

Australian Capital Territory

# Children and Young People (Parents and Families Involved with ACT Child Protection Services) Charter 2024

Notifiable instrument NI2024–408

made under the

*Children and Young People Act 2008*, section 24A (Director-general charters)

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## 1 Name of instrument

This instrument is the *Children and Young People (Parents and Families Involved with ACT Child Protection Services) Charter 2024\**.

## 2 Commencement

This instrument commences on the day after it is notified.

## 3 Parents and Families Involved with ACT Child Protection Services Charter

I make the attached Charter for Parents and Families involved with ACT Child Protection Services.

Catherine Rule  
Director-General  
Community Services Directorate  
15 July 2024

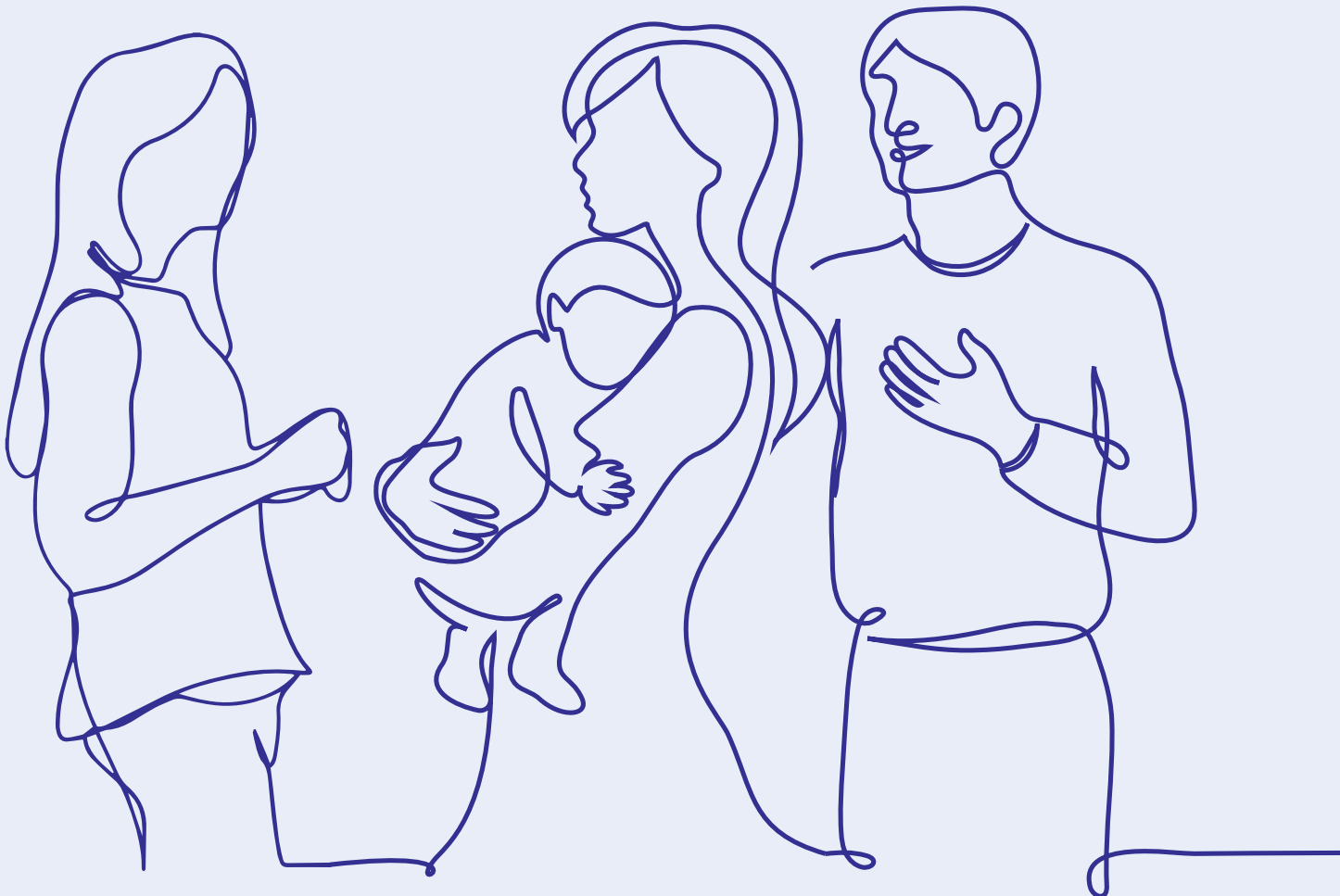
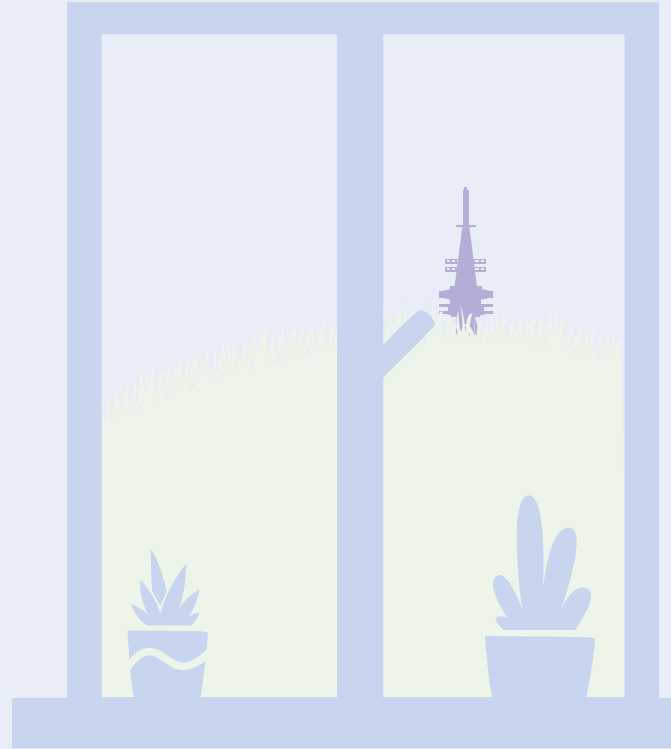
\*Name amended under Legislation Act, s 60



**ACT**  
Government

# Charter for Parents and Families

involved with ACT child  
protection services

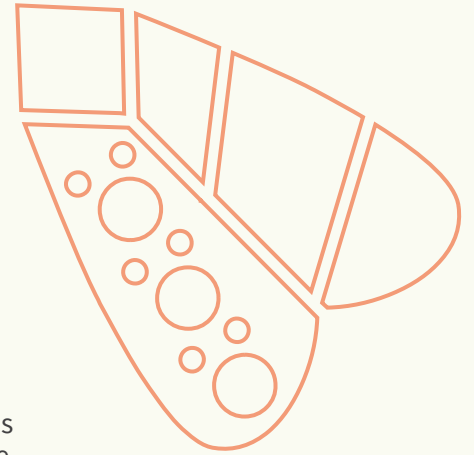


## Acknowledgement

The ACT Government acknowledges the Ngunnawal people as traditional custodians of the land and recognises any other people or families with connection to the lands of the ACT and region.

The ACT Government acknowledges the historical dispossession and its continuing legacy for Aboriginal and Torres Strait Islander people, and their vital ongoing contribution to the ACT community.

We acknowledge the deep significance of families' enduring connections to kin, community, culture, language and Country. We also acknowledge the cultural wisdom and strength found in Aboriginal and Torres Strait Islander family structures and approaches to raising children.



## Accessibility

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If English is not your first language and you require the Translating and Interpreting Service (TIS), please contact us through the **TIS phone interpreting line** on **131 450**.

If you are deaf, or have a hearing impairment or speech impairment, you may wish to contact us through the **National Relay Service (NRS)**. See the NRS page on the Infrastructure Australia website [www.infrastructure.gov.au](http://www.infrastructure.gov.au)



# Introduction: Message from the Minister

The *Charter for Parents and Families involved with ACT child protection services* (Charter for Parents and Families) provides a shared framework for families, advocates, and child protection and out of home care agencies. We know contact with the child protection system can be incredibly difficult for parents and families. The Charter for Parents and Families acknowledges their experiences and seeks to build a mutual understanding of what families and workers can expect when interacting.

Many families in Australia face challenges in diverse areas, such as poverty, substance misuse, disability, health issues, housing instability, and domestic and family violence. Such stressors can cause or exacerbate social exclusion. This is significant, because families facing multiple complex barriers are more likely to come to the attention of child protection systems.<sup>1</sup>

It is critical to acknowledge the disproportionate representation of Aboriginal and Torres Strait Islander families involved with the ACT child protection system. For this reason, the Charter for Parents and Families focuses on listening to families as the experts on their own cultural needs.

Developing this Charter for Parents and Families responds to research published in 2014 by Dr Sharynne Hamilton and Prof Valerie Braithwaite<sup>2</sup>. Their *Charter of Rights for Parents and Family Members with Children in the Care of Child Protection Services in Australia* is the foundational work upon which our Charter for Parents and Families is based. The Charter for Parents and Families is also reflected in the ‘trust and transparency’ domain of *Next Steps for Our Kids 2022–2030*, the ACT’s strategy for strengthening families and keeping children and young people safe.



Importantly, the Charter for Parents and Families was informed by our conversations with families who shared deeply personal stories of their lived experience. While this feedback reflected families’ diverse circumstances, it consistently described an imbalance of power in their interactions with child protection services. The Charter for Parents and Families acknowledges families’ voices and seeks to support them to feel heard and be included in decisions about their children as much as possible.

The Charter for Parents and Families was further shaped by feedback from organisations that support and advocate for families, and from other community members. We also spoke with frontline staff, managers and executives in the Children, Youth and Families division of the Community Services Directorate, who work with vulnerable families every day, often under very difficult circumstances.

Enabling everyone to work together in a restorative and respectful way is ultimately in the best interests of children and young people. I hope the Charter for Parents and Families will empower parents, families and their supporters, as they navigate a complex and challenging system.

**Rachel Stephen-Smith MLA**

Minister for Families and  
Community Services

<sup>1</sup> Hamilton, S. & V. Braithwaite (2014). *Complex Needs, Complex Lives, Complex Service Systems: The Perspectives of Community Workers on the Needs of Families involved with ACT Child Protection Systems*. Canberra: Regulatory Institutions Network, Occasional Paper 21, Australian National University.

<sup>2</sup> Hamilton, S. & V. Braithwaite. (2014) *Parents and Family Members Matter: A Charter of Rights and Responsibilities for Parents and Family Members with Children in the Care of Child Protection Services in Australia*. Canberra: Regulatory Institutions Network, Occasional Paper 22, Australian National University.

# About the Charter for Parents and Families

The Charter for Parents and Families takes a broad view of ‘family’ to include immediate and extended family. This encompasses kinship and other culturally defined relationships. ‘Family’ is also understood to include other people who are important to a child. For example, this could be a close family friend who has some responsibility for the child’s care or cultural needs.

The primary aim of the Charter for Parents and Families is to build a shared understanding of how families and child protection workers can expect to engage with each other. We know families have significantly less power than workers in these interactions. The Charter for Parents and Families supports families to have a voice, including with the help of a trusted person. It also seeks to improve transparency about the reasons for a child protection action or decision.

All human interactions are a two-way process. While the Charter for Parents and Families is primarily for parents and families, it does consider workers in the section on shared expectations and responsibilities. The Charter for Parents and Families also outlines some responsibilities that apply just to workers, acknowledging the power imbalance experienced by families.

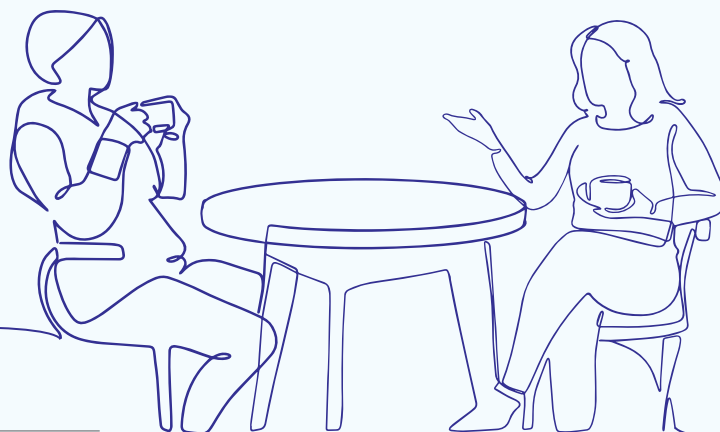
# Principles

The Charter for Parents and Families is guided by a set of principles, below, which clarify what the Charter aims to achieve. These principles were established in *Next Steps for Our Kids 2022–2030*. They are:

- > child, youth and family centred
- > evidence led
- > restorative
- > dignity driven
- > trauma informed
- > culturally safe
- > disability informed
- > accountable.

The Charter for Parents and Families aims to align with basic human rights that are protected in the *Human Rights Act 2004*. While the Charter for Parents and Families seeks to improve the way parents and family members experience child protection services, it is underpinned by a key principle: the best interests of the child or young person are the primary consideration in decisions that affect them<sup>3</sup>. This sits alongside an understanding that proactive, early support for families may also serve to uphold the child’s best interests.

The Charter for Parents and Families reflects foundational notions of procedural fairness and natural justice. This approach requires an ongoing commitment to enable full participation and to be responsive to diverse needs (e.g. disability). It acknowledges a collective responsibility to enable a fair and just experience for parents and families, free from discrimination or pre-conceived judgement.



<sup>3</sup> Child and Youth Protection Services staff are obliged to act in accordance with the *Children and Young People Act 2008*. See section 8(1): ‘In making a decision under this Act in relation to a particular child or young person, the decision-maker must regard the best interests of the child or young person as the paramount consideration.’

# Charter for Parents and Families



## Shared expectations and responsibilities – for everyone

We all have expectations about how others should treat us, and responsibilities around how we should treat others. The Charter for Parents and Families includes some shared expectations and responsibilities that apply to everyone – families *and* workers. This helps us remember that people all have different life journeys, and we can often learn from others' experiences.



## Parents and families *and* child protection workers

### *can expect to*

- > be treated with respect
- > connect as humans – be treated as someone with value
- > not be judged
- > have respectful conversations

### *have the responsibility to*

- > be honest
- > listen to others' views, even if you disagree
- > work together to find solutions





# What parents and families

## can expect

### Respect



#### *You can expect to*

- > be treated with courtesy, respect and fairness
- > be treated as someone with value
- > be acknowledged in your role as a parent or family member
- > be told about changes to your child's situation (if safe for your child)
- > not be judged, or labelled as a 'bad parent'
- > have your cultural needs considered, acknowledged and respected in decisions about your child
- > be treated without discrimination due to culture, religion, language, race, sexual orientation, gender, age, disability or anything else

### Being heard



#### *You can expect to*

- > explain your story and be treated as honest, as a starting point
- > have your views – and your child's views – considered
- > have your feelings of grief, intergenerational trauma, loss and frustration heard with compassion
- > have questions answered in a way you can understand, in agreed timeframes
- > have a concern or complaint taken seriously, and be given information about the complaints process and response timeframes
- > ask for a decision to be reviewed, for decisions that Child and Youth Protection Services (CYPS) can review

### Participating in discussions and decisions



#### *You can expect to*

- > be regularly updated on how your child is going
- > be genuinely heard and included in discussions and decisions (in line with any court orders)
- > have decisions explained transparently, in a way you can understand, and followed up in writing
- > be offered adjustments or support to participate if needed (e.g. extra time to respond)
- > have time to process information
- > where possible, have some choice about the timing of meetings or contact with your kids

# What parents and families can expect

## Information and privacy



### *You can expect to*

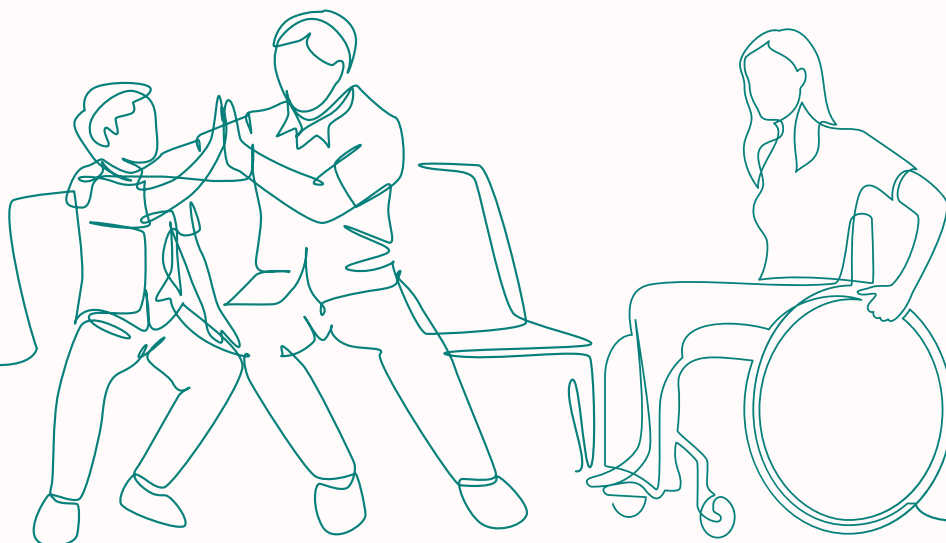
- > know your information will be treated sensitively and stored safely to protect your privacy
- > say if you believe information is incorrect and have your concerns recorded
- > know your information will only be shared if it's in your child's best interests<sup>4</sup>
- > be told if your information is shared (if safe for your child)
- > be asked for information in a clear and reasonable way

## Being supported



### *You can expect to*

- > get help to access support to help you to overcome challenges
- > have a trusted person to support you in meetings or phone calls
- > know what changes you need to make, timelines for each step and what will happen next
- > have your positive steps acknowledged
- > be supported to understand and be involved in court processes
- > have support provided for your child that considers their views and needs, in line with professional assessments
- > be supported so contact with your child goes well and takes place in a culturally safe environment



<sup>4</sup> CYPs may also be required to share information with ACT Policing if a criminal offence may have occurred.



# Responsibilities for



## Parents and families

### *You have the responsibility to*

- > treat workers the way you'd like to be treated
- > tell workers what you want them to know about your family, including your cultural needs
- > listen to and consider others' views, even if you disagree
- > work together to find solutions that put your child's needs first



## Child protection workers

### *You have the responsibility to*

- > be honest
- > listen to families and include them in decision-making where possible
- > explain the reasoning for a decision and whether it can be changed
- > make sure families understand what is happening, and keep checking in with them
- > be consistent, reliable and clear about when and how you will communicate
- > acknowledge progress and give feedback to support positive change
- > be aware of your own biases and act with empathy and compassion
- > ask families to help you learn about their cultural needs, and support their cultural safety
- > apply reasonable adjustments (e.g. for a parent with mental ill-health)
- > be responsive to families' circumstances and link them to support
- > follow internal policies, procedures and guidelines (including ACT Public Service values)
- > do what you say you will do, and be clear when something isn't possible
- > respond to feedback and ensure families know about and are kept up to date on the complaints process

