



CHILD PROTECTION: CARE PLANS

This fact sheet may help you if your child is in the care of the Department of Communities, also often called Child Protection, and you want to know about care plans.

Every child who is on a protection order (time limited) or a protection order (until 18) must have a care plan.

What is a care plan?

A care plan is a written document that sets out:

- what your child needs
- how your child's needs will be met
- the decisions that have been made about the care of your child
- a summary of how your child has been involved in decisions about their care, and
- any views your child has expressed.

For an Aboriginal child, Torres Strait Islander child or child of a linguistically or diverse background, the care plan must also include a cultural support plan.

What is a cultural support plan?

A cultural support plan sets out arrangements for growing and keeping your child's connection with the culture and traditions of their family or community.

What else is included in a care plan if my child has reached 15 years of age?

If your child has reached 15 years of age, the care plan must also include a leaving care plan.

A leaving care plan sets out what your child needs to get them ready to move out of care and into other living arrangements and how those needs will be met.

When is a care plan 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 your child. A care plan should be made within 30 working days and can be changed later if it is not working well for your child.

Who makes the care plan?

The care plan is made by your child's Child Protection workers after a care plan meeting.

What is a care plan meeting?

A care plan meeting is a meeting where Child Protection will make care planning decisions about your child. Things like when your child can visit you or other family members, and where your child lives.

The law says the best interests of your child is the most important thing to think about in making these decisions.

Who can have a say about what is in my child's care plan?

You can have a say in your child's care plan.

Child Protection should invite parents, carers and anyone else who has an interest in the wellbeing of the child to a care plan meeting.

Your child can attend a care plan meeting if they are old enough and want to attend.

If it is not appropriate for everyone to meet together, for example, in cases where there has been family violence, Child Protection must still think through the views of everyone when they are making the plan.

Child Protection should make care plan meetings at time and places that suit you. This is so you get to have a say about what you think should go in the care plan.

Child Protection will have the final say about what goes into the care plan.

Can you get a copy of the care plan?

After a care plan meeting Child Protection must give you a copy of the care plan, unless they think it is not safe to do so. You should talk to a lawyer if Child Protection says you can't have a copy of the plan.

How often are care plans reviewed?

A care plan should be checked at least once every 12 months to see if it is still working well for your child. This is called a review of the care plan.

What is a provisional care plan?

Until a final order is made there is also a provisional, or temporary, care plan. This should be made by Child Protection within 7 working days of your child going into provisional protection and care. With the short time frame for making this plan you may not have a say at the start, but you should be consulted later. You should be given a copy of this plan by Child Protection as soon as possible after the plan is prepared or changed.

How can Legal Aid WA help?

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

We have a free duty lawyer service based at the Perth Children's Court to help people with child protection cases. You can contact the service on (08) 9218 0160 or by calling the Legal Aid WA Infoline on 1300 650 579.

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

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