

CHILD PROTECTION POLICY

Revised July 2008

POLICY & PROTOCOL

General:

As Health Care Providers, staff of Illawarra Women's Health Centre have a legal obligation to report **harm, or risk of harm** to a child or young person. Staff are considered to be Mandatory Reporters. A mandatory reporter is an individual required by law to report to the Department of Community Services (DoCS) **when they have reasonable grounds to suspect that a child, or a class of children, is at risk of harm from abuse or neglect and those grounds arise during the course of, or from, the person's work.** Any person can make a report of harm or risk of harm to a child or young person.

Staff do not need to get permission from the Manager or the care giver in order to make a report to DoCS.

Staff can seek feedback from DoCS about their report.

Dealing with child abuse or neglect is sometimes complex and can be stressful. Staff should know where to get support if they need it, ie to seek support in making the decision if unsure (especially if a new or inexperienced staff member), or to debrief appropriately after the session.

All clients and groups should be made aware as a matter of course of the legislation, and of our responsibility as health workers to report child abuse and neglect/risk of harm, so that it is clear to them that the law exists, and that there are some limits to our confidentiality practice.

IWHC will abide by legislative requirements re child protection, namely The Children & Young Persons (Care & Protection) Act (1998), and will follow the NSW Interagency Guidelines for Child Protection (http://www.community.nsw.gov.au/docswr/assets/main/documents/interagency_guidelines.pdf) which will guide the service to implement legislative requirements.

The Act requires that a reporter has:

- reasonable grounds to make a report
- a suspicion of risk of harm
- current concerns about safety, welfare or wellbeing.

Reasonable grounds is the standard that reporters must use in deciding whether or not to report to the Department of Community Services. It refers to the need to have an objective basis to deduce that a child may be at risk of harm. This could be derived from such things as:

- first-hand observations about the child or family
- what a practitioner has been told by a child, their parent or another person, or
- what a practitioner can reasonably infer, based on professional training and/or experience.

Working With Clients

Staff are required to make a judgment about whether the known facts or observations may constitute a risk of harm to a child or young person from abuse or neglect. If in doubt, consult with the Manager or other staff member. A helpful resource is the DoCS reporting checklist:

http://www.community.nsw.gov.au/docswr/_assets/main/documents/mandatory_check.pdf

In general, it is clear that a sound judgment will require consideration of the likely degree of harm, taking into account the following factors:

- the age, development, functioning and vulnerability of the child or young person
- the behaviour of a child or young person that suggests they may have been, or are being, harmed by another person
- history of previous harm
- behaviour by another person, that has had, or is having, a demonstrated negative impact on the healthy development, safety, welfare and wellbeing of the child or young person (eg drug and alcohol abuse, domestic violence or mental health issues)
- contextual risk factors (for example, recent abuse or neglect of a sibling, or a parent recently experiencing significant problems in managing a child or young person's behaviour)

- indications that a child or a young person's emotional, physical or psychological wellbeing is significantly affected as a result of abuse and neglect.

General indicators of abuse or neglect include:

- a child or young person tells you of their abuse or neglect
- someone else tells you of the abuse or neglect of a child or young person
- a history of previous abuse or neglect to the child, young person or a sibling
- unexplained and marked changes in a child or young person's behaviour or mood
- the parents' or caregivers' misuse of alcohol or drugs affecting their ability to care for the child or young person
- ongoing or sporadic violence between the parents
- the parents or caregivers experiencing significant problems in managing their child, which is incongruent with the child's or young person's behaviour or special needs
- a deficiency in functional parenting skills required to provide for the safety, welfare and wellbeing of the child or young person.

Domestic Violence and Child Protection

Living with domestic violence can cause physical and emotional harm to children and young people. As stated above under Working with Clients, violence in the family is a factor to be considered, and there are indicators associated with domestic violence seen in both adults and children.

Each staff member must judge the need to make a 'child at risk' report in this situation, and may in addition talk with the client about a referral to the IWHC Community Worker for further support regarding the domestic violence situation.

If IWHC staff are not available to see the client about domestic violence, consider the DoCS Domestic Violence Line, which can be contacted on 1800 656 463 – a toll-free statewide 24/7 counselling and referral call centre staffed by women.

The next review will be undertaken by 2010