

Scope

This policy applies to all staff, directors, volunteers, 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) (the Care and Protection Act).

Policy

PLH is committed to responding early in order to prevent children and young people from harm by:

- recognising the signs of abuse and neglect.
- reporting the name or a description of a child (0 to 16 years) or young person (16 or 17 years) where there are reasonable grounds to suspect they are at risk of significant harm.
- 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.

PLH employees are no longer required to provide Working with Children checks as a condition of their employment.

Mandatory Reporter

As a community housing provider, PLH is a prescribed body under the legislation and PLH employees are classified as mandatory reporters. PLH will make reports as soon as practicable to the Department of Communities and Justice (DCJ) Child Protection Helpline on 132 111. Reports can be made in relation to the children of a tenant, tenants' visitors or housing applicants. Concerns should be confidentially reported to the Manager, Tenancy and Transitional, or their delegate, when making the report to DCJ.

'Reasonable grounds' refers to the need to have an objective basis for suspecting that a child or young person may be at risk of significant harm, based on:

- first-hand observations of the child, young person or family.
- what the child, young person, parent or another person has disclosed.
- what can reasonably be inferred based on professional training and / or experience.

'Reasonable grounds' does not mean a person is required to confirm their suspicions or have clear proof before making a report.

'Risk of significant harm' under the Care and Protection Act means there are current concerns for the safety, welfare or well-being because of any of the following:

- the child's or young person's basic physical or psychological needs are not being met or are at risk of not being met,
- the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care,
- in the case of a child or young person who is required to attend school in accordance with the [Education Act 1990](#)—the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education in accordance with that Act,

- the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated,
- the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm,
- a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm,
- the child was the subject of a pre-natal report under section 25 and the birth mother of the child did not engage successfully with support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report.

The Mandatory Reporter Guide can be found at the link below and is used to determine what action PLH should take if we suspect child abuse or neglect, or if we receive a report of suspected child abuse or neglect from a third party such as a neighbour or PLH contractor. PLH will review information provided by a third party and make a report to the Child Protection Helpline if it is recommended by the Mandatory Reporter Guide. We also advise the third party to contact the Child Protection Helpline. The identity of a third party 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 DCJ or the Police are investigating an incident of suspected child abuse or neglect.

<https://reporter.childstory.nsw.gov.au/s/mrg>

Actions PLH may take include:

- promptly referring the household to specialist support services where appropriate,
- contacting the Child Protection Helpline on 132 111,
- contacting a local Multi-Agency Response Centre, and
- contacting Police.

PLH staff will also report concerns about the safety, welfare or wellbeing of an unborn child or a young person that do not meet the mandatory reporting thresholds where it is considered appropriate to do so.

Information Storage and Exchange

PLH records information in an accurate, rational and non-judgemental manner and keeps all information relating to a report of suspected child abuse or neglect confidential and stores it securely. We disclose information to other agencies only if required to under Chapter 16A of the Care and Protection Act or as otherwise outlined in this policy or PLH's Privacy and Confidentiality Policy. Chapter 16A allows government agencies and non-government organisations who are prescribed bodies to exchange information that relates to a child's or young person's safety, welfare or wellbeing, whether or not the child or young person is known to DCJ, and whether or not the child or young person, their parent or guardian consents to the information exchange. This means PLH is obliged by law to provide the requested information to the relevant authorities.

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 DCJ, PLH will work to support children, young people and their families through active referral to support services that meet their needs, if appropriate. 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.

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 Officer. If they are still not satisfied they can ask for a formal review. Refer Complaints and Appeals Policy.

Related Documents

Children and Young Persons (Care and Protection) Act 1998 (NSW)
Privacy & Confidentiality Policy

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