

CatholicCare Mandatory Reporting of Children and Young People

Policy and Procedure

Commitment

CatholicCare is committed to the protection of children and young people that come in contact with any CatholicCare Canberra programs or related activities.

Basis/Standard

According to the Children and Young People Act 2008 (ACT), a child is a person under 12 and a young person is a person who is 12 or older but not yet 18. According to NSW legislation The Children and Young Persons (Care and Protection Act) 1998 a child is under 16 and a young person is 16 but not yet 18.

Child abuse is a term used to describe different types of maltreatment that endangers a child or young person's safety, wellbeing and development. It includes non-accidental physical injury, neglect, emotional abuse, psychological harm or sexual abuse.

Section 344 of the Children and Young People Act 2008 identifies when a child or young person is at risk, "*a child or young person is at risk of abuse or neglect if, on the balance of probabilities, there is a significant risk of the child or young person being abused or neglected*".

CatholicCare Canberra adheres to the current legislation for the ACT – the Children and Young People Act 2008 (ACT) and the legislation for NSW – the Children and Young Persons (Care and Protection Act) 1998. For a full description of the acts see Q:\STAFF&STAFFING\Legislation, Standards and Agreements. CatholicCare requires all staff in service delivery areas related to CatholicCare Canberra to behave in a manner which requires you to follow the legislation of Care and Protection which outlines any mandatory reporting guidelines. CatholicCare staff also adheres to the Code of Ethics and Conduct for CatholicCare Employees.

Procedure

The information below is in line with current ACT and NSW legislation. Staff who have regular contact with Children and Young People need to familiarise themselves with the legislation and management need to make certain that staff are aware of any changes and there is access to suitable training around child protection.

Where a worker suspects on "reasonable grounds" that a child or young person may be at risk, or is likely to be at risk in the future, of sexual abuse or non-accidental physical injury or neglect, then the following procedures are to take place:

- Consult with the program Manager or Coordinator as soon as possible after concerns are felt.

- Where possible the client/consumer should be involved in the process to enhance and assist in facilitating the support process. This will not be able to be achieved in all instances however the discussion should be held with the coordinator/manager as to whether it is possible in this instance to include the consumer in the knowledge that a mandatory report is being made on their life situation.

An incident report should be completed and kept on file

- Individual programs which have contact with other services such as the school counselors will have their own procedures in relation to Mandatory Reporting and in some cases will need to be familiar with the school or external programs policies.
- All information relating to ACT or NSW mandatory reporting information, guidelines, when to make a report and related information is kept on the Quality Drive under [Mandatory Reporting](#). (please use the link to go directly to the folder).
- When reporting an incident in the ACT you will need to have information at hand to give the authorities including:
 - Name and date of birth of the child(ren) or young person(s)
 - Home address of the child(ren) or young person(s)
 - Current whereabouts of the child(ren) or young person(s)
 - Names of parents/aliases and contact details
 - Name of known siblings
 - Nature of abuse or neglect
 - When the alleged abuse/neglect is said to have occurred
 - Details about when and how you became aware of the information
 - Names of others who may have witnessed the abuse or neglect
 - Details of any disclosure made to you or others
 - Description of any injuries seen
 - Description of the behaviour of the child(ren) or young person(s)
 - Attitude of the carers of the child or young person to the injury/incident
 - Known supports to the child, young person and family

If you don't have all the information you are still required to submit a report.

- Follow the guidelines as set out in the "Keeping Children and Young People Safe" booklet as set out as published by the Office of Children and Family Support.
- Follow the information outlined in the "Keeping Children and Young People Safe" guide, see point 5.3 pg 15 for the information that is required for making a report, ensure that you have these details or a majority of these details before contacting.

- Contact the Care and Protection Services Centralised Intake Services number on 1300556728 (mandated persons line) or 1300556729 (general public line).
- Following a report being made Care and Protection services will undertake a Risk Assessment to determine the next course of action (see point 5.6 pg 16 of the “Keeping Children and Young People Safe” guide).
- When reporting an incident in NSW:
 - Make sure that you have gathered information pertaining to the family/child/incident as listed in chapter 2 of the NSW Interagency guidelines for Child Protection Intervention.
 - If the child lives in NSW then the worker needs to contact the Department of Community Services (DOCS) Mandatory hotline 132 111. DOCS also use a Risk of Harm Report which is faxed into the service, it is also good practice to follow the faxed information with a phone call to the hotline 132111.
 - Following the report an investigation will follow, if requested feedback will be given to update the mandatory reporter about the state of the report.
- During this process all information is to be documented in the file and regular information exchanged with the coordinator. Any forms that are completed for the report need to be filed as well, copies should be taken of any and all forms or documents pertaining to the report.
- While every effort is made to maintain confidentiality it is important for the mandatory reporter to be made aware that there may be instances where the reporting party is disclosed, please review the guidelines for the particular state for more information.
- The Manager/Coordinator provides support and debriefing to the employee making a report.
- Staff are actively encouraged to attend Mandatory Reporting training which is applicable for the state that they primarily work in when it is offered, where budgets will allow. It is the responsibility of management to notify staff about training opportunities and authorize this training.

Key Performance Indicators

- Situations that arise that require a mandatory report are reported to the coordinator and the information is recorded in the clients file.
- Staff where possible have accessed training on Mandatory Reporting.

- Staff will know where the information is stored relating to Mandatory Reporting on Q drive.
- Staff will display an understanding on the most up to date information on Mandatory Reporting.
- Where applicable staff will have an understanding on the separate policies and procedures which exist in the external locations that their program visits such as the Catholic schools.

Relevant Documentation

- Children and Young People Act 1999 (ACT)
- Children and Young Persons Act 1998 (NSW)
- Risk of Harm Report (NSW document)
- Keeping Children and Young People Guide (OCYFS)
- Incident Report Policy and Procedure
- CatholicCare Code of Ethics and Conduct

Records

- Incident Reports
- Client/consumer file notes
- Risk of Harm report