

### Scope

This policy applies to all staff, contractors, applicants, tenants and former tenants of Pacific Link Housing Limited (PLH).

### Purpose

The purpose of this policy is to explain how PLH will respond to any concerns regarding the welfare, safety and well-being of children and young people. according to legal requirements of the Children and Young Persons (Care and Protection) Act 1998 (NSW), Privacy Act 1988 (Cth) and NSW Government: Keep Them Safe policies.

### Legislation

As a community housing provider, PLH is a prescribed body under the legislation and PLH employees are classified as mandatory reporters. The following definitions apply under the legislation:

- A **child** is under 16 years of age
- A **young person** is aged 16 years or above but under 18
- **Risk of significant harm** means there are current concerns for the safety, welfare or well-being because of any of the following:
  - Physical abuse
  - Sexual abuse
  - Psychological harm
  - Neglect
  - Exposure to domestic violence
  - Substance abuse by their parents/carers
  - Concerns for the mental health of their parents/carers.

### Policy

PLH is committed to ensuring the safety, welfare and wellbeing of children and young people by:

- Recognising the signs of abuse and neglect
- Responding early in order to prevent children and young people from harm.
- Reporting the name or a description of a child or young person reasonably suspected of being at risk of significant harm to Department of Family and Community Services (FACS).
- exchanging information about the safety, welfare and well-being of a child or young person with other prescribed bodies as required and permitted by law
- Providing appropriate housing assistance to children, young people and their families.
- ensuring that employees are properly trained and resourced to implement this policy.

Accordingly, PLH staff or contractors who, in the course of their work, have concerns that a child is at risk of significant harm have a legal obligation to report the child's name and the circumstances to FACS immediately. This includes the children of a tenant, tenants' visitors or housing applicants.

In accordance with the legislation, PLH works with other government and non-government agencies to monitor instances where a child or young person is reasonably suspected of being at risk of significant harm. These may include NSW Health, Police and Juvenile Justice.

FACS can request information from PLH and, where a valid request for information is received, the information must be supplied. All information concerning a report is treated in the strictest

confidence, however, reports relating to child wellbeing are specifically exempt from privacy requirements not to disclose personal information. This means that in relation to child protection matters, information must be shared and requested without the consent of a parent, guardian, individual or family to keep children safe.

Any person making an inquiry or complaint concerning a report will be referred to FACS or the Police. The identity of a child abuse reporter cannot be disclosed without their permission or unless directed by a judge or magistrate during court proceedings. PLH staff must not inform parents or caregivers that FACS or the Police are investigating an incident of suspected child abuse or neglect.

While not mandatory, PLH staff with concerns about the safety, welfare or wellbeing of an unborn child or a young person aged 16-17 years old, will be required to report these matters to FACS to comply with this policy.

### **Supporting Children, Young People and Their Families**

PLH will consider the safety, welfare and wellbeing of children and young people when making housing management decisions. When risk of harm concerns do not meet the statutory reporting threshold to warrant reporting to FACS, PLH will work to support children, young people and their families through active referral to support services that meet their needs. If a family chooses not to engage with support services PLH will remind families of the services available and monitor ongoing concerns through our contact with the family.

Where children are in the temporary care of PLH staff, eg where discussions are being held with their parents, two staff must be present at all times.

### **Complaints and Appeals**

If a tenant is not satisfied with a service provided by PLH or does not agree with a decision it has made, they should first discuss their concerns with their Housing Manager. If they are still not satisfied they can ask for a formal review. Refer Complaints and Appeals Policy.

*Craig Brennan*

Craig Brennan, CEO May 2019