

Cultural Plans for Aboriginal and Torres Strait Islander children and young people

Direction to staff

This document provides instructional information for Child and Youth Protection Services (CYPS) to conduct its business. All staff must comply with it.

Note: Unless otherwise indicated, the term ‘child’ or ‘children’ also refers to ‘young person’ or ‘young people’. The term ‘children in care’ refers to ‘children in out of home care’.

Summary of main points

This document outlines how to:

- Making a referral to the Aboriginal and Torres Strait Islander Cultural Services Team
 - Gathering and reviewing information about the child’s cultural identity
 - Analysis information and developing objectives and actions
 - Consultation
 - Endorsement, distribution and record keeping
 - Implementing and monitoring the Cultural Plan
 - Reviewing the Cultural Plan
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Purpose of this document

This procedure outlines the steps Child and Youth Protection Services (CYPS) staff are to take when developing a Cultural Plan for an Aboriginal and/or Torres Strait Islander child who is, or is proposed to be, subject to a Care and Protection Order or Interim Care and Protection Order (section 455(b)(ii) of the *Children and Young People Act 2008* (the Act)) and in an out of home care placement (care placement).

Scope

This procedure applies to all staff within CYPS who are responsible for developing and implementing a Cultural Plan for an Aboriginal and/or Torres Strait Islander child.

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Relevant policy

This procedure upholds the principles of the Cultural Plans for Aboriginal and Torres Strait Islander children and young people policy and is to be read in conjunction with the documents listed in the below section ‘Related materials’.

When to perform this procedure

This procedure is to be conducted within six weeks when an Aboriginal and/or Torres Strait Islander child who is, or is proposed to be, subject to a Care and Protection Order or Interim Care and Protection Order (section 455 (b)(ii) of the Act) and in an out of home care placement (care placement).

Aboriginal cultural planning

An Aboriginal Cultural Plan (Cultural Plan) provides a written guide for supporting and promoting cultural identity and connection to family and community for all Aboriginal and/or Torres Strait Islander children and young people in care. The Cultural Plan is both a plan of agreed actions and a tool for decision making.

A Cultural Plan is separate but aligned to a child’s care plan. The Cultural Plan development and implementation is the responsibility of the case manager.

Quality assurance of cultural plans is the responsibility of the Aboriginal and Torres Strait Islander Cultural Services Team, who will utilise the Aboriginal and Torres Strait Islander Cultural Panel to review all plans.

Procedures

There are eight key steps in the Cultural Plans for Aboriginal and Torres Strait Islander children and young people process.

1. Making a referral to Aboriginal and Torres Strait Islander Cultural Services Team
2. Gathering and reviewing information about the child's cultural identity
3. Analyse information and develop objectives and actions
4. Consultation
5. Endorsement
6. Distribution
7. Implementing and monitoring the Cultural Plan
8. Reviewing the Cultural Plan.

Step 1 – Making a referral to the Aboriginal and Torres Strait Islander Cultural Services Team

Developing a Cultural Plan for an Aboriginal and/or Torres Strait Islander child should occur as soon as a CYPs case manager thinks it may be necessary to place the child in care at some point in the future. Ideally, this will occur in the context of preparing for a planned application, or during a Family Preservation response.

As soon as a CYPs case manager decides to prepare a Cultural Plan, the **case manager** should:

1. Make a referral to the Aboriginal and Torres Strait Islander Cultural Services team.
 - a. Where Emergency Action has occurred, staff should refer to the Aboriginal and Torres Strait Islander Cultural Services Team within 48 hours.
 - b. A referral can be submitted by:
 - i. completing the 'Cultural Services Consultation' form,
 - ii. attaching the completed form to an Event and Case Note (ECN) on the client management system (category *referral* and event type *CYPs – Cultural Services Team*)
 - iii. sending the ECN link to [Redacted].

The **Aboriginal and Torres Strait Islander Cultural Services Team** should:

1. Provide advice and guidance for gathering information and developing the Cultural Plan
2. Schedule a time for the case manager to provide the Cultural Plan to the Aboriginal and Torres Strait Islander Cultural Panel within **six weeks**.

Note: as an objective, staff should finalise the child's Cultural Plan within the same timeframe as the child's care plan, noting that cultural planning may sometimes take longer.

Step 2 – Gathering and reviewing information about the child's cultural identity

When gathering and reviewing information about the child's cultural identity, the **case manager** should:

1. Seek to gather information through guided discussion and interviews with significant people in the child's life and community. Staff may use tool such as (developing or reviewing) a genogram.

Note: staff should be flexible in their time and approach in seeking information for the child about their cultural identity. This is very personal and important information that requires respectful, open and unrushed communication.

2. Record all information gathered in the client management system as event type 'Finding Family'.
3. Scan all documents onto the client management system and place on the child's registry file.
4. Record information succinctly in the Cultural Plan template on the client management system.

Note: staff should consider using a Family Group Conference for the purpose of assisting the child to connect to family, community and culture whilst mitigating any identified risk. This may be an opportunity to gather and collate cultural information.

Step 3 – Analyse information and develop objectives and actions

Once the information has been gathered and reviewed, the **case manager** should:

1. Analyse the information provided about the child's cultural identity and other known details about the child's strengths, needs and wishes and develop objectives and actions.
2. Develop actions in the child's Cultural Plan. Staff should use a similar approach to the development of actions in the child's Case Plan.
3. Ensure the actions developed in the Cultural Plan do not contradict the actions developed in the child's Case Plan.

Note: it is very important to consider actions to help the child return to/visit their Country.

4. Record information succinctly in the Cultural Plan template on the client management system.

Step 4 – Consultation

During the gathering, reviewing and analysing phases (Steps 2 and 3) of developing the Cultural Plan, the **case manager** must:

1. Consult with (in accordance with section 457 of the Act):
 - the child (where age appropriate)
 - the child's parent/s
 - each person who has daily care responsibility for the child
 - any Aboriginal and/or Torres Strait Islander people who have an interest in the wellbeing of the child through family, kinship and cultural ties (section 13)
 - any Aboriginal and/or Torres Strait Islander people or organisation identified as providing ongoing support services to the child or their family
 - anyone else who would be involved in implementing the plan
 - members of the child's Declared Care team.

Note: staff are to record in the client management system the conversation where a child and/or family member or significant other expresses a view that they **do not wish** to participate in the Cultural Plan (or for the child, cultural activities and events).

Step 5 – Endorsement

The Cultural Plan must be reviewed and endorsed by the Aboriginal and Torres Strait Islander Cultural Panel **prior** to being reviewed by the Team Leader and Operations Manager.

When seeking endorsement for the Cultural Plan, the **case manager** should:

1. Provide a copy of the Cultural Plan to the Aboriginal and Torres Strait Islander Cultural Panel for review and endorsement within the six week timeframe.
2. Attend the appointment with the Aboriginal and Torres Strait Islander Cultural Panel.
 - a. If the Cultural Plan is **not endorsed**, the **case manager** should:
 - i. make the recommended changes and schedule another appointment with the Aboriginal and Torres Strait Islander Cultural Panel for endorsement.
 - b. If the Cultural Plan is **endorsed**, the **case manager** should:
 - ii. Provide the Cultural Plan to their Team Leader and Operations Manager for final endorsement.

Once the Aboriginal and Torres Strait Islander Cultural Panel has endorsed Cultural Plan, the **Aboriginal and Torres Strait Islander Cultural Panel Administration Support officer** should:

1. Record the endorsement on the client management system using event type 'cultural panel endorsement'.

Step 6 – Distribution

The distribution of the Cultural Plan will depend on whether there are ongoing care proceedings in the ACT Childrens Court.

Where there are **ongoing care proceedings**, **Legal Services** should:

1. Lodge the Cultural Plan with the ACT Childrens Court as part of the child's Care Plan.

The **Case manager** should:

1. Provide, or arrange for Operational Support staff to provide, a copy of the Cultural Plan to:
 - the child (or someone who will keep it for the child e.g. carer)
 - the parties to the proceedings
 - the child's parent/s or family members who were involved in developing the plan (where they are not party to the proceedings)
 - each person who has daily care responsibility for the child
 - members of the child's Declared Care team who are involved with the delivery of the plan; and
 - the ACT Public Advocate.

Where there are **no ongoing proceedings** (e.g. the child is no longer on an Interim Care and Protection Order), the **case manager** should:

1. Provide, or arrange for CYPs Operational Support staff to provide a copy of the Cultural Plan reviewed as part of the annual review process to:
 - the child (or someone who will keep it for the child e.g. carer)
 - each person with daily care responsibility for the child

- the child's parent/s unless there are extenuating circumstances (e.g. significant safety concerns)
 - the child's family members who were involved in developing the plan
 - members of the child's Declared Care team who are involved with the delivery of the plan; and
 - the ACT Public Advocate.
2. Record the provision of the Cultural Plan to different people on the Cultural plan template. A decision **not to provide** the Cultural Plan to someone must also be recorded in the client management system with a clear rationale for the decision.

Note: where an out of home care agency is involved, the agency may assist in providing the Cultural Plan to different people. The agency must provide a record to CYPS of who the Cultural Plan was provided to and when.

Step 7 – Implementing and monitoring the Cultural Plan

The Cultural plan should be implemented and monitored as part of the child's Case Plan. The **case manager** should:

1. Implement and monitor the objectives and actions developed in the Cultural Plan as a part of the child's case plan.

The **team leader** should:

1. During staff supervision, discuss with their staff how they are implementing and monitoring the 'active efforts' in the Cultural Plan.

Step 8 – Reviewing a Cultural Plan

The Cultural Plan is reviewed twice a year. Once when it has been in place for six months, and again in line with the Annual review process. This is an opportunity for case managers to receive guidance and advice from the Aboriginal and Torres Strait Islander Cultural Panel in relations to the 'active efforts' identified in the Cultural Plan.

When the Cultural Plan has been in place for **six months**, the **case manager** should:

1. Schedule an appointment with the Aboriginal and Torres Strait Islander Cultural Panel via a referral to the Aboriginal and Torres Strait Islander Cultural Services Team on the client management system.
2. Attend the appointment with the Aboriginal and Torres Strait Islander Cultural Panel.

The **Aboriginal and Torres Strait Islander Cultural Panel administration support officer** should:

1. Record the outcomes of the consult on the client management system using the event type 'cultural panel consult'.

When reviewing the Cultural Plan as part of the **Annual review process**, the **case manager** should:

1. One month prior to the annual review date, schedule an appointment with the Aboriginal and Torres Strait Islander Cultural Panel for endorsement of the Cultural Plan via the client management system.
2. Attend the appointment with the Aboriginal and Torres Strait Islander Cultural Panel
 - a. If the Cultural Plan is **not endorsed**, the **case manager** should:
 - i. make the required changes to the Cultural Plan, and

- ii. schedule another appointment with the Aboriginal and Torres Strait Islander Cultural Panel to endorse the updated Cultural Plan.
- b. If the Cultural Plan is **endorsed**:
- i. The **case manager** should:
 1. distribute the Cultural Plan as outlined above in ‘Step 6 – Distribution’ and implement the Cultural Plan as outlined above in ‘Step 7 – Implementing and monitoring the Cultural Plan’.
 - ii. the **Aboriginal and Torres Strait Islander Cultural Panel administration support officer** should:
 1. record the endorsement on the client management system using event type ‘cultural panel endorsement’.

Roles and responsibilities

The following table outlines the roles and responsibilities under this procedure.

Role	Responsibility
Aboriginal and Torres Strait Islander Cultural Panel	<ul style="list-style-type: none"> • reviewing the Cultural Plan • providing feedback and guidance to case managers on the Cultural Plan • endorsing the Cultural Plan
Aboriginal and Torres Strait Islander Cultural Service Team	<ul style="list-style-type: none"> • providing advice and guidance to case managers for developing a Cultural Plan • assisting with the developing the objectives and actions in the child’s Cultural Plan • consulting with the child and other key stakeholders, when possible • recording all cultural consult event types on the client management system • assisting with implementing and monitoring the objectives and actions through the Aboriginal and Torres Strait Islander Cultural Panel • reviewing the Cultural Plan at the six monthly and annual review
Aboriginal and Torres Strait Islander Cultural Panel administration officer	<ul style="list-style-type: none"> • recording consultation outcomes with the Aboriginal and Torres Strait Islander Cultural Panel • recording Aboriginal and Torres Strait Islander Cultural Panel endorsement of the Cultural Plan

Role	Responsibility
Case Manager	<ul style="list-style-type: none"> • arranging an appointment time for a comprehensive cultural consultation with the Aboriginal and Torres Strait Islander Cultural Panel within the first six weeks of an Aboriginal and/or Torres Strait Islander child being placed in Out of Home Care for developing a Cultural Plan • developing the objectives and actions in the child's Cultural Plan • consulting with the child and other key stakeholders • distributing and arranging for CYPS Operational Services staff to distribute, the Cultural Plan • record keeping including recording a service event on the client management system when completed. • implementing and monitoring the objectives and actions • reviewing the Cultural Plan at the six monthly and 12 monthly review periods.
CYPS Operational Support team	<ul style="list-style-type: none"> • distributing a Cultural Plan, as directed • recording the Cultural Plan appropriately on the client management system and in the child's registry file (if not completed by the case manager) • providing administrative support to case managers.
Legal Services Team	<ul style="list-style-type: none"> • providing advice to staff on legal issues • lodging the Cultural Plan with the ACT Childrens Court (where this is part of an application for a Care and Protection Order).
Operations Managers	<ul style="list-style-type: none"> • endorsing all Cultural Plans • providing ongoing case and practice supervision, specifically with working with Aboriginal and Torres Strait Islander children and families.
Team Leaders	<ul style="list-style-type: none"> • supporting staff in developing Cultural Plan objectives and actions • reviewing the proposed Cultural Plan • providing ongoing case and practice supervision, specifically with working with Aboriginal and Torres Strait Islander children and families.

Record keeping

Information gathered in discussions during the cultural planning process and all signed documents are to be recorded on the client management system.

Related materials

The following materials directly relate to this procedure.

Legislation

- [Children and Young People Act 2008](#)
- [Human Rights Act 2004](#)
- [Information Privacy Act 2014](#)
- [Territory Records Act 2002](#)

Policies, procedures and practice guides

- Policy: Cultural Plans for Aboriginal and Torres Strait Islander children and young people

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Cultural Plans for Aboriginal and Torres Strait Islander children and young people procedure

Last updated: 30 June 2020

Publicly available online

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- Procedure: Aboriginal and Torres Strait Islander cultural panel
- Procedure: Annual review [access restricted]
- Procedure: Care plan [access restricted]
- Procedure: Case plans for child protection matters [access restricted]
- Procedure: Placing a child in accordance with the Aboriginal and Torres Strait Islander child placement principle
- Practice guide: Case management – care plan, case plan and cultural plan
- Practice guide: Case management – developing a care plan
- Practice guide: Developing contact arrangements
- Practice guide: Engaging with Aboriginal and Torres Strait Islander children and young people
- Practice guide: Family Group Conference (FGC)
- Practice guide: Identifying and finding kinship carers
- Practice guide: Kinship carers and kinship care placements
- Practice guide: Placing a child in a care placement
- Practice guide: Working with the Aboriginal and Torres Strait Islander Cultural Services Team

Other documentation

- Template: Cultural Plan
- Form: Cultural Services Consultation
- [Our Practice Standards CYPS](#)
- [Working with Aboriginal and Torres Strait Islander families: Providing culturally responsive practice](#)
- [Working and walking together: Supporting family relationship services to work with Aboriginal and Torres Strait Islander families and organisations by SNAICC](#)

Document information

Authorising officer:	Senior Manager, Practice and Performance, CYPS
Effective date:	30 June 2020
Last reviewed:	30 June 2020
Next review date:	By June 2022
Access:	Open access – Available to all staff and the public

Version history

The following table details the published date and amendment details for this document.

Date	Amendment details
30/06/2020	<p>Replaces 'Cultural planning for Aboriginal and Torres Strait Islander children and young people' procedure. New effective date allocated.</p> <p>Content updates to align with new policy framework and incorporation of CYPs Practice Standards. Converted to new template and reviewed for Open Access Information Scheme.</p>

Definitions

For definitions of terms used in this document, access the CYPs glossary.