

POLICY: 2.2 Child Protection

Procedure: 2.7. Reporting Child Abuse

The Educator and Service staff have a duty of care to report any disclosure made by a child to the Nominated Supervisor, for the protection of children.

Definition

What is the **threshold for reporting** to Child Safety?

You have information to suggest that a child:

1. You have formed a reasonable suspicion that a child may need protection
2. May not have a parent able and willing to protect them from the harm
3. Has suffered, is suffering or is at an unacceptable risk of suffering significant harm.

A parent who is not able: May be willing to protect the child but not capable of doing so.

A parent who is not willing: May have the capacity to protect the child but chooses not to.

2.7.1 Linking to Policy

This procedural guidance should be read in conjunction with the Service's **2.2 Children Protection Policy** and will assist the Approved Provider, management, staff (Nominated Supervisors, Coordinators and administrative staff members). Educators, Educator Assistants and parents to implement the policy. The procedure covers:

[2.7.2 Reporting Considerations](#)

[2.7.3 When Abuse is Suspected of Occurring in an Environment Outside of the Service](#)

[2.7.4 When Abuse is Suspected of Occurring in the Service](#)

[2.7.5 Accusations Against an Educator, Staff, Volunteer, Educator Assistant or a Person Residing at an Educator's Residence](#)

[2.7.6 Protection for Reporters](#)

2.7.2 Reporting Considerations

When considering the reporting obligations, whether to report to Police, the Queensland Regulatory Authority and/or Department of Child Safety, Woman and Youth (Child Safety), Educators and staff will:

- Focus on critical factors – immediately consider the safety and wellbeing of the child. If children are at immediate risk of harm, contact the Police
- Consider the threshold for reporting to Child Safety

- Analyse the situation objectively and consistently. Educators and staff may utilise the [online Guide to Child Protection Guide](#) and [Manual to the Guide](#) users this resource will;
- Explain when a concern meets the threshold for a report to Child Safety
- Identify alternate ways to support a family if the concerns do not meet the threshold for a report to Child Safety
- Assist the Service to operationalise the Child Protection Act 1999 to ensure reporting obligations are met and children enrolled at the Service are protected.

In relation to disclosure, notification or where there are reasonable grounds to suspect harm to a child, Educators and staff will:

- Take all disclosures, notifications or suspicions of harm seriously and follow up their concerns by documenting what you have heard and seen (*refer to 2.6 Identifying and Responding to Abuse for requirements around documenting of a disclosures*)
- Seek support by notifying the Nominated Supervisor or Coordinator as soon as practicable (and within 24 hours) to ensure the Regulatory Authority is notified of the abuse and action taken e.g. Called Police, Notified Child Safety
- Notify the Queensland Regulatory Authority (within 24 hours via NQA ITS) of any incident where you reasonably believe that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the Service
- As a mandatory reporter under the legislation, report any situation where you believe, on reasonable grounds, (refer to What is Abuse above: **threshold for reporting**) a child is at risk of significant harm, physical or sexual abuse to the Department of Child Safety, Youth and Women
- Notify the Department of Child Safety, Youth and Woman: Online – [Make a report to Child Safety](#) or Regional intake Office on 1300 682 254 or Outside of these hours, contact the Child Safety After Hours Service Centre on (07) 3235 9999 or free call 1800 177 135 (Queensland only); **OR**
- Contact the Police on 000 (112 from mobiles) if there is an immediate danger to a child and intervene instantly if it is safe to do so. As soon as practicable (and within 24 hours) notify the Nominated Supervisor or Coordinator and complete the Incident, Injury, Illness and Trauma Form
- Subsequent to a notification being made, records of the child remain the responsibility of the Service and must be kept on the child's file until the child is 25 years of age (*see 10.3 Confidentiality Records and Register Management Policy*).

2.7.3 When Abuse is Suspected to have Occurred Outside of the Service

Educators and staff will report all child protection concerns in the child's home environment or any external environment by completing the Incident, Injury, Illness and Trauma Form and sending the completed form to the Nominated Supervisor. The Nominated Supervisor will, in the first instance notify the Regulatory Authority via NQA ITS within 24 hours.

Where the suspected harm is physical or sexual, the Nominated Supervisor and Educator will come together to report via Department of Child Safety Online – [Make a report to Child Safety](#) or call the Regional Intake Office on 1800 316 855 or Outside of these hours, contact the Child Safety After Hours Service Centre on (07) 3235 9999 or free call 1800 177 135; **AND**

report the concerns, providing as much detail as possible. Even if details are limited, the information may be critical in helping to keep a child safe.

The details of the reporter are kept confidential and identity is strictly protected.

When contact is made with Child Safety, the attending officer will gather information and decide how best to respond. The initial information an officer will require is:

- the name, age and address of the child or young person
- the reasons you suspect the child or young person may have experienced or is at risk of experiencing harm
- the immediate risk to the child or young person
- contact details

When a report is made to a Child Safety Officer, he/she will determine how best to respond to the situation.

The Educator will inform the Nominated Supervisor within 24 hours, of the disclosure/report they have made to Child Safety.

2.7.4 When Abuse is Suspected of Occurring in the Service

Understand that allegations of abuse or suspected abuse against a staff member, Educator or a person residing at their residence will be treated in the same way as allegations of abuse against other people and will result in suspension until the matter is investigated. (See *process below*: Accusation against an Educator, staff, volunteer, Educator Assistant or a person residing at an Educator's residence).

2.7.5 Accusations Against an Educator, Staff, Volunteer, Educator Assistant or a Person Residing at an Educator's Residence

Accusations of abuse or suspected abuse against Educators, volunteers, the Nominated Supervisor or Approved Provider are treated in the same way as allegations against other people.

If the Nominated Supervisor is accused of abuse, then the CEO, on behalf of the Approved Provider, will assist in notifying the Queensland Regulatory Authority through the NQA ITS within 24 hours.

Where the accusation of abuse is against an Educator, Educator Assistant, or person residing at the Educator's residence/venue, the Nominated Supervisor will:

- document the accusation as soon as possible and within 24 hours (refer to 4.2 Incident, Injury, Illness and Trauma Policy for procedural guidance)
- immediately go out to the Educator's residence/venue and discuss that an accusation has been made. but details cannot be provided; and
- suspend the Educator and/or Educator Assistant's registration from providing care to children at the residence/venue; and
- note the outcome in writing. The 10.2 Grievance and Complaints Management Policy and relevant procedure will be attached outlining the process to be followed
- notify families via phone that the Educator is not able to provide care for their child and offer alternative care arrangements if possible
- make a notification to the Regulatory Authority with 24 hours through NQA ITS
- refer to the Child Protection Guide to determine if the accusation meets the mandatory reporting threshold and report through the online portal if the accusation is found to be reportable; or
- contact Child Safety and discuss the accusation to determine if this meets the threshold for reporting and make the report; and
- if deemed reportable, the Educator or Educator Assistant will remain suspended until an investigation by Child Safety and/or Police is conducted and findings are provided to the Service
- if the accusation is not reportable (does not meet the reporting threshold), continue to follow the Grievance Policy and Procedure to ensure the individual has an opportunity to provide information and evidence on their behalf
- the registration of the Educator or Educator Assistant will not be re-established unless there is no doubt (sufficient evidence) that the accusation is not true
- if the decision is to cancel the registration, this will be done in writing and delivered to the Educator in person by the Nominated Supervisor and
- all prescribed information and records will be collected from the Educator's residence by the Nominated Supervisor or Coordinator including:
 - o assessment of children's learning
 - o enrolment records
 - o any records pertaining to authorisation given for any child by their parent or authorised nominee – medical record
 - o record of visitors
 - o Incident, Injury, Illness and Trauma forms
 - o attendance records.
- If the registration is cancelled due to a suspicion of abuse, the Nominated Supervisor will notify the Regulatory Authority as soon as possible and within 24 hours; and

- notify Blue Card Services that the Educator and any adults residing at the residence are no longer with the Service; and
- adjust the Service's Educator Register to reflect the Educator (and adults residing at the Educator's residence) are no longer with the Service
 - these details will remain on the register for a further 3 years from the time the Educator's registration was cancelled.

2.7.6 Protection for Reporters

Reports made to the Department of Child Safety are kept confidential, however a law enforcement agency may access the identity of the reporter if this is needed in connection with the investigation of an alleged serious offence against a child, under the *Child Protection Act 1999*. If the report is made in good faith:

- The report will not breach standards of professional conduct
- The report cannot lead to defamation proceedings
- The report is not admissible in any proceedings as evidence against the person who made the report
- A person cannot be compelled by a court to provide the report or disclose its contents
- The identity of the person making the report is protected.

PLEASE NOTE: A report is also an exempt document under the *Freedom of Information Act 1989*

Review

	Date	Details
Revision 00	07/2015	Original Policy Issued
Revision 01	12/2016	Reviewed
Revision 02	08/2017	Reviewed
Revision 03	11/2020	Reviewed and separated from Policy

Related Documents

Policies

2.2 Child Protection Policy

Procedures

2.6 Identifying and Reporting Child Abuse

Forms

Incident, Injury, Illness and Trauma Form