Temporary and permanent care for children

Summary

- Placements of children with relatives, foster parents or in residential care facilities are called ‘out-of-home care placements’. These placements are usually the result of a court order.
- If a child cannot be returned to a parent’s care within specified timeframes the Children’s Court may issue a permanent care order placing the child in the care of relatives or other carers until the child is 18 years of age.
- Adoption is when a parent relinquishes their child and guardianship of the child resulting in the child being cared for by another family.
- Permanent care is when the Children’s Court orders that the child is to be cared for by a specified family until the reach 18 years of age to protect the safety and wellbeing of the child. This is not voluntary.

The safety and wellbeing of Victoria’s children must be protected as a first priority when a child’s family environment is unstable. In cases where parents are not willing or able to adequately take care of their children, the child protection system will step in and make an assessment about what is best for the child’s health, wellbeing and development.

Child protection intervention can involve a temporary placement for the child until their parents are better equipped to provide proper care. This could mean that a child lives away from their family for a period of time while their parents address the issues that are preventing them from adequately caring for their child. Where parents cannot address the concerns within specified timeframes the child may be placed permanently with alternate carers.

Out-of-home care

Placing children with relatives, foster parents or in residential care facilities is called out-of-home care placements. Placement types include:

- kinship care – placement with relatives or persons well known to the child with support from the Department of Health & Human Services or a community service organisation (CSO)
- foster care – placement with foster parents and supported by a CSO
- residential care – placement in a residential unit staffed by CSOs (this also includes semi-independent living arrangements such as the ‘lead tenant’ model – see below)
- voluntary care – placement where there is no court order requiring a child to live out of their parent’s care. The parent consents to a voluntary arrangement with a relative or service to care for their child temporarily.

Kinship and foster care are also referred to as home-based care because they happen in a home setting. There are no fees for out-of-home care and support services. The Department of Health & Human Services funds CSOs to provide these services. Kinship and foster carers are reimbursed for the costs of providing care.

Kinship care

Kinship care is the care provided by relatives or a member of a child’s social network when a child cannot live with their parents.

Aboriginal kinship services, where Aboriginal family, community and culture are valued as central to the child’s safety, stability and development, operate in every division of the state.

Statutory kinship placements occur when Child Protection intervention has occurred and the Children’s Court has made a decision to place a child with relatives or a significant friend.

Private, informal or non-statutory kinship care are terms that may be used to describe arrangements where children are cared for by relatives without any Child Protection intervention.

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The Victorian Government funds 29 metropolitan and regionally based kinship care services to improve the supports available for children growing up in kinship care. These community-based kinship care services provide a range of cultural and support services for children in kinship care and their families close to where they live. These include:

- information and advice
- family support services (available to all kinship carers)
- intensive support services for the most vulnerable children placed in kinship care as a result of child protection involvement.

**Foster care**

Foster care is temporary care of children by trained, assessed and accredited foster carers. Children requiring foster care can be aged up to 18 years.

Children are placed in foster care for a range of reasons, and foster care can occur as a result of a court order or through a voluntary arrangement between the child’s parent and a foster care agency. The Victorian Government funds foster care agencies to operate fostering programs, including specialist adolescent and therapeutic programs.

Foster care agencies are responsible for supporting foster carers, for meeting the protection and care needs of foster children and for working in collaboration with the Victorian Child Protection Service and the child’s family to ensure their best interests are met.

Foster parents are well supported, receive a carer reimbursement and on-going learning opportunities. To find out more about becoming a foster carer, visit the [Foster a Brighter Future website](https://www.fosterabrighterfuture.vic.gov.au) to complete and submit an online enquiry form, call the toll-free foster care hotline on 1800 013 088 or contact a local foster care agency.

**Voluntary out-of-home care**

Voluntary out-of-home care is where there is no court order requiring a child to live out of their parent’s care. The parent consents to an out of home care service temporarily overseeing the care of their child. This may be the Department of Health & Human Services or an out-of-home care or disability service within the community. The service will arrange for the child to be cared for by carers, who are volunteers assessed and trained to care for children in their own home, or employees who care for children in residential facilities.

A parent of the child, the child or any other person whose interests are affected by a decision made by the Department of Health & Human Services in relation to a child care agreement can request a review of that decision.

For more information on voluntary out-of-home care, contact a local [Department of Health & Human Services office](https://www.dhs.vic.gov.au/).  

**Residential care**

Residential care is a care placement service for children in the child protection service system. Residential care services in community-based houses are provided to children and young people in out-of-home care who are unable to be placed in home-based care. Children and young people who live in residential care are often those who have experienced the greatest level of trauma and who, therefore, require the most expert therapeutic care and support.

Residential care consists of:

- Residential care *intermediate*, which is for children and young people, who either display a significant level of challenging behaviour or are a part of a large sibling group, and;
- Residential care *complex*, which is for children and young people, who display a significant level of complex behaviours, have multiple and complex needs and engage in high-risk behaviours.

Therapeutic residential care provides additional funding to deliver a model of care informed by an understanding of trauma, attachment and child development.

Community service organisations providing residential care must ensure where ever possible a home-like environment is created to so that children receive nurturing and a positive care experience.

The Victorian government is committed to addressing the safety of all children and young people placed in residential care, whilst also reducing the number of children in residential care.

**Lead tenant**

Lead tenant services provide semi-independent accommodation and support for young people 16 to 18 years who are unable to live with their family due to issues of abuse or neglect. Lead tenant programs are based on a volunteer adult providing day to day guidance and mature role modelling in a shared house arrangement with young people between the ages of 16 and 17 years, with additional support by case managers and youth workers.

Placements are in a residential home together with a small group of young people where a ‘Lead Tenant’ (an adult volunteer) provides them with support and guidance in developing their independent living skills.

**Permanent care**

In situations where the Children’s court determines a child cannot be returned to a parent’s care and there is no other family who can look after them voluntarily, children may be placed in permanent care. Permanent carers may be relatives or part of the child’s network or may be unknown to the child. Permanent carers are assessed and matched to the child.

**Adopting a child in Victoria**

Adoption in Victoria is the legal process by which the guardianship or parental responsibility of a child if transferred to another family and the child is cared for by that family. Except in very rare circumstances adoptions can only occur with parental consent.

See the Department of Health & Human Services website for information about adopting a child in Victoria or overseas (intercountry) adoption. Children placed in permanent care come through child protection services. Unlike adoption, it is not a placement that requires the parents’ consent. The department makes decisions about the safety of children and recommends to the Children’s Court the placement of a child with a permanent care family.

Find out more about becoming a permanent care parent on the Department of Health & Human Services website.

**Where to get help**

- Department of Health & Human Services