

D-19: CHILD PROTECTION – KEEP THEM SAFE

POLICY STATEMENT

We believe that the welfare of all children is of paramount importance and that the GPBASC has an obligation to defend the child's right to care and protection. Staff and management have a responsibility to take action to protect children they suspect may be abused or neglected. GPBASC will carry out responsibilities of mandatory reporters as indicated under legislation. This responsibility involves following the procedures as outlined by the ***Keep Them Safe: A Shared Approach to Child Wellbeing reforms***.

CONSIDERATIONS

The Children Legislation Amendment (Wood Inquiry Recommendations) Act 2009

The Mandatory Reported Guidance (MRG)

Children and Young Persons (Care and Protection) Act 1998

Department of Community Services Helpline Information Kit 2001

State Records Act 1998

OSCHQA Area 7

DEFINITIONS

A mandatory reporter is someone who is required by law to make a report to the community Services Helpline where there is a suspected "risk of significant harm". A child is a person under 16 years of age.

In OOSH services mandatory reporters are:

- Staff who deliver services to children
- Management, either paid or voluntary, whose duties include direct responsibility or direct supervision for the provision of these services.

(From Information supplied by Department of Community Services Helpline Information Kit 2001)

PROCEDURE

To determine whether or not a case needs to be reported to the Community Services Helpline, the Mandatory Reporters Guidance (MRG) will be used. The MRG is an online interactive tool used to help decide whether or not there is a risk of significant harm.

The MRG does not replace professional judgement but it aims to complement and support mandatory reporters at each key decision point using the best available evidence to guide these decisions.

Areas of concern include:

- Physical Abuse
- Sexual Abuse
- Psychological Harm
- Relinquishing Care
- An unborn child
- Parent/Carer Substance Abuse
- Parent/Carer Mental Health
- Domestic Abuse
- Neglect - in relation to:
 - Supervision
 - Physical shelter/environment
 - Lack of medical Care
 - Mental Health Care
 - Education

Under section 248 (6), children and young persons (Care & Protection) Act 1998 or in clause 7, Children and Young Persons (Care & Protection) Regulation 2000, GPBASC is considered a prescribed body. The *Children Legislation Amendment (Wood Inquiry Recommendations) Act 2009* expands the information sharing provisions of the *Children and Young Persons' (Care and Protection) Act 1998* to allow a freer exchange of information between "prescribed bodies" (government and non government organisations) relation to a child or young person's safety, welfare or wellbeing.

Information may be shared between prescribed bodies if it relates to:

- A child or young person's history or circumstances; and/or a parent or other family member; and/or people having significant or relevant relationships with a child or young person; and/or
- The other agencies dealings with the child or young person, including past support or service arrangements.
- GPBASC will not use or disclose the information for any purpose that is not associated with safety, welfare or wellbeing of the child or young person.
- GPBASC is not required to disclose information if we believe it will prejudice a criminal investigation or coronial inquest, endanger a person's life, or is not in the public interest.
- The reporter's details cannot be exchanged without their permission unless it is required as part of the investigation of a serious offence alleged to have been committed against a child or young person, even if a report has been made of the Community Services Helpline.
- GPBASC is not required to obtain the consent of the child, young person or family to exchange information if it is likely to further jeopardise the child or young person's safety, welfare or well being.
- All cases suspected risk of significant harm will be documented and stored to ensure the safe custody and proper preservation of records. The facts as stated will be recorded in writing including dates, times, name of person involved, name or person making the allegation and the person making the report.
- Reports will be treated with strict confidentiality.
- Staff will undergo training in relation to child protection and notification as part of the training budget.
- Staff should remember that it is not their responsibility to prove the abuse/neglect, just to have reasonable suspicion that the child at risk of significant harm and follow the MRG guidelines.
- Staff will leave the situation in the hands of Community Services once a report has been made. They should not discuss the issue with the parents, or try to undertake any investigation into the situation.
- The staff will not question the child or parents prior to any discussion with Community Services.
- Should the situation arise where the child is considered in immediate danger and the child is taken into Departmental care, staff must follow the advice of the Department Officers and ensure that confidentiality is observed at all times.
- Staff should be aware that they are protected as a notifier under the Children and Young Persons (Care & Protection) Act 1998.

Where a Complaint is made about a Staff Member, or someone in the centre:

- If the complaint is made about a staff member, the same procedures as outlined above should be followed.
- If the person suspected is the Director, then the President of the GPBASC Management Committee should be confirmed.
- For the protection of both the children and staff member involved, the staff member should be encouraged to take special leave or removed from duties involving direct care and contact with children, until the situation is followed up or resolved.
- Support should be given to people making an allegation or persons who have been suspected. This support can be given in the form of counselling or referral to an appropriate agency.

Date Endorsed: June 2010

Date for Review and Evaluation: June 2011