

INDEPENDENT INQUIRY INTO FOSTER CARE AND KINSHIP CARE

Terms of Reference

Without limiting the matters that may be considered in the course of the inquiry, an independent person shall inquire into, and report to the Minister for Child Protection, on:

1. Existing complaints mechanisms in the Department as they relate to foster care and kinship care, including consideration of—
 - 1.1. how such complaints are processed by the Department; and
 - 1.2. the independence of the complaints process; and
 - 1.3. outcomes and actions arising from such complaints; and
 - 1.4. the extent to which outcomes and feedback relating to such complaints are communicated to foster carers and kinship carers; and
2. The adequacy of existing consultation processes between the Department, other persons and bodies involved in foster care or kinship care, and foster carers and kinship carers; and
3. The transparency and availability of documentation and information held by the Department and other persons and bodies involved in foster care or kinship care to foster carers and kinship carers (including care concerns and manuals of practice); and
4. The adequacy of internal procedures and arrangements within the Department and other persons and bodies involved in foster care or kinship care in ensuring that—
 - 4.1. there is a sound partnership between the Department, those persons and bodies and foster carers and kinship carers, and
 - 4.2. the rights of children in foster care and kinship care (including their rights relating to safety, cultural identity, access to services and opportunities, autonomy and decision-making) are respected, addressed and realised.
5. Any such recommendations for changes to matters affecting foster care or kinship care that the inquiry considers necessary or appropriate to improve outcomes for children and young people in foster care or kinship care, as well as foster carers and kinship carers (including, for example, the need for an independent, legislatively protected complaints system, changes to compliance procedures within the Department and any legislative changes needed to enable the recommendations to be implemented).
6. Any other relevant matter considered in the course of the inquiry.

In undertaking the inquiry, the independent person must seek submissions from foster carers and kinship carers, and must have regard to any submissions made to the inquiry by such persons.