



FOSTER CARE ASSOCIATION OF VICTORIA POSITION:

The Foster Care Association of Victoria believes all children and young people in care should enjoy the same activities and relationships as those enjoyed by their friends and peers whenever these opportunities arise. It is important to promote a child or young person's connections to their community whilst also ensuring their wellbeing and safety.

This information Sheet addresses some of the queries posed by carers regarding situations where police checks may, or may not, be required. Issues regarding overnight stays and changes to carer households should be discussed by Care Teams or with your Community Service Organisation to ensure effective planning and clear understanding of roles and responsibilities of team members.

Carers should ensure that they are familiar with the *DHHS Guidelines for Overnight Stays for Children and Young People in Out Of Home Care* at:

<http://www.cpmanual.vic.gov.au/policies-and-procedures/out-home-care/overnight-stays>

WHAT IS REQUIRED FOR A CHILD IN MY CARE TO HAVE A SLEEP OVER AT A SCHOOL/ PLAY FRIEND'S HOUSE IN A ONE OFF OR ON A COUPLE OF ONE OFF ARRANGEMENTS?

This policy applies to children and young people aged four years and over. If the child is aged less than 4 years of age, it is not considered appropriate for children younger than this to stay overnight away from their carer with friends. It applies to children subject to the following orders:

- A Long-Term Care Order
- Care By Secretary Order
- Family Reunification Order
- Interim Accommodation Order

If the child is placed in out of home care through a voluntary arrangement – consent must be obtained from a parent / guardian.

In general, if there is a request for a child or young person in out of home care to stay overnight with a friend, the decision to allow or not allow the overnight stay may be made without the need for police checks on the adults in the household where the child or young person is to stay.

First overnight stay - for the first overnight stay with a particular friend, the decision is to be made by the foster or kinship carer in collaboration with the CSO case worker. (Refer to check list on page 4). The carer must contact the parents of the friend prior to the visit occurring to confirm the arrangements for an overnight stay. The CSO worker is responsible for advising DHHS of arrangement details.

Subsequent overnight stays - for subsequent stays with the particular friend, provided there were no issues with the previous stay, and with the agreement of the case manager (DHHS or contracted agency), the carer may make the decision to allow the stay without the need



to consult each time. Case planners can also authorise carers to make decisions about overnight stays after a first overnight stay. See <http://www.cpmanual.vic.gov.au/policies-and-procedures/out-home-care/authorising-carers>

However, carers must continue to advise their CSO case worker, case manager (DHHS or contracted agency) of the overnight stay before the stay occurs. This policy applies to overnight stays of up to two consecutive nights. Longer stays require the approval of the child's case manager - the term 'case manager' refers to a DHHS case manager or, where the case is contracted, the CSO case manager. The case manager will determine any additional conditions for approval of the longer stay on a case-by-case basis.

WHAT POLICE CHECKS ARE REQUIRED IF AN ADULT (ANY PERSON OVER 18 YEARS OF AGE) STAYS AS A ONE OFF IN A CARER'S HOUSE?

A police check is generally not required for a one-off stay (where this is not a regular occurrence). The carer is generally in the best position to determine suitability of the adult staying as a 'one-off' in their home and the impact on the safety and wellbeing on the child in their care.

Carers should let their agency know that this one off stay has occurred as soon as possible.

WHAT CHECKS ARE REQUIRED IF AN ADULT (ANY PERSON OVER 18 YEARS OF AGE) STAYS OCCASIONALLY OR REGULARLY AT A CARER'S HOUSE?

All adult members of a carer household must undergo a national criminal history check prior to any child being placed in that household. This includes the carers, all members of their household who are over 18 years of age, and all persons aged 18 years and older who regularly stay overnight.

Carers should advise their agency prior to any new adult taking up residence in their home and allow enough time for the police check to be completed before the move occurs. In circumstances where the carer household composition unexpectedly changes without prior knowledge and approval, carers should advise their agency as soon as practicable.

Carers should discuss this issue with their CSO. The CSO is required to make the assessment on a case-by-case basis as to what is appropriate and what 'regularly' means for a particular person or placement when deciding whether to conduct a police check.

WHAT CHECK IS REQUIRED IF AN ADULT (ANY PERSON OVER 18 YEARS OF AGE) CAMPS ON YOUR PROPERTY FOR 3 OR 4 NIGHTS?

Carers should discuss such arrangements with the CSO worker and provide specific details such as: will the adult be spending time in the carer's house and if so how much; will the adult be left unsupervised at any time with the child/young person in care? The CSO is required to make an assessment as to whether a police check is required.



WHAT CHECK IS REQUIRED IF A CARER (WITH A FOSTER CHILD IN THEIR CARE) STAYS OVER NIGHT AT A FRIEND'S/ FAMILY'S HOUSE?

If the child is in the primary care of the carer at all times while staying with friends or relatives, no checks are required. If the primary care of the child is to be left to persons other than the carer, the need for a police check should be clarified with the CSO worker before the visit occurs.

WHAT CHECK IS REQUIRED IF A CARER (WITH A FOSTER CHILD IN THEIR CARE) CAMPS ON A FRIEND'S PROPERTY FOR 3 OR 4 NIGHTS?

If the child is in the primary care of the carer at all times while staying with friends or relatives, no checks are required. If the primary care of the child is to be left to persons other than the carer, the need for a police check should be clarified with the CSO worker before the visit occurs.

WHAT CHECKS ARE REQUIRED IF A CARER (WITH A FOSTER CHILD IN THEIR CARE) GOES AWAY WITH ANOTHER FAMILY INTO A SHARED HOUSE/ RESORT HOTEL APARTMENT/ CAMP SITE?

If the child is in the primary care of the carer at all times, no checks are required. If the primary care of the child is to be left to persons other than the carer, the need for a police check should be clarified with the CSO worker before the visit occurs.



ASSESSMENT CONSIDERATIONS

For The Carer:

- What is the purpose of the visit?
- What are the child's wishes? Do they wish to stay overnight?
- Are they sufficiently independent and settled to be separated from the carer overnight?
- Has the child or young person previously stayed overnight with the family prior to entering this placement and was it a positive experience?
- What is the age, level of understanding and the vulnerability of the child or young person concerned?
- Does the child or young person know the friend well? Have they spent time at the home/with the family?
- Does the child or young person know the friend's parents/carers and are they comfortable with the friend and their family?
- Who will be supervising the child or young person during the visit?
- What are the sleeping arrangements and are they appropriate?
- Does the carer know the friend and their family?
- Does the carer know who will be staying at the friend's home that night?
- Are there any reasonable grounds for concern that the child or young person may be at risk of harm in the household concerned, or from the activities proposed during the visit?
- Are there any reasonable grounds for concern that the child or young person may, through their own behaviour put themselves or others at risk of harm in the household concerned?
- Is the child or young person staying in the household with another child or young person, rather than staying solely with an adult or adults?
- Are there any cultural issues that need to be considered?
- Is the request reasonable at this stage of the placement?
- Are there any other reasons (such as an interrupted night's sleep, illness etc.) that would make the stay difficult for the child or young person?

Where the child is a pre-schooler, the following additional questions should be considered:

- Does the person have experience looking after children of this age group?
- Does this person know how to appropriately comfort the child?

For DHHS or the Agency

- Are there any relevant restrictions or exceptional reasons in the child or young person's Court Order, which restrict overnight stays?
- Are there any relevant restrictions or exceptional reasons in the child or young person's case plan which restrict overnight stays?
- Are there any relevant restrictions or exceptional reasons in the child or young person's Care and Placement Plan, which restrict overnight stays?
- Are there any factors in the child or young person's past experiences or behaviour, which restrict overnight stays?

From DHHS Guidelines for Overnight Stays for Children and Young People In Out Of Home Care