



ChildProtectionPeak

Queensland Aboriginal and Torres Strait Islander
Community Controlled Child Protection

Active Efforts in Practice

Queensland Aboriginal and Torres Strait Islander
Child Protection Peak Limited

QATSI CPP Acknowledge the Traditional Custodians on whose land we walk, talk and do business. We acknowledge and pay our respects to the many Elders, past and present who have tirelessly paved the way, guided us and given us strength to draw on knowledge systems of growing up children and their connections to family, community, country and culture.

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Please note substitution of the term affirmative with purposeful.

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QATSIcPP Vision

All Aboriginal and Torres Strait Islander children and young people are physically, emotionally and spiritually strong; live in safe, caring and nurturing environments within their own families and communities; and are afforded the same life opportunities available to other children and young people to achieve their full potential.

Purpose of this guide

The purpose of this guide is to support best practice approaches for practitioners in the child and family wellbeing space and to remind them of the link between the theory of Active Efforts and their practice. This will be a practical resource that all practitioners working in Aboriginal and Torres Strait Islander Community Controlled Organisations can use for both practice and reflection.

This guide will:

- > provide an overview of Active Efforts
- > outline strategies to embed Active Efforts into current practice
- > give consideration to applying Active Efforts at the management and organisational levels

How to use this guide

This guide provides an overview of how Active Efforts can be embedded into your everyday practice so is designed to be flexible. It is not designed to be prescriptive rather, to complement the work and resources currently in this sector.







Active Efforts

Active Efforts are defined as purposeful, thorough, and timely efforts that are intended primarily to maintain or reunite an Aboriginal and Torres Strait Islander child with his or her family. The concept is derived from the Indian Child Welfare Act (2016) which aims to ensure safety and connection for Indigenous children in the United States. The Act came about as a means to address over-representation of Indigenous children in child protection in the United States.

Active Efforts is regarded as the “gold standard” in terms of what services should be provided for a child and their family when going through the child protection system. Efforts are tailored to circumstances of a case and includes access to comprehensive assessments, inviting representatives of the child’s family to participate in decision making, searching for extended family, having culturally appropriate family preservation strategies, keeping siblings together and having regular visits with custodians. Active Efforts also have a focus within the court space; Magistrates determine the quality of actions necessary to constitute Active Efforts and whether these efforts have been made or not.

In practice, Active Efforts begin the moment a family or individual reaches out to your service as well as if there is a possibility a child will be placed in out of home care. Active Efforts should be provided continuously throughout a case to help maintain or reunite families, to support a child to remain connected to community, country and culture regardless of the level of child protection intervention they are receiving/type of order and especially if entering permanency planning. Active Efforts require practitioners to acknowledge the traditional helping and healing systems of an Aboriginal and Torres Strait Islander child’s mob and use these systems as the foundation to support an Aboriginal and Torres Strait Islander child and family.

With these learnings, the intent and application of Active Efforts within the United States setting provides useful insight on how the concept can be embedded into the Australian child protection sector. The diagram on the following page breaks down how Active Efforts have been considered in the United States and how it could be applied in Queensland when working with an Aboriginal and Torres Strait Islander child and their family. The questions posed are for practitioners to ensure their actions empower a family in their journey.

Active Efforts in Context

When working with Aboriginal or Torres Strait Islander children and families, our work is underpinned by the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP), the QATSICPP practice standards and guiding principles, legislation, and children’s rights.

Successive governments have committed to strengthening their efforts to support Aboriginal and Torres Strait Islander children to live safely with their family and community. However, despite these commitments we continue to see our children and young people over-represented in child protection and youth justice systems. It is clear that we need stronger means to ensure adherence to the Aboriginal and Torres Strait Islander Child Placement Principle to change these outcomes.

Implementing Active Efforts into our work is another step towards self-determination and helps us to provide robust and rigorous means to ensure compliance with all five elements of the ATSICPP. It will assist us to ensure our families and children have increased levels of partnership and participation in the decisions that affect their lives, including ensuring their right to cultural connection and identity is maintained at all costs.

Despite substantive policy changes, over-representation has been a persistent issue. However, with a response dedicated to the standard of Active Efforts at practitioner, management and organisational levels, alongside strong collaboration with other providers, there is potential to improve these statistics for the children in the child protection system.





What kind of effort? Active efforts vs Reasonable efforts

“Active Efforts... refers to the amount of effort a social worker must devote to providing services to a parent in order to prevent state removal of an Indian child from parental care and to assist a parent rehabilitate so a child may be safely returned.”¹

“Reasonable Efforts... means those efforts made or services offered or provided by the county welfare agency or probation department to prevent or eliminate the need for removing the child, or to resolve the issues that led to the child's removal in order for the child to be returned home, or to finalise the placement of the child.”¹

As we can see from the two definitions above, ‘reasonable efforts’ represents services, actions and engagement a practitioner would have with a family which is routine everyday practice, whereas ‘Active Efforts’ is of a higher standard, it denotes a rigorous and concerted level of casework that actively engages the family throughout the case. We encourage practitioners to exercise Active Efforts in daily practice to allow for the best possible outcomes for a child and their family, this also helps to embed these actions as best practice.



¹Edwards (2015).



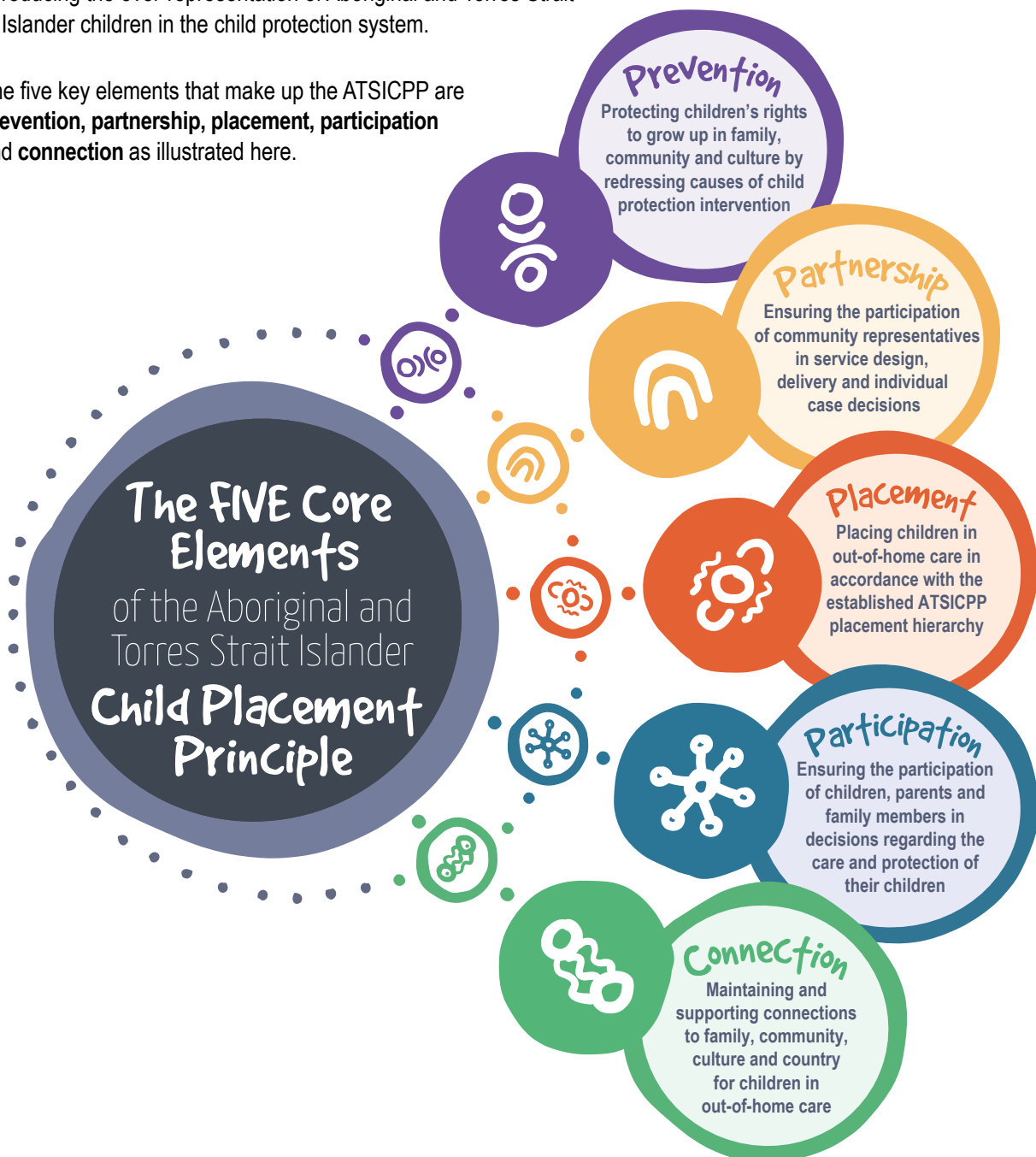
ATSICPP

The purpose of the ATSICPP is to preserve and enhance an Aboriginal and Torres Strait Islander child's sense of identity by maintaining connections with their family, community, culture and country. It recognises that self-determining communities are essential to supporting and maintaining those connections.

The aims of the principle include:

- > recognition and protection of the rights of Aboriginal and Torres Strait Islander children, family members and communities in child welfare matters
- > self-determination of Aboriginal and Torres Strait Islander people in child welfare matters
- > reducing the over-representation of Aboriginal and Torres Strait Islander children in the child protection system.

The five key elements that make up the ATSICPP are **prevention, partnership, placement, participation** and **connection** as illustrated here.





QATSICPP Practice Standards

Based on legislation, the QATSICPP practice standards guide our intent and expectations on how we work with children, their families, carers, and other agencies. It builds on the ATSI CPP and was established in the belief that children are best cared for within their own Aboriginal and Torres Strait Islander families and communities. The practice standards remind workers of the links between theory and practice and apply to all Aboriginal and Torres Strait Islander child and family support services.

The following standards provide guidance to organisations and staff in putting the framework into practice across the key phases of working with children and families:

1. Engaging the child and family

Working with Aboriginal and Torres Strait Islander families and communities. This part has a focus on understanding the historical and intergenerational impacts on Aboriginal and Torres Strait Islander children, young people, and their families; engagement and building effective working relationships.

2. Identifying the storyline

This section focuses on assessing underlying needs, identifying strengths, developing plans and setting clear goals.

3. Changing the storyline

Working towards goals. This area focuses on providing support and resources to families to assist in working towards the goals that have been identified.

4. Establishing a new storyline

Families are safe, strong and connected. A new storyline is established when the goals are achieved, and the family are connected to support networks in the community.



Active Efforts in Practice



Active Efforts in Practice

Active Efforts enable the safety and wellbeing of Aboriginal and Torres Strait Islander children and offers guidance for the best possible and most effective case outcomes for a child and their family. Active efforts are defined through purposeful, thorough, and timely effort so when applying Active Efforts, four fundamental values and beliefs guide our work in practice. These values and beliefs are:



Children

- Children have a special place within family and community. Children are central to life and culture.



Culture and tradition

- Culture and tradition connect children to their family and community and can provide them with a sense of belonging and identity. Strengthening connections to culture and tradition is therefore central to protecting children and families, promoting cultural safety and ensuring healthy children, families and communities. The diversity of Aboriginal and Torres Strait Islander cultures and traditions is acknowledged and respected.



Family

- Families and communities are responsible for 'growing up' children and ensuring they are safe and well and defining how they are connected. Supporting families and communities to care for their children will protect future generations from the devastating effects of removal from family, community, culture and country because it recognises a child's intrinsic connection to their extended family.



Self-determination

- Aboriginal and Torres Strait Islander peoples are responsible for the safety and wellbeing of children and families. They are best placed to understand matters directly affecting their children, families, and communities so must therefore use all available resources to exercise their responsibilities and take control over addressing these matters.

Active Efforts are the means to realise our values and ensure our families are supported to participate and develop their own solutions to the highest levels. The above values and beliefs are well embedded in the Active Efforts standard and should continue to be embedded in best practice for all practitioners.

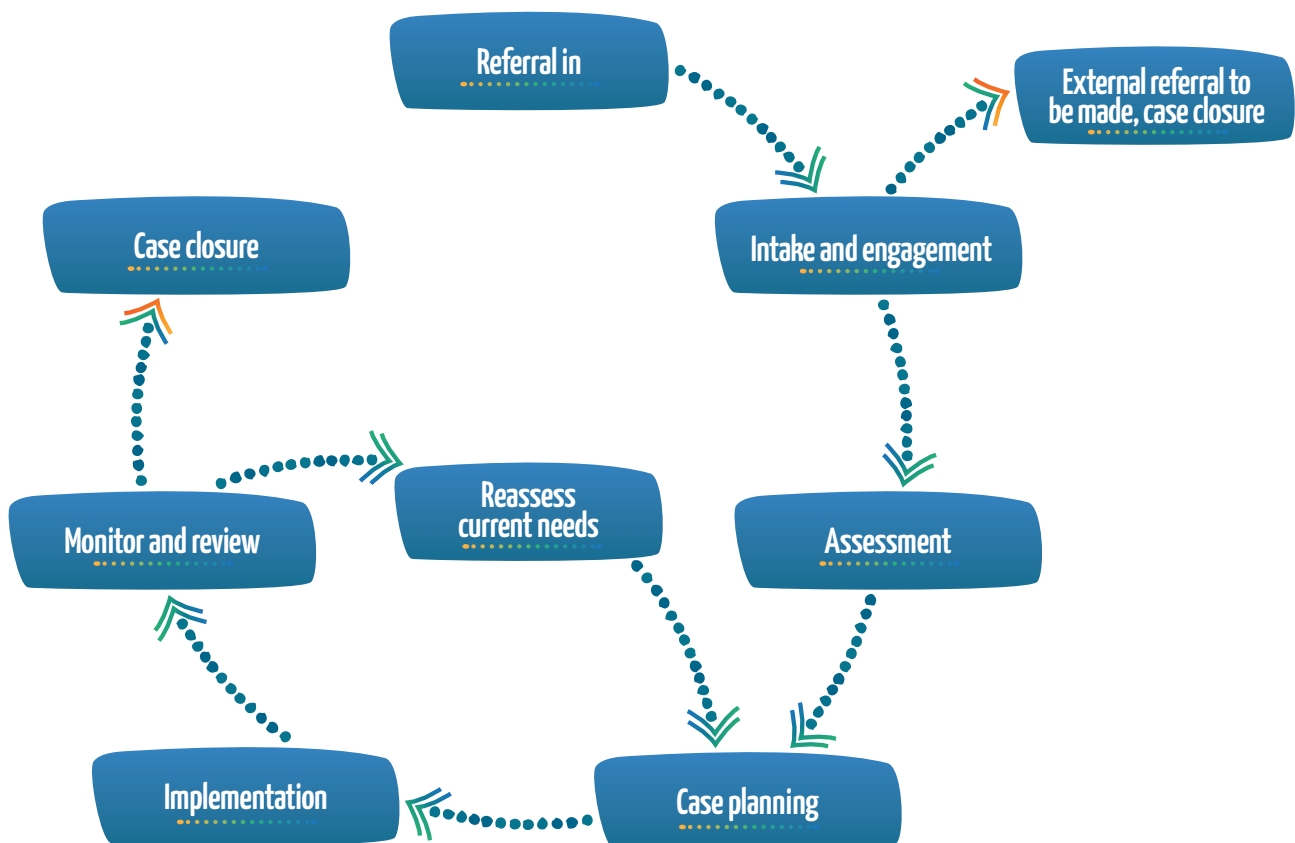


Case Management Flowchart

As a practitioner, it is useful to visualise the case management process to reflect and determine the direction of your work and what stage the case is currently in. Significant decisions need to be made at many stages of a case however, below we take note of two key stages in the process of case management flow:

- **Accepting or declining a referral:**
 - > if accepted, there is a continuation of care/case management.
 - > if declined, the appropriate referrals for ongoing support for the family are completed.
- **Monitoring and reviewing a case:**
 - > if all tasks and actions are complete then the case can be closed.
 - > if reassessment of current needs identifies further work, case management continues.

The flowchart below demonstrates the process, from intake through to closure and the key stages where decisions need to be made about ongoing management of a case.





Strategies for embedding Active Efforts

The following table provides an overview of strategies that can be undertaken to achieve Active Efforts in practice and how it is embedded into the ATSICPP and practice standards. Please note that Active Efforts are ongoing and not limited to what is presented here but the use of these tables and resources can be utilised to promote and reflect on best practice in the sector. Reflective practice prompts and an example of a checklist have been provided for your reference to assist in applying Active Efforts and these can be found in Appendix A and B respectively.

Practice Considerations		Active Efforts	Alignment to:	
			QATSICPP Practice Standards	ATSICPP
Intake and assessment	Initial engagement	- Meet with the child to hear and record their views, wishes and needs to ensure the child's voice is heard. - Meet with families in a culturally safe space. - Introduce services to family in a way that is best suited for them. - Provide opportunities for the child and family to participate. - Clear communication around service provision and limits.	1, 2	 
	Cultural identification	- Always determine whether the child and family are of Aboriginal and/or Torres Strait Islander background. - Establish who the child and family would like to be present when significant decisions are being made. - Revisit cultural heritage as some families do not identify as Aboriginal and or Torres Strait Islander at initial contact.	1, 2	 
	Information gathering	- Take the time to understand the family's perspective. - Ensure referral information is comprehensive. - Apply a strength based and culturally appropriate lens to engaging with the child and family. - Identify the best way of having contact with the family. - Be respectful of extended family dynamics. - Conduct a holistic assessment of the child's needs. Take the time to ensure everyone is comfortable and can share their views. - Gather information that assesses family strengths and supports. - Identify the child and family's needs, history, and past trauma to support healing options for the child and family, such as referrals to culturally appropriate, trauma-informed services.	1, 2	  



Practice Considerations		Active Efforts	Alignment to:	
			QATSICPP Practice Standards	ATSICPP
Timeframes	Engagement of child and family	- Respond to referring agency within 48hrs. - Allocation of referral within 7 days. - Initial engagement with child and family within 48hrs of allocation. *Please note – it is best to confirm with your organisation your engagement timeframes.	1, 2, 3, 4	  
	Actioning tasks	- Completed as soon as reasonably possible. - Acknowledge whether tasks can/cannot be completed as requested and undertake measure to address this. - Clearly outline who is responsible and accountable to significant tasks. - Right referral at the right time – ensure there is no delay in referrals.	1, 2, 3, 4	 
	Expected completion date	- Ensure timeframe is realistic from intake through to case closure. - Ensure there is flexibility with timeframes and based on current circumstances.	1, 3, 4	

Engagement	As an advocate	- Advocate on behalf of the family with decision makers where you think the child and/or families voice isn't being heard. - Ensure the relevant parties are at the table for significant decisions. - Advocate for the right assessments to ensure children are receiving the right service. - Empower the child and family to participate and communicate freely. - Voice concerns to leadership teams when you have concerns over practice of a particular team or individual. - Involve staff and services with a well-developed cultural lens. - Encourage the family to voice their right to self-determination.	1, 2, 3, 4	    
	With child and family	- Engage in honest conversations – discuss what works and doesn't work for them. - Build relationships over time through consistency, honesty and working with respect to develop trust with the family. - Clearly communicate to the family the type of support that the service can provide. - Focus on supporting family engagement with no surprises and the goal posts are not constantly moving.	1, 2, 3, 4	  





Practice Considerations		Active Efforts	Alignment to:	
			QATSICPP Practice Standards	ATSICPP
Engagement	With child and family ...continued	- Ensure information provided to the family and other services is clear. - Regularly check the child and family understand what is happening.	1, 2, 3, 4	
	Family is starting to disengage	- Determine what assistance can be supported through another provider. - Consider the power and influence different family members have and how this can impact on discussions. Certain family members may have decision-making responsibilities for the family and can offer a plan of action to bring the family together. - Provide honesty and transparency about the impacts and consequences for the family should disengagement continue.	1, 2, 3, 4	   
	Family is completely disengaged	- Determine if any assistance can be supported through another provider to encourage re-engagement. - Communicate to the family through various mediums about the support that can be provided. - Communicate to the family support is available when they are ready to re-engage and provide relevant contact details.	1, 2, 3, 4	  
	With providers	- Ensure conflicts of interest are declared and managed. - Uphold confidentiality and transparency with information sharing. - Voice concerns if there are issues over the practice of a particular individual or service.	2, 3	  

Service delivery	Planning	- Apply a strengths-based, culturally appropriate lens to current and past family history of trauma. - Provide opportunities for the child and family to participate by empowering them with the knowledge of processes and requirements of the statutory system i.e., providing voice and choice. - Have a focus on the family's strengths and skill-building to set the family up for success and provide strength-based solutions to support safety and determine what the family has done to be protective so far. - Develop quality case plans with the family that includes connections to culture and family.	1, 2, 3, 4	    
	Implementation	- Regular review of how the ATSICPP has been implemented. - Facilitate a high level of participation from the family by ensuring culturally safe language and meeting spaces, transport and travel needs and timing of visits.	1, 2, 3, 4	



Practice Considerations		Active Efforts	Alignment to:	
			QATSICPP Practice Standards	ATSICPP
Service delivery	Implementation ...continued	- Embed the goals of the young person into practice to ensure connections to family, community, culture and country are maintained. - Confirm an Independent Person for the child and/or family. Revisit regularly if not made at initial contact to ensure child and family participation. - Actively assist the child and family to access the necessary supports and services, including financial and transportation assistance. - Be flexible with support options – should difficulties be identified, work to identify other options. - Provide opportunities for a child to create meaningful connections to culture i.e., introduction to totems, lore, genograms, history, and participation in cultural programs. - Ensure the right referral at the right time so that families are supported to continue in their journey without us. - Refer to the Family Participation Program or the Family Wellbeing Service to support the child and family and for identification of kin through Family led Decision Making. - Refer to Aboriginal and Torres Strait Islander Kinship Care Services to assess and provide support to be placed with kin and where kin are identified, children are placed with them as soon as possible. - Continuously seek to move children up the placement hierarchy and ensure the assessment of placement options have been exhausted in order of the placement hierarchy. - Complete a thorough review of carer commitment, capacity, and capability to uphold child's needs including connection to family, community, culture and country. - Verbal handover is encouraged when making referrals to services. If unable to, ensure referrals are elaborate and relevant information is included.	1, 2, 3, 4	    
	Practice panels	- Ensure cultural and family information is correct. - Review how the ATSICPP has been implemented. - Regularly review all placements where children are placed with non-Indigenous, non-kin placements and advocate for children to be placed with family. - Ensure case consultations occur between and within services. - Provide constructive feedback noting challenges, constraints, and successes within a case.	2, 3, 4	    
	Reporting/ Record keeping	- Information is recorded factually without bias or assumption. - Inclusion of how best to contact the family/kin/Independent Person and their engagement style. - Information includes all attempted contacts, practice panel recommendations, termination of services or support, cultural care plans, genograms, and other relevant documents.	1, 2	





Practice Considerations		Active Efforts	Alignment to:	
			QATSICPP Practice Standards	ATSICPP
Professional Development	Reflection	- Completion of an Active Efforts checklist and reflective practice tool. - Regular reflection on practice and performance with self and supervisor, reviewing each case across all 5 elements of the ATSICPP. - Acknowledge areas of strength and development and implement further into practice or identify further training to improve practice. - Participate in self-care to address potential burnout and to improve overall wellbeing while working in the child and family wellbeing space.		
	Supervision	- Transparency and honesty around current workload capacity. - Identify and access appropriate support at the right time. - Access supervision when needed, even if outside of scheduled sessions.	1, 2, 3, 4	





Overview of Active Efforts in practice

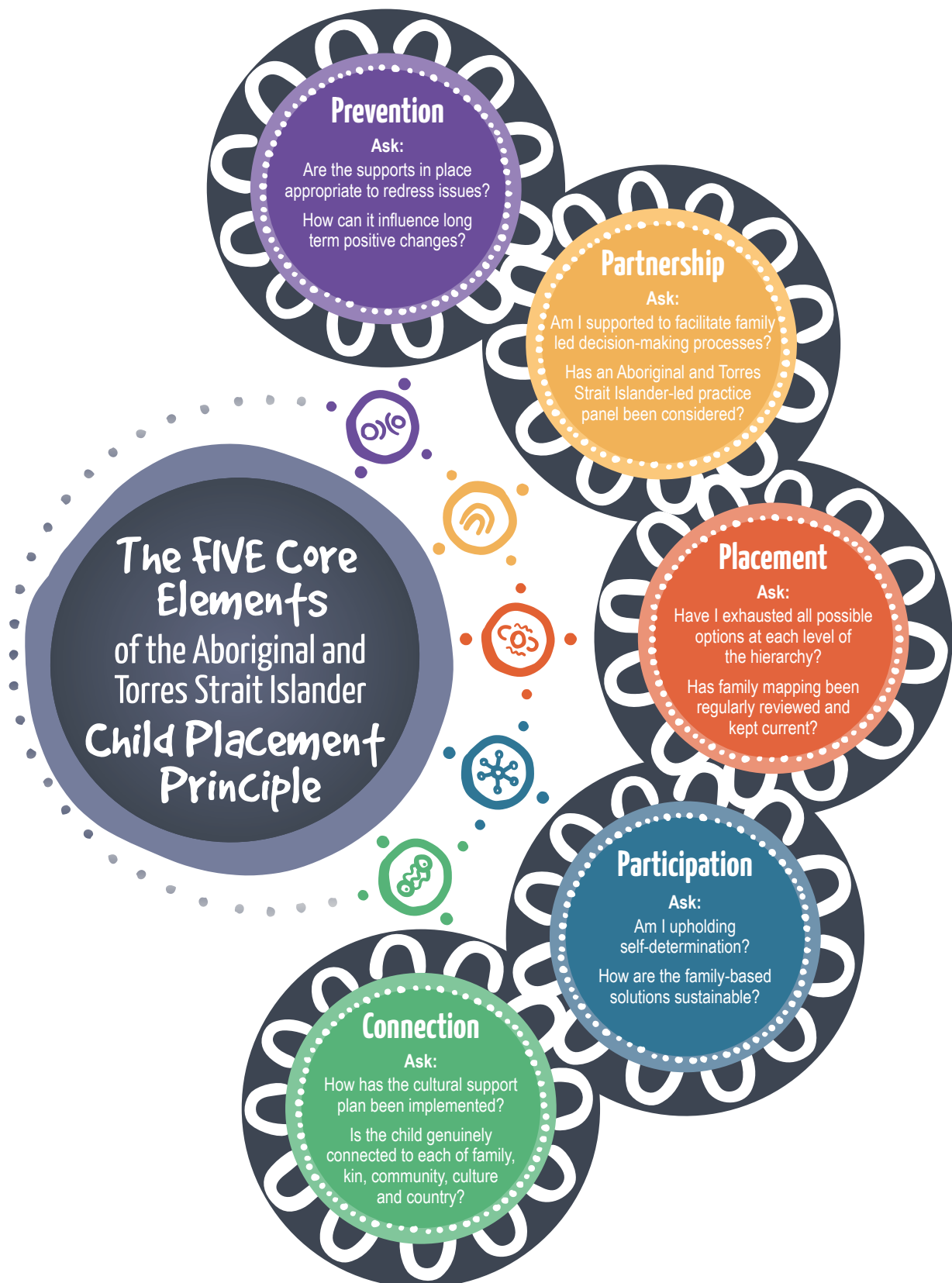
The information from the strategies table has been condensed into the diagram below. The diagram can be used as a reference as it provides an overview of each practice consideration, and the questions practitioners can ask of themselves to determine what Active Efforts have been offered in their case management.





Overview of Active Efforts in the ATSICPP

The consideration of the ATSICPP is fundamental throughout the case management process and the practice prompts, for each of the elements in the diagram below, can assist practitioners to actualise their Active Efforts.





Consideration of Active Efforts at management and organisational level

While the primary focus of Active Efforts lies with practitioners within case management, the consideration of Active Efforts at management and organisational level is also needed. This is to ensure the policies, processes and resources are afforded to a level where practitioners can provide Active Efforts to all Aboriginal and Torres Strait Islander children and families within their service. The following table provides an opportunity for service providers to begin conversations around how they envision Active Efforts to be implemented across their management and organisation.

System level consideration		Active Efforts
Intake and assessment	Management	- Ensure referrals have quality information. - Advocate for staff if information from service providers is consistently omitted. - Regularly review capacity to accept referrals and staff can efficiently complete casework. - Ensure evidence of how the ATSICPP was implemented from the referring agency is recorded.
	Organisational	- Host community forums and workshops to promote the service within community and other organisations.
Timeframes	Management	- Recognise and redress unrealistic timeframes set by external services.
	Organisational	- Assess the capacity of staff to undertake work within requested timeframes.
Engagement and Service delivery	Management	- Advocate for staff when they have concerns over the practice of particular child safety teams or individuals. - Acknowledge and address constraints associated with referral intake, access to service and service delivery. - Review implementation of the ATSICPP in case reviews. - Have transparent conversations with staff around service delivery issues, caseload impacts and funded contract expectations. - Ensure relevant resources are available to carry out programs and services.
	Organisational	- Systematically promote programs and services to external organisations. - Ensure details on how to access programs and services are understandable. - Seek other sources of funding for cultural programs to support the Connection principle for children. - Regular review of processes and forms utilised by workers to ensure quality information. - Sustain working relationships through collaborations and partnerships with external organisations. - Review funding for geographical constraints. - Review recruitment processes – a high standard of practitioner skills, knowledge and innovation demonstrates a commitment to providing a high-quality service. - Record outcomes of cases within the service.



System level consideration		Active Efforts
Professional development	Management	- Make professional supervision a priority with clear expectations around purpose and needs. - Consider burn out and personal issues of staff.
	Organisational	- Following staff induction, facilitate ongoing training re programs, services, and processes. - Ensure training around culturally responsive service includes location specific history, trauma, appropriate healing support, and cultural protocols. - Consideration of funding for PD outside of professional supervision. - Ensure quality supervision is taking place and monitor how this is captured.





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Further support

Resources for Active Efforts are available online through QATSICPP and SNAICC. Alternatively, make contact with the team at QATSICPP for further support.

qatsicpp.com.au/our-work/practice-resources

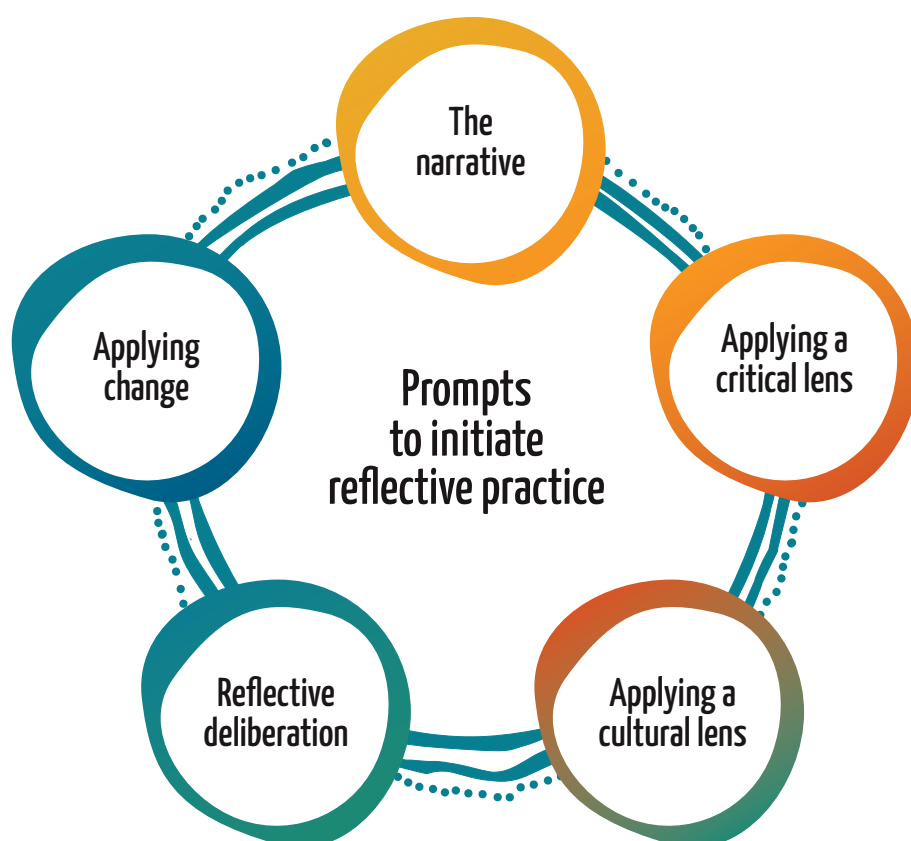
snaicc.org.au/about/contact



Appendix A - Reflective Practice Prompts

Often when you reflect on why things happened, you may see there are things that relate to what you did or did not do. Stepping back and reflecting on what happened and identifying possible ways for improving your practice ensures quality standards are upheld.

Below are recommended areas for reflection that have been inspired from Indigenous reflective practice frameworks in Australia and New Zealand. A brief overview has been provided for each area and practitioners are encouraged to posit questions regarding their practice using the information as prompts.



The narrative

A brief description of the case for reflection, noting areas you would like to focus on.

Applying a critical lens

Identify, critique and question the quality of the work you completed, what challenges you faced and what things could have been done differently to improve the outcomes of the case.

Applying a cultural lens

Review your actions around cultural issues within the case, how you demonstrated cultural humility and adherence to the ATSICPP.

Reflective deliberation

Reflect on your feelings around the decisions made, the support you received and what areas of practice may need improvement. This area is being honest about your experience and finding solutions to challenges.

Applying change

Determine how future cases could be influenced by your reflections above. Identify how you can continue to embed cultural humility and Active Efforts in your practice and what actions you need to take for continual self-reflection.





Appendix B - Example of Active Efforts Checklist

Active Efforts to maintain or reunite an Aboriginal and Torres Strait Islander child with his or her family were provided as follows:

A holistic assessment was completed and included details around physical wellbeing, social and emotional wellbeing, cultural connections and family dynamics.

☐ ☐ Describe your actions or explain why not conducted:

The cultural identity of the child and family are confirmed and accurate.

☐ ☐ Describe your actions or explain why not conducted:

Family and kinship mapping and genograms are complete.

☐ ☐ Describe your actions or explain why not conducted:

An Independent Person was nominated by the child and/or family.

☐ ☐ Describe your actions or explain why not conducted:

Frequent and consistent visits occurred between the child and family/kin as appropriate.

☐ ☐ Describe your actions or explain why not conducted:

A quality cultural case plan was developed and implemented.

☐ ☐ Describe your actions or explain why not conducted:

The application of the Aboriginal and Torres Strait Islander Child Placement Principle has been regularly reviewed and continuing to be complied with for this child.

☐ ☐ Describe your actions or explain why not conducted:

A practice panel has reviewed this case and recommendations are complete.

☐ ☐ Describe your actions or explain why not conducted:

The participation of family/kin was explored, requested, and supported providing voice and choice for the family.

☐ ☐ Describe your actions or explain why not conducted:

Culturally appropriate services were offered to the child and family including support for assistance such as transport, care arrangements and specialised services.

☐ ☐ Describe your actions or explain why not conducted:





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