



NSW Department of
Community Services

OUT OF HOME CARE SERVICE MODEL

RELATIVE/KINSHIP CARE

This service model has been developed by the NSW Department of Community Services in consultation with the non government sector. The paper describes the key elements of a relative/kinship care service which are considered to reflect best practice. As such, the service model is not designed to be prescriptive but should be used as a guide to current service development priorities.

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Relative and Kinship Care Service Model

Summary

Formal and informal relative and kinship care arrangements have increased significantly over the past decade and are now a major placement option for children and young people entering out-of-home care in NSW. This growth has necessitated consideration of the critical issues which can arise for caregivers and the supports and supervision which are required to maintain these placements.

Studies have found that relative and kinship carers are generally older and less well educated than foster carers. They tend to have lower incomes and poorer health and are more likely to be single parents. In addition, they may not be well prepared for taking on the role of caring for children at a time when they had anticipated working less and taking more time for themselves. Often carers have responded to an emergency situation and consequently have had little opportunity to prepare for the challenges of becoming a carer again. In addition they often have to deal with complex relationships with their own children and other relatives.

This service model outlines the supports, monitoring and supervision for relative and kinship carers of children and young people who are in the statutory out-of-home care system.

The key elements of a relative/kinship care service model include:

- *case management and case work services;*
- *family decision making principles;*
- *maintaining family connections;*
- *carer assessment and training;*
- *carer support and supervision; and*
- *access to wrap around support services.*

1. Introduction

Relative and kinship care arrangements have increased significantly over the past decade and are now a major placement option for a significant number of children and young people entering statutory out-of-home care.

For the purposes of this paper, 'statutory out-of-home' care includes arrangements where:

- the Minister has one or more aspect of parental responsibility or there is an order of the Children's Court placing a child or young person in the care of the Director-General for a period of more than 14 days (s135); or
- the child is in the care of a designated agency and one or more aspects of parental responsibility has been allocated to the CEO by an order of the Children's Court; or
- the child is in the care of the Director-General through a temporary care arrangement¹, or by a Children's Court order of less than 14 days.

This policy focuses primarily on 'statutory out-of-home care' arrangements. The service model to support these relative and kinship carers aims to identify the assessment, authorisation and training requirements and the provision of case management and support services. In particular, it is acknowledged that application of a relative/kinship care model to Aboriginal and Torres Strait Islander communities will differ in certain aspects from a generic service model.

2. Context

NSW, in line with other jurisdictions, has experienced a growing trend towards relative and kinship care for over a decade. As at 30 June 2006, around 56% of all children and young people in care in NSW were in a placement with relatives or within their kinship network.² This includes a significant number of Aboriginal and Torres Strait Islander children and young people. As at 30 June 2006, around 68% of all Aboriginal and Torres Strait Islander children and young people in care were in relative or kinship placements³. The increased significance of, and reliance upon, relative and kinship care placements requires a practice focus on more effectively recruit, assess, train and support relative/kinship carers.

The provision of statutory out-of-home relative and kinship care must comply with requirements of the *Children and Young Persons (Care and Protection) Act 1998*, in the same way as for foster care. The safety, welfare and well-being of the child or young person must be paramount in all actions and decisions.

3. Definitions

Relative care

'Relative care' is the care of a child or young person by an extended family member whose relationship is defined by the *Children and Young Persons (Care and Protection) Regulation 2000*, under Part 2, clause 5. A child or young person is "related" to, or a "relative" of, another person, for the purposes of the Act:

- (a) if the child or young person is the child, step-child, grandchild, brother, sister, step-brother, step-sister, uncle, aunt, niece or nephew (whether by consanguinity or affinity) of the other person, or

¹ Section 151 of the *Children and Young Persons (Care and Protection) Act 1998*

² AIHW Child Protection Australia 2005-06

³ Ibid

- (b) if the other person has parental responsibility for the child or young person (but not including the Minister or a person who has parental responsibility other than in his or her personal capacity), or
- (c) if the child or young person has been placed in the care or custody of the other person in accordance with the Adoption of Children Act 1965.

Kinship care

The *Children and Young Persons (Care and Protection) Act 1998* does not include a definition of kinship care. The term *kinship* is a flexible concept which embodies different meanings for different cultural groups with regard to social relationships, personal family connections and expectations of responsibilities and behaviour. For the purposes of this policy kinship is defined as *care with a person who is not a relative of a child or young person, but who shares a cultural, tribal and/or community connection that is recognised by that child or young person's family and community*.

4. Research

Research acknowledges that care arrangements within a child or young person's family or community can provide significant benefits for children and will, in a significant proportion of cases, be the best care option⁴. However, research also cautions that the quality of relative/kinship care can be variable and requires careful assessment⁵, and that relative/kinship care may result in lower parental restoration rates than traditional foster care placements⁶.

The main research resources relied on to develop this model are listed in the research bibliography as an appendix to this paper.

5. Aims of relative/kinship care services

Relative/kinship care services should aim to:

- provide safe, stable and suitable home-based placements for children and young people for whom relative/kinship care represents the most appropriate placement option for meeting their day-to-day care and support needs;
- recruit, assess, train and support suitable relative/kinship carers so that they become integral members of the casework team involved in developing and implementing the child or young person's case plan; and
- provide effective case management to ensure that children, young people, families and relative/kinship carers receive integrated and coordinated quality services.

6. Permanency planning principles

Permanency planning principles apply to children and young people who are in the care of relatives or kin in the same way they apply to children in general foster care⁷.

The focus of casework support, and the level and nature of services, should promote permanency through restoration or permanent relative/kinship care. Planning for permanency should consider restoration where this option is in the child or young

⁴ Community Services Commission, NSW. (2000) *Inquiry into the Practice and Provision of Substitute Care in NSW: New Directions - from Substitute to Supported Care*. CSC: Sydney.

⁵ Cashmore J and Paxman M. (1996) *Wards Leaving Care: A Longitudinal Study of Wards Leaving Care*. Social Policy Research Centre: University of NSW: Sydney

⁶ Barber JG and Gilbertson R. (2001) *Foster Care: The State of the Art*. Australian Centre for Community Services Research: Adelaide.

person's best interests. Support and services may be provided to parents to promote restoration.

A decision about the long term placement of a child or young person should be taken as early as possible. This is especially important for younger children and infants. A permanent placement may be achieved by:

- restoration to the care of a parent or parents; or
- placement with a relative or member or members of the same kinship group as the child or young person; or
- long term placement with an authorised foster carer; or
- placement under an order for sole parental responsibility under s149; or
- adoption.

Relative/kinship carers should be encouraged and assisted to apply for a sole parental responsibility order or another permanent care option (eg. Family Court Order) as soon as practicable, if this is in the child or young person's best interests and if culturally appropriate. Subsequent casework support should be based on assessment of the child or young person's current and long-term needs. The level and nature of support may change over time as the child or young person's needs change.

7. Outcomes of effective relative/kinship care services

The expected outcomes of relative/kinship care services include:

- child specific recruitment, assessment and authorisation of relative/kinship carers who are able to meet the child or young person's needs, including their identity, cultural, linguistic and religious needs;
- assessment and authorisation of relative/kinship carers, and foster carers, appropriate to provide respite care for the primary relative/kinship carer, and to promote family relationships;
- a case planning process in which educational, health, identity, family and social relationships, emotional and behavioural development domains of children and young people are addressed and documented;
- achievement of case plan goals through a coordinated, multi-disciplinary case planning and case management process;
- improvement in placement stability through provision of effective supports for children and relative/kinship carers;
- improvement in intra-family relationships through provision of supports and facilitation of contact arrangements with parents and significant family or community members;
- participation of the child, young person, their family, significant others and relative/kinship carers in decision-making; and
- relative/kinship carer awareness of and access to available services and supports, including Commonwealth financial assistance.

8. Key components of relative/kinship care services

Statutory out-of-home care relative or kinship care placements should have access to the range of case management and support services that are provided to non-related authorised carers. Relative and kinship carers have the same responsibilities as non-related carers, and should be subject to the levels of review and monitoring required by the legislation, including review/renewal of authorisation. Services should determine practice guidelines for all relative/kinship care placements with a view to establishing

appropriate levels and types of assessment, support and supervision, monitoring and review⁸.

Services should use a strengths-based, family-based and culturally appropriate decision making process within case planning to make decisions about relative or kinship care placements.

The key elements of a relative/kinship care service model are closely aligned with key elements of a general foster care service. However, there are some supports and practice approaches that may require specific attention or variation in intensity in relation to relative/kin carers.

8.1 Management and staffing

Services are responsible for recruiting appropriate skilled and experienced staff and for providing effective staff management and supervision that facilitate stable placements to ensure the safety and well being of children and young people in their care.

8.2 Relative/kinship carer authorisation and support

Designated agencies are responsible for assessment, authorisation, training, support and supervision of relative/kinship carers in accordance with the *Children and Young Persons (Care and Protection) Act 1998* and *Regulations*.

Child specific recruitment of relative/kinship carers

Services will:

- consult with a child or young person's known relatives and community members to gain knowledge of potential relative/kinship carers;
- use culturally and linguistically appropriate strategies to engage relatives/kin in a family decision making/family group conferencing process to identify prospective carers, including respite carers;
- use a comprehensive assessment of family and community relationships, in consultation with family/kin, to identify prospective relative/kinship carers, including respite carers;
- provide relative/kinship carers with information about becoming or remaining a carer, including information about the child or young person's specific needs⁹;
- use appropriate strategies to familiarise a child or young person with a prospective relative/kinship carer (where unknown to them) and provide information about their family or community relationship; and
- have efficient processes in place to identify and assess prospective relative/kinship carers in a timely and professional manner.

Assessment, authorisation and training of relative/kinship carers

Services will:

- undertake a comprehensive assessment of prospective relative/kinship carers that focuses on carer's capacity to meet the child or young person's needs and provide a safe and nurturing environment. Relative/kinship carer assessment may be less structured and less detailed than for general foster carers. Where the relative or kinship carer is not known to the child, a more structured and detailed assessment

⁸ See *General and Intensive Foster Care Models* and *Wrap Around Support Services for Children and Young People in Foster Care* located on DoCS website.

⁹ Consistent with the child or young person's right to confidentiality

is required to establish the appropriateness of the carer. Assessment decisions must be clearly documented to identify how suitability was determined;

- use an assessment tool such as *Step-by-Step* or similar competency-based approach for assessment of potential carers. For Aboriginal & Torres Strait Islander carers, services should use the *Step by Step* Aboriginal Assessment tool¹⁰;
- authorise relative/kinship carers in accordance with the *Children and Young Persons (Care and Protection) Act 1998* and the *Children and Young Persons (Care and Protection) Regulation 2000*, including probity checks;
- authorise relative/kinship carers who are known to a child or young person within 3 months of being placed in their care;
- authorise relative/kinship carers who are not known to a child or young person prior to the child or young person being placed in their care, wherever possible;
- require a relative/kinship carer for all planned placements which are likely to exceed three months to sign a care agreement which advises them of their rights and responsibilities as a carer for a specific child or young person; and
- assess individual training, resource, and support needs appropriate for the role of a relative/kinship carer, and document these in the child or young person's case plan.

Support and supervision of relative/kinship carers

Relative/kinship carers may have different support and supervision needs to unrelated foster carers. These needs often relate to family dynamics that may cause stress in the care arrangement. In particular relative/kinship carers may require assistance with managing contact arrangements, as well as access to respite care and peer support. Assistance with developing conflict resolution skills or access to Alternate Dispute Resolution or Family Group Conferencing services may be of particular assistance to relative and kinship carers.

Relative and kinship services will:

- provide caseworker support for carers which varies in regularity according to individual need and placement type, and which may take the form of phone contact, personal visits and e-mails;
- provide caseworker contact that is responsive to issues and concerns that arise throughout the duration of the placement;
- provide additional support and services to carers under stress due to, for example, family relationships, changes in circumstances, health or personal problems, cultural needs or issues, difficulties managing particular behaviours, external events, influences or pressures negatively impacting upon the child, young person or household;
- arrange or provide specialist support and advice to carers to assist them in their role (e.g. support from a psychologist, speech pathologist, medical specialist or case worker with language or cultural skills);
- provide or arrange peer support groups for relative/kinship carers, including discussion groups, social groups and information/training sessions, and encourage carer participation;
- assess the need for carers to receive regular planned respite care as stipulated in the case plan;

¹⁰ The term 'Aboriginal' is used throughout this package and refers to both Aboriginal and Torres Strait Islander people.

- assess the potential of other relatives/kin to provide planned respite care as a strategy to maintain family relationships for the child or young person;
- facilitate contact arrangements between the child or young person and their parents and/or other significant people, as outlined in the case plan, where there is potential for intra-family conflict;
- provide or arrange support to carers through the process that occurs following abuse in care allegations, at the same time ensuring the well-being of the child or young person; and
- monitor carers compliance with the *Code of Conduct for Authorised Carers*.

8.3 Case management and casework

Relative and Kinship Care Services are responsible for providing case management functions and undertaking casework tasks in accordance with the case plan, relevant standards and policies, the *Children and Young Persons' (Care and Protection) Act* and *Regulations* and their Service Agreement and Specifications.

Case management

Case management is the process of assessment, planning, implementation, monitoring and review. Case management aims to strengthen outcomes for both families and children and young people through integrated and coordinated service delivery.¹¹ Case management approaches may vary in intensity so as to reflect and acknowledge the prior relationship between a carer and a child, where this exists, and the stability and quality of the arrangement.

Casework

Casework is the practical day to day intervention with children, young people, their carers and families including implementation of the case plan, coordination of services, supports and monitoring.

Relative and Kinship Care Services will:

- work in collaboration with other government agencies, relevant professionals, carers, children, young people, families and appropriate cultural and community representatives to ensure a thorough needs assessment is undertaken and all relevant parties are involved in case planning;
- participate in the case planning process and implement the case plan;
- coordinate services to best meet the developmental, health, educational, social and behavioural needs of children and young people in relative and kinship care and assist them in developing their full potential to lead fulfilled, responsible and independent lives;
- regularly monitor placements and review case plans to ensure that plans remain relevant to the child or young person's best interests (in accordance with the *Children and Young Persons (Care and Protection) Act 1998*¹²);

¹¹ DoCS Case Management Policy 2006 – see DoCS website

¹² Chapter 8, Part 2, s.150 (1) – (4) of the *Children and Young Persons (Care and Protection) Act 1998* requires that placements be reviewed by the designated agency supervising the placement of the child or young person in out-of-home care. The review is to be undertaken for children and young persons in out-of-home care effected by a Children's

- undertake casework and supervision practices with children, young people, families and carers that aim to ensure the stability and permanency of the placement;
- plan for and provide additional supports and services during critical transition stages. Such stages include contact with parents, return home, or move to independence, children entering adolescence and major life events in the family;
- work collaboratively with other agencies to ensure children and young people receive the services and supports required to meet their needs while in care;
- facilitate access to primary and preventative health care services for each child and young person;
- ensure a child or young person's educational needs are met, either through mainstream schooling or alternative educational programs as appropriate and necessary to meet the needs and circumstances of the child or young person;
- encourage children and young people to be actively involved in community activities. This may include school, recreational, sporting, religious and cultural activities as well as any special interests;
- implement the cultural placement principles of the *Children and Young Persons (Care and Protection) Act 1998*. This includes the principles relating to culture, language, religion and other components of diversity, and the Aboriginal and Torres Strait Islander principles of self-determination, participation and placement¹³;
- maintain comprehensive care records and ensure the content accurately reflects the reasons why the child or young person entered into care and their life history and achievements during their period in care; and
- arrange or provide timely and appropriate aftercare services for young people living independently.

8.4 Participation of children, young people, families and relative/kinship carers

Services will:

- conduct genuine ongoing consultation and facilitate participation of children, young people, their families and relative/kinship carers in the making of decisions that affect them, in accordance with the *Children and Young Persons (Care and Protection) Act 1998*;
- provide children, young people their families and relative/kinship carers with information which facilitates their participation, in a manner and language that they can understand;
- conduct genuine, ongoing consultation and facilitate participation of relative/kinship carers in decision-making processes.

8.5 Promoting the rights of children, young people and families

Services will:

- inform children, young people, their families and relative/kinship carers of their rights, in a manner which is appropriate to their age, developmental capacity and

Court order within timeframes specified by s150(2) (a) and (b) of the Act and/or when there are changes to the circumstances of the placement (s.150 (2) (c) and (d) of the Act).

¹³ Sections 9 (c), 9 (e) 11,12, and 13 of the *Children and Young Person's (Care and Protection) Act 1998*

cultural and linguistic background. This includes information about their rights under the *Children and Young Persons (Care and Protection) Act 1998*, the Charter of Rights for children and young people in care and information about complaints and appeals processes;

- use family decision making/engagement principles to make placement and other decisions and identify supports, particularly for children and young people from Aboriginal and Torres Strait Islander and culturally and linguistically diverse (CALD) backgrounds;
- advance and comply with the rights of children and young people, and provide all children and young people with material relevant to their rights;
- ensure that the rights of children, young people, their families and relative/kinship carers are respected and promoted in accordance with the *Children and Young Persons (Care and Protection) Act 1998*;
- ensure that the privacy of children, young people, their families and relative/kinship carers is respected, confidentiality is maintained and information is collected and exchanged in accordance with the *Children and Young Persons (Care and Protection) Act 1998*; and
- work with children, young people, their families and relative/kinship carers to process complaints and appeals in a timely and fair manner.

APPENDIX: Research Bibliography

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