



Australian Foster Care Association

Policy and Position Statement

on

Foster Carers' Rights

2005

For Foster, Relative and  
Kinship Care Across Australia

# Foster Carers' Rights

**Position:**

The role of the foster carer carries much responsibility, but often without equivalent rights. When rights and responsibilities are unbalanced, issues and concerns can arise which can impact on the quality and availability of foster care. Foster carers' rights need acknowledgement to ensure quality care and stability for children/young people in care, and the safety and stability for the foster family.

**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 foster carers' rights.

This statement has been produced to encourage -

- Retention of foster carers throughout Australia
- Quality outcomes for children and young people in care.
- Satisfying partnerships between foster carers, workers, children/young people in care and all other stakeholders
- Consistency across the nation.

**Definition:**

Foster carers are essential and valuable members of an important team concerned with the well being of children/young people in foster care and as such require indisputable rights in relation to their role, their person and their family.

**Acknowledgements:**

1. Foster carers have the right to be treated with dignity and respect by all staff involved in the case management of the child/young person in care.
2. Foster carers have a right to be an advocate/representative for the child/young person in their care. (Exceptions would be where the child is lodging a complaint against the foster carer concerned or where the carer's capacity to advocate is hindered by a conflict between their interests and those of the child.)
3. Foster carers have a common law Duty Of Care to the child in their care and Departments/NGOs/CSOs/agencies have a Duty of Care towards foster families to ensure no foreseeable harm comes to them in caring for a child, and that the foster families have the necessary and appropriate support and financial assistance to carry out their role.
4. Foster carers have a right to information and training in relation to the rights of children placed in their care including: appropriate standards of care, freedom of expression, involvement in decision-making that affects them, making complaints about the standard of services provided by the Departments/NGOs/CSOs/agencies, and having complaints resolved in an approved and legal way.

**Issues**

1. Foster carers have a right to:
2. Be treated with consideration, respect for personal dignity, and privacy.
3. Be included as a valued member of the service team.
4. Receive support services which assist in the care of the child in their home including an open and timely response from department/agency personnel.
5. Be provided with all information regarding the child that will impact on the child, members of their family, or their family life throughout the time they care for the foster child. In particular, they will be provided with an assessment of risk associated with the release of personal/identifying information before making a decision about whether to approve this release.
6. Have input into the case plan (including any permanency plan) for the child in their care.
7. Assurance of safety for their family by having the sole right to approve the release of their personal/identifying information to third parties including birth families on a case by case basis.
8. Assistance in dealing with loss and separation when a child leaves their home.
9. Be informed of all agency policies and procedures that relate to their role as foster carer.
10. Receive training that will enhance their skills and ability to cope as foster carers

11. Be informed of how to receive services and reach personnel on a 24-hour day 7 days a week basis.
12. Be granted a reasonable plan for relief from the role of foster carer.
13. Confidentiality regarding issues that arise in their foster family
14. Not be discriminated against on the basis of religion, race, colour, creed, sex, national origins, age, or physical handicap.
15. Receive evaluation and feedback on their role as foster carers.