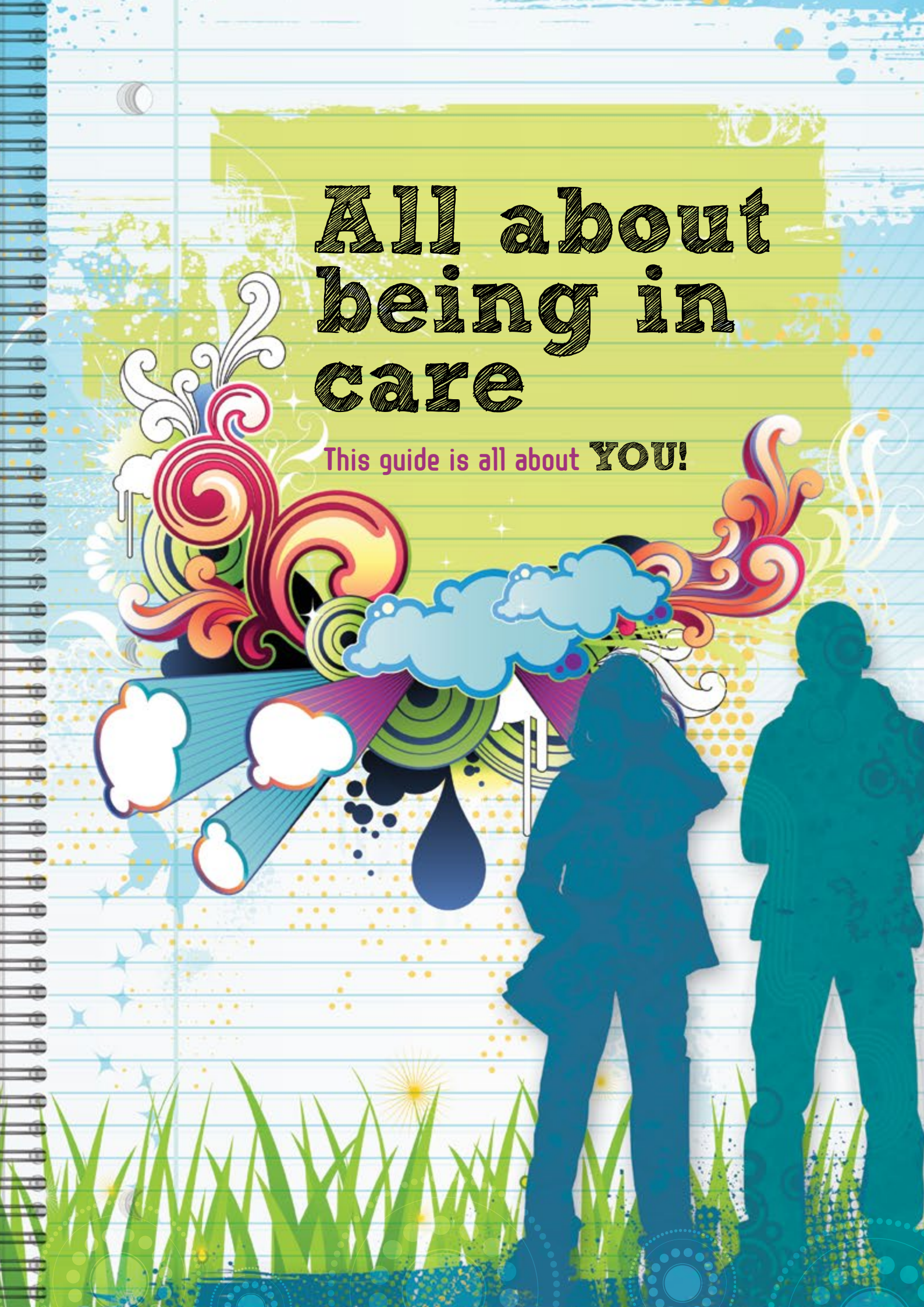



All about being in care

This guide is all about **YOU!**





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This guide is all about **YOU**;
it can help **YOU** understand:



why you are in care



what a care plan is



how to get a say in what happens to you



who to talk to about how you're feeling



who to ask when you have questions or concerns.



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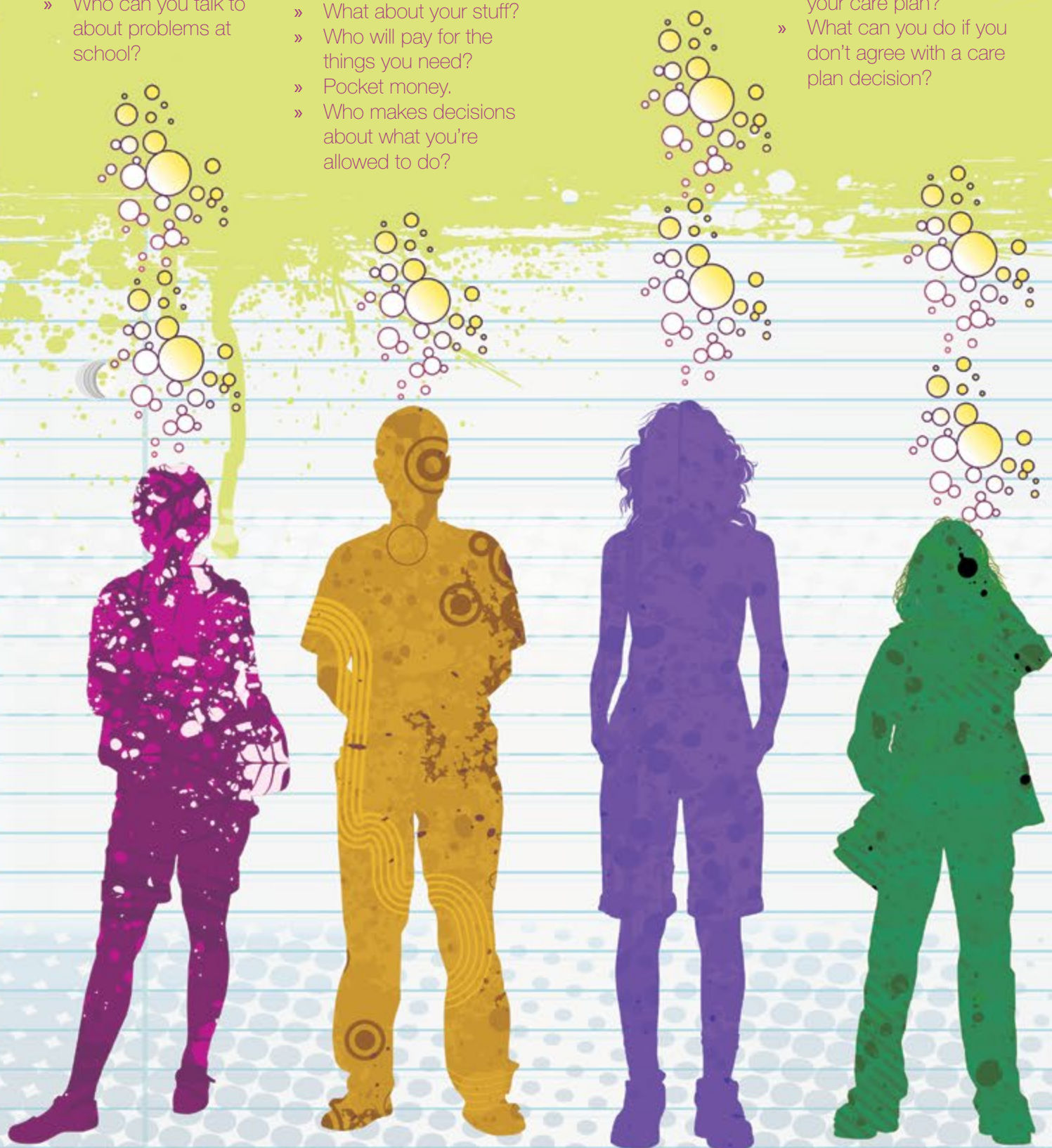
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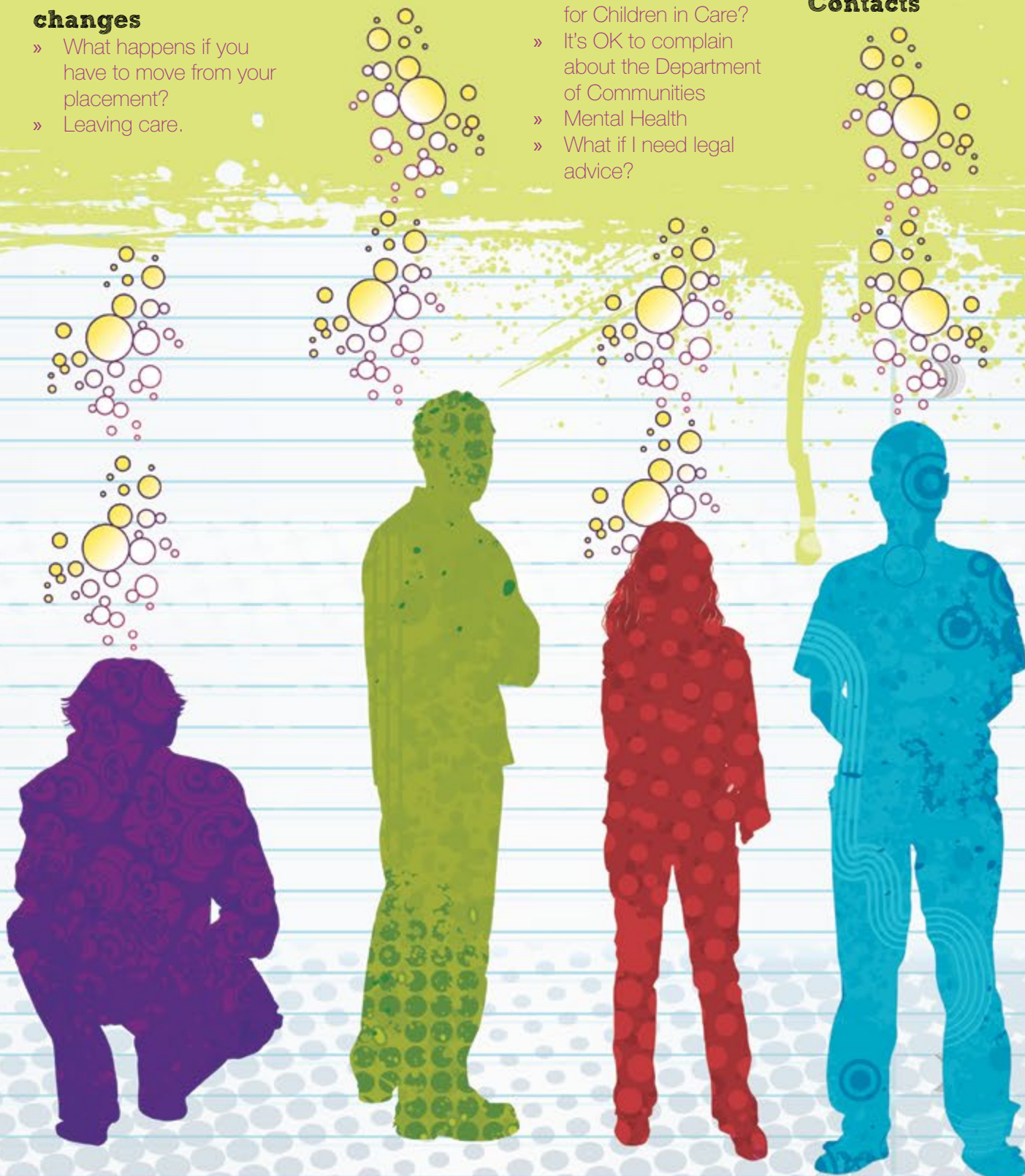
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Charter of Rights
for young people
in care

There are lots
of young people
in care. You're not
alone...



What's happening?

Why have you come into care?

Because the Department of Communities (the Department) believes that it isn't safe for you to be at home right now. The Children's Court has probably decided that you need to live somewhere else for a while, or your family may have made an agreement with the Department about this.

Sometimes families have a hard time and need help from other adults or services to care for their children properly. This is what has happened to your family.


Young people come into care for lots of different reasons. The reason why you've come into care should be explained to you by your Case Manager. If you have any questions, you have the right to ask your Case Manager.

Here are some of the reasons why young people come into care:

- » they were being hurt in some way, or they were likely to be hurt
- » they weren't getting the care they needed at home
- » their parent(s) or family were sick.

It's very important for you to know that no matter why you came into care, it was **NOT** your fault.

Lots of young people are in care and being in care can create different feelings. You might be relieved, worried, confused, sad or have other feelings from time to time. It's important for you to know that this is normal and that you're not alone! There are people you can talk to about how you're feeling, like your carer, Case Manager, psychologist or school counsellor.



You have rights when you're in care, including the right to:

- feel safe where you're living
- have food and clothes
- medical treatment and education
- have contact with people who are important to you
- have your say about what you want to happen.

There is a Charter of Rights for Children and Young People in Care, and you'll find it on page 31 of this guide.

What does being in care really mean?

It means that the Department of Communities has responsibility for you and, in most cases, they will be making decisions about your life – like where you will live, who with, where you go to school and when you'll see your family. Your Case Manager and Team Leader will make these decisions most of the time, but they need to talk with you about this and keep you and your family informed. You can say if you want to change what's happening or if you don't like something in your life. The Department's job is to make sure that you're well looked after and safe, and that you're getting everything you need. This is called **getting your needs met**.

How long will you be in care?

The Department will usually work with your family to try and make it safe for you to go back home to live. Sometimes you will be in care only for a short break then go back home. Other times, even though everyone works hard to try and get you back home, it may not be right or safe, so you may be in care for a longer time. Some children and young people stay in care until they're 18 years old and become adults.

The Department of Communities (the Department)

What is the Department and what do they do?

The Department is part of the Western Australian Government. The people who work for the Department have the job of protecting and caring for children and young people and keeping them safe – in their own homes and when they are in care. When you're in care, people sometimes say you're in the care of the CEO. The CEO is the Chief Executive Officer of the Department, who is the big boss. You may never meet this person, but there are lots of other people who work under him or her, and they are the ones you'll come into contact with.

What is a Case Manager and what do they do?

Your Case Manager is the person you'll see and speak to the most. This is someone who works for the Department and who has special responsibility for you – making sure you're safe and well looked after and that your needs are being met.

Your Case Manager works in a team with other people in a District Office. They have a Team Leader who is their everyday boss. The person who is in charge of the whole district office is called the District Director. You might want to know the names of the Team Leader and District Director as they help to make decisions about you while you're in care, and you can talk to them if you want to. Ask your Case Manager for their names.

Who else might you meet while you're in care?

Sometimes the Department may ask another agency to look after you. If this is the case, the agency worker will be the person you see most. There are other people you might meet. They all want to support and help you, and make sure that you are safe.

Here are some examples:

Education Officer

This person works in the District Office with your Case Manager, and can be involved if you need their help.

Psychologist

This person also works in the District Office with your Case Manager, and can be involved if you need their help.

Aboriginal worker

If you're of Aboriginal descent, you will probably have contact with a specialist Aboriginal worker, who will help to keep you in touch with your culture and your people.

Crisis Care workers

They work in the Department's 24-hour Crisis Care Unit. You may have contact with them if there is an emergency or if you need help when your District Office is closed.

Advocate for Children in Care

The Advocate for Children in Care can help you sort out problems with the Department and make sure you have a say in decisions that affect your life. The Advocate can also help you make a formal complaint about something if you want to, or get a review of a decision you don't agree with.

CREATE Foundation

A community organisation that offers programs and activities for children and young people in care aged five to 25 years. Programs and activities include Club CREATE, annual Christmas events and connection events for young people. As a member of Club CREATE, you will receive four newsletters a year, information about programs in WA, competitions, birthday cards, and a CREATE t-shirt and journal. There is also a group of young people with care experience who provide feedback and advice to the Department, and support to each other and other young people in care.

For more information about CREATE visit www.create.org.au
or contact 1800 655 105.



Where will you live?

Where will you live and who with?

When you're in care, the place you live is called your placement and you may hear people talking about your placement arrangements or care arrangement.

Young people in care live in different types of placements:

With friends or people in your family

When you live with someone in your family other than your mum or dad (like an auntie or grandmother), or perhaps with family friends, they are called family carers or kinship carers.

Foster care

This is where you live with another person or family in their home. They are called foster carers and you may not have known them before, but they have chosen to look after you because they care about what happens to you.

Residential care unit or group home


This is where a group of children and young people live together in the same house with adults, called residential care workers, who look after them. The residential care workers don't live there, but work in a team and on different shifts so there is always someone there to make sure you receive proper care.

It's important to know that wherever you live, your family will always be your family and love you.

Getting used to your placement

Living with new people can be difficult and it can take time to settle in. The way things are done in your placement may be different from what you're used to, and it's important that you know what's OK and what's not OK so you know how to behave while you're living there.

Rules



All families have rules, and wherever you live while you're in care there will be rules too. You need to know what the rules are in your placement and you have the right to ask questions if you're not sure. Rules include things like:

- » having a bed time
- » going to school
- » doing household chores
- » not staying out too late
- » being respectful to your carers and other young people
- » not bullying.

Punishments and consequences

There are times when we all break rules – sometimes because we're upset or angry. If you break a rule, there may be a consequence or punishment to make sure that you don't do it again in future. The sorts of consequences may be:

- » repairing any damage you cause or paying for it
- » missing out on doing something you enjoy like going out, watching TV or playing a computer game
- » being given extra chores in the home, like washing up or setting the dinner table.

No one has the right to punish you physically or to hurt or touch you in any way that you don't like. You can speak to your Case Manager or the Advocate for Children in Care or make a complaint if you think any punishment or consequence is unreasonable or harmful to you, or if you're uncomfortable about the way anyone is touching you.

Where will you live? - cont'd

What do you call your carer and other people in their family?

Everyone is different and it's important that you feel comfortable about the name you use for your carer and their family. In residential care units, this is a bit easier and the staff there will usually be called by their first names, like John or Barbara. In foster care it can be a bit more confusing, especially if your carer's own children call them 'mum' and 'dad', and you might be unsure what you should call them. You can speak to your carer or Case Manager about this and choose a name that you feel comfortable with.

Is it OK to have a good relationship with your carer and other people in your carer's family?

Sometimes you may feel like you're hurting your mum and dad or people in your own family if you get on really well with your carer. It's OK to care about your carers and their family as well as your own family.

What about your family?

Does your family know where you are?

Your family knows that the Department has found somewhere safe for you to stay. The Department may not tell them exactly where you're living if you or someone else has been hurt by a person in your family, or if they feel it's not OK for other reasons. You can ask your Case Manager more about this.

How can you contact your family or friends?

Some people will always be important to you and your Case Manager understands this. Tell your Case Manager or carer who you want to see and they will try to arrange it.

You have the right to keep in touch with your family and friends if possible. This is called contact, and can include visits, phone calls, emails or letters and photos. Sometimes there is a very good reason why you can't have contact with someone in your family, for example, if you are hurt or upset. Sometimes other adults may need to be there when you see your family to make sure you stay safe. This is called supervised contact. You can talk to your Case Manager more about this.

What if there's someone in your family you don't want to see?

Talk to your Case Manager about this. You don't have to see anyone you don't want to, and your Case Manager may have ideas about other ways of staying in touch, like phone calls, sending a letter, email or SMS, or swapping photos or pictures.

If you're not happy with a decision the Department makes about contact, you can ask why this decision was made and say if you want it changed. Your Case Manager or the Advocate for Children in Care can help you with this.

School

Will you still be able to go to the same school?

Your Case Manager will try to make sure that you can stay at the same school, but if your placement is too far away you may have to go to a new school.

Moving schools can be difficult and you might feel nervous, sad, worried or upset. You can talk to your Case Manager or carer about this and there may be ways you can get some extra support.

Will anyone at school be told that you are in care?

Some people at school will need to know that you're in care. Your Case Manager will only tell people who need to know so they can give you the best possible support. This may include your school principal, teacher or a support person like the school counsellor or chaplain. But it's nobody else's business. It's up to you who you choose to talk to about being in care. You can speak to your Case Manager to help you decide who to talk to about being in care, and what you can say to other people if they ask questions and you don't want to talk about it.

Who can you talk to about problems at school?

If you're having a problem at school with your school work, being bullied or if you're just upset or worried, then there are people who you can talk to. You can always talk to your Case Manager about these problems, but there are others who can help you too. They are:

- » your year coordinator
- » the chaplain or youth education worker
- » the school counsellor or psychologist
- » your teacher.

Your stuff and other issues

What about your stuff?

If there are still some things at your family home that you would like to have, you can talk to your Case Manager about trying to get them for you. It's a good idea to have a chat with your carer about how things are looked after in your placement. Every household is different, but remember that your personal needs and privacy are important wherever you're living.

Who will pay for the things you need?

Your carer receives some money from the Department to pay for your food, clothes and everyday things like your toothbrush, shampoo, haircuts, basic medical treatment and general items from the pharmacy. If you need money for extra things, you can talk to your carer or Case Manager. Sometimes they won't be able to make the decision straight away and will have to check with their Team Leader or District Director. They'll tell you when a decision is made. You have the right to get the essential things you need, at the right time.

Pocket money

All children and young people in the CEO's care may receive pocket money until they are 16 years old. The amount you get will depend on how old you are. You can ask your Case Manager or the Advocate for Children in Care if you want information about pocket money. After you're 16 years old, you might be able to get a Centrelink allowance. The Department doesn't pay pocket money if you get a Centrelink allowance, if you have a job or if your parents are paying some money.

Who makes the decisions about what you're allowed to do?

This depends on what you're asking to do. Your carers can make some everyday decisions like signing most permission slips from school, and deciding if you can stay at a friend's house for a night.

Some bigger decisions can only be made by your Case Manager, your parents or your Case Manager's Team Leader or District Director. These people have to make tough decisions, for example, letting you have an operation or giving you permission to do an activity where you could get hurt. Your District Director is the person who decides whether you can travel to other parts of Australia or overseas.

Court and court orders

Why is the Children's Court involved in bringing you into care?


The Children's Court has the power and responsibility to decide if children and young people like you need care and protection by the Department. Decisions are made by a magistrate (who is like a judge), who has this job because he or she knows a lot about the law.

Sometimes your parents or family have made an agreement with the Department that you should be in care for a while. This is called a negotiated placement agreement. But in most cases, a magistrate in the Children's Court will make the decision about whether or not you need to be in care. This involves a legal process called a protection application, where your family and the Department tell the magistrate what they think is the best thing for you. This is usually done by lawyers who speak on behalf of each of the people involved. Often, each side (or party) has a different point of view.

You are part of this process too, and you may have your own lawyer (called a separate representative), who is chosen by the court. You may be able to attend court yourself if you want to. Tell your Case Manager or lawyer if you want to go and it may be possible for you to attend some of the time.

The magistrate listens carefully to what everyone involved says, and can also listen to other people who know about what has been happening to you, like doctors, teachers or neighbours. These people are called witnesses and the information they give to the court is called evidence. The magistrate thinks carefully about what everyone has said, and decides if you need to have the Department involved in your life. If you do, then this is written down in a protection order.

Sometimes, a protection order says that a child or young person can continue to live with their family but the Department must check up or monitor how things are going. This is called a supervision order.



But if you're in care now, this probably doesn't apply to you and the magistrate will have made a protection order that says you need to be in the Department's care for a certain length of time, like a year, two years or until you turn 18. This usually means you will live somewhere other than at home.

Another kind of protection order can put you in the care of someone other than your parents, like a relative or carer.

You can ask your Case Manager which type of protection order you have.

Sometimes it can take a long time for your story (or case) to be sorted out in the Children's Court. There may be lots of short hearings and discussions and this may take a few months. Your Case Manager can tell you what's happening and if you're not sure, you should ask.

Will your parents be told what you have said about them?

Your Case Manager will try to make sure that anything you don't want your parents to know is kept private, but this isn't always possible. The magistrate will want to know your thoughts and feelings about what is happening for you, so your Case Manager or lawyer will have to tell the court. Talk to your Case Manager or lawyer about this if you're worried.



Care plans and meetings

What is a care plan?

Once you're in care, the Department has to make a care plan for you that says what's going to happen and how you're going to be looked after.

For example, it may say how long you're likely to be in care or what needs to happen before you can go back home. It will also include things like:

- » where you're going to live
- » the school you'll go to
- » what contact you'll have with your family and friends
- » the sports and activities you'll take part in (like music, dance and art)
- » other things you might need, like medical or dental treatment, counselling or help at school.

What is a cultural plan?

If you're of Aboriginal descent then you will be able to have a yarn with a special Aboriginal worker about what's best for you and how to keep in touch with your family, culture and community. There are people from lots of different cultures in Australia. the Department will help you stay in touch with your culture. This can be built into your care plan and is called your *cultural plan*.

Who decides what's in your care plan?

The Department talks to everyone involved to see what they think should be in your care plan. This can include people like your family, your carer and Case Manager and of course **YOU!** It's important that you have your say about what you want to happen.



What is a care plan meeting?

It's when people get together with the Department to discuss your care plan. They will talk about how you're going and make plans and important decisions about your life and future. Care plan meetings are a chance for you to sit down with people who care about you. They want to hear about what's happening in your life and what you want to happen in the future.

How can you have your say?

Lots of different adults take part in care plan meetings, like your parents or other members of your family, your Case Manager and Team Leader, your carer, your psychologist, or anyone else who is involved in your life.

There may be one big meeting or lots of small ones but it is all about **YOU** and it's good for you to take part if you can. As part of the preparation for your care plan you will be invited to do an online questionnaire called Viewpoint. You can do this in private and put in your views, worries, wishes and goals. Your case manager will then talk to you about what you have said and how your views and ideas can be included in the care plan meeting.

You can pick **where** your part of the meeting is held. For example, if you don't want to go to the District Office, you can choose somewhere you feel safe and comfortable like where you live or a park. You can also say if there is anyone you don't want to be at your part of the meeting. You can choose to bring an adult friend to the meeting for support, or you can ask the Advocate for Children in Care to come with you.

Sometimes it's hard to say what you want in front of a group of people, so you might like to write down what you want to say when you're at the meeting. You can ask your Case Manager, carer or the Advocate for Children in Care to help you with this.

It's really good if you can go to the meeting, but you don't have to if you don't want to. The person running the meeting will see your Viewpoint responses, and you can send a message (for example by making a video on your phone or your case manager's phone) if you want to. Again, your Case Manager, carer or the Advocate for Children in Care can help you with this. You can say if you don't want what you've said to be shared with everyone and it can be kept confidential.

Care plans and meetings - cont'd

Who gets a copy of your care plan?

You will get a copy of your care plan and you can ask if you need help to understand it. In about 12 months' time, the care plan will be looked at again (reviewed) to see how things are going and what changes are needed.

What can you do if you don't agree with a care plan decision?

You can talk to your Case Manager or to the Advocate for Children in Care about what you disagree with. They will help you if you want to try to get the plan changed or if you want it to be looked at again by a group of people outside the Department called the Case Care Plan Review Panel. This panel can ask the Department to make changes to the care plan.



Placement changes

What happens if you have to move from your placement?

There are lots of reasons why you may need to move from a placement – like changes in your own needs, or things that happen in your carer's family. You should let your Case Manager know if things are uncomfortable in your placement for any reason. Your Case Manager and carer will talk to you and your family about what is the best option for you if this is happening. If you can't or don't want to speak to your Case Manager, then you can speak to the Team Leader, District Director or the Advocate for Children in Care. You can also talk to someone in the Crisis Care Unit at any time of the day or night.

Leaving care

From around the time you turn 15 years old, your Case Manager should start talking to you about what you're going to do when you leave care at 18 years old. The process of moving out of care is called 'transitioning from care' and it's important that the Department helps you to plan what you want to do and what supports you will need.

You will have to think about things like:

- » where you're going to live
- » whether you want to study at TAFE or university, do an apprenticeship or get a job
- » how you'll earn money
- » what supports you'll need
- » what help you can get to set up your own home.

You can ask about transitioning from care when you feel the time is right for you to start planning for your future as an adult. There are special leaving care programs run by agencies like Crossroads West or Wanslea. Ask your Case Manager or the Advocate for Children in Care about these programs.

Your rights

What is the Charter of Rights?

You have rights while you're in care. These have been put together in a list called the Charter of Rights. It's for all children and young people in care. You should have your own copy and have it explained to you by your Case Manager. If you don't have one, ask for it. A copy of the Charter is on page 31 of this guide.

It's a good idea to read through the Charter regularly to remind yourself of your rights and ask any questions about it.

All your rights are important, but other children and young people in care have said one thing that's really important to them is the **right to privacy**.

You have the right to keep in touch with friends and family whenever possible and can ask to have private conversations without anyone listening to what you're saying.

You have the right to keep your personal belongings in a safe place, and not have other people going into your room without your permission. You also have the right not to have your personal information discussed with people who don't need to know. If you need more information or feel your rights aren't being respected, speak to your carer, Case Manager or the Advocate for Children in Care about this.

Talking to someone

What do you do if you're unhappy, sad or upset?

Being in care isn't always easy. Even with lots of people trying to help, sometimes things can still go wrong. The kinds of things that may go wrong may include:

- » not seeing enough of your family or friends
- » not getting heard or not being involved in decisions
- » disagreeing with decisions or not being told why they have been made
- » being mistreated or bullied
- » feeling unsafe or worried.

It's important to know that you always have someone to talk things through with.

You can choose from any of these people:

- » parents, family or friends
- » Case Manager
- » carer or residential care officer
- » teacher or school counsellor
- » psychologist
- » Advocate for Children in Care
- » CREATE Foundation
- » any other adult that you trust, like your contact supervisor or mentor.

You'll find someone who will listen to you and support you. If you feel you don't get heard the first time, talk to someone else because you have the right to have your say.

Talking to someone - cont'd

Can you contact your Case Manager at any time?

You can phone, email or message your Case Manager at their District Office. Your case manager works between 9am and 5pm, Monday to Friday. They may not always be able to take your call straight away, so leave a message for them to call you back. If it's something urgent and it can't wait, you can ask to speak with the Team Leader or District Director.

If it's after 5pm on weekdays or during weekends or public holidays and you need help with something urgent, then you can call Crisis Care. The contact details are on page 29 of this guide.


What is the Advocate for Children in Care?

This person is there especially to help children and young people like you who may be having trouble getting heard, getting information or having a say in decisions that affect their lives.

The Advocate can help with problems you can't sort out with your Case Manager or district office, and can help you get decisions reviewed or make a complaint.

The Advocate will:

- » listen to you, and help you say what you want and help get adults to listen
- » give information and advice about what you are entitled to, and how you should be treated
- » support you if you want to have a decision reviewed or complain about things that you think are wrong
- » speak to people in authority about what you think works or doesn't work in your life.



Contact details for the Advocate for Children in Care are on page 29 of this guide.

It's OK to complain to the Department

Making a complaint is a formal way of telling the Department that you don't agree with something they've done or haven't done. By making a complaint, you can get the decision looked at again and it might be changed. The Advocate for Children in Care can give you more information and support to do this, or you can call the Complaints Management Unit. Look at page 29 for contact details.

Mental health

If you're feeling really down or depressed, it could be helpful to talk to someone who is specially trained in mental health for young people. This might be a counsellor, psychologist or social worker. Your Case Manager can put you in touch with the right people, or have a look online at **Youth Mental Health Services WA**.

What if you need legal advice?

If you want to get confidential legal advice about anything, you can contact the **Youth Legal Service** on **(08) 9202 1688**. They will be able to give you independent guidance about what you're entitled to.

Contacts

District office

Office number:

Case Manager:

Team Leader:

District Director:

Health

Dentist:

Doctor:

Psychologist:

Put other important numbers in the space below:

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Advocate for Children in Care

Specialist Child Protection Unit

Department of Communities

M 0429 086 508

Freecall 1800 460 696

Email advocate@communities.wa.gov.au

Web: <https://www.wa.gov.au/organisation/departments/departments-of-communities/advocate-children-care>

Complaints Management Unit

Complaints Management Unit

Department of Communities

Tel: 1800 333 325

Web: <https://www.wa.gov.au/organisation/departments/departments-of-communities/department-of-communities-children-and-young-people-complaints-and-feedback>

Crisis Care Unit

Tel: 1800 999 008

Ignition WA - getting started on the road to independent living

Website: www.ignitionwa.com

Kids Helpline

Free call: 1800 551 800

Website: www.kidshelp.com.au

Ambulance, Fire and Police Emergency Only: 000

Police: 131 444

Health Direct advice line (24hr): 1800 022 222

Poisons Information Centre (24hr): 13 11 26

CREATE Foundation WA

Tel: 6336 9726

Website: www.create.org.au



Feedback and acknowledgements

Acknowledgements

Thank you to the parents, carers, members of create'v VOYCE, children and young people who participated in the making of this guide by providing their insights and valuable feedback. Every one of you participated because you hoped it would make a difference to children and families in the future.

Additionally, thank you to the many colleagues in the Department who contributed with your consideration and feedback.

Thank you to the statutory and other services in Western Australia and in other jurisdictions, interstate and overseas, who shared their thoughts and research with us.

Charter of rights for children and young people in care Guidance

The Charter is a list of things informing how children and young people should be treated when they come into the care of the Department of Communities.

<https://www.wa.gov.au/government/publications/charter-of-rights-children-and-young-people-care>



Notes:



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