

Child Safety and Mandatory Reporting Procedure

Essential Summary:

Audience

All employees

All supervisors

Use this procedure when:

- you have a concern about the safety or welfare of a child or young person.
- you have witnessed or become aware of a reportable allegation, conduct or reportable conviction of a YJNSW employee, or non-employee.
- you are required to refer a child safety matter to the NSW Police Force, Department of Communities and Justice Child Protection and Permanency Division (CPP) or the Office of Children’s Guardian (via the Conduct and Professional Standards Unit).



When using CIMS refer to [Support Point \(CIMS Online Help\)](#) for step by step instructions

DOCUMENT DETAILS

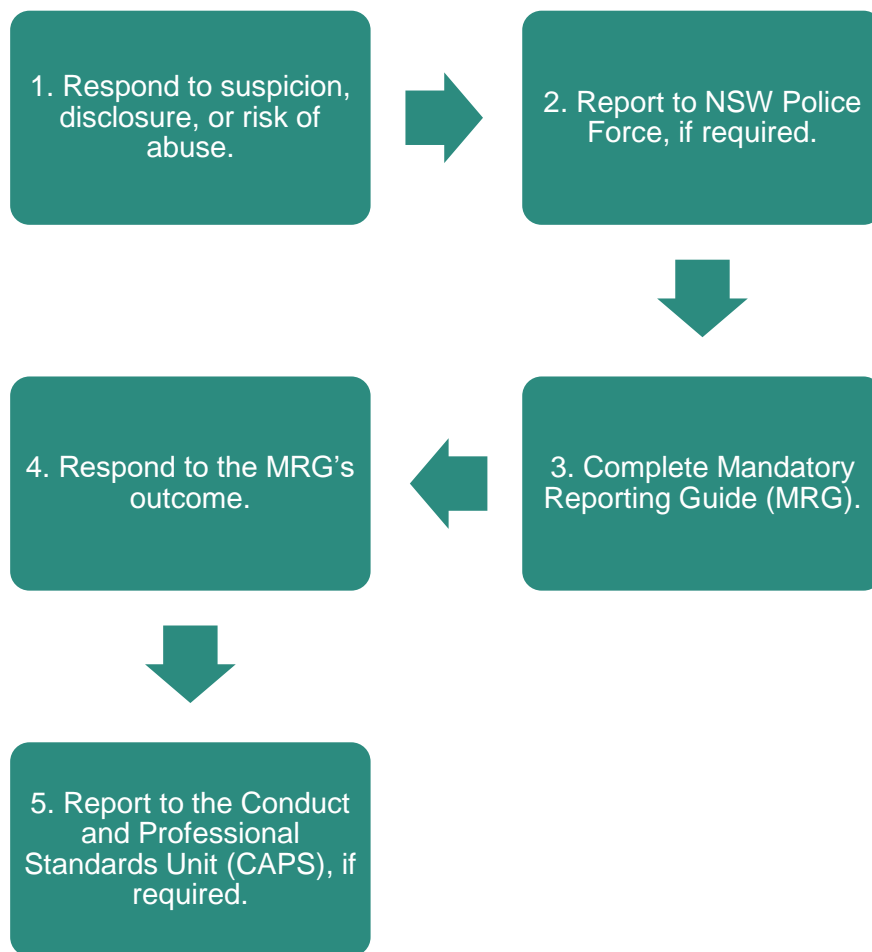
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| Ensure that this document is the latest version to use | |

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Ensure you have the latest version before using this document.

1 Purpose

To provide the processes for responding to a suspicion, risk, disclosure or incident of abuse.

2 Process Map



3 Procedural Steps

| Step 1. Respond to suspicion, disclosure or risk of abuse. |
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| Responsibility: All employees |
| <p style="text-align: center;">Tasks</p> <p>If you suspect <u>any</u> young person is being abused or at risk of being abused:</p> <p>Discuss and clarify any concern or suspicion with the young person, if appropriate.</p> <p>Remove, reduce or assist the young person to address any immediate risk to their safety, within the scope of your role or request assistance from another person who has that power or responsibility. This could include:</p> <ul style="list-style-type: none">• speaking with your manager for advice• helping the young person find a safe place to stay• gaining consent to speak with a family member or carer about the risk <p>Record information on CIMS as an <i>Identified Child Protection Issues</i> case note.</p> <p>If a young person tells you they have been abused:</p> <p>Listen to the young person and recognise their feelings, without investigating the matter.</p> <p>If appropriate, keep the young person informed of the steps that may be taken following the disclosure, for example, contacting the Child Protection Helpline, NSW Police Force and/or the Office of Children’s Guardian via the Conduct and Professional Standards Unit (CAPS).</p> <p>Follow the <i>Incident Management Policy</i> and relevant procedures if there is an immediate threat to the safety of the young person or an employee.</p> <p>Discuss the concern with your manager, to identify which mandatory reporting steps must be taken.</p> <p>Encourage the young person to seek support with an appropriate family member, friend or support service.</p> <p>Record information on CIMS as an <i>Identified Child Protection Issues</i> case note.</p> <p>If someone tells you that a young person has been abused:</p> <p>Seek clarification from the person disclosing the matter about what occurred.</p> <p>Ask them if they have reported the matter to NSW Police Force (police), The Department of Communities and Justice Child Protection and Permanency Division (CPP) or CAPS (if applicable).</p> <p>Encourage and support the person making the disclosure to report the matter to police and CPP as necessary, and to CAPS if applicable. If you are not sure that the matter has been reported to the appropriate bodies, then you must report the matter yourself.</p> <p>Record information on CIMS as an <i>Identified Child Protection Issues</i> case note.</p> |

Responsibility: All managers

Tasks

Support employees in removing or reducing the risk of harm to a young person.
Remove or reduce any known risks to the safety of young people (e.g. by managing the placement and allocation of employees and young people in the community, or in custody).
If there is an immediate safety risk at a YJNSW workplace, or as part of any fieldwork, ensure that the *Work Health and Safety Policy*, *Incident Management Policy* and related procedures have been followed.



Step 2. Report to NSW Police Force, if required.

Responsibility: All employees

Refer to section 5.3 of the *Child Safety and Mandatory Reporting Policy* to identify which child safety concerns must be referred to the police.

Tasks

In consultation with your manager, contact the police to report any child safety concerns as identified in the *Child Safety and Mandatory Reporting Policy*.

Record all contact with police in CIMS:

- as an incident report if applicable or
- as a case note.

Report to your area manager or centre manager any concerns about an employee's behaviour if you are not sure whether the behaviour meets the threshold of an offence (such as possible grooming behaviour). Concerns about employee misconduct must not be recorded in CIMS case notes, and must be referred to Conduct and Professional Standards (see step 5).

Report any allegations of assault by police made by young people, regardless of when it occurred using the *Alleged Assault of Young Person in Police Custody Form*, located on the Operations Manual (TOM).

Forward the form to the

- Professional Standards Command Assistant Commissioners Office
- Office of Children's Guardian
- Law Enforcement Conduct Commission

The relevant contact details are included on the form.

Responsibility: All managers

Tasks

Support employees in reporting all relevant matters to the police.
Confirm that the police have been notified for all appropriate matters.
Contact CAPS for advice if unsure whether an employee's behaviour should be reported to the police, particularly for possible grooming behaviour.



Step 3. Complete Mandatory Reporting Guide (MRG).

Responsibility: All employees

Tasks

Complete the Mandatory Reporter Guide (MRG) by following the instructions at <https://reporter.childstory.nsw.gov.au/s/mrg> when you have a concern for the safety and welfare of a young person.

Select 'no' if you are asked by the MRG whether you have access to a Child Wellbeing Unit.

Record the outcome of the MRG in CIMS as an *Identified Child Protection Issues* case note.

Report the outcome of the MRG to your manager.

Responsibility: All managers

Tasks

Complete MRG tool on behalf of the employees you supervise if they are unable to do so themselves

Complete MRG tool on behalf of non-employees if they advise you of an issue of safety and welfare of a young person and they are not a mandatory reporter.

Ensure that the MRG outcome is recorded in CIMS

Assistant managers:

Record MRG information in CIMS for employees without CIMS access.



Step 4. Respond to the MRG's outcome.

Responsibility: All employees

Tasks

When the MRG directs that a concern should be documented and the relationship with child/young person continue, or to engage a professional or service:

Inform your manager of the MRG outcome.

Complete any appropriate referrals to services or external organisations that may be able to provide support to the young person and/or their family.

Re-administer the MRG if further issues of concern are identified or the young person's circumstances change.

When the MRG directs a report to be made to the Child Protection Helpline:

Seek the consent of a young person aged between 16 and 17 prior to reporting them to the Child Protection Line for homelessness. Do not report the young person if they do not consent, but continue to provide support.

Make a report to the Child Protection Helpline, within the timeframe provided by the MRG.

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| Responsibility: All managers |
| Tasks |
| Support employees in following the direction of the MRG. |
| Assistant managers: Record the Child Protection Helpline's response in CIMS for employees without CIMS access. |



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| Step 5. Report to the Conduct and Professional Standards Unit (CAPS), if required. |
| Responsibility: All employees |
| Tasks |
| Complete the <i>Summary of an Allegation or Complaint Against an Employee Form</i> as soon as practicable (e.g. same day) and forward this to your area manager or centre manager if you become aware that an employee; |
| <ul style="list-style-type: none"> • has a reportable conviction • has an allegation of reportable conduct against them • may be engaging in grooming behaviour with a young person • may be engaging in an inappropriate relationship with a young person |
| Responsibility: Area manager or centre manager |
| Tasks |
| Refer all allegations of reportable conduct, reportable convictions, grooming behaviour and inappropriate relationships to CAPS via the director. |
| Consult with the director regarding any allegation against an employee, and consider separating the employee from young people, providing the employee with alternate duties and/or suspending the employee. |

4 Supporting documents

This procedure is supported by the following documents:

Legislation

Children and Young Persons (Care and Protection) Act 1998

Child Protection (Working with Children) Act 2012

Children (Detention Centres) Act 1987

Children (Detention Centres) Regulation 2010

Children's Guardian Act 2019

Crimes Act 1900

Young Offenders Act 1997

Young Offenders Regulation 2010

Related Policies

Child Safety and Mandatory Reporting Policy (The Operations Manual)

Incident Management Policy, Reporting, Debrief and Review (The Operations Manual)

Department of Justice Work Health and Safety Policy (Intranet)

Related procedures

Assault - Employee on Young Person Procedure (The Operations Manual)

Assault - Young person in Police Custody BAL Procedure (The Operations Manual)

Assault - Young person in Police Custody (The Operations Manual)

Assault - Young Person on Employee Procedure (The Operations Manual)

Assault - Young Person on Young Person Procedure (The Operations Manual)

Incident Reporting Procedure (The Operations Manual)

Resources

Mandatory Reporters Guide: <https://reporter.childstory.nsw.gov.au/s/>

Forms

Alleged Assault of Young Person in Police Custody (The Operations Manual)

Summary of an Allegation or Complaint Against an Employee Form (Intranet)

5 Document Information

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6 Document History

| Version | Date | Reason for Amendment |
|----------------|------------------------|--|
| 1.0 | <i>24 January 2020</i> | Replaces Client Protection Procedure |
| 1.1 | 6 July 2020 | Change of Ombudsman reporting requirements to the Office of Children’s Guardian. |
