder of their childhood and as they transition to adulthood.

For a child that has a disability, the assessor is required to consider the child's current and future health needs in conjunction with the child's strengths and needs and any professional health assessments. Consider the proposed guardian's capacity to manage any challenges the child may experience at different life stages and any specific support the child or guardian may require.

If the assessment relates to a young child, consider whether the proposed guardian has demonstrated their ability by meeting another child's support needs and helping them to experience physical permanency.

Obligations to the chief executive

Assess whether the proposed guardian is able and willing to meet the obligations of a long-term or permanent guardian to the chief executive under the [Child Protection Act 1999](#), which are to:

- keep the chief executive informed about where the child is living ([section 79\(3\)](#))
- immediately inform the chief executive if
 - the child will be leaving their care in the near future ([section 80A\(2\)\(a\)](#)) or

- 
- the child has left their care and advise where the child is, if known ([section 80A\(2\)\(b\)](#))
 - allow Child Safety contact with the child at least every 12 months (note: this is an obligation of a long-term guardian ([section 51VA\(3\)](#))).

To assess a proposed guardian's ability and willingness to fulfill these obligations, consider:

- the relationship between the proposed guardian and Child Safety
- whether the proposed guardian has worked cooperatively to allow Child Safety and others (such as the community visitor) to have access to the child
- whether the proposed guardian has followed reasonable directions given by Child Safety in the past.

Part D – Recommendation

Based on the assessment, provide a recommendation about whether:

- the proposed guardian is suitable as either
 - the child's long-term guardian
 - the child's permanent guardian or
- the proposed guardian is not suitable.

(Refer to [Appendix C](#) for information about the differences between the types of long-term child protection orders.)

Include comments in this section about whether the child or a person living with the child might be at significant risk if the obligations under [section 79A](#) or [section 80](#) (for example, telling a parent where the child is living), were complied with. Include information about who would be at risk and why.

Provide a rationale for the recommendation and ensure the recommendation is discussed with the child, the child's parents and the proposed guardian. Record any feedback they have about the recommendation.

Part E – Approval

The CSSC manager is responsible for deciding whether to approve the proposed guardian's suitability. The manager may approve the assessor's recommendation and/or decide that the proposed guardian is either:

- suitable to be the child's long-term guardian
- suitable to be the child's permanent guardian, or
- is not suitable to have guardianship of the child.

The manager may provide comments about their decision. They may also provide additional approvals to inform case planning, such as financial approvals, within their comments.



Version history

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Appendix A – Obligations of long-term and permanent guardians

Section	Details
51VA(3)	Review of a plan – long-term guardian
	The long-term guardian (but not permanent guardian) must allow the chief executive to have contact with the child at least once every 12 months.
79(3)	Obligations of family members and other persons to department under orders
	A long-term or permanent guardian of a child must keep the chief executive informed about where the child is living.
79A(1)*	Obligations of long-term guardians and permanent guardians to children under orders
	<p>A long-term guardian or permanent guardian of a child must</p> <ul style="list-style-type: none"> (a) as far as reasonably practicable, ensure the charter of rights for a child in care in schedule 1 is complied with in relation to the child as if – <ul style="list-style-type: none"> i. the guardian were the chief executive; and ii. the child were a child in need of protection in the custody or care of the chief executive and; (b) ensure the child is provided with appropriate help in the transition from being a child in care to independence; and (c) to the extent it is in the best interests of the child, preserve the child’s identity and connection to the child’s culture of origin; and (d) to the extent it is in the best interests of the child, help maintain the child’s relationships with the child’s parents, family members and other persons of significance to the child.
80**	Obligations of family members and other persons to child’s parents
	<p>If, under a child protection order for a child, a member of the child’s family or another suitable person is granted custody or guardianship of the child, the family member or person must:</p> <ul style="list-style-type: none"> (a) tell the parents where the child is living; and (b) give them information about the child’s care; and (c) provide opportunity for contact between the child and the child’s parents and appropriate members of the child’s family as often as is appropriate in the circumstances.
80A	Obligations if child is no longer cared for by long-term or permanent guardian
	<p>If a long-term guardianship order granting long-term guardianship of the child to a person other than the chief executive or a permanent care order is in force for a child and either the child’s long-term guardian or permanent guardian reasonably believes the guardian’s care of the child will end in the near future or the child is no longer cared for by the child’s long-term guardian or permanent guardian, the guardian must immediately give the chief executive written notice of –</p> <ul style="list-style-type: none"> (a) if the guardian reasonably believes the guardian’s care of the child will end in the near future – that fact; or



		(b) if the care has ended – that fact and if the guardian knows where the child is living, that information.
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**The Childrens Court may order that any of the requirements mentioned in section 79A(1) do not apply, or apply with stated modifications or apply to a stated extent, if the court is satisfied compliance with the requirement would –*

- a. constitute a significant risk to the safety of the child or anyone else with whom the child is living or*
- b. otherwise not be in the best interests of the child.*

(Child Protection Act 1999, [section 79A\(2\)](#))

***If the Childrens Court is satisfied compliance with the requirements of section 80(1) would constitute a significant risk to the safety of the child or anyone else with whom the child is living, the court may order that all or part of the requirements do not apply with stated modifications or apply to a stated extent.*

(Child Protection Act 1999, [section 80\(2\)](#))



Appendix B – Prompts to assess matters contained in Part C

Suitable person
Do child protection records reflect that the proposed guardian has provided care to the child (and other children in their care) in a way that is consistent with the standards of care?
If not, what were the circumstances that impacted the standards not being met and how was the proposed guardian supported to meet the standards of care into the future?
Provide examples of things the carer has done to ensure the child (and other children in their care) have experienced care consistent with the standards of care?
What information is contained in carer assessments and renewals that helps to demonstrate their ability and willingness to care for the child in a way that meets the standards of care?
Does the proposed guardian's criminal history, traffic history or child protection history suggest they may pose a risk to the child's safety?
Family connection and relational permanency
What are the arrangements for contact between the child and their parents, as well as other family members (including siblings)?
Has there been a decision to restrict, refuse or impose conditions on a parent's contact, or other family member's contact with the child?
Does the restriction, refusal or condition impact the proposed guardian's ability to facilitate family contact between the child and that person?
Does the proposed guardian facilitate family contact? How do they manage this and how do they feel about the continuation of contact as the child develops?
Other than family contact, what does the proposed guardian do to support the child to maintain positive connections and relationships with their parents, siblings, family or other people significant to them? What might they do as the child develops?
What is the nature of the relationship between the proposed guardian and the child's family including parents, siblings, (including siblings in other placements) and other persons of significance?
Have there been any concerns about the proposed guardian's ability or willingness to support a child's ongoing relationship with their family? If so, was this resolved and how?
Does the proposed guardian intend to maintain the current arrangements if they are appointed the child's long-term or permanent guardian?
Has a decision been made to withhold information about the child's care arrangement details from their parents? Does this decision impact the proposed guardian's ability to fulfill obligations about telling the parents where the child is living and providing them with information about the child?
How might the proposed guardian respond if the child, or their family, request changes to contact at various stages in the future? What will they do?
Are there any ways in which the proposed guardian attempts, or intends to attempt, to support the child to develop and maintain a positive sense of their family background and, in turn, a positive sense of self?



What, if any, support might the proposed guardian require from Child Safety to support the child's connection to family and community?
What is the assessor's assessment of the proposed guardian's capacity to facilitate and maintain contact between the child and their family?
Cultural identity
What does the proposed guardian know about the child's cultural identity? Consider the child's cultural support plan and family mapping.
Does the information that is known enable an adequate assessment of the proposed guardian's ability to maintain the child's connection to their culture, or does further information need to be sourced?
What is the guardian's understanding of the role of culture and cultural identity in the child's life and why it is important?
Does the proposed guardian identify as having the same cultural identity as the child?
What has, or could, the proposed guardian do to enhance their understanding of the child's culture?
How has the proposed guardian supported the child to maintain a connection to their culture and how long have they been doing this? Give examples.
When considering the child's, parents' or other family members' views, what is the assessment of the proposed guardian's ability to support and maintain a child's connection to their culture?
Considerations for an Aboriginal or Torres Strait Islander child
If the proposed guardian is the child's carer and a non-indigenous person, what support does the proposed guardian need to develop and maintain the child's connection to their family, community, culture, traditions and language? What support have they used in the past?
If the proposed guardian is not a member of the child's family group, what connection does the proposed guardian have (if any) to the child's cultural identity in the context of the placement hierarchy (<i>Child Protection Act 1999</i> , section 83(5))? What impact does this connection have in terms of the proposed guardian's ability to develop and maintain the child's connection to their culture?
What are the views of people with cultural authority about the proposed guardian's ability to maintain the child's connection to their family, community, culture, traditions, and language? (the <i>partnership principle</i> and the <i>connection principle</i>)
Might there be any long-term impacts, when considering the child's identity and connection to their family and community, if the proposed guardian were to become the child's long-term or permanent guardian?
Identity and diversity
Has the proposed guardian, or someone known to them, experienced discrimination because of their sexuality, gender identity, disability, culture, religion or something else? How did the proposed guardian feel about this and how did they respond?
How might the proposed guardian respond if a child in their care was excluded or discriminated against because of their sexuality, religion, culture or disability etc? How might they respond if this was by a friend or family member?
What are the proposed guardian's views and understanding of gender diversity and sexual diversity? How might they respond to the child if they told the proposed guardian they are gay, transgender, or non-binary for example?



<p>What is your assessment of the proposed guardian's capacity to treat a child or young person with fairness and respect even if the child's values, identity and/or traditions are different to their own? How would they help to maintain the child's sense of acceptance and belonging?</p>
<p>Does the child have a safe place to keep and store their personal belongings? If not, is the proposed carer able to commit to providing this for the child through to adulthood?</p>
<p>Child's support needs and physical permanency</p>
<p>What is the nature and quality of the relationship between the child and each of the proposed guardians? How does the child feel about, and get along with, each of them (if applicable).</p>
<p>If the proposed guardian has previously provided care for the child, describe if and how this has provided safety and stability for the child and whether the child's developmental needs have been provided for. Provide examples.</p>
<p>If the proposed guardian is an approved carer, have concerns been raised about the quality of care provided (including any other children that have been in their care) and if so, what might this suggest for the proposed guardian's support needs or ability to provide a safe environment?</p>
<p>If currently or previously caring for the child, does the proposed guardian recognise and respond to the child's needs appropriately? Do they have any experience with, or an understanding of, positive behaviour support or other behaviour management approaches?</p>
<p>Does the proposed guardian know of any short or long-term impacts of abuse or neglect on children or teenagers? Are they aware of any significant issues that may emerge later in life due to the trauma they have experienced? Has the proposed guardian had any experience parenting or supporting a child through adolescence? What might they do differently for a child who has been in care?</p>
<p>What is the proposed guardian's understanding of the impact of abuse and neglect throughout childhood, teenage and early adult years? How will this knowledge help them to manage the possible development of emotional or behavioural issues that may emerge later in life?</p>
<p>If caring for the child, has the proposed guardian ensured the child is able to access relevant healthcare such as medical and dental? In what other ways do they meet the child's day to day needs?</p>
<p>How has the proposed guardian helped the child to meet their educational, employment or vocational goals, social and recreational activities where relevant? What may this look like in the future?</p>
<p>How will the proposed guardian support the child to transition to adulthood? Will the child be able to stay living with the proposed guardian and be supported by the guardian after they turn 18, if that's what the child wants?</p> <p>Has the proposed guardian supported other young people to transition to adulthood? What did this look like?</p>
<p>Does the child have a disability, medical or mental health condition, that requires ongoing input from specialist clinicians? Do they have a specific support plan (NDIS etc)?</p> <p>What is the proposed guardian's understanding of the impact of disability and availability of specialised supports now and if required in the future?</p>
<p>Does the proposed guardian receive support from Child Safety or another service to meet the child's needs? Does this need to continue?</p>
<p>Does the proposed guardian receive high support needs allowance or complex support needs allowance, to assist with meeting the child's needs? To what extent is this financial support relied upon by the proposed guardian and what would be the effect on the child if the proposed guardian were not receiving these allowances?</p>



What is the nature of the proposed guardian’s support network? Do they have friends and family who can help them to meet the child’s needs and provide them with support, now and into the future? How will the carer utilise their support network, in the absence of child safety, to meet the needs of the child; particularly if there has been access to regular respite etc?
Has the proposed guardian considered who, in their support network, might they consider suitable to care for the child should the proposed guardian be no longer able to do so?
Obligations to the chief executive
If an approved carer, how has the proposed guardian demonstrated their ability to work with Child Safety to meet the needs of the child?
Describe the relationship between the proposed guardian and Child Safety. What are the proposed guardians’ opinions about working with Child Safety?
What is your assessment of the proposed guardian’s ability to work with the Child Safety if and when required, and to meet the obligations to the chief executive? Provide evidence with examples where possible.

Appendix C – Comparison of long-term orders

Long-term guardianship to the chief executive	Long-term guardianship to a family member or another suitable person	Permanent care order
<p>What is the effect of the order?</p> <ul style="list-style-type: none"> • <i>Child Protection Act 1999</i>, section 13, 59, 59A and 61(f) and (g) • Policy: Permanency planning (594) 		
<p>The chief executive is the legal guardian of the child until they turn 18.</p> <p>The chief executive:</p> <ul style="list-style-type: none"> • accepts full parental responsibility for all aspects of the child’s care • is able to make all decisions about the child’s daily needs, long-term care, wellbeing and development. <p>An application for this type of order can be filed at any stage of ongoing intervention with a child.</p>	<p>A suitable person is appointed as the legal guardian of the child until the child turns 18.</p> <p>The long-term guardian:</p> <ul style="list-style-type: none"> • accepts full parental responsibility for all aspects of the child’s care • is able to make all decisions about the child’s daily needs, long-term care, wellbeing and development. <p>An application for this type of order can be filed at any stage of ongoing intervention with a child.</p>	<p>A suitable person is appointed as the legal guardian of the child until the child turns 18.</p> <p>The long-term guardian:</p> <ul style="list-style-type: none"> • accepts full parental responsibility for all aspects of the child’s care • is able to make all decisions about the child’s daily needs, long-term care, wellbeing and development. <p>The child must have been in the care of the proposed guardian (under a child protection order granting custody or guardianship to the chief executive) for at least 12 months immediately prior to the making of the application, unless the <i>Child Protection Act 1999</i>, section 59(7B) exception applies.</p>
<p>Can this order be varied or revoked?</p> <ul style="list-style-type: none"> • <i>Child Protection Act 1999</i>, section 65 and 65AA 		
<p>Yes. A child, parent or the DCPL may apply to vary, revoke or revoke and make another child protection order at any time after the finalisation of the order granting long-term guardianship to the chief executive.</p>	<p>Yes. A child, parent or the DCPL may apply to vary, revoke or revoke and make another child protection order at any time after the finalisation of the order granting long-term guardianship to a suitable person.</p>	<p>Only the DCPL may apply to vary, revoke or revoke and make a new child protection order any time after the finalisation of the permanent care order.</p>
<p>Can this order be granted for an Aboriginal or Torres Strait Islander child?</p> <ul style="list-style-type: none"> • <i>Child Protection Act 1999</i>, sections 5C, 59 and 59A 		



Long-term guardianship to the chief executive	Long-term guardianship to a family member or another suitable person	Permanent care order
<ul style="list-style-type: none"> Policy: Decision making about Aboriginal and Torres Strait Islander children (641) 		
<p>Yes. In making this order, the Childrens Court must have proper regard to the following principles:</p> <ul style="list-style-type: none"> Aboriginal and Torres Strait Islander people have the right to self-determination the long-term effect of a decision on the child's identity and connection with the child's family and community is taken into account the Aboriginal and Torres Strait Islander child placement principle. <p>The Childrens Court may only make the order if it is satisfied that the case plan for the child includes appropriate details about how the child's connection to culture and community will be developed and maintained.</p> <p>Also, the decision to apply for the order has been made in consultation with the child, If the court considers that to be appropriate.</p>	<p>Yes. In making this order, the Childrens Court must have proper regard to the following principles:</p> <ul style="list-style-type: none"> Aboriginal and Torres Strait Islander people have the right to self-determination the long-term effect of a decision on the child's identity and connection with the child's family and community is taken into account the Aboriginal and Torres Strait Islander child placement principle. <p>The Childrens Court may only make the order if it is satisfied that the case plan for the child includes appropriate details about how the proposed guardian will ensure the child's connection to culture and community and how this will be developed and maintained.</p> <p>Also, the decision to apply for the order has been made in consultation with the child, if the court considers that to be appropriate.</p>	<p>Yes. In making this order, the Childrens Court must have proper regard to:</p> <ul style="list-style-type: none"> Aboriginal and Torres Strait Islander people have the right to self-determination the long-term effect of a decision on the child's identity and connection with the child's family and community is taken into account Aboriginal tradition and Island custom relating to the child the Aboriginal and Torres Strait Islander child placement principle. <p>The proposed guardian must be committed to preserving:</p> <ul style="list-style-type: none"> the child's identity the child's connection to their culture of origin the child's relationship with members of their family in accordance with their case plan. <p>The Childrens Court must also be satisfied:</p> <ul style="list-style-type: none"> the child's case plan includes appropriate details about how the child's connection with their culture and community or language group will be developed or maintained and the decision to apply for the order has been made in consultation with the child, if the court considers consultation is appropriate.
<p>Is the child still in a care arrangement?</p>		
Yes	No	No
<p>What are the guardian's obligations to the child under the <i>Child Protection Act 1999</i>?</p> <ul style="list-style-type: none"> <i>Child Protection Act 1999</i>, section 74, 74A, 79, 79A, 80A 		



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<ul style="list-style-type: none"> Schedule 1, Charter of rights for a child in care 		
<p>Case management continues. Child Safety must regularly:</p> <ul style="list-style-type: none"> tell the child about the charter of rights and what it means for them give the child written information about the charter of rights tell the child about Child Safety's obligations to them tell the child about the public guardian and other services that can help them if they do not believe the charter of rights is being complied with tell the child about their right to contact Child Safety if they have questions or concerns about their care and protection needs. 	<p>The long-term guardian must:</p> <ul style="list-style-type: none"> keep Child Safety informed about where the child is living ensure the charter of rights is complied with maintain the child's relationships with parents, family and other persons of significance preserve the child's identity and connection to their culture and community provide the child with assistance to transition to adulthood. 	<p>The permanent guardian must:</p> <ul style="list-style-type: none"> keep Child Safety informed about where the child is living ensure the charter of rights is complied with maintain the child's relationships with parents, family and other persons of significance preserve the child's identity and connection to their culture and community provide the child with assistance to transition to adulthood.
<p>Does the child have a case plan?</p> <ul style="list-style-type: none"> <i>Child Protection Act 1999</i>, section 51C, 51V, 51VA, 51VB Policy: Case planning (263) 		
<p>Yes. Case plans are reviewed as required (minimum six-monthly). Case plans for an Aboriginal or Torres Strait Islander child must include details that are consistent with the Aboriginal and Torres Strait Islander child placement principle.</p>	<p>Yes. The chief executive must contact the child at least every 12 months to give the child an opportunity to make comments or queries about, or ask for a review of, the case plan. The long-term guardian must allow the chief executive contact with the child at least every 12 months. Case plans for Aboriginal and Torres Strait Islander children must include details that are consistent with the</p>	<p>Yes. A case plan is developed at the time the order is made. No further case plan is required. A permanent guardian or a child may request a review of the case plan at any time. If Child Safety decides not to review the case plan, the child or the permanent guardian can seek a review of the decision in QCAT.</p>



Long-term guardianship to the chief executive	Long-term guardianship to a family member or another suitable person	Permanent care order
	<p>Aboriginal and Torres Strait Islander child placement principle.</p> <p>The child, or the long-term guardian may request a review of the case plan at any time.</p> <p>A parent may request a review of the case plan if it has not been reviewed in the previous 12 months.</p> <p>If Child Safety does not agree to a request to review a case plan, the child, long-term guardian or parent may seek a review of the decision in QCAT.</p>	
Does the child have a cultural support plan?		
Yes, it is part of the child's case plan.	There is no ongoing cultural support plan. The long-term guardian must abide by their obligations to ensure connection to community and culture for the child.	There is no ongoing cultural support plan. The permanent guardian must abide by their obligations to ensure connection to community and culture for the child.
Does the child still have an educational support plan, child health passport and access to Evolve therapeutic services?		
Yes	No	No
Who is responsible for supporting the young person's transition to adulthood?		
<ul style="list-style-type: none"> • <i>Child Protection Act 1999</i>, section 79A and 80A • Policy: Care allowance – extended post-care support (651) • Policy: Transition to adulthood (349) 		
<p>Child Safety is responsible from the next case plan after a young person turns 15, and ongoing until they turn 18.</p> <p>Transition to adulthood support and services are available for young people from age 15 to 25 years.</p>	<p>The long-term guardian. Long-term guardians or a young person may ask to have the case plan reviewed by Child Safety if the guardian cannot reasonably meet the young person's transition to adulthood needs.</p>	<p>The permanent guardian must ensure the young person is adequately supported into adulthood.</p> <p>If a permanent guardian cannot reasonably meet the child's transition to adulthood needs, the permanent guardian or the child may request to have the case plan reviewed.</p>



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	Transition to adulthood support and services are available, including extended post-care support.	Transition to adulthood services are available, including extended post-care support.
How often will Child Safety have contact with the child?		
Monthly	Yearly	Only when requested
What if the child’s care arrangement changes, or need to change? <ul style="list-style-type: none"> • <i>Child Protection Act 1999, section 80A</i> 		
Child Safety can arrange changes to a child’s care arrangement in circumstances where the care arrangement is no longer meeting the child’s needs, or where a carer can no longer provide a care arrangement.	This order does not allow the long-term guardian to give the care of a child to someone else on an ongoing basis. The long-term guardian must immediately give Child Safety written notice if they believe their care of the child will end soon or if the care has ended and if the guardian knows where the child is living.	The permanent care order does not allow the permanent guardian to give the care of a child to someone else on an ongoing basis. The permanent guardian must immediately give Child Safety written notice if they believe their care of the child will end soon or if the care has ended. They must also advise where the child is living if they know this information.
Does a carer, long-term guardian or permanent guardian require a Blue Card?		
Yes	No. Long-term guardians are not required to hold a Blue Card after the making of the order. Note: They are required to hold a Blue Card if they wish to continue or want to provide care to other children as a foster or kinship carer.	No. Permanent guardians are not required to hold a Blue Card after the making of the order. Note: They are required to hold a Blue Card if they wish to continue or want to provide care to other children as a foster carer or kinship carer.
Does the carer, long-term guardian or permanent guardian need to renew their carer approval?		
Yes	No. Once the order has been made, long-term guardians are not required to renew their carer approval unless they continue to provide care to other children as a foster or kinship carer.	No. Once the order has been made, permanent guardians are not required to renew their carer approval unless they continue to provide care to other children as a foster or kinship carer.



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<p>What financial support is available?</p> <ul style="list-style-type: none"> • <i>Child Protection Act 1999</i>, section 159 • Policy: Expenses – fortnightly caring allowance and interstate foster payments (365) • Policy: Child related costs (645) • Policy: Complex support needs allowance (612) • Policy: High support needs allowance (296) • Policy: Dual payment of carer allowances (389) • Policy: Regional and remote loading for carers (379) • Policy: Care allowance – extended post care support (651) 		
<p>An approved foster or kinship carer receives the fortnightly caring allowance and is eligible to receive the following financial supports, where approved:</p> <ul style="list-style-type: none"> • Regional remote loading • High support needs allowance • Complex support needs allowance • Child related costs • Dual carer allowance 	<p>A long-term guardian receives the fortnightly caring allowance and is eligible to receive the following financial supports, where approved:</p> <ul style="list-style-type: none"> • Regional remote loading • High support needs allowance • Complex support needs allowance • Child related costs • Dual carer allowance 	<p>A permanent guardian receives the fortnightly caring allowance and is eligible to receive the following financial supports, where approved:</p> <ul style="list-style-type: none"> • High support needs allowance • Complex support needs allowance • Child related costs, in exceptional circumstances if the child has emerging special needs or the permanent guardian requires assistance to establish and maintain a care environment that meets the child’s needs.
<p>What non-financial support is available?</p> <ul style="list-style-type: none"> • Policy: Support for children in the care of long-term and permanent guardians (607) 		
<ul style="list-style-type: none"> • Ongoing case management • Foster and kinship care service • Foster and kinship care support line • Access to training • Access to counselling 	<ul style="list-style-type: none"> • Assistance to resolve family contact issues • Casework assistance to resolve emergent issues • Foster and kinship care support link • Access to training 	
<p>What happens in the event of the death of a guardian?</p>		



Long-term guardianship to the chief executive	Long-term guardianship to a family member or another suitable person	Permanent care order
Not applicable	<p>If the long-term guardians are a couple, the surviving person retains guardianship.</p> <p>If both long-term guardians die, the order ceases.</p> <p>Because the child has been determined by the Childrens Court as being in need of protection, Child Safety will consider whether a further order is required to meet the child's care and protection needs.</p>	<p>If the permanent guardians are a couple, the surviving person retains guardianship.</p> <p>If both permanent guardians die, the order ceases.</p> <p>Because the child has been determined by the Childrens Court as being in need of protection, Child Safety will consider whether a further order is required to meet the child's care and protection needs.</p>