



Removal of Children From Care

Related Documentation	Note to File
Relevant Legislation	NSW Children (Protection and Parental Responsibility) Regulation 2008 under the Children (Protection and Parental Responsibility) Act 1997
Responsible Officer	Manager Education and Care Services

Uncontrolled when printed.

Definitions

Nil

Objectives

To safely and confidentially manage the removal of a child by the Department of Family and Community Services or Police from a Council Education and Care Service.

Training and Competence

Council is committed to staff receiving training relevant to the tasks/activities undertaken in this procedure. Training requirements will be reviewed at least annually as part of the performance appraisal program, and recorded in Pulse. All training will be evaluated to ensure continuous improvement.

Competence of employees, including any contractors, labour hire employees or volunteers, will be assessed prior to their being expected to carry out the tasks associated with this procedure.

Records Management

All records related to this procedure are to be stored in IRIS (Intelligent Record Information System) in accordance with Council's Records Management Policy.

Review and Evaluation

To maintain relevance and currency, this procedure will be reviewed on a two-yearly basis or as required due to changes in relevant legislation and codes of practice or changes to systems and processes.

The procedure will also be evaluated in consultation with employees at appropriately identified intervals to evaluate its effectiveness.

Regular review and evaluation is an opportunity to determine whether the procedure is fit for purpose and reflective of operational practice, and provide an opportunity to implement corrective measures or amend the procedure if required.

Overview

The Department of Family and Community Services and Police has legal authority to remove children if they are considered to be at immediate risk of serious harm from parents or carers. The Department of Family and Community Services representatives have authority to remove a child(ren) while they are in attendance at an education and care service.

The Department of Family and Community Services is required to provide the family with notice, which shows the details of why the Department is removing the child and the name of the person who removed the

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child. The Department may choose to notify the family prior to the removal of a child(ren) or after the child has been removed.

The Department representatives will take the child(ren) to a safe place and will not return the child(ren) to care until the Department of Family and Community Services or the Children's Court approves.

Procedure

If the Department of Family and Community Services representatives arrive at a Council service to remove a child, please ensure this procedure is followed:

1. The Department of Family and Community Services representatives will contact the service to advise the Nominated Supervisor or the Responsible Person on shift that they are removing a child from care. They will advise the names of the representatives that will attend the service.

If the Department of Community Services representatives arrive without advising the service that they are removing a child from care, the service must call the Department of Family and Community Services immediately on 1800 000 164 or outside normal business hours 132 111 and confirm the representative's details and the name and details of the child(ren) they are removing from the service. This must occur before giving the representatives access to the child(ren). Advise a Coordinator Education and Care Services immediately once you have called the Department of Family and Community Services.

All records of conversations must be documented on Note to File.

2. Ask the Department of Family and Community Services representative when the estimated time of removal will occur so educators can sit with the child in a comfortable area eg foyer, office or staff room (this will reduce distress to the child and other children).
3. Contact the relevant Coordinator, Education and Care Services immediately to advise that your service will have a child removed from care by the Department of Family and Community Services and the approximate time this will occur.
4. On arrival at the service, the representative's identification badges are to be visibly checked and ask the representatives to sign the visitor sign in/out book.
5. Ensure a representative signs the child out on the attendance record sheet.

Please note: If the parent contacts and/or arrives at the service for information, they should be directed to contact their caseworker or the Department of Family and Community Services numbers listed above.

END OF PROCEDURE

This procedure is required under the Education and Care Services National Regulations and should not be edited or rescinded without permission from the Education and Care Services Senior Leadership Team.

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