Queensland Aboriginal and Torres Strait Islander
Community Controlled Child Protection

Definition and Standards

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Queensland Aboriginal and Torres Strait Islander
Child Protection Peak Limited

contents

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> "Community Control in the Child Protection Sector provides 'Cultural Standards of Care' of our past history issues that related to the inequalities of separating our families from our language, culture and telling our stories. Sweat, persistency and tears from preceding Elders and the tireless work of organisations ignites responsibility in ALL Aboriginal and Torres Strait Islander peoples to determine our prevention and intervention decision-making within the Child Protection Sector in relation to our families. Our Aboriginal and Torres Strait Islander Community Controlled Child Protection sector is determined with a transparent responsibility to enhance new story lines and new ways of caring for; and keeping our mob together; and our children safe."
>
> (IFACSS, 2016)

Queensland Aboriginal and Torres Strait Islander Community Controlled Child Protection
DEFINITION AND STANDARDS OVERVIEW

Queensland's Aboriginal and Torres Strait Islander Community Controlled Child Protection definition and standards seek:

• to achieve consistency within the Queensland Aboriginal and Torres Strait Islander Community Controlled Child Protection sector

• provide a framework to support children, families, communities and organisations to ensure their children are safe in culture and not in care

• preserve the intent of community control as a concept and core mechanism for self-determination

• provide a clear, standardised definition of Aboriginal and Torres Strait Islander community control and community controlled services, operating in a contemporary child and family wellbeing context.

Queensland's Aboriginal and Torres Strait Islander Community Controlled Child Protection Definition and Standards honour the commitment and passion of Elders, past, present and emerging, to ensure our children are safe in culture.

The redefining of Aboriginal and Torres Strait Islander Community Control has been guided by community input and knowledge and endorsed by the Queensland Aboriginal and Torres Strait Islander Community Controlled Child Protection sector.

The redefining of Aboriginal and Torres Strait Islander Community Control acknowledges the two distinct cultures that are impacted by the current definition, Aboriginal peoples and Torres Strait Islanders.

The definition and standards have been built on the Queensland Aboriginal and Torres Strait Islander Child Protection Peak (QATSICPP) Practice Standards by engaging the child, family and community, identifying the storyline, changing the storyline, and establishing a new storyline. Furthermore, there was a strong influence of the Aboriginal and Torres Strait Islander Child Placement Principle, which is considered by QATSICPP to be the cornerstone of contemporary policy and the practice in promoting safety and rights of Aboriginal and Torres Strait Islander children. For the Aboriginal and Torres Strait Islander Community Control definition and standards to be influenced by the QATSICPP Practice Standards and the Aboriginal and Torres Strait Islander Child Placement Principle, the definition and standards seek to ensure Aboriginal and Torres Strait Islander children are afforded the opportunity to be raised, safely by family, with strong, enduring connections to kin, country and culture.

The definition seeks to provide a point of truth and authority, as to what constitutes Aboriginal and Torres Strait Islander Community Control and Community Controlled Services. The established standards outline expectations and accountabilities with regards to governance and the design and delivery of services for Aboriginal and Torres Strait Islander children, families and communities.

It is our contention, that these standards must also apply in the development of policies, both at a local level and in the role of government. For this to occur, government must recognise Community Control as not only an instrument of self determination, but as the key mechanism to achieve transformational change, in areas of policy development that disproportionately, and most profoundly impacts upon Aboriginal and Torres Strait Islander children and their families.

The commitment of government to self determination, recognises the definition and standards presented herein, recognises the unique role and legitimacy of Aboriginal and Torres Strait Islander community controlled services operating within the Queensland child protection and child and family wellbeing context, without limitation to the provision of primary health services.

To achieve holistic wellbeing, the definition and standards reflects the diversity of service types that are necessary to address the complexity of needs across multiple indicators of disadvantage.

The QATSICPP definition and standards do not seek to displace or dilute the nationally recognised National Aboriginal Community Controlled Health Organisation's (NACCHO) definition of Community Controlled Health Organisations, but builds upon its core elements, inclusive of service types that exist outside of the primary health sector.

The definition and accompanying standards are to be used as a guide for Aboriginal and Torres Strait Islander children, families, communities and organisations to develop and sustain culture and governance, ensuring primary accountability of services to the children, families and communities on whose authority they exist and operate.

The Queensland Aboriginal and Torres Strait Islander Community Controlled Child Protection Definition and Standards are aligned with the QATSICPP Practice Framework and Standards. Collectively, they form a suite of resources to promote self determination and practice excellence in the interests of Aboriginal and Torres Strait Islander children, families and communities.
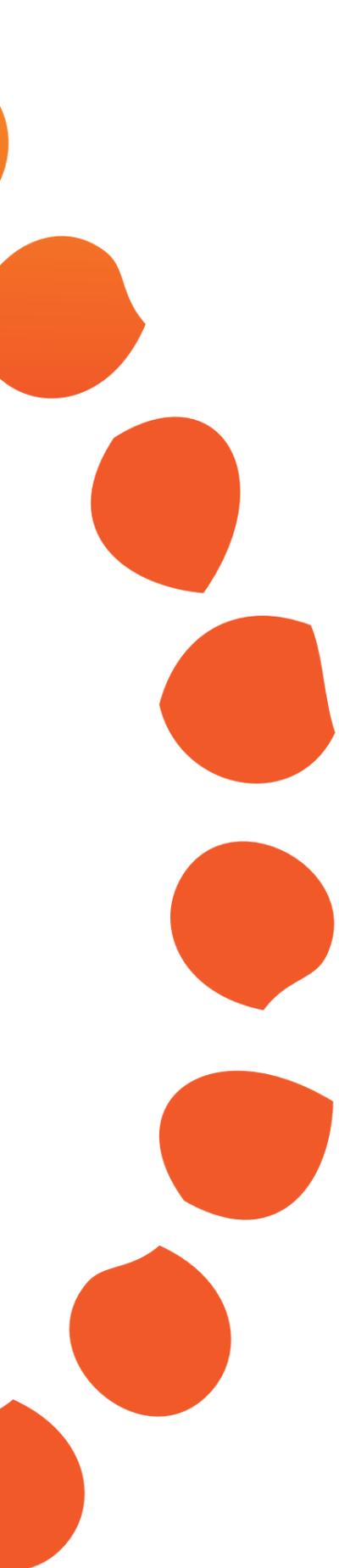
Vision for our children is -

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.

GUIDING VALUES AND BELIEFS

The values and beliefs which guide our work include -

Children

Children have a special place within family and community.

'The destiny of a nation will unfold once we can see the potential in all of our children. As parents, as peoples we are the guardians of the future through infant dreaming. Children have a right to live out their story as it should be. Protected, nurtured yet free to dream dreams and achieve brilliance'[1]

Children are central to life and culture.

Family

Families and communities are responsible for 'growing up' children, 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.[2]

Culture and tradition

Culture and tradition connects children to their family and community, providing 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.

Self determination

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

"The destiny of a nation will unfold once we can see the potential in all of our children. As parents, as peoples we are the guardians of the future through infant dreaming. Children have a right to live out their story as it should be. Protected, nurtured yet free to dream dreams and achieve brilliance."

1 Dr Helen Milroy
2 SNAICC

PRACTICE **PRINCIPLES**

The principles informing our practice include -

SAFETY AND WELL BEING

The safety and the well being of children and young people are paramount in any decisions and actions about their protection and care. Safety and well being is concerned with the physical, emotional, developmental, cultural and spiritual needs of children and young people.

The safety and well being of children and young people are best secured within their own family, community and culture.

Where children and young people are unable to be safely cared for by their parents, their connection to family, community and culture will be maintained and strengthened.

STRENGTHS BASED

The intrinsic individual and collective strengths of families and communities in nurturing and caring for children are acknowledged and used as a foundation for promoting the safety and well being of children, and strong families.

PARTICIPATION

The voices of children, young people and their families will be actively sought and respected in all decisions affecting them.

CULTURALLY SAFE

Children's and families' culture will be honoured and respected in all aspects of practice and service delivery.

Children's and families' attachment to community, country and culture will be recognised and actively facilitated.

HOLISTIC

Children will be protected and cared for when parents, families and communities are physically, emotionally, culturally and spiritually strong.

Responses to child abuse and neglect will recognise the impact of trauma, poverty and structural inequality on parents, families and communities.

Responses to trauma caused by the legacy of colonisation and the forced removal of children from their families, and the continuing disruption of connections to family, community and culture are best underpinned by a healing approach.

PARTNERSHIP

Parents', families', communities' and services' shared responsibility for ensuring children's safety and well being will be recognised and actively facilitated.

Services will work together with parents, families, communities and other organisations to promote children's safety and well being.

KNOWLEDGE

Knowledge from a range of sources influences how children and families are engaged and supported. Staff draw upon:

Personal knowledge - their lived experience and life stories.

Children and family knowledge - the knowledge and experience of children and families.

Cultural knowledge - their knowledge of culture and tradition.

Professional knowledge - theories which help explain human behaviour and change, and practice experience and wisdom gained on the job.

Research or empirical knowledge – current and emerging research base for practice.

OUTCOMES

Children

Children are safe from physical, emotional, psychological and cultural harm, are cared for and nurtured.

Children are connected to their family, community, country and culture.

Children are physically and emotionally healthy, enjoying learning and proud of who they are.

Where families are unable to provide safe, secure, nurturing and culturally supportive care to their children, an appropriate alternative environment is secured to meet their needs.

Families

Families are strong and can provide a safe, secure, nurturing and culturally supportive home for their children.

Families are connected to their community, country and culture.

KNOWLEDGE AND INFLUENCE OF STANDARDS

The Aboriginal and Torres Strait Islander Community Controlled Child Protection definition and standards are strongly influenced by the knowledge and leadership within communities and by true and effective community engagement.

Leadership

Leadership in Queensland's Aboriginal and Torres Strait Islander Community Controlled Child Protection sector is valuable in providing guidance to organisations, communities, families, young people and children. Leadership acknowledges the past and seeks better outcomes for future generations.

Leadership in the sector acknowledges and encourages emerging leaders and provides mentoring for young people and children to actively and positively create their own paths whilst facilitating the emergence of proactive and positive leaders in their community and country.

Good leadership qualities include, integrity, credibility, community knowledge, strength, the ability to know when you are wrong, and leading by example. These qualities underpin the standards by which an organisation, including its Board of Directors, are guided.

It is mandatory for organisations and the Board of Directors to uphold and maintain good leadership qualities and provide pathways for emerging leaders in the form of mentoring and leadership workshops where necessary.

Community Engagement

Community engagement is paramount for any organisation and Board of Directors. It should include a tool (i.e pathway) for community members to provide feedback with confidence in privacy.

Community engagement must be embedded in the organisation to ensure families, young people and children are actively participating in the planning, development and delivery of services and have their voices heard. This promotes good governance and strengthens partnerships as well as identifying emerging leaders.

ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITY CONTROL

Intent

The following statement of intent was developed in partnership with the Queensland Aboriginal and Torres Strait Islander Community Controlled Child Protection sector, to underpin all work undertaken during the project and to stand as a point of truth in shaping the final definition of community control and community controlled child and family services in Queensland, by preserving the intent of Aboriginal and Torres Strait Islander community control and honouring the legacy of its evolution as an instrument of self determination for first nations people in Australia.

'Community control is the local community having control of issues that directly affect their community, independent of government bodies. Aboriginal and Torres Strait Islander people must determine and self-manage the standard of child protection issues, taking into consideration cultural protocols and community beliefs when caring for and protecting our children. Aboriginal and Torres Strait Islander people must determine and control the standards/requirements of families, carers and care givers when caring for and protecting our children (i.e. blue card and social assessments). Aboriginal and Torres Strait Islander peoples must determine and self-manage our kids when in the criminal justice system and government interventions. The government must trust Aboriginal and Torres Strait Islander peoples to be self determinant and sustainable. This will allow Aboriginal and Torres Strait Islander people to control governance and community affairs."

Queensland Aboriginal and Torres Strait Islander Community Controlled Child Protection Sector Definition

Community Control means:

(a) the empowering of a community through the adoption of appropriate organisational structures which enable all Aboriginal and Torres Strait Islander people in the local community the opportunity to be represented as members and to be involved in the decision making process and, therefore, the right to participate and contribute to the goals, structure and operations of the local community's services; and

(b) responsibility and accountability to the community having regard to local cultural perceptions and imperatives.

Aboriginal and Torres Strait Islander Community Controlled Service

OR

Aboriginal and Torres Strait Islander Child Protection Agency means:

An incorporated Aboriginal and/or Torres Strait Islander organisation, board of management elected by a local Aboriginal and Torres Strait Islander community membership and which:

(a) actively provides culturally appropriate child protection, statutory services, alternative care, family support, residential care, kinship and foster care and related services to the community which it services; and

(b) has rules preventing the distribution of property to individual members of the organisation.

Standards

The following standards provide guidance to implement quality governance processes in line with the intent expressed herein. Accordingly, leadership and community engagement are fundamental to this approach.

STANDARD 1: Good Governance

STANDARD 2: Membership

STANDARD 3: Practice

STANDARD 4: Cultural Safety

STANDARD 5: Partnerships

STANDARD 1: Good Governance

OUTCOMES

Strategic direction is provided by Board of Directors.

Board of Directors are represented with at least 75% Aboriginal and Torres Strait Islander participants.

Ethical measures are taken to ensure the affiliated organisation is best placed promote the safety, wellbeing and best interests of Aboriginal and Torres Strait Islander children and families.

Board composition to be of high standing.

CONTEXT

The Board of Directors is charged with providing strategic direction to its affiliated organisation, membership and wider community rather than operational duties.

The Board of Directors should be elected with a representation of at least 75% Aboriginal and Torres Strait Islander peoples from the community as nominated and elected by the community.

The Board of Directors to be trained and governed by a Board of Directors Charter that is consistent with the affiliated organisation and community to ensure strategic direction is best placed and used to ensure the safety of Aboriginal and Torres Strait Islander children, young people and families.

Quality assurance checks to be undertaken with Board of Directors annually and/or when necessary.

PRACTICES Organisations and/or Board of Directors will:

• Develop and implement a Board of Directors Charter consistent with the organisation and community vision and values pertaining to child protection and cultural safety.

• Provide Directors with an up-to-date Organisation Constitution to be able to fulfill their responsibilities and fiduciary duty to meet the values and needs of their organisation and community.

• Adhere to [provided] training to understand the difference between providing strategic direction as opposed to operational input.

• Be skills based and provide expert knowledge in their field.

• Encourage participation of both elders and young people (18+) on the Board of Directors. This assists in both retaining cultural authority and wisdom and ensuring that young people, and the contemporary challenges that they face, are represented. These strategies can be optimised through a commitment to identifying and supporting (through, for example, mentoring) emerging local leadership.

• Adhere to the Board of Directors Charter and ensure compliance and good practice to the organisation, which includes: ethical standards in the community; conflict of interest to avoid nepotism; confidentiality; transparency; accountability; and open communication which goes down and upwards.

• Mandatorily exclude employees of the organisation and direct family members of either employees or other Board members (i.e. siblings, parents, first or second cousins, nieces and nephews from direct siblings) from being on the Board (at the same time), where possible.

• Mandatorily ensure the Board of Directors is gender balanced, with no more than a 60:40 ratio.

STANDARD 1: Good Governance *continued*

• Engage with staff to understand the operational needs of the organisation (i.e. lunch or morning tea with staff).

• Be consistent with the Board of Directors' Charter to ensure a 75% Aboriginal and Torres Strait Islander representation on the Board. This will [also] be reflected in the Organisation Constitution.

• Undertake annual reviews to ensure the Board of Directors are providing leadership in pursuing the organisation's strategic directions and priorities, and in a manner that is congruent with the values of the organisation and consistent with expectations of their community, and are working towards the organisational values and community needs.

• Ensure the Board of Directors is based on geographical location and local to the community (inclusive of regional organisations or have a demonstrated, enduring connection to the community).

• Be appropriately positioned to promote the objectives of the company and advocate the needs and aspirations of the community, including self-determination.

• Work in accordance with the Aboriginal and Torres Strait Islander Child Placement Principle, inclusive of all five (5) elements, which provides a framework for ensuring the delivery of substantial and real outcomes for the community.

• Support the adoption of the QATSICPP Practice Principles and adherence to standards across all levels of the organisation.

• Participate in QATSICPP Practice Resource training/workshops.

• Mandatorily obtain and provide a positive Queensland Blue Card and provide updated details upon commencement and expiration of said Blue Card, which will be reflected in a Board of Directors register.

• Mandatorily provide consent for the organisation to obtain and provide a national criminal history check (either upon commencement or currently serving). Upon receipt of the national criminal history check, a Director will not be eligible (instantly) to serve or represent the organisation on the Board of Directors if crimes relate to misuse of funds, sexual violence, physical violence (inclusive of domestic violence) or crimes against children and animals.

STANDARD 2: Membership

OUTCOMES

Membership drives to be annual.

Members Charter to be developed by organisation.

Regular updates provided to members.

Inclusive and transparent processes.

CONTEXT

Membership drives to be held annually with a broad representation.

Organisations and the Board of Directors to design, develop and implement a Members Charter.

Organisations to provide updates to members regarding the strategic direction.

PRACTICES Organisations and/or Board of Directors will:

• Actively promote and engage with the community regarding a membership drive, which is to be held annually. The membership drive must include a large cross-section of the community and not be focused only on organisational and Board of Directors' families.

• Design, develop and implement a Members Charter to ensure consistency and make certain that current and future members join the organisation for the best intentions of families and children.

• Ensure the Members Charter informs current and potential members of their rights and commitment to the organisation, community, families and children they represent.

• Ensure the Members Charter includes provisions that disqualify members when a breach of membership occurs, including when members negatively portray the organisation in the community.

• Provide current and potential members with updates regarding the strategic direction of the organisation – visibility/accountability for the steps along the journey, bring people along for the journey, allow communities to celebrate successes and adjust if direction is off course.

STANDARD 3: Practice

OUTCOMES

QATSICPP Practice Standards and resources to be implemented.

Recruitment and retention of Aboriginal and Torres Strait Islander staff.

Understanding past policies and intergenerational trauma.

Strength-based recognition.

CONTEXT

Organisations and Board of Directors to engage QATSICPP to provide training/workshops on QATSICPP Practice Standards, Practice Guide, Assessment Toolkit and Supervision Framework.

Organisations should encourage and promote the recruitment and retention of Aboriginal and Torres Strait Islander staff.

Organisations and Board of Directors should have an understanding of past policies and intergenerational trauma that may impact upon an Aboriginal and Torres Strait Islander staff members' retention and general wellbeing.

PRACTICES Organisations and/or Board of Directors will:

• Mandatorily support the participation of the Board of Directors and all staff in the QATSICPP Practice Standards and Resources training/ workshops (Core Modules). Organisations should seek advice and relevant timing for QATSICPP training/workshops.

• Support all new staff and the Board of Directors to attend QATSICPP training/workshops.

• Support the employment of Aboriginal and Torres Strait Islander peoples, including taking into consideration past policies and intergenerational trauma that may impact upon their ability to work.

• Mandatorily provide professional supervision and encourage the up-skilling of Aboriginal and Torres Strait Islander staff members.

• Mandatorily assist Aboriginal and Torres Strait Islander staff members' retention through understanding and addressing cultural safety and needs.

• Provide, through policies and procedures, mechanisms to assist with Aboriginal and Torres Strait Islander staff members' social and emotional wellbeing, thus encouraging a supportive and family friendly organisation and avoiding staff burn out.

• Mandatorily provide Aboriginal and Torres Strait Islander staff with monthly reviews and support mechanisms to ensure retention and culturally safe practices.

• Be aware of and support the strength in staff to engage and promote best practice and enable a strong team and staff personal and professional growth.

• Mandatorily develop and implement succession plans to ensure career pathways are made available for Aboriginal and Torres Strait Islander staff members.

• Mandatorily up-skill Aboriginal and Torres Strait Islander staff members to build a strong and capable workforce and ensure they are considered for potential positions within the organisation.

• Develop and implement plans with Aboriginal and Torres Strait Islander staff members and encourage retention via career planning and pay scale increments.

STANDARD 4: Cultural Safety

OUTCOMES

All staff members of an organisation to understand the history of the organisation and the community it represents.

Cultural supervision and self-care standards to be embedded within the organisational culture.

Culture and identity should be paramount in the organisation and community.

Cultural safety to be best practice in organisation.

Truth telling, integrity, zero tolerance violence (lateral or otherwise).

CONTEXT

Organisations should include in their inductions a seminar on the history of the organisation and the community they are working in.

All staff members of the organisation should develop and implement cultural supervision and self-care standards and embed these within the organisation to ensure the social and emotional wellbeing of all staff is of highest importance.

Culture and identity should be recognised within the cultural supervision and self-care standards so that staff are self-aware and able to use the standards within the community they work in.

Cultural safety to be embedded in all practice paradigms and reviewed annually to ensure best practice.

PRACTICES Organisations and/or Board of Directors will:

• Mandatorily develop a seminar regarding the history of the organisation and community in which staff work within, to understand the impact of past policies, current issues and future developments.

• Mandatorily ensure that all staff within the organisation undertake the seminar as part of their induction.

• Mandatorily develop a set of cultural supervision and self-care standards, inclusive of all staff participation in design, with the underpinning of the QATSICPP Supervision Framework.

• Embed within their policies and procedures, a social and emotional wellbeing component to make certain staff are being supported and their identity and career pathways are developed.

• Ensure culture and identity is identified as an element of recognition based upon geographical location and should be understood by all staff.

• Develop and embed cultural protocols and ensure they are adhered to by all staff and the Board of Directors.

• Identify and train cultural mentors (both external and internal) to assist staff to grow both personally and professionally.

• Develop and embed cultural safety standards within the organisational culture (inclusive of the Board of Directors).

• Undertake regular reviews of cultural safety and competency for all staff and develop work plans to support this.

• Mandatorily ensure all staff of the organisation are informed of and practice cultural safety and identity with children and families who have experienced intergenerational trauma.

• Be aware of and acknowledge the distinct differences between Aboriginal culture and Torres Strait Islander culture and promote the cultural safety and interconnectedness of both cultures.

STANDARD 5: Partnerships

OUTCOMES

Organisations (inclusive of staff) to seek out shared services/resources.

Partnerships to be substantial.

Integration of service delivery.

CONTEXT

Organisations need to actively seek out and create partnerships within the community in order to share services and resources.

Partnerships with mainstream organisations and departments need to be substantial. Equitable, legitimate to acknowledge and address the power differential – more relational than transactional relationships. The initiation and evolution of partnerships, and the experience of them by Aboriginal and Torres Strait Islander peoples and organisations should be culturally affirming and promote self-determination.

Integration of service delivery to achieve more broader outcomes and encourage community partnership and engagement.

PRACTICES Organisations and/or Board of Directors will:

• Recognise and promote the individual and collective responsibilities of parents, families, communities and the service system for ensuring children's safety and wellbeing.

• Be accountable for upholding the principles and values of the organisation, in line with the expectations of the communities that they serve and are part of.

• Actively promote the development of appropriate partnerships in the interests of our children, families and communities. Organisations (inclusive of staff) must actively seek out and create partnerships within their community and broader across State services to ensure better outcomes for children and families.

• All children and families should be recognised as members of the community and opportunities should be made available to enable them to participate in decisions that impact upon, not only their safety and wellbeing, but to contribute to a communities'/organisations' aspirations/vision for the future.

• Mandatorily ensure that partnerships (whether internal or external to a service) be substantial with real and achievable outcomes based on a service level agreement or a Memorandum of Understanding (MoU).

• Ensure that Partnership agreements between Aboriginal and Torres Strait Islander community controlled agencies are developed and practiced effectively to eliminate negative impacts and negative social interactions that will affect Aboriginal and Torres Strait Islander children, young people and families (i.e. organisational personalities should not affect partnerships).

• Ensure the integration of service delivery is premised on better meeting the needs and aspirations of children and families and aligned with better outcomes for children and families as per the Aboriginal and Torres Strait Islander Child Placement Principle.

USEFUL RESOURCES

Indigenous Governance Toolkit

http://toolkit.aigi.com.au

"This toolkit is a free, public-access document. You can use the toolkit in many different ways, depending on your circumstances and needs. You can explore it individually or as a group, and at your own pace."

The Indigenous Governance Toolkit assists communities and organisations in understanding governance and how to embed within an organisation. This toolkit can complement the Queensland Aboriginal and Torres Strait Islander Community Controlled definition and standards by providing a platform on which to implement good governance.

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Definition and Standards

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