



CHILD PROTECTION: CARE PLAN REVIEWS

This factsheet may help you if your child is in the care of the Department of Communities, also often called Child Protection, on a protection order and you think some important decisions are being made that are not in your child's best interests.

If your child is on a protection order (time limited) or a protection order (until 18), the law says that there must be a care plan in place for them.

How often are care plan decisions made?

A care plan is made as soon as possible after a magistrate puts your child on a protection order that gives Child Protection the power to make big decisions for them.

Child Protection has to check the care plan is still suitable at least once every 12 months. This is called a review.

What does Child Protection have to think about when reviewing the care plan?

Child Protection has to think about what you, the carer, your child, and anyone else who they say has a significant connection with your child, think in reviewing the plan.

What can you do if you disagree with a care plan decision?

If you don't agree with a care plan decision because you think it is not in your child's best interests, the first thing you should do is speak to the Child Protection worker who ran the care plan meeting.

Talking to Child Protection might help you understand why the decision was made, and it might also mean you can get changes made to the decision.

If after talking to Child Protection, you still do not think a decision is good for your child, you can ask the 'Care Plan Review Panel' to review the decision. The Care Plan Review Panel can only review care plans for children on protection orders (time limited) and protection orders (until 18). They cannot review provisional or temporary care plan decisions.

How do you ask the Care Plan Review Panel to review a decision?

To ask the Care Plan Review Panel to review a decision, you have to fill in a form.

You can get this form from Child Protection or its website.

You need to say which care plan decision you disagree with and why and what you think would be best.

You only have a short time to ask for a review. You must do this within 14 days from when you get a written copy of the care plan or changed care plan.

However, you can ask for more time to apply for review.

You should talk to a lawyer if you need help with your application for review.

What happens after the Care Plan Review Panel has reviewed the decision?

After the Care Plan Review Panel has reviewed the decision, it will tell Child Protection what they think should happen.

The Chief Executive Officer of Communities, Child protection will then make a final decision.

You will be sent a letter telling you what the decision is.

If you don't agree with the decision you can apply to the State Administrative Tribunal for a review of the decision.

You should get legal advice if you want to do this because you only have a short time to ask for this to happen.

How else can you raise worries you have about what is happening for your child with Child Protection?

Don't forget, if your child has a provisional or temporary care plan, or is on a protection order (time limited), you can also raise any worries you have about what is happening for your child at your monthly signs of safety meetings with Child Protection.



How can Legal Aid WA help?

Legal Aid WA provides information, advice and representation on child protection matters.

We have free duty lawyer service based at the Perth Children's Court to help people with child protection cases.

You can contact the service directly on (08) 9218 0160 or by calling the Legal Aid WA Infoline on 1300 650 579.

The Legal Aid WA website also has a range of resources on child protection matters.

See www.legalaid.wa.gov.au for more information.

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