

Foster Care Association of Victoria Position:

The Foster Care Association of Victoria believes all children and young people in care should enjoy the same activities and relationships as those enjoyed by their friends and peers whenever these opportunities arise. It is important to promote a child or young person's connections to their community whilst also ensuring their wellbeing and safety. This information Sheet addresses some of the queries posed by carers regarding situations where police checks may, or may not, be required.

Issues regarding overnight stays and changes to carer households should be discussed with the child or young person's Care Team or with your agency case manager to ensure effective planning and clear understanding of roles and responsibilities of team members.

Police Checks – Carer Household:

All adult members of a carer household must undergo a national criminal history check prior to any child being placed in that household. This includes the carers, all members of their household who are over 18 years of age, and all persons aged 18 years and older who regularly stay overnight.

Carers should advise their agency prior to any new adult taking up residence in their home and allow enough time for the police check to be completed before the move occurs. In circumstances where the carer household composition unexpectedly changes without prior knowledge and approval, carers should advise their agency as soon as practicable.

Carers should always discuss this issue with their agency. The agency is required to assess, on a case-by-case basis, what is appropriate and what 'regularly' means for a particular person or placement when deciding whether to conduct a police check.

Police Checks – One Off Visitors:

A police check is generally not required for a one-off stay (where this is not a regular occurrence). The carer is generally in the best position to determine suitability of the adult staying as a 'one-off' in their home and the impact on the safety and wellbeing on the child in their care. Carers should let their agency know that this one-off stay has occurred as soon as possible.

Police Checks – Temporary Visitors to Carers' Property:

Carers should discuss such arrangements with their agency case manager and provide specific details such as: will the adult be spending time in the carer's house and if so, how much; will the adult be left unsupervised at any time with the child/young person in care? The agency is required to make an assessment as to whether a police check is required.

Police Checks – Overnight Stays for Children and Young People:

This policy applies to children and young people aged four years and over. It is not considered appropriate for children younger than four years of age to stay overnight away from their carer with friends. If a child or young person is placed in out of home care through a voluntary arrangement, consent must be obtained from their parent / guardian.

In general, if there is a request for a child or young person in out of home care to stay overnight with a friend, the decision to allow or not allow the overnight stay may be made without the need for police checks on the adults in the household where the child or young person is to stay.

First overnight stay - for the first overnight stay with a particular friend, the decision is to be made by the foster carer in collaboration with their agency case manager. (Refer to check list on pages 3 & 4). The carer must contact the parents of the friend prior to the visit occurring to confirm the arrangements for an overnight stay. The case manager is responsible for advising DFFH of arrangement details.

Subsequent overnight stays - for subsequent stays with the same friend (provided there were no issues with the previous stay), and with the agreement of the agency and / or child protection, the carer may be able to make the decision to allow the stay without the need to consult each time. DFFH Case Planners can also authorise carers to make decisions about overnight stays after a first overnight stay. However, carers must continue to advise their agency case manager of the proposed overnight stay before this occurs. This policy applies to overnight stays of up to two consecutive nights.

Longer stays require the approval of the child's child protection case manager or, where the case is contracted, the agency case manager. The case manager will determine any additional conditions for approval of the longer stay on a case-by-case basis.

Police Checks – Visits to Carers’ Family or Friends:

If the child is always in the primary care of the carer while staying with friends or relatives, no checks are required. If the primary care of the child is to be left to persons other than the carer, the need for a police check should be clarified with the agency case manager before the visit occurs.

Police Checks – Shared Holiday Accommodation with Carers’ Family or Friends:

If the child is always in the primary care of the carer, no checks are required. If the primary care of the child is to be left to persons other than the carer, the need for a police check should be clarified with the agency case manager before the visit occurs.

Assessment Considerations:

For the Carer:
What is the purpose of the visit?
What are the child or young person's wishes? Do they wish to stay overnight?
Is the child or young person sufficiently independent and settled to be separated from the carer overnight?
Has the child previously stayed overnight with the family prior to entering this placement and was it a positive experience?
What is the age, level of understanding and the vulnerability of the child or young person concerned?
Does the child or young person know the friend well? Have they spent time at the home/with the family?
Does the child or young person know the friend's parents/carers and are they comfortable with the friend and their family?
Who will be supervising the child or young person during the visit?
What are the sleeping arrangements and are they appropriate?
Does the carer know the friend and their family?
Does the carer know who will be staying at the friend's home that night?
Are there any reasonable grounds for concern that the child or young person may be at risk of harm in the household concerned, or from the activities proposed during the visit?
Are there any reasonable grounds for concern that the child or young person may, through their own behaviour put themselves or others at risk of harm in the household concerned?
Is the child or young person staying in the household with another child or young person, rather than staying solely with an adult or adults?
Are there any cultural issues that need to be considered?
Is the request reasonable at this stage of the placement?
Are there any other reasons (such as an interrupted night's sleep, illness etc.) that would make the stay difficult for the child or young person?
Where the child is a pre-schooler, the following additional questions should be considered: <ul style="list-style-type: none"> • Does the person have experience looking after children of this age group? • Does this person know how to appropriately comfort the child?

For the Agency / DFFH

Are there any relevant restrictions or exceptional reasons in the child or young person's Court Order, which restrict overnight stays?

Are there any relevant restrictions or exceptional reasons in the child or young person's case plan which restrict overnight stays?

Are there any relevant restrictions or exceptional reasons in the child or young person's Care and Placement Plan, which restrict overnight stays?

Are there any factors in the child or young person's past experiences or behaviour, which restrict overnight stays?