

Information for children and young people



Permanent Care Order

What is a permanent care order?

To grow up happy and healthy, children need permanency in their lives. Permanency means knowing where you will be living tomorrow and next year and who will be caring for you. It means knowing that important people in your life will stay in your life.

When the Department of Children, Youth Justice and Multicultural Affairs (Child Safety) is working with you and your family, we will be working to give you permanency. There are three ways we do this:

- keeping you connecting to people who are important to you — parents, brothers and sisters, other members of your family, and whoever else is important.
- giving you a stable home so you can connect with your carers and your community
- getting legal arrangements in place that will give you a clear sense of how you will be cared for throughout your childhood — for example, through a permanent care order.

When Child Safety works with a child and family, the first option for giving a child permanency is for the child to stay at home, or go back home after a short time away.

But if it's not possible for you to be safe at home with family, then Child Safety will look for other ways to give you permanency.

A permanent care order is one way that Child Safety can arrange for this.

A permanent care order gives somebody the job of parenting you until you turn 18 years old. This person (or a couple) will be your “permanent guardian”. They will have the job of caring for you and helping you grow into an adult.

This will make sure that you have a safe and permanent home to live in, with someone who knows and cares about you.

The guardian does not replace your parents. You will always be their child. But it does mean that somebody else will have the job of looking after you and making important decisions for you.



How is the decision made?

If it's not possible for you to be safe at home, or go back home after a while away, then Child Safety will plan for you to be cared for by someone else.

To make plans for you, Child Safety will work with you, your family, and other important people in your life. Child Safety's goal will be to give you a safe and stable home. One way to do this is to ask the Childrens Court to make a permanent care order.

Your Child Safety Officer will explain how this works and what will happen if the court makes the order. It is very important. Your views are very important, and your Child Safety Officer will help you to have your say.

Before a person can become your permanent guardian, they need to be looking after you for at least a year. This will help Child Safety to know that you are being well looked after. Child Safety will also assess how well your carer can meet all of your child's needs, now and as you grow up.

How can I be involved in the decision-making?

When your Child Safety Officer talks to you about a permanent care order, it is important that you get all the information you need to have your say. This is an important decision about your life. You have the right to tell Child Safety what is important to you.

You may be confused or unsure about the things being discussed. Talking it through with your Child Safety Officer might help. You can ask questions about what this would mean for you, and you can tell people if you agree or disagree. You can say what would be good or not so good about it.

Some of the ways you can share your views and thoughts include:

- writing your views down on paper
- recording yourself talking about your views
- having a chat with your Child Safety Officer over the phone or during a visit
- telling your Child Safety Officer you would like a support person to help you share your views.

If you are an Aboriginal child or Torres Strait Islander child, you are able to have an independent person help your involvement in the decision.

What will change if a permanent care order is made?

Once a permanent care order is made, there will be some important changes.

Your guardian will become responsible for all of your daily care needs. Your guardian will also make decisions about important things in your life.

Child Safety will not have any ongoing involvement in your life and won't make decisions about how you're cared for. Child Safety will only contact you if:

- you or your guardian asks us to review your case plan; or
- you or a member of your family makes a complaint about how your guardian is caring for you.

Many of the things that Child Safety does will now be done by your guardian, including:

- helping you stay connected to your family and other important people in your life
- looking after your health
- making decisions about your education
- meeting any needs you have related to a disability
- helping you to prepare for adulthood.

What are the responsibilities of my permanent guardian?

Your permanent guardian will have the job of caring for you, as well as planning for your long-term care, wellbeing and upbringing.

Under Queensland law (the *Child Protection Act 1999*) your guardian will have to do these things:

- tell your parents where you are living and give them information about you and your care
- arrange for you to have contact with your family and other people who are important to you
- preserve your identity and connection to your culture
- tell you about the Charter of Rights for a Child in Care and make sure you have your rights
- help you to grow up and prepare for adulthood
- tell Child Safety straight away if you're not living with the guardian anymore.

When the Childrens Court makes a permanent care order, they may decide that some of these things don't need to be done. For example, if it would be unsafe to give information to your parents, the court might say your guardians don't have to do that.

If you have views about the proposed guardian's ability to fulfil these responsibilities, it is important that you tell your Child Safety Officer before the order is made.

If you are looked after by a permanent guardian, and you don't think they are doing these things, you can raise this with Child Safety — see further information over the page.

What are some of the decisions my guardian will make?

Your permanent guardian is able to make most of the decisions that a parent normally would. This includes:

- giving permission for medical treatment — like surgery and general anaesthetic
- deciding if you can see a counsellor
- giving permission for you to access to the National Disability Insurance Scheme (NDIS) if required, and deciding which disability services will help you
- enrolling you in a school
- allowing you to participate in high or very high-risk sporting activities, for example, trail bike riding, rock climbing or abseiling
- making decisions about your participation in cultural and religious events and activities
- making decisions about contact with family and other people who are important to you

Who can I talk to if I am worried my permanent guardian is not doing a good job?

If you have worries that your permanent guardian is not taking good care of you or doing the things they are need to, you can make a complaint to Child Safety.

You can speak to staff in the Child Safety Complaints Unit about your worries.

You can also contact any Child Safety Service Centre, and they will assist you to contact the Complaints Unit.



Where can I get more information?

You can find out more information Child Safety Officer — to find the telephone number of your Child Safety Service Centre and your Child Safety Officer you can:

- go to the Department of Children, Youth Justice and Multicultural Affairs website **www.cyjma.qld.gov.au**
- call Child Safety's enquiries unit on **1800 811 810** (freecall).

You may have already had contact with the Office of the Public Guardian through the Community Visitor Program. The Office of the Public Guardian can provide you with information and advice about legal issues, support you, help you resolve disputes and make complaints if you are unhappy about your treatment or decisions made about your care arrangements.

If you have other questions about the permanent care order and your rights, you can contact the Office of the Public Guardian:

- by telephone **1800 661 533**
- by SMS **0418 740 186**
- by email **publicguardian@publicguardian.qld.gov.au**
- by fax **3239 6367**