

Mandatory Reporting

POLICY AND PROCEDURE

Purpose

The purpose of the Mandatory Reporting Policy is to ensure there are processes in place to identify children who are being abused and/or neglected

This policy is to ensure all employees fully understand the need to report, what to report and to whom to report to.

This policy is informed by Subee Newlake's Child Safe Code of Conduct, the NSW Mandatory Reporter Guide, the Office of the Children's Guardian and privacy requirements under the Children and Young Persons (Care and Protection) Act 1998, the Child Protection (Working with Children) Act 2012 and the Australian Privacy Principles.

Scope

This policy applies to all employees, contractors, and key personnel of Subee Newlake and relates to their interactions with all children in a Subee Newlake place of work, including direct clients, children of clients and visiting children.

Mandatory Reporter

Mandatory Reporter – as defined in NSW legislation, are those who deliver the following services to children as part of their paid or professional work:

- health care - doctors, nurses, dentists and other health workers
- welfare - psychologists, social workers and youth workers
- education - teachers

- children's services - child care workers, family day carers and home-based carers
- residential services - refuge workers, community housing providers
- law enforcement – police

Mandatory Reporter Guide (MRD)

You must make a report to Communities and Justice (DCJ) when you have current concerns about the safety, welfare, and wellbeing of a child for any of the following reasons:

- the basic physical or psychological needs of the child or young person are not being met (neglect)
- the parents or caregivers have not arranged necessary medical care for the child or young person (unwilling or unable to do so)
- the parents or caregivers have not arranged for the child or young person to receive an education in accordance with the Education Act 1990 (unwilling or unable to do so)
- risk of physical or sexual abuse or ill-treatment
- parent or caregiver's behaviour towards the child causes or risks serious psychological harm (emotional abuse)
- incidents of domestic violence and therefore a child or young person is at risk of serious physical or psychological harm (domestic or family violence)

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- the child was the subject in a prenatal report and the birth mother did not engage successfully with support services.

Significant Harm

Is defined as harm that is sufficiently serious to warrant a response by a statutory authority, irrespective of a family's consent.

What is significant is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child's or young person's safety, welfare, or wellbeing.

As mandatory reporters, care staff should report all suspicions regarding:

- Physical abuse
- Neglect:
- Supervision
- Physical shelter/environment
- Food
- Hygiene/clothing
- Medical care
- Mental health care
- Education (not enrolled)
- Sexual abuse (aged 0-15 years)
- Sexual abuse of young person (16-17 years)
- Child/young person problematic sexual behaviour toward others
- Child young person who is a danger to self and/or others

In addition, employees should be mindful of substance abuse, mental health or domestic violence impacting on the parent/ carer ability to meet the child/young person's needs or cause significant harm.

It is mandatory to make a report if the child is 0-15 years and at risk of significant harm.

Mandatory reporters **are not obliged** to report risk of significant harm to unborn children or young people (those aged 16-17 years). However, they are encouraged to make a report if it is appropriate.

Reporting

In the case of significant harm:

- Progress notes for Contact Supervision are to be written and submitted promptly to the Roster Coordinator who is responsible for lodging reports with Communities and Justice.
- Contact Supervision staff should be made aware of their role as mandatory reporters and Subee Newlake's contractual requirements to report any disclosure that any child/young person in receipt of services may be at risk of harm.
- All care staff should raise their concerns in writing on an incident report as well as on progress note and call the case manager/team leader at their local office immediately.
- The Management Team is responsible for making a call, as a mandatory reporter, to the Child Protection Helpline (for mandatory reporters employed by non-government organisations) on 133 627.
- Staff can call the hotline on 132111 themselves or contact their supervisor for advice.

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- In the case of immediate danger to the child staff should call emergency services 000.
- In all instances, staff should advise their supervisor as soon as possible of any action they have taken.
- When a report is made the incident procedure must be followed and the Quality Coordinator and Chief Financial Officer/Clinical Team Leader advised immediately.
- Mandatory Reporter Guide (MRG)
<https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters/what-when-to-report/chapters/mandatory-reporter-guide>
- Child Story Reporter Community
<https://reporter.childstory.nsw.gov.au/s/support-to-access-reporter-community>
Email: childstory.support@facs.nsw.gov.au
Phone: 1300356696

Cultural and linguistically diverse community

Culture and experience do influence parenting practices; however, the reporter must maintain a focus on the impact and effects on the child or young person of parental or carer behaviours. Where there are grounds to suspect risk of significant harm from a parent or carer behaviours, reporters must take the necessary reporting action.

Responsibilities

Any person with direct responsibility to provide the service must report risk of significant harm to children.

Managers, including employees, who supervise direct services are also mandated to report.

The Chief Financial Officer/Clinical Team Leader has authority to enforce the processes of this policy.

Resources

- Child protection helpline 132 111 (24/7)
- Domestic Violence Line 1800 65 64 63 (24/7)
- Link2Home Homelessness 1800 152 152 (24/7)

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