

## Foundations of Family Time (Contact)

**Family time** refers to the time a child or young person (child) in out-of-home care (OOHC) spends with their birth parents, siblings and other significant family or kin. Family time is sometimes called **contact**, **access**, or **visitation** particularly in Children's Court documents.

Family time needs to keep the child at the centre, considering their individual needs, interests, permanency goal and circumstances. It needs to be flexible and responsive to accommodate this for the child, their family and other people significant to them. Professional judgement and collaboration need to guide planning for family time.

As Permanency Support Program (PSP) casework staff, you have the primary responsibility for supporting and facilitating family time. Importantly, you also have a responsibility to appreciate the potential for change that a positive professional relationship can influence. Expressing empathy and focusing on strengths can build hope and motivate change within vulnerable families. You have a unique opportunity to role model and reinforce constructive and improved interactions between a family and their child.

### Importance of Family Relationships

The single factor most connected with positive outcomes for children is meaningful, lifelong connections with family and kin.

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A meaningful connection to family and kin helps a child or young person develop a sense of belonging and hope.

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Quality family time can:

- strengthen the child's relationship with their birth parents, siblings, family and kin
- help the child develop a strong identity and connection to their family of origin, kin, culture and community
- help parents develop skills and build relationships with their children
- help the child understand their story and heal from trauma
- ease the pain of separation and loss for a child, their family and significant others
- reassure the child or young person of their family's wellbeing
- support restoration by maintaining and improving the parent-child relationship.

### **Consider the Whole Family**

Family time for children is not just about their mum and dad. Siblings, grandparents, aunts, uncles and cousins are all important. Children and families should help guide you to who the important people are in their lives.

Sibling relationships are one of the most important and enduring for the child. Brothers and sisters have often been a sense of comfort and stability for each other. But siblings can often be separated when they come into care. Nurturing and supporting these relationships help reduce a child's grief and loss and supports a sense of continuity in their lives.

Keeping siblings connected may need you to work with different carer's schedules and possibly different PSP Service Providers. Be flexible, focus on the needs of the child and involve children in deciding how they would like to stay connected.

Also see [Supporting Family Time \(Contact\) in Restoration](#) for how to support family time when a child is returning home and [Family Time \(Contact\) – Practice Tips](#).

### **Role of the Court and DCJ**

The Court approves a Care Plan which details the minimum requirements for family time (known as **contact plan**) for a child and their family members. The Care Plan is developed by Department of Communities and Justice (DCJ) with input from PSP casework staff. The contact plan will usually be based off the case plan already

developed for the child and will include who the child should (and should not) see, the frequency and duration of visits.

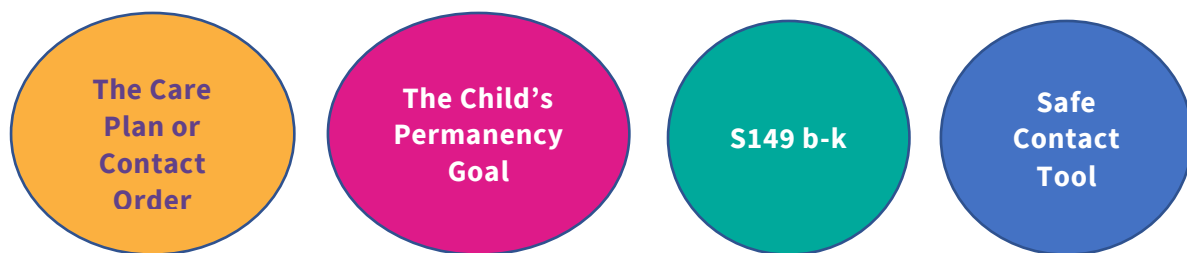
Changes can be made to family time to suit the needs of the child and family. This is done as part of casework, case planning and review. For example, a Care Plan might specify that contact with mum is currently at once a month and is supervised due to concerns about mum's mental health. However, if after 12 months, mum's mental health is well managed, the PSP casework staff might move to more informal, unsupervised contact. All changes must be within the spirit of the Care Plan.

In some rare situations the Children's Court will make a contact order, which must be adhered to and requires approval from the court to change.

## Role of PSP Casework Staff: Overview

You have the lead role in managing and supporting family time for the children you work with.

If you are new to working with a child, as a starting point you must review the Care Plan, the child's permanency goal, the s149 b-k assessment (Disclosure of Information to parents and associated risk assessment) and you can use the [Safe Contact \(or other\) Tool](#).



Your role includes:

- identifying who are the important people in a child's life, finding those people and connecting them with the child. This is not a singular event, it is an ongoing process
- ensuring the views and needs of children, families and carers are considered in family time planning

- listening to and supporting children, families and carers and helping them learn
- ensuring family time happens at the frequency specified by the court (at a minimum)
- creating family time schedules so families and children have predictable time
- reviewing family time regularly, including through formal annual case plan reviews
- helping arrange logistics such as where it will take place and how people will get there
- where required, supervising family time and writing reports or organising this
- making sure family time supports the child's permanency goal.

For more information about how to support quality family time see [Family Time \(Contact\) - Practice Tips](#).

Before you begin planning family time, you must review

- any evidence a person participating in family time may jeopardise a child's safety
- concerns the child may be emotionally or physically harmed during family time
- whether the family time needs to be supervised and who will supervise this
- recommendations of another professional working with the child or their family that family time be supervised
- the history of family time
- assessment of the history of the parent's and child's interaction during family time.

## Culture and Family Time

Family time is critical to maintaining a child's sense of identity and culture. For many communities, family is culture. Talk to the child and their family to find out what cultural and other activities are important and work with them so that you encourage cultural experiences for the children and family. Where possible, staff supervising or supporting family time should be from the same cultural and linguistic background as the child. When supporting family time with a family who speaks a language you allow them time to share in their language. Have empathic, curious conversations with the child so that you can assess that the conversations are safe for the child.

## Supervising Family Time

There are times when family time needs to be supervised, for example when the court, DCJ or PSP Service Provider have concerns about the child's safety or wellbeing. Family time that isn't formally supervised may still be supported by carers or significant others.

Wherever possible, the child's caseworker should supervise family time (if needed). If it is not possible, the PSP Service Provider should aim to have one consistent person supervise. The supervisor should be someone the child and family feel comfortable with. This helps to make family time safe, consistent, and stable and is especially important for children who have recently entered care and are trying to make sense of everything that is going on.

Even if family time does not usually need to be supervised, you may need to attend to obtain information that helps with case planning or making decisions about a child's permanency goal.

Also remember to gain feedback at the end of family time it will help improve the experience for the child and family. Ask questions about the time, location, activity, and quality of family time. Remember to gain the views of the child, parents, family, kin and carers.

## Family Time Reports

Family time reports are incredibly important because they are often used in court proceedings to inform decisions about children's care, especially in restoration.

How you document conversations and interactions, how you empathically feedback any concerns as they happen, and motivate and mentor change, can have a direct influence over outcomes for a family.

Family time reports must be strength-based and objective and cover the six dimensions of positive family time. The six dimensions are part of the Structured Decision Making (SDM) restoration tool.

They are:

- demonstrating parental role
- demonstrating knowledge of the child's development

- responding appropriately to the child’s verbal and non-verbal skills
- puts the child’s needs ahead of their own
- shows empathy towards the child
- implements age appropriate strategies.

The evaluation of family time is a component of the SDM Restoration Assessment Tool. See [Quality Documentation in Casework](#) for more information about writing reports.

## Disputes About Family Time

Sometimes family members and significant others will have different opinions about what family time should look like, and what is in the child’s best interests. Spend time seeking to understand everyone’s thoughts and feelings to help guide your actions. If planning family time is challenging, there is poor attendance or challenging dynamics, arranging a Family Group Conference (FGC) may be helpful. If agreement is not possible, it might be necessary to refer the family to Alternative Dispute Resolution (ADR). Talk to the child about the ADR process. It is also important to give everyone involved in the dispute information about ADR, and their right to independent legal advice from Legal Aid.

## Legislative and Policy Framework for Family Time

Children and young people have a right to their family, even if they cannot safely live with them. Their rights are mandated by the following legislation and policy:

**The United Nations Convention of the Rights of the Child**, Article 9 (UN General Assembly, 1989), outlines that children have rights to maintain personal relationships with their parents, unless this would not be in the best interests of a child.

Standard 5 of the **NSW Child Safe Standards for Permanency Care** (2015) state that children and young people remain connected to significant people and places in their lives.

The **key legislation** includes:

Children and Young Persons (Care and Protection) Act 1998 Sections: 21, 84–86, 142, 149B–K, 160, 163, Chapter 16A

Children and Young Persons (Care and Protection) Regulation 2012 Clauses: 34, 36, 42, 65, Schedule 3 – Clauses 3, 4

## More Information

[Family Time \(Contact\) – Practice Tips](#)

[Quality Documentation in Casework](#)

## References:

Talpin S., Bullen, T., McArthur, M., Humphreys, C., Kertesz, M. (2014). ‘Submission to the Parliament of Australia Senate Standing Committees on Community Affairs: Out of Home Care’. The University of Melbourne and Australian Catholic University.