

# Child Safety POLICY

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**Title:** Transition to adulthood

**Policy No:** 349-9

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## Policy Statement:

The Department of Children, Youth Justice and Multicultural Affairs (Child Safety) is committed to the safety, belonging and wellbeing of young people throughout their transition to adulthood. Child Safety will:

- support young people who are in the chief executive's custody or guardianship to transition from care into adulthood, and
- support young people aged 15 to 25, who have been in the chief executive's custody or guardianship, to successfully transition into independent adulthood.

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.

Child Safety will work collaboratively with young people to ensure adequate preparation and planning over time, as a young person grows towards adulthood.

Child Safety recognises that the transition to adulthood is not achieved simply because the young person reaches 18 years of age. The transition is not a point in time event, but a developmental process.

## Principles:

- The safety, wellbeing and best interests of a child, both throughout childhood and for the rest of the child's life, are paramount.
- 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*.
- Young people will be active participants in the development, implementation and review of their goals and aspirations in preparation 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 are entitled to be connected to appropriate support services and assisted to establish and maintain social, community and cultural networks.
- Young people have a right to receive information about their personal history.
- Young people will be supported to safely connect with their family and community.
- The five elements of the child placement principle (prevention, partnership, placement, participation and connection) outlined in the *Child Protection Act 1999*, section 5C, apply to all processes, decisions and actions for an Aboriginal or Torres Strait Islander young person.
- Maintaining and strengthening the cultural identity of Aboriginal or Torres Strait Islander young people is integral to their preparation for leaving care.
- 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.

### **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, 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 planning for:

- a young person in the custody or guardianship of the chief executive
- a young person who is no longer residing in the direct care of his or her guardian (under a long-term guardianship order or permanent care order) and who is no longer being supported by the guardian.

This policy applies to the provision of support for a young person (aged 15 to 25) who is or has been in the custody or guardianship of the chief executive.

Through effective transition planning and support, Child Safety's best hopes are that young people will have strong connections with support networks, be connected to family, community and culture, have necessary life skills, have plans for education, training or employment, be able to access safe and stable accommodation, and know who to contact for assistance.

Child Safety will arrange for young people to participate in decision making about their transition to adulthood to the fullest extent possible, having regard to their age and ability to understand. This may include opportunities to access a support person or advocate, as required. Child Safety will ensure that young people are provided with the information they need to participate and make informed decisions about their future.

Child Safety recognises that some young people may require greater assistance and support in their transition to adulthood. This may include those at a greater risk of mental health issues, homelessness and social exclusion and isolation. This may also include Aboriginal or Torres Strait Islander young people, young people who are parents, from a culturally and linguistically diverse background, living with disability, young pregnant women, young people questioning their sexual or gender identity and young people who are lesbian, bisexual, gay or transgender.

Child Safety will provide or arrange additional targeted support for young people with particular needs to ensure their successful transition to adulthood.

## **Roles and Responsibilities:**

### **Transition planning and preparation**

Child Safety will assist and support young people in the custody and guardianship of the chief executive from the age of 15 through ongoing case work and case planning, to effectively transition the young person from care to adulthood.

When developing or reviewing a case plan with a young person who is 15 years or older, Child Safety will include a planning process that:

- is informed by joint planning with the young person, and participants nominated by them, to identify and address their developing needs for transitioning to an adulthood enriched with strong connections to support networks, promoting a sense of belonging, attachment and wellbeing
- is delivered through the development, implementation and regular review of the young person's case plan
- responds to the key life areas of relationships and connections, cultural and personal identity, placements and housing, education and training, employment, health, life skills and financial resources
- takes into account a young person's level of maturity and development, building upon their personal strengths, goals and needs
- aims to provide or engage appropriate services and supports in a timely manner
- recognises that leaving care and transitioning to adulthood is an ongoing process that must be gradual, flexible and aimed at maintaining and building strong and supported emotional relationships and physical connections to community
- gains clarity and intensity by age 17 to coincide with their planned exit from care at age 18
- continues after the age of 18, if required, where support is required to meet outstanding case plan goals, through the delivery of support service case work and planning
- promotes ongoing connection to family, community and culture, as appropriate in the circumstances
- recognises that help is available to assist the person in the transition from being a child in care to adulthood, at any time until they turn 25.

Refer to the Child Safety Practice Manual for responsibilities relevant to transition planning.

## Young people who have been victims of crime

Child Safety is obligated to provide a young person in the custody or guardianship of the chief executive who has been (or may have been) a victim of crime, with assistance to access support that may be available through Victim Assist Queensland to help them recover from the experience.

If the child is subject to a child protection order granting guardianship to the chief executive, Child Safety will arrange an application for assistance from Victim Assist Queensland on the child's behalf. Child Safety will seek the views of the young person about making an application for assistance, and where possible, make the application on behalf of the young person. The decision about when to make an application for a young person to receive assistance from Victim Assist Queensland should be made at the earliest possible time as part of the case planning process.

If it is decided to proceed with an application, Child Safety is responsible for:

- preparing the application to Victim Assist Queensland on the young person's behalf.
- reporting the incident to the Queensland Police Service in line with the *Child Protection Act 1999*, section 14(2), if it has not already been reported.
- updating the young person's case plan to include information about the application (or proposed future application) to Victim Assist Queensland.
- recording information about the application in a Victim of crime case note in the relevant event in ICMS.

When developing and reviewing a case plan, Child Safety will review whether:

- the young person may have been a victim of an act of violence
- information about Victim Assist Queensland has been provided to the young person, and
- the incident has been reported to Queensland Police, as applicable.

The young person's transition plan (contained within their case plan) will include information about any application to Victim Assist Queensland, or plans for a potential future application for assistance.

If the child is subject to an interim or finalised child protection order granting custody to the chief executive, Child Safety will also provide information about Victim Assist Queensland to the child's parent or guardian. They will be responsible for facilitating an application for assistance for the child.

## Children and young people sexually abused while in care

Child Safety has a responsibility to provide a holistic response to children and young people who have been sexually abused whilst placed in care, irrespective of who is responsible for the sexual abuse. The policy *Response to children and young people sexually abused whilst placed in care (627)* outlines roles and responsibility for responding to children and young people in care who have been sexually abused in care. The policy does not apply to adults who were former children in care.

## Children and young people who have experienced significant detriment

Child Safety will provide a respectful and comprehensive response to children and young people who have experienced significant detriment caused by the actions or inactions of Child Safety. The policy *Response to children who have experienced significant detriment caused by the actions or inactions of Department of Communities, Child Safety and Disability Services (634)* defines significant

detriment and outlines roles and responsibilities, including consideration of matters of redress and potential compensation.

### **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 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 in accessing services and entitlements and be supported in establishing and maintaining relationships with their family or carer.

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 who are in care or who exited care after the age of 15 years may be eligible for the Transition to Independent Living Allowance (TILA) administered by the Australian Department of Social Services.

### **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 to 19 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 2000*

**Delegations:**

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



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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**

Child related costs (645)

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

Decisions about Aboriginal and Torres Strait Islander children (641)

Case planning (263)

Complaints Management

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

**Rescinded Policy**

349-8 Transitioning from care into adulthood

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Deidre Mulkerin

Director-General