

Legal and Policy Framework for Case Planning in the PSP

The NSW Child Safe Standards for Permanent Care

The [NSW Child Safe Standards for Permanent Care](#) were developed by the NSW Children's Guardian, the out-of-home care sector and key peak organisations.

The Standards establish the minimum requirements of agencies delivering out-of-home care services. They ensure that the rights of children are upheld and that children receive quality services.

Standard 14: Case planning and review

Objective: Children and young people have stable, secure placements that meet their changing needs.

- Children and young people in out-of-home care must have their care arrangements reviewed regularly and following a significant change in the placement or in the child or young person's circumstances.
- Children and young people's case plans must include the necessary supports for providing long-term, secure care arrangements.
- Children and young people, their families and the people caring for them must be given opportunities to participate in case planning processes.

To read the NSW Child Safe Standards for Permanent Care click [here](#).

Legal Framework for Case Planning

The [Children and Young Persons \(Care and Protection\) Act 1998](#) (the Act) does not specifically refer to case planning in Permanency Support Program (PSP) though it does mandate care plans, restoration plans and adoption plans. Case planning does reflect many of things that are required of casework staff by the Act.:

| Legal framework for case planning | |
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| Sections 8-13 | Outlines the purpose of the Act, which is also the fundamental purpose of case planning in PSP |
| Section 8(a) | That the safety, welfare and wellbeing of children and young people will be protected |
| Section 9(2a) | The views and voice of children and young people matter. They should be supported to express their views and it will be given weight |
| Section 9(2d) | Account must be taken of the culture, disability, language, religion and sexuality of the child or young person |
| Section 9(2f) | Children's relationships are important and should be preserved (unless it is unsafe to do so) with siblings, parents, kin, community, peers and family friends |
| Section 9(2g) | If a child enters OOHC the permanent placement principles are to guide all actions and decisions regarding the permanent placement of children |
| Section 10A | States the permanent placement principles |
| Section 11(1) | Aboriginal and Torres Strait Islander people are to participate in the care and protection of their children and young persons with as much self-determination as is possible |
| Section 13 | States the Aboriginal and Torres Strait Islander placement principles |
| Section 78A Permanency Planning | Details what to consider when planning for a permanent home for a child or young person |
| Section 86 Contact orders | Stipulates the minimum frequency and duration of contact between a child and people important to them. This order does not prevent more frequent contact. If the child is in the long-term care of the minister, the |

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| | maximum duration of a contact order is 12 months, after this time the agency can determine the frequency and duration of contact based on their assessment |
| Section 143 | Details the carer's right to information |
| Section 145 | Details the child's right to information concerning the carer |
| Section 149 b-k and s163 | Details the conditions around a parent's right to information |
| Section 150 review of placements effected by order of the children's court | Details the frequency at which a child's placement and wellbeing (as detailed in their OOHC case plan) must be reviewed |
| Section 160 Maintenance of records | Requires agencies to keep records on a child |

The Permanency Case Management Policy and the Aboriginal Case Management Policy.

The [Permanency Case Management Policy](#) and associated rules and practice guidance is designed to explain the way we achieve safety, permanency and well-being for vulnerable children and young people. It clarifies the different roles and responsibilities of DCJ and PSP Service Providers. The [Aboriginal Case Management Policy](#) supports practitioners to engage early with Aboriginal families to shape case planning and identify tailored solutions to keep children safe with their family and community.