10.16 Referral to an Aboriginal and Torres Strait Islander family support service

Purpose

This procedure outlines the process to refer families to an Aboriginal and Torres Strait Islander Family Support Service (ATSIFSS). The ATSIFSS is a community controlled intensive family support service that provides family support services to Aboriginal or Torres Strait Islander children and their families.

The objectives of the ATSIFSS are to:

- support Aboriginal and Torres Strait Islander families to provide safe care within their own communities
- improve outcomes for Aboriginal and Torres Strait Islander children and families by providing prevention and early intervention services
- assist in preventing or minimising the involvement of Aboriginal and Torres Strait Islander children and families in the statutory child protection system
- assist in reducing the number of re-notifications of possible harm or risk of harm for Aboriginal and Torres Strait Islander children
- support Aboriginal and Torres Strait Islander children and families when the objective of child protection intervention is either for the child to remain safely in the home or reunification

Aboriginal and Torres Strait Islander Family Support Services reduce the risk of harm to children within the family and home environment and improve the capacity of families to nurture, protect and keep their children safe, where ongoing departmental intervention (Child Safety) is required. 25% of ATSIFSS service delivery is targeted at families with a child subject to ongoing statutory intervention, with 75% of service delivery targeted at providing early intervention to families with a child at risk of entering or re-entering the child protection system.

Aboriginal and Torres Strait Islander Family Support Services are required to:

- improve the wellbeing and safety of children, young people and their families
- build the capacity of families to care for and protect their children
- prevent entry into the statutory child protection system
- work to achieve reunification and family preservation

Key steps

1. Determine eligibility for an ATSIFSS referral
2. Make a referral to an ATSIFSS
3. Action following a referral to an ATSIFSS

What ifs - responding to specific ATSIFSS matters
Standards

1. An ATSIFSS referral is made for an eligible child, when it is assessed that the family would benefit from assistance provided by the ATSIFSS.

Authority

- *Child Protection Act 1999, section 7, 13B (relevant person only), 14 and 159M*
- Policy No. 610: Working with Aboriginal and Torres Strait Islander children, families and communities

Key steps - Referral to an ATSIFSS

1. Determine eligibility for an ATSIFSS referral
2. Make a referral to an ATSIFSS
3. Action following a referral to an ATSIFSS

What ifs - responding to specific ATSIFSS matters

1. What if Child Safety refers a family through early intervention and they do not engage?
2. What if the child and family are eligible for both the ATSIFSS and another intensive family support service?
3. What if the child or family does not choose to identify with their Aboriginal or Torres Strait Islander heritage and community?
4. What if the child or family do not want to be referred to an ATSIFSS?
1. Determine eligibility for an ATSIFSS referral

Aboriginal and Torres Strait Islander Family Support Services provide intensive family support including case management, practical in-home support, brokerage and links to specialist services. A mix of practical, personal development, therapeutic and enabling services are utilised as appropriate, for example:

- practical services that address a specific need in the family, such as transport to medical appointments, establishing daily routines related to meals or getting to school or respite care
- personal support and development including information and advice, parenting skills courses, budgeting and household skills development
- clinical or therapeutic services including casework, counselling, emotional support, family mediation, anger management, domestic violence intervention programs, development of social supports
- enabling services to link the family to other supports via referral and advocacy (e.g. assist with access to housing, child care and education, emergency relief payment, rental assistance) and case management to coordinate service delivery.

Referral pathways

There are a number of referral pathways into early intervention service delivery, these include referrals from:

- Child Safety
- Department of Education and Training, Queensland Police Service and Queensland Health
- Aboriginal medical services/ community controlled health services
- Family and Child Connect and intensive family support services
- other government and non-government agencies
- self-referrals

Only Child Safety is able to make referrals for a family eligible through the statutory criteria. **Referrals without consent**

The *Child Protection Act 1999* enables particular prescribed entities (159M) to make referrals to intensive family support services, including ATSIFSS, without a family’s consent in order to ‘offer help and support to a child or child’s family to stop the child becoming a child in need of protection’ (defined in section 159C (1) (b) (vi) of the *Child Protection Act 1999*). The exception to this is referrals related to unborn children. A referral cannot be made in relation to a pregnant woman and her unborn child without her consent.

Particular prescribed entities (defined in section 159M of the *Child Protection Act 1999*) are:

- the chief executive and an authorised officer under the *Child Protection Act 1999*
- the chief executive of department’s with the main responsibility for the following, and their delegate:
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- adult corrective services
- community services
- disability services
- education
- housing services
- public health

- the chief executive officer of the Mater Misericordiae Health Services Brisbane Ltd (ACN 096 708 922), or their delegate
- a health service chief executive within the meaning of the Hospital and Health Boards Act 2011, or their delegates
- the police commissioner, or their delegate
- the principal of a school that is accredited, or provisionally accredited, under the Education (Accreditation of Non-State Schools) Act 2001

Whilst the Child Protection Act 1999 allows referrals to Family and Child Connect and intensive family support services without consent, it is considered best practice to obtain consent wherever possible to share a child or family’s information.

ATSIFSS Referral Criteria

The referral criteria for both statutory (Child Safety referrals only) and early intervention is as follows:

- the child or a parent identifies as an Aboriginal or Torres Strait Islander person
- the child is 0-18 years of age or the pregnant woman has consented to the service when the concerns relate to an unborn child, and
- the family would benefit from access to the ATSIFSS, and
- the family has multiple and/or complex needs.

The family must also meet the following additional criteria for entry under early intervention (any referral pathway) or statutory (Child Safety referrals only).

Early Intervention Criteria

- the child is not currently in need of protection, and
- without support the child, young person and family are at risk of entering or re-entering the statutory child protection system.
- With the exception of referrals relating to unborn children, particular prescribed entities (section 159M, CPA) are able to make direct referrals to ATSIFSS without the consent of the family (refer to Referrals without consent, above). All other referrers must have the consent of the family, prior to making a referral.

Statutory Referral Criteria

Child Safety can also refer children and families who meet the following criteria:
• the child is currently assessed as in need of protection or the unborn child is assessed as in need of protection after birth

• one or both of the parents have consented to the referral or for an unborn child the mother has consented to the referral

• the provision of the service may reduce the need for the child to enter out-of-home care or the child is in out-of-home care and the goal of the case plan is reunification within 12 months

Other considerations

Defining a parent

When considering a referral to an ATSIFSS, a parent includes:

• the child’s mother, father or someone else having or exercising parental responsibility for the child

• a person who, under Aboriginal tradition, is regarded as a parent of the child or a person who, under Island custom, is regarded as a parent of the child.

A parent does not include a foster carer or specialist foster carer. Kinship carers providing an out of home care placement should receive support in the first instance from a funded Foster and Kinship Care Service. However generally, kin that are in a caring role for the child are eligible to receive support through ATSIFSS. This may include grandparents, aunts, uncles, adult siblings and cousins.

Multiple and/or complex needs

When assessing whether an Aboriginal or Torres Strait Islander family has multiple and/or complex needs, consider whether there is at least one family member presenting with behaviours or circumstances that are having negative consequences for the family, particularly children. Consider if there is:

• More than one issue impacting on the child or family’s wellbeing; or

• There is a complex issue/s impacting on the child or family’s wellbeing. This may be evidenced the presence of one or more of the following factors:
  o there have been multiple child concern reports or notifications in the previous 12 month period
  o there is previous child protection history in relation to older children that extends over a period of time, indicating possible cumulative harm
  o one or more children are vulnerable, due to the presence of disabilities, challenging behaviours or chronic health issues
  o parental or carer factors include substance misuse, mental health issues, domestic and family violence or relevant criminal history
  o there are social, environmental or contextual factors impacting negatively on the family.
Consultation

When considering a referral:

- discuss this with a team leader
- discuss the referral with the recognised entity (note: prior to this discussion for an unborn child, the pregnant woman must have provided consent to contact the recognised entity).
- consider discussing the referral with the ATSIFSS

For further information about working with Aboriginal and Torres Strait Islander families, refer to the practice paper Working with Aboriginal and Torres Strait Islander people.

2. Make a referral to an ATSIFSS

Early Intervention

To make a referral for a family that is eligible through the early intervention criteria complete the online referral available through the Stronger Families Referral to Support Service website at Referral to Support Service.

Statutory Referral (Child Safety only)

To make a referral for a family that is eligible through the statutory referral criteria, complete the referral via the Community Sector Information System (CSIS).

3. Action following a referral to an ATSIFSS

Once an early intervention referral is made, the department will have no further involvement. A copy of the referral should be recorded in the relevant ICMS event.

When a statutory referral is made, the department retains case management responsibility for the child and their family, and will continue to meet the case planning and case management requirements as outlined Chapter 4. Case planning and Chapter 3.1.5 Implement case management responsibilities.

Where the department continues to provide ongoing intervention to a child and family, include the ATSIFSS in any case planning or review process, to contribute information about:

- the type of support services provided to the child and family
- the outcomes achieved from the support services provided
- the issues or factors that still need to be addressed

The involvement of ATSIFSS in case planning or review processes does not negate the legislated obligation to consult with the recognised entity, or provide them with the opportunity to participate in decision-making about an Aboriginal or Torres Strait Islander child. For further information refer to the practice resource Working with the recognised entity.

What ifs - responding to specific ATSIFSS matters
1. **What if Child Safety refers a family through early intervention and they do not engage?**

   If Child Safety refers a family to ATSIFSS and the family does not engage with the service or cannot be contacted, the service must contact the department to advise of such.

   In these circumstances and where no new concerns are raised, the receiving departmental officer is to:
   - record this information in a case note (if verbal) or as an attachment (if written and the event remains open) in the event where the referral is recorded: and
   - advise the Team Leader responsible for this event via email.

   If new or additional concerns are reported by the service, this information should be assessed per intake procedures.

2. **What if the child and family are eligible for both the ATSIFSS and another intensive family support service provider?**

   When an Aboriginal or Torres Strait Islander family is eligible for family support services from both the ATSIFSS and another intensive family support service, and prior to making a referral:
   - discuss the referral with the recognised entity to consider the child and family's identified needs
   - contact both the ATSIFSS and the RAI other intensive family support service, if possible, and provide non-identifying information about a possible referral, and obtain information about the level of service each agency could provide to the family and the likelihood that a referral would be accepted
   - discuss with the recognised entity whether the other intensive family support service may be better positioned to meet the child’s and family’s needs, where the other intensive family support service can provide additional culturally responsive supports to the family that the local ATSIFSS cannot. It may be possible for both the other intensive family support service and the ATSIFSS program to work collaboratively with a family by negotiation.
   - consider the level of support available to the family and the capacity of both services
   - consider a referral to Family and Child Connect to assist in determining the most appropriate service/s for the family
   - discuss both services with the child, when age appropriate, and the family and seek their opinions on the service that they would prefer

   For further information in relation to making an intensive family support service referral, refer to Chapter 10.14 Referral to Family and Child Connect or intensive family support services for early intervention.
3. **What if the child or family does not choose to identify with their Aboriginal or Torres Strait Islander heritage and community?**

When an eligible Aboriginal or Torres Strait Islander child or their parent does not identify with their Aboriginal or Torres Strait Islander heritage and community, and it is assessed that the family would benefit from family support:

- discuss the referral with the recognised entity
- speak with the child, when age appropriate, and the family about the referral to the ATSIFSS.

If the family do not wish to be referred to the ATSIFSS for support speak with the child, when age appropriate, and the family about referring them to another intensive family support service or another appropriate local support service. For further information in relation to making an intensive family support service referral, refer to Chapter 10.14 Referral to Family and Child Connect or intensive family support services for early intervention.

4. **What if the child or family do not want to be referred to an ATSIFSS?**

When an Aboriginal or Torres Strait Islander child or their parent does not wish to be referred to an ATSIFSS, and it is assessed that the family would benefit from family support:

- consult with the recognised entity
- speak with the child, when age and developmentally appropriate, and the family about the reasons for this decision
- speak with the child, when age and developmentally appropriate, and the family about referring them to an intensive family support service or another appropriate local support service
- obtain the consent of the child, when age and developmentally appropriate, and the family to any other referral
- where considering a referral to Family and Child Connect or another intensive family support service refer to Chapter 10.14 Referral to Family and Child Connect or intensive family support services for early intervention.

**Resources**

**Forms and templates**

- [Family referral](#) (CSIS)
- Referral Form

**Departmental resources**

- [Practice paper: Working with Aboriginal and Torres Strait Islander people](#)
- [Practice resource: Working with the recognised entity](#)