



# Child Safety POLICY

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**Title:** Transition to adulthood

**Policy No:** 349-10

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## Policy Statement:

The Department of Families, Seniors, Disability Services and Child Safety (Child Safety) is committed to supporting young people aged 15 to 25 years throughout their transition to adulthood. Child Safety will:

- support young people, aged 15 to 17 years, in the custody or guardianship of the chief executive, to prepare for their transition from care into adulthood, and
- support young people aged 18 to 25 years, who have been in the custody or guardianship of the chief executive, in their transition to adulthood.

Child Safety may also support a young person who has a long-term or permanent guardian under the *Child Protection Act 1999* (the Act) but is no longer residing in the direct care of their guardian and is no longer being supported by the guardian.

Child Safety recognises that the transition to adulthood is a developmental process, not just a point in time event when the young person reaches 18 years of age.

Transition to adulthood planning commences when a child turns 15 years of age and continues until they leave care. Child Safety will work collaboratively with young people in care as they approach adulthood, to ensure adequate preparation and planning over time.

Following a young person's eighteenth birthday, support may continue to be provided to a young person, either by a referral to a funded service or through a support service case. A support service case is short-term and supportive in nature and requires the consent of the young person.

Child Safety is committed to respecting, protecting and promoting human rights. Under the *Human Rights Act 2019*, Child Safety has an obligation to act and make decisions relevant to a young person's transition to adulthood in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights.

The safe care and connection of Aboriginal and Torres Strait Islander children with family, community, culture and country will be a key consideration when working with an Aboriginal or Torres Strait Islander young person to transition to adulthood.

## Principles:

- The safety, wellbeing and best interests of a child, both throughout childhood and for the rest

of the child's life, are paramount.

- Young people have a right to be involved in making decisions and planning for their future.
- Young people will be active participants in the development, implementation and review of plans to support them to achieve their goals and aspirations and prepare them for leaving care and planning for their future.
- Transition planning will be a holistic, inclusive and collaborative process that engages the young person, people of importance to the young person and relevant service providers in supporting the young person move towards adulthood.
- Young people will be supported to safely connect with their family and community.
- Young people are entitled to be connected to appropriate support services and assisted to establish and maintain social, community and cultural networks in order to maximise their life opportunities and choices.
- Aboriginal and Torres Strait Islander young people have a right to be supported to develop and maintain connections with family, community, culture, traditions and language.
- Maintaining and strengthening the cultural identity of Aboriginal or Torres Strait Islander young people is integral to their preparation for leaving care.
- Young people have a right to receive information about their personal history.
- Active efforts will be made to apply the five elements of the Aboriginal and Torres Strait Islander Child Placement Principle (prevention, partnership, placement, participation and connection) outlined in section 5C of the Act to all processes, decisions and actions for an Aboriginal or Torres Strait Islander young person.
- Child Safety staff will act and make decisions in a way that is compatible with human rights and obligations under the *Human Rights Act 2019*.

## **Objectives:**

This policy aims to ensure that:

- young people in the custody or guardianship of the chief executive receive the necessary planning and support to successfully transition from care to adulthood.
- young people aged 15 to 25 years, who have been in the chief executive's custody or guardianship, receive the necessary support to successfully transition to adulthood.

## **Scope:**

This policy refers to:

- transition to adulthood planning for young people aged 15 up to 18 years, in the custody or guardianship of the chief executive.
- support for a young person who was previously in the custody or guardianship of the chief executive and has turned 18 years of age.

- support for a young person who has a long-term or permanent guardian under the Act, but is no longer residing in the direct care of their guardian and is no longer being supported by the guardian

### **Roles and Responsibilities:**

- Child Safety will assist and support young people in the custody or guardianship of the chief executive from the age of 15 to plan and prepare for their transition to adulthood through ongoing case work and case planning.
- Child Safety is responsible for developing and regularly reviewing a case plan with a young person who is 15 years or older that supports their transition to adulthood.
- Child Safety will work with the young person, and participants nominated by the young person, to identify and respond to the key life areas of relationships and connections, cultural and personal identity, care arrangements and housing, education and training, employment, health, life skills and financial resources.
- Child Safety will support the young person and respond proactively if:
  - the young person has been a victim of crime
  - the young person was sexually abused while in care
  - the young has experienced significant detriment as a result of the action or inaction of Child Safety.

Refer to the Child Safety Practice Manual, Support a child in care, for responsibilities relevant to transition to adulthood planning.

### **Additional support for transitioning to adulthood**

Where there are outstanding case plan goals that have not been met at the time the young person reaches 18, and they wish to receive ongoing case work support, Child Safety will provide this through a support service case. Refer to the Child Safety Practice Manual, Support a child in care, at home for responsibilities relevant to support services cases.

In addition, Child Safety will ensure that help is available for a person who has been in the custody or guardianship of the chief executive. Young people will be assisted to access services and entitlements and be supported to establish and maintain relationships with their family, carer and community.

Young people aged 15 to 25 years who are in care, or who have been in care, may be eligible for support from Next Step Plus services. Next Step Plus can help young people access advice and help with money management, accommodation, training and employment, health and relationships.

Young people aged 15 to 25 years who are in care or who have had a care experience and left care after the age of 15 years may also be eligible for the Transition to Independent Living Allowance (TILA). TILA is administered by the Australian Department of Social Services.

Young people turning 18 and leaving care are eligible for Extended Post Care Support until they turn 21 years of age. The type of support they are eligible for depends on their living arrangements at the time they turn 18.

### **Fortnightly caring allowance for young people aged 18 years**

Child Safety will approve payment of the fortnightly caring allowance for a young person aged 18 years old, up until they turn 21 years, where the young person has been in care and continues to reside with their former approved carer or guardian. The *Expenses - fortnightly caring allowance and interstate foster payments (365)* procedure outlines the process to support this payment.

### **Access to information**

Child Safety will provide young people who are in care, or who have been in care, with access to information that Child Safety holds about them. Assistance will also be provided, in accessing information relating to their time in care, and as part of this process, where required, access to counselling and support.

Refer to the Child Safety Practice Manual for responsibilities relevant to providing personal information to young people who are in, or have been, in the custody or guardianship of the chief executive.

### **Young person in the care of a long-term guardian or permanent guardian**

Parental responsibility for a child or young person is fully assumed by the long-term guardian or permanent guardian from the date the order is made. The aim of such an order is to provide the young person with a life-long family arrangement, and it is the guardian's responsibility to prepare a young person for adulthood.

In unforeseen circumstances, a young person who is no longer residing in the direct care of the guardian and is no longer being supported by the guardian is eligible for transition to adulthood case work and financial support from Child Safety.

All young people subject to a child protection order granting guardianship to a person under a long-term guardianship order or permanent care order are eligible for the Australian Government's Transition to Independent Living Allowance (TILA).

Refer to the Child Safety Practice Manual, Support a child in care, for responsibilities relevant to young people who have a long-term or permanent guardian.

### **Authority:**

*Child Protection Act 1999*, sections 7(1)(e)(m), 51A-Y, 75, 159F, 159M.

*Child Protection Regulation 2011*

### **Delegations:**

Refer to instruments of delegation for details of delegations under the *Child Protection Act 1999*.

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**Records File No.:** Not applicable  
**Date of approval:** 29 October 2024  
**Date of operation:** 20 Jun 2024  
**Date to be reviewed:** 20 June 2027

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**Office:** Office of the Chief Practitioner  
**Help Contact:** Child Protection Practice

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**Links:**

**Procedures**

Child Safety Practice Manual

**Related Legislation**

*Human Rights Act 2019*

**Related policies**

Case planning (263)

Child related costs (645)

Complaints Management

Decisions about Aboriginal and Torres Strait Islander children (641)

Expenses - fortnightly caring allowance and interstate foster payments (365)

Participation by children and young people in decision-making (369)

Support service case

**Rescinded Policy**

349-9 Transition to adulthood

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