



fact sheet

CHARTER OF RIGHTS

for

CHILDREN & YOUNG PEOPLE

in

OUT OF HOME CARE IN THE ACT

FACT SHEET FOR FOSTER CARERS AND KINSHIP CARERS

Foster carers and kinship carers play a vital role in promoting and protecting the rights of children and young people who are living in Out of Home Care.

INTRODUCTION

The *Charter of Rights for Children and Young People in Out of Home Care in the ACT* (the *Charter*) has been developed in consultation with children, young people, foster carers, Out of Home Care agencies, and representatives from ACT Government departments.

The *Charter* is for all children and young people who are unable to live with their parents and are living in short term or long term Out of Home Care in the ACT. This includes foster care, kinship care, respite care, or other residential care facilities.

The *Charter* is consistent with the *United Nations Convention on the Rights of the Child*, the *ACT Human Rights Act 2004*, and *The Children and Young People Act 2008*, all of which spell out the basic human rights to which all children and young people are entitled.

WHAT IS THE PURPOSE OF THE *CHARTER*?

To provide children and young people who are living in Out of Home Care with a clear, easily understood statement of their right to –

- be safe and looked after
- be respected
- be treated fairly and not discriminated against
- access services that promote health and well being
- have a say
- privacy
- information
- family, friends, community, beliefs and culture
- education
- talk to people about things you don't like or don't understand

WILL THE INTRODUCTION OF THE *CHARTER* AFFECT ME AS A CARER?

The Rights in the *Charter* reflect the basic human rights all children and young people are entitled to receive from all people who are responsible for caring for them. As a carer you are already part of a care team responsible for looking after a child or young person and their wellbeing. The introduction of the *Charter* will assist you by providing a tool to help the child or young person you are caring for understand their rights while they are living in Out of Home Care.

You can help the child or young person in your care by explaining the *Charter* in a way that they can understand and by helping them with any questions they may have.

WHY HAS THE *CHARTER* BEEN PUBLISHED IN DIFFERENT FORMATS?

Children and young people who were consulted during the development of the *Charter* requested that the rights outlined in the *Charter* be presented in a way that could easily be understood and accessed. This led to the *Charter* being developed and published in age appropriate formats for 0 – 6; 7 – 12; and 13 – 18 years. For the younger children, a picture booklet using simple words was developed. The booklet was designed with the idea that carers or workers could sit with children and assist them in understanding their rights and what this might mean for them. For older children and young people wallet size cards outlining their rights have been developed to carry around with them for easy access. It is intended that carers and workers would still be able to talk with children and young people to assist them in understanding the *Charter* and what their rights are.

So although the *Charter* is presented in specific formats for each age group, it is important to check with the child or young person their understanding of the *Charter* and answer any questions they may have.





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WILL I RECEIVE TRAINING IN IMPLEMENTING THE CHARTER?

Information forums are being provided by Learning and Community Education (LACE), the Department's training body, prior to the launch of the *Charter* and following the launch. These forums will be open to Department staff, Out of Home Care agency staff, foster carers, kinship carers, and all other professionals caring for or working with children and young people living in Out of Home Care in the ACT. The *Charter* will also be integrated into initial foster and kinship care training for new carers. Informal information sessions will also be conducted for children and young people following the launch.

WHAT DO I DO IF A CHILD OR YOUNG PERSON I AM CARING FOR SAYS THAT I AM NOT UPHOLDING THEIR RIGHTS?

Firstly, discuss with the child or young person their concerns. If you are still unsure, contact your Out of Home Care supervisor who may wish to seek advice from the child or young person's Care and Protection Services case worker. If you are a kinship carer, contact your Care and Protection Services case worker.

THE CHILD OR YOUNG PERSON I AM LOOKING AFTER IS RELATED TO ME. WHY HAS THE CHARTER BEEN SENT TO ME?

If your relative is the subject of a voluntary agreement or a shared/full parental responsibility order made by the ACT Children's Court and is living with you, he or she is considered to be living in Out of Home Care and so will be sent a copy of the *Charter* automatically. As a 'kinship carer' you will also receive information about the *Charter*.

WE HAVE CHILDREN OF OUR OWN AND ARE ALSO FOSTER/KINSHIP CARERS. HOW DO WE USE THE CHARTER?

The Rights in the *Charter* are things most of us take for granted within our families, including feeling safe and cared for, maintaining culture and religion, participating in decisions, and getting information and help when it's needed.

You might want to have a family discussion about the Rights in the *Charter*. You might decide to have a number of talks over a period of time, particularly if the children are younger. You can then talk about a few of the Rights each time.

Based on your knowledge of the individual children, you may decide to take a different approach. For example, it might be better to talk to the child or young person individually about the *Charter*.

If you are unsure about how to approach the discussion, or would like some more information about a particular Right, contact your Out of Home Care supervisor if you are a foster carer or the child or young person's Care and Protection Services case worker if you are a kinship carer.

WHAT ABOUT MY RIGHTS?

Your right to provide a safe and nurturing environment for a child or young person living in Out of Home Care is supported by your care agency and the Department. Your rights do not conflict with the child or young person's Rights as provided for in the *Charter*.

HOW CAN I GET EXTRA COPIES OF THE CHARTER?

Copies of the age appropriate publications of the *Charter* for children aged 0-6 and 7-12 will be sent to you prior to the launch to provide to the children in your care. Young people aged between 13-18 years will also receive their own age appropriate publication through the mail prior to the launch. If you require further copies for your own information or for other children in your care you can contact your Out of Home Care agency and/or your Care and Protection Services case worker.

If you or the young person in your care do not receive a copy of the *Charter* through the mail, please contact your Out of Home Care agency and/or your Care and Protection Services case worker to request a copy.

WHERE CAN I FIND MORE INFORMATION ABOUT THE CHARTER?

Any questions you may have prior to the launch on 27 November 2009 can be directed to Leeanne Maher, Senior Advocate, DHCS on 6205 4073. Following the launch you can phone the Children and Young Person COR Liaison Contact on 6205 2898 during normal business hours.

In the near future, the *Charter* will be available on the DHCS website at www.dhcs.act.gov.au

