

When should I make a report of risk of significant harm?

Physical abuse

Physical abuse is where a child/young person has a suspicious current injury, suspected to be caused by the parent/carer AND where it has not occurred accidentally OR the child or young person is being treated in a way that may have or is likely to cause injury.

Neglect

Neglect – lack of supervision is where a child/young person is alone and based on their age/development/circumstances this is unsafe. It may also be where a child/young person is currently not under the care and supervision of an appropriate carer and due to age/development/ disability this is unsafe.

Neglect – lack of physical shelter/environment is where a child/young person or family has no safe place to stay or there is imminent danger of serious harm in the current residence

- dependant on their age/development/disability and
- where the parent/carer is not ensuring the child's safety

(Note: reporting the homelessness of young people aged 16 to 17 years is not mandatory and can only be done with the consent of the young person.)

Neglect – food – medical professionals is where a child/young person has a condition caused or exacerbated by inadequate or poor diet or where the child is aged under 5 and is failing to keep pace with expected growth and there is no known organic cause.

Neglect – food – non-medical professionals is where a child or young person is:

- reporting persistent hunger
- reporting persistent withholding of food as punishment
- thin, frail, listless
- frequently begging/stealing/hoarding food
- mentioning going without eating
- frequently arriving at school without breakfast/ lunch
- having difficulty concentrating and you suspect poor nutrition

Neglect –medical care – medical professionals is where:

- a child/young person requires medical care for an acute condition for which parents/carers are not providing the recommended medical treatment
- there is a chronic condition which is not being treated or a treatment plan is not being followed and this is likely to result in significant harm

Neglect –medical care –non-medical professionals is where:

- a child/young person has a physical health condition that appears to need immediate care which is not being provided
- parent/carer is refusing or unable to seek recommended medical care
- there is a medical condition that requires an ongoing treatment plan that is not being followed

Neglect –mental health care is where:

- a child/young person is suicidal/ has committed or is threatening serious violence or is causing significant self-harm
- parent/carer is refusing to provide or access mental health care that the child/young person requires.

Neglect – education – not enrolled is where a child/young person is of compulsory school age and is not enrolled.

Neglect – education – habitually absent is where a child/young person is of compulsory school age and is enrolled and is habitually absent.

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Sexual abuse

Sexual abuse – child is where a child has made a clear, unambiguous statement of sexual assault or is:

- pregnant
- diagnosed with a sexually transmitted disease
- displaying trauma to genital area
- where you are aware by other means that a child has been sexually abused.

It will also be a cause for reporting if:

- there is a concern a child will have significant contact with an alleged or known sex offender or
- the child is exposed to sexually explicit material or acts including pornography and communication of sexual matters and the child expresses fear, discomfort or shows symptoms of significant harm

Sexual abuse – young person is where a young person has made a clear, unambiguous statement of sexual abuse, or you are aware by other means, the young person has been sexually abused.

It may also be a cause for reporting if:

- the young person is engaged in prostitution or pornography and
- the young person appears subject to coercion or intimidation

Child/young person problematic sexual behaviour is where a child/young person is engaged or may be engaged in sexually abusive behaviour, indicated by:

- a victim who is substantially younger, smaller, weaker, less mature or cognitively/physically less capable
- pressure, coercion, aggression, bribery, secrecy or other grooming behaviours have been used

It may also be a cause for reporting:

- when the victim is a relative of the initiating child/young person
- when the victim lives in the same household or
- where the action was significantly outside normal sexual behaviour

It may also be a cause for reporting where the child/young person has continuing or imminent contact with the victim.

Psychological harm

Psychological harm is where a child/young person is exposed to:

- chronic or severe domestic violence
- severe parental/carer mental health or substance abuse concerns
- parental/carer behaviours that are persistent, repetitive and have a negative impact on a child/young person's development, social needs, self worth or self-esteem
- parental/carer criminal and/or corrupting behaviour
- parental/carer behaviours that deliberately expose a child/young person to traumatic events

Relinquishing care

Relinquishing care is where the parent/carer is no longer willing to provide shelter/food/supervision for the child/young person or child/young person has been in voluntary care for longer than the legislation allows. It is also a cause for reporting if there are no alternative care arrangements in place for the next 72 hours.

Carer concerns

Parent/carer substance abuse is where the substance abuse impacts on the parent/carer's ability to meet the child/young person's needs causes significant harm and/or where the child/young person's behaviour indicates the impact of substance abuse.

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Parent/carer mental health is where the mental health concern impacts on the parent/carer's ability to meet the child/young person's needs; causes significant harm and/or where the child or young person's behaviour indicates the impact of the parent/carer's mental health concern.

Parent/carer domestic violence is where there has been an incident of domestic violence, there is a child or young person in the home and where one or more of the following occurred, whether the child was present or not:

- use of weapon
- strangulation/suffocation attempt
- serious injury to adult
- physical injury to child/young person
- serious threat to harm child/young person/adult/self
- a significant increase in the pattern of violence.

Unborn child

Unborn child is where there is a history of abuse or neglect of siblings of the unborn child; siblings have been removed, or died in circumstances that have been reviewed by the Ombudsman.

It may also be where you are aware of circumstances that suggest either parent/carer will be unable to care for baby upon birth due to:

- suicidal tendencies
- substance abuse
- mental illness
- domestic violence
- cognitive disability
- medical condition
- homelessness
- inadequate preparations for birth

Other reasons to notify the Child Protection Helpline

The Child Protection Helpline should be notified if a child/young person is under the parental responsibility of the Minister, there is no concern that reaches the threshold of risk of significant harm but the child/young person is:

- pregnant
- runaway
- missing
- homeless (in the case of homelessness review the Neglect: Physical Shelter/Environment tree first. If that leads to a report to Community Services, report as neglect. If it does not lead to a report to Community Services, advise the Child Protection Helpline that the report is being made solely because the child or young person is in care, and is not due to neglect.)

Reference

Interagency Child Wellbeing and Child Protection Guidelines

Available from: <http://www.community.nsw.gov.au/kts/guidelines/reporting/index.htm>