



Australian Foster Care Association  
Policy and Position Statement  
on  
Allegations of Abuse in Foster Care  
2005

For Foster, Relative and  
Kinship Care Across Australia

# Allegations of Abuse in Foster Care

**Position:**

All parties in foster care share a responsibility to ensure that children and young people in placement are provided with quality care free from abuse. At all times the safety of the child or young person, and the foster family, is paramount.

The raising and addressing of concerns and allegations of abuse in foster care must be acknowledged as a stressful time for all those involved. The principles of openness, honesty, dignity, fairness, due process and equity must apply. Investigations of allegations must be conducted in the least intrusive manner whilst ensuring that they are thorough and accurate and detailed information is obtained.

**Commentary:**

The Australian Foster Care Association (AFCA) membership consists of representatives of the recognised Foster Care Associations of each State and Territory. The above statement represents the position of AFCA as at 1 January 2005. This is not meant to be an exhaustive statement but rather covers the major issues raised by foster carers in relation to the raising of issues or allegations. The statement has been produced to encourage:

- Quality outcomes for children and young people in care;
- Satisfying partnerships between foster carers, relative carers and workers; and
- Consistency across the nation.

**Definition:**

Allegations can occur in foster care due simply to the nature of the work undertaken and the experiences of the children and young people requiring care. A range of issues may be raised involving the day-to-day activities of the foster family; the standard of care afforded the child or the harm or risk of harm to the child. Foster carers are particularly vulnerable and worldwide research indicates that the longer carers are in the system, the higher their chances of being notified to the authorities.

**Acknowledgements:**

1. Foster carers need to be informed and educated in relation to the raising of concerns and allegations against them, their rights and responsibilities in these circumstances, and the processes that will be followed.
2. Foster care families are not required to be "super" or "perfect" families. They are "real" families and will experience many of the disagreements, competition for attention, juggling of everyone's needs, medical crises, tantrums, etc. as any other family.
3. Some children and young people coming into care, or their parents, have a history of making allegations in order to break down a placement. They need to be assisted to understand the consequences of their behaviour.
4. Foster carers are not the only party responsible for the protection of the child or young person and the provision of quality care. This can only be achieved if all parties work collaboratively in a supportive and open relationship where responsibility is shared. Failure of workers to respond to requests for assistance or failure to provide agreed support must be taken into account in any investigation.

**Issues:**

1. Foster carers need to be informed and educated in relation to the raising of concerns and allegations against them, their rights and responsibilities in these circumstances and the processes that will be followed.
2. The process and framework used to address concerns and allegations in foster care must be published and made readily accessible to foster carers.
3. Concerns and allegations raised need to be treated with sensitivity, and a process undertaken that ensures the protection of the child or young person and the protection and dignity of the foster carer/s.
4. Decision-making regarding how to approach the raising and assessment of concerns involving foster carers must have a consistent framework.
5. Where possible, concerns need to be raised in the least intrusive manner, that is, as part of general casework. Where this is not possible, low key, informal assessment needs to occur. Only in the most serious of cases should foster carers be subjected to a full formal assessment that may also include members of other Departments such as the police.

6. Foster carers, in all cases except where criminal activity may have occurred, have a right to be informed in person or by telephone and then in writing that concerns have been raised, specifically what these are, how they are to be addressed and within what timeframe.
7. Foster carers have a right to access legal advice and support and to be assisted by an advocate.
8. During any process where concerns are raised, foster carers should have free access to independent and departmental counselling, and support for themselves and the children in their care, access to their State or Territory Association, family, friends and other members of their support network.
9. Where allegations are to be addressed with the foster carer in a formal way, this should be conducted by an independent authority or person not directly involved with the foster carer or the child or young person in placement.
10. Children should not automatically be removed from a placement. Removal should only occur in extreme cases.
11. Foster carers should not automatically have their license/approval withdrawn. Withdrawal should only occur in serious cases. Additional training and support should first be offered. Discussions should occur as to the most appropriate placement types. All carers having their license/approval altered or withdrawn must have appeal rights.
12. Foster carers are to be acknowledged for the difficult work they do and have the opportunity to defend themselves against any concerns or allegations raised in a way that is fair and non-judgemental.
13. Communication during the raising of a concern or allegation must be verbally clear and extensive in detail and must also be made available to the foster carer in writing.
14. In all interactions with foster carers over concerns or allegations, those making the assessment must take into consideration the effects of the contribution or lack of response by other parties to the situation. That is, has the placement agreement been adhered to, have requests from the foster carer for support and services been responded to, have offers of assistance been made etc.
15. Timelines for the commencement and completion of any process must be clear and should be within 24 hours of the receipt of information for commencement and not longer than 30 working days for completion (except in exceptional circumstances).
16. Outcomes of meetings and assessments should be well documented and should focus on future development rather than punitive measures.
17. Copies of all reports and outcome documents must be provided to the foster carer within the 30 working days timeframe for completion.
18. The outcome of an investigation should be advised to all parties interviewed as a part of the investigation process. This is particularly important in instances of non-substantiation.
19. Copies of reports signed by the foster carer and as received by the foster carer must also be filed on the foster carer file, and on the file of the child or young person to whom the concerns or allegations relate.
20. Foster carers must be informed of their right to appeal any information contained in the reports or any action resulting from the assessment. They must be assisted in accessing their rights of appeal.
21. Follow-up with the foster carer and the child or young person must occur and should include the offer of free debriefing or counselling by an independent person.
22. Financial costs associated with legal advice, lost income from work, babysitting costs, counselling etc should be met by the Department where the concerns or allegations are unsubstantiated. Foster carers must be informed of their right to claim financial outlays.