

|  |
| --- |
| When child protection workers visit  |
| Information for parents |
|  |

## Why has a child protection worker visited?

Someone has made a report to Child Protection that might mean your child may need protection. *The Children Youth and Families Act 2005* requires child protection practitioners to investigate this report. Their job is to find out if they think your child needs protection and provide help if they do. The department understands that it can be distressing to have Child Protection involved with your family. We will keep you informed about what is happening and why and involve you in making decisions that are in your child’s best interests.

## Who made the report?

Anyone can make a report to Child Protection about a child they think may need help. The law does not allow Child Protection to tell you who made the report, unless the person who made the report agrees in writing to the department.

## What happens during the first visit?

Child protection practitioners will talk to you and your child about the report that has been made. They will explain what they do, why they are there and discuss the concerns that have been reported about your child. They will listen to your views about the reported concerns. They will want to talk to your child and assess if your child’s safety or development has been or is likely to be at risk of harm. They will keep a record of these discussions.

## What will happen if I don’t talk to the Child Protection?

You may choose not to discuss the report with Child Protection, but we will still have to investigate. If you talk to us about your situation, we will better understand what has happened from your point of view. Child Protection can help you more effectively if you cooperate and give accurate information about your child and the family situation. Tell Child Protection if there is someone you want us to talk to so that we can get a better picture of your family life.

## What happens next?

Child Protection may need to look into your child's situation further. If so, we may arrange more visits to talk to you and your child. We will work out ways to help your child and the family. To do this, we may also:

* contact other people who can give their views on your child's situation
* arrange for a doctor or other specialist to examine your child, if necessary
* arrange a case conference
* refer you and your child to a family service or other specialist service.

If child protection practitioners believe that your child is not safe, they may make an application to the Children's Court to protect your child. They will tell you what this involves and how you can put your views to the Court. They will also give you extra written information.

## What happens to information collected about me and my family?

The law regulates the way information is stored and used about your family. This information can be made available to the Children's Court if court action is required to protect your child.

Child Protection will use the information collected to investigate the reported concerns to determine what is in your child’s best interests and to take any actions required to help your child.

## Who will receive information about me and my family?

Child Protection will provide information to any agencies or people it has arranged assistance for you or your family with, such as counselling or family support services. The information provided will help them provide the best service. Child Protection may provide information to:

* the Children’s Court if an application is made to the court
* community services, such as family support services or foster carers
* schools, health services or medical specialists
* specialist services such as alcohol and drug services
* other government departments providing services
* other members of your family
* the police if an offence may have been committed
* the Aboriginal Child Specialist Advice and Support service if your child is Aboriginal.

If you want to see the child protection file, you can talk to the worker about how to do this. The worker can help you make an application through Freedom of Information.

## Where can I get more information?

It is important you understand what is happening and why child protection practitioners are visiting your family. If you don't understand, ask the child protection practitioners to explain it to you.

If you still do not understand what is happening after talking with them, you can contact their supervisor.

You have a right to seek legal advice and assistance. You can do this by contacting:

* Victoria Legal Aid, Melbourne
telephone 1300 792 387
* a legal representative
(listed under ‘Solicitors’ in the Yellow Pages)
* Law Institute of Victoria, telephone (03) 9607 9311
* Victorian Aboriginal Legal Service Co-op Ltd, telephone 1800 064 865
* Djirra (formerly known as the Aboriginal Family Violence Prevention & Legal Service Victoria) telephone 1800 105 303
* a local community legal service.

## Human rights and child protection

The Victorian Charter of Human Rights and Responsibilities requires Child Protection to act consistently with, and consider, human rights when working with children and families, and making decisions. For more information about human rights contact the Victorian Equal Opportunity and Human Rights Commission at [www.humanrightscommission.vic.gov.au](http://www.humanrightscommission.vic.gov.au) or telephone on 1300 292 153 or (03) 9032 3583.

## Child Safe Standards

The department must comply with Victoria’s Child Safe Standards. Concerns about the department’s compliance with these standards can be reported to the Commission for Children and Young People on 1300 78 29 78 (9.30–11.30am and 2.00–4.00pm Monday to Friday, except on public holidays) or via email to contact@ccyp.vic.gov.au.

## What if I have a complaint?

If you have a complaint about how Child Protection is doing things, please speak to the practitioner, their supervisor, the Child Protection Operations Manager/Director.

If your complaint cannot be resolved at your local office you can make a complaint by contacting the department’s complaints team via the online form at [www.dffh.vic.gov.au](http://www.dffh.vic.gov.au) or telephone on 1300 884 706 (cost of a local call).

If your complaint cannot be resolved by speaking directly to the department, you may contact the Victorian Ombudsman via their website, [www.ombudsman.vic.gov.au](http://www.ombudsman.vic.gov.au), or telephone on 1800 806 314. The Victorian Ombudsman can investigate complaints about government departments.

## What if I don’t agree with a decision made by Child Protection\*

If you don’t agree with a decision made by Child Protection you may request a written statement of reasons for the decision from Child Protection within 28 days of the decision being made. You may apply to the Victorian Civil Administrative Tribunal (VCAT) for a review of the decision within 28 days of the decision itself, or of the outcome of a request for a statement of reasons for the decision. VCAT is independent of Child Protection and can be contacted by telephone on 1300 018 228 or email or post – see <https://www.vcat.vic.gov.au/> for details.

\* If the Children’s Court has made a protection order for your child a different process applies.

## Contact information

The child protection worker’s name is:

Their office is:

Their contact number is:

|  |
| --- |
| To receive this publication in an accessible format email cpmanual@dffh.vic.gov.auAuthorised and published by the Victorian Government, 1 Treasury Place, Melbourne. © State of Victoria, July 2021. Available at [www.cpmanual.vic.gov.au](http://www.cpmanual.vic.gov.au)  |