

Understanding mandatory reporting

Roles and responsibilities

What will I learn?

This presentation will help you to:

- understand your responsibilities as a mandatory reporter
- recognise signs of risk or harm to children
- know how to report concerns about harm
- get support to perform your mandatory reporting role
- refer children and families for help and support.

Part 1

What is mandatory reporting?

What is mandatory reporting?

Under the *Child Protection Act 1999*, mandatory reporters are required to report concerns about a child who may have experienced significant **physical or sexual abuse**

Who are mandatory reporters?

- Doctors
- Registered nurses
- Teachers
- Police officers with child protection responsibilities
- Child Safety employees and employees of licensed care services
- Employees of the Public Guardian
- Early childhood education and care professionals

Why are early childhood education and care professionals required to be mandatory reporters?

- The Queensland Law Reform Commission found that the early childhood education and care sector is uniquely positioned to observe and report concerns about physical and sexual abuse of children.
- Amendments to the mandatory reporting requirements in the *Child Protection Act 1999* (Mandatory reporting – Mason’s Law) were passed by Parliament in September 2016

Which early childhood education and care professionals are mandatory reporters

Who will be required to report harm?

- (a) Early childhood education and care professional means an individual, other than a volunteer or an individual under the age of 18, who is:
- (b) any of the following under the Education and Care Services Act 2013:
 - i. An approved provider
 - ii. A supervisor for a QEC approved service
 - iii. An educator for a QEC approved service

OR

Which early childhood education and care professionals are mandatory reporters?

Any of the following under the Education and Care Services National Law (Qld):

- an approved provider
- a nominated supervisor for an approved education and care service
- an educator for an approved education and care service
- a family day care co-ordinator for an approved family day care service
- a family day care educator for an approved family day care service

Part 2

- **Definitions of child and parent**
- **What is significant harm?**
- **Types of abuse**
- **Who is a parent able and willing**
- **Consider culture and background**

Definition of a child and parent

Under the *Child Protection Act 1999*:

- A 'child' is an individual under 18 years
- A child in need of protection is a child who:
 - has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm, and
 - does not have a parent able and willing to protect the child from harm

A 'parent' of a child is the child's mother, father or someone else having or exercising parental responsibility for the child

What is significant harm?

Harm to a child is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.

It is immaterial how the harm is caused.

Harm can be caused by:

- A single act, omission or circumstance
- A series or combination of acts, omissions or circumstances

What is physical abuse?

Physical abuse includes but is not limited to:

- non-accidental injury to a child that you suspect is caused by a parent or other household member.
- actions towards a child by a parent or other adult household member that may have caused, or is likely to cause, a significant injury.
- the child was injured, or nearly injured, during a domestic violence incident involving adults.

What is sexual abuse?

- Sexual abuse is any sexual activity or behaviour that is imposed on a child and results in physical or emotional harm.
- True Relationships offers a range of resources that help professionals identify, understand and respond to sexual behaviours.
- Go to: www.true.org.au

What is neglect?

- Neglect is when the child's basic needs of life are unmet by their parent to such an extent that the child's health and development are affected, causing harm, or likely to cause an unacceptable risk of harm to the child.
- The focus is on the consequence of the situation for the child, rather than on parental behaviour, motivation or intent.

What is emotional or psychological abuse?

- Emotional or psychological abuse is when the child's social or emotional development is affected, or at unacceptable risk of being affected as a direct result of parental behaviour or attitude.
- This may be a parent who rejects the child or is hostile towards the child.
- You may observe harm to the child from their anxiety, depression, withdrawal, inappropriate attachment or bonding, self harming behaviour or aggressive behaviour towards others.

What is a parent able and willing?

1

A parent who is **not able**:

May be willing to protect the child but not have the capacity to do so.

2

A parent who is **not willing**:

May have the capacity to protect the child but chooses not to.

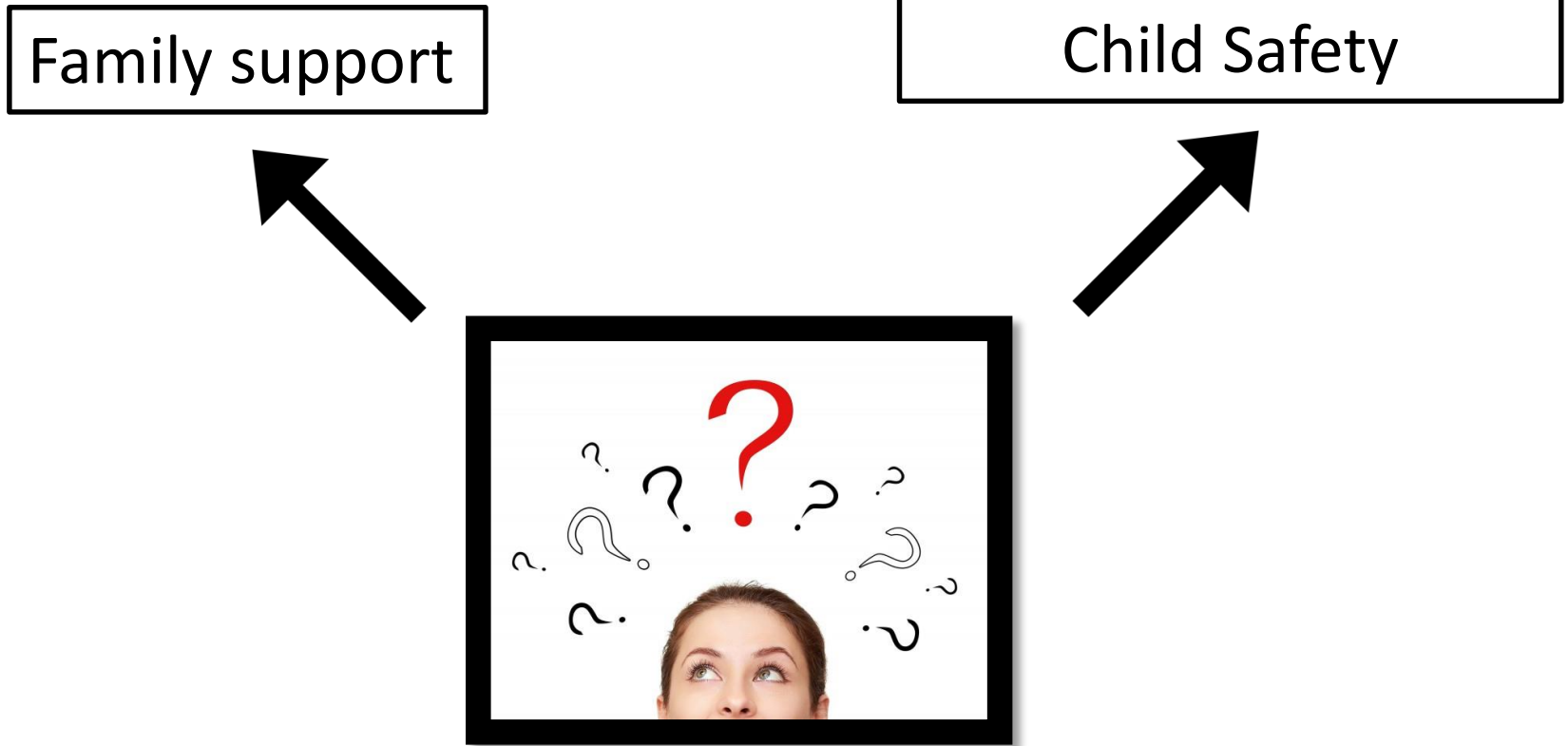
Consider culture and background

- Early childhood education and care professionals work with families from different cultures and backgrounds.
- Be mindful that a family's cultural practices and how they raise their children, may be different to what you consider as 'normal.'

Part 3

What should I do if I have concerns about a child?

Deciding whether to refer a family for help or report to Child Safety



What is the Child Protection Guide?

The Child Protection Guide is a tool that helps professionals such as teachers, doctors, nurses, child care workers and others who work with children and families, to decide whether to refer a family for help or to make a report to Child Safety.

Early childhood education and care professionals can use the Child Protection Guide to determine the most appropriate response.

What is the Child Protection Guide?

The guide supports decision making by:

- focusing on critical factors
- analysing the situation objectively and consistently
- explaining when a concern meets the threshold for a report to Child Safety
- identifying alternative ways to support a family if the concerns do not meet the threshold for a report to Child Safety
- operationalising the *Child Protection Act 1999* to ensure reporting obligations are met.

Child Protection Guide outcomes



Monitor
child
wellbeing



Refer
directly to a
support
service



Refer to
Family and
Child
Connect



Refer to
Intensive
Family
Support or
Aboriginal
and Torres
Strait
Islander
Family
Wellbeing
Service



Report to
Regional
Intake
Service -
Child
Safety

To find the Child Protection Guide, go to:

www.csyw.qld.gov.au/child-family

and search for 'child protection guide'

Who do I talk to if I have a concern?

You can:

1. Contact **Family and Child Connect** if you are unsure, or need further advice about your concerns.
2. Call a **Child Safety Regional Intake Service** to talk to a Child Safety Officer.
3. You can also discuss your concerns with your work colleagues in your own agency.

What is Family and Child Connect?

Family and Child Connect is a free service to help families with the challenges of raising children.

Anyone can contact Family and Child Connect for advice and information if they have concerns about the wellbeing of a child or family.

Before sharing any information with Family and Child Connect about a child or family, early childhood education and care professionals must first obtain the family's consent.

Call **13 FAMILY** or **13 32 64**

Go to: www.familychildconnect.org.au

What is Family and Child Connect?

To make a referral to Family and Child Connect, complete an **online referral form**.

Go to: www.familychildconnect.org.au

Or: <https://qld-families-referrals.infoxchangeapps.net.au/>

On the referral form early childhood education and care professionals need to select:

I am a professional working in a government or non-government agency that is not a prescribed entity under *Child Protection Act 1999*

What is the threshold for reporting to Child Safety?

You have information to suggest that the child:

1

Has suffered, is suffering or is at unacceptable risk of suffering **significant harm**.

2

May not have a parent able and willing to protect them from the harm.



You have formed a **reasonable suspicion** that a child may be in need of protection.

What does Child Safety want to know?



A Child Safety Regional Intake Service will want to know:

- what actions have been taken by the parent or the service?
- has the child made any statements?
- what you have seen (observations/behaviour of the child)?
- what you have heard?
- has this happened before?

Complete an online Child Safety report form

To report a concern to Child Safety, complete an **online report form** on the Child Safety website:

Go to: www.csyw.qld.gov.au/child-family/protecting-children/reporting-child-abuse

Mandatory reporters are asked a series of questions relating to their concerns and the incident.

Questions are also asked about the child's appearance, presentation and behavior.

What happens when I report my concerns to a Child Safety Regional Intake Service?

When you make a report to Child Safety, a Child Safety Officer will gather information, and decide how best to respond.

Other options for referring families for help

Even if you have no concerns about child abuse or neglect, families may ask you for information about community services.

The Queensland Family and Child Commission offers an online directory of Queensland community services, called **oneplace Community Services Directory**.

Go to: <https://www.oneplace.org.au/>

What is oneplace?

Oneplace is a directory of Queensland community services to help families find the right service at the right time.

How do I talk to families if I have concerns?

- Be open and honest in your communication with families. For example, “I have some concerns about your child that I want to talk to you about”.
- Explain your role as a mandatory reporter.

We want families to remain engaged in your services. Building trust with the family is an important part of your role.

More information

For more information about mandatory reporting, go to:

<https://www.csyw.qld.gov.au/child-family/protecting-children/about-child-protection/mandatory-reporting>