

Child Safety and Mandatory Reporting Policy

1.0 Purpose and Applicability

This policy explains how the Women's Housing Company (WHC) promotes child safety and wellbeing, identifies and responds to concerns about children and young people, and meets its mandatory reporting obligations under NSW child protection legislation.

This policy applies to all WHC staff, managers, contractors, volunteers, students and consultants. It also guides WHC's work with support provider partners, applicants, tenants, household members and clients of WHC housing and homelessness services.

The policy is informed by the National Principles for Child Safe Organisations and requires WHC to embed child safety in governance, service delivery, recruitment, training, complaints handling, risk management, information sharing and continuous improvement.

This policy should be read together with WHC's Customer Service Charter, Customer Rights and Responsibilities, Compliments, Complaints and Appeals Policy, Privacy Policy, Code of Conduct and relevant operational procedures.

1.1. Definitions

Child: is defined as a person aged between 0 and 15 years of age

Young person: is defined as a person aged 16 or 17 years of age.

Risk of significant harm (ROSH): A child or young person is at risk of significant harm when the concerns for their safety, welfare or wellbeing are serious enough to warrant a response by a statutory authority, regardless of whether the family consents to support.

Mandatory reporting: is the legislative requirement for selected classes of people to report suspected child abuse and neglect to government authorities.

Mandatory Reporter Guide (MRG): is a structured decision-making tool that helps mandatory reporters decide whether concerns about possible abuse or neglect of a child or young person should be reported to the Child Protection Helpline.

Child abuse and neglect: may include neglect, sexual abuse, physical abuse, emotional abuse or psychological harm, exposure to domestic and family violence, cumulative harm and other circumstances that place a child or young person's safety, welfare or wellbeing at risk.

Neglect occurs when a parent or caregiver does not regularly provide the basic care needed for a child's growth and development, such as food, clothing, hygiene, shelter, medical and dental care, adequate supervision, education or safe parenting and care.

Sexual abuse occurs when a person involves a child or young person in sexual activity by using power, control, trust, coercion, threats or exploitation. Sexual abuse is a crime.

Physical abuse includes non-accidental injury or a pattern of injuries to a child or young person caused by a parent, caregiver or another person. It may include unreasonable physical force, excessive discipline, serious assault or other conduct that causes, or is likely to cause, physical harm.

Emotional abuse or psychological harm may occur where behaviour by a parent, caregiver or another person damages a child or young person's confidence, safety, development or wellbeing. This may include persistent criticism, intimidation, threats, rejection, isolation, withholding affection or exposure to domestic and family violence.

In this policy:

- "may" is an acceptable action or requirement but not mandatory
- "must" or "shall" or "will" designates a mandatory requirement or action

2.0 Policy Statement

Children and young people have the right to be safe in their homes, services and communities, and to live free from abuse, neglect, violence and exploitation.

WHC recognises that child abuse, neglect and exposure to violence can cause significant and lasting harm. WHC is committed to taking reasonable steps to prevent harm, identify concerns early, respond appropriately and support access to specialist services where needed.

As a community housing and homelessness services provider, WHC may have contact with children and young people through tenancy management, housing applications, home visits, outreach, complaints, partnerships and service coordination.

WHC will promote a child-safe culture by embedding child safety and wellbeing in governance, risk management, recruitment, staff training, complaints handling, information sharing, service delivery and continuous improvement.

3.0 Mandatory Reporting

3.1. Mandatory reporting obligation

Under the Children and Young Persons (Care and Protection) Act 1998, WHC staff, contractors and people in management positions are mandatory reporters where they deliver, wholly or partly, residential or community housing services to children as part of their professional work or paid employment. This includes concerns relating to children in the care of tenants, household members, visitors, housing applicants and clients of WHC services.

A mandatory report must be made to the Department of Communities and Justice as soon as practicable when a staff member, contractor or person in a management position has reasonable grounds to suspect that a child aged 0 to 15 years is at risk of significant harm, and those grounds arise during the course of, or from, their work or role. Staff do not need to prove abuse or neglect before reporting. Concerns may be based on observation, disclosure, professional judgement, patterns of behaviour, environmental risk or credible information from another person.

The report must include the child's name, or a description sufficient to identify the child, and the grounds for suspecting that the child is at risk of significant harm.

Risk of significant harm may arise from neglect, physical abuse, sexual abuse, psychological or emotional harm, exposure to domestic and family violence, inadequate supervision, lack of medical care, lack of education,

serious parental substance misuse or mental health concerns, or any other circumstance that places a child's safety, welfare or wellbeing at significant risk.

NSW child protection legislation allows relevant information to be exchanged between prescribed bodies, including WHC, where this supports the safety, welfare or wellbeing of a child or young person. Information sharing must be lawful, relevant, proportionate, documented and limited to what is necessary for child safety purposes.

Reports about an unborn child or a young person aged 16 to 17 years are not mandatory under NSW legislation. However, WHC staff and contractors must use professional judgement, seek supervision where appropriate, and make a report or referral where concerns about safety, welfare or wellbeing require escalation under this policy.

If a child, young person, adult or staff member is in immediate danger, staff must call Triple Zero (000) before, or at the same time as, taking any other reporting or internal escalation action.

3.2. Mandatory Reporter Guide

Staff must complete the NSW Mandatory Reporter Guide when they have concerns about a child or young person, unless an immediate emergency response is required. The Mandatory Reporter Guide supports structured decision-making but does not replace professional judgement, supervision, consultation, risk assessment or escalation.

Where a concern relates to domestic, family or sexual violence, staff must consider the risk to any children or young people in the household, including the impact of exposure to violence, coercive control, threats, intimidation or psychological harm. Exposure to domestic and family violence may meet the threshold for mandatory reporting where it places a child at risk of serious physical or psychological harm.

Staff must keep factual, timely and secure records of child safety concerns, including the Mandatory Reporter Guide outcome, any report reference number, internal consultation, actions taken, referrals made, safety planning considerations and follow-up required.

Staff must explain the limits of confidentiality where safe and appropriate and must not promise secrecy where a child safety concern may require reporting, referral, escalation or information sharing.

3.3. Homeless Children and Young People

WHC recognises that child homelessness may place a child or young person at increased risk of harm and may indicate that their safety, welfare or wellbeing is compromised. Where WHC becomes aware that a child or young person is homeless, sleeping rough, living in unsafe, insecure or inappropriate accommodation, or is otherwise without appropriate care or supervision, the worker must consider whether the circumstances give rise to concerns that the child or young person is at risk of significant harm.

Where there are reasonable grounds to suspect a risk of significant harm, the worker must make a report to the NSW Child Protection Helpline as soon as practicable. WHC workers should also take reasonable steps, consistent with their role, to connect the child, young person and their family or carers with appropriate housing, support and child wellbeing services.

4.0 Supporting Children, Young People and their Families

WHC will consider the safety, welfare and wellbeing of children and young people when making tenancy management, housing assistance, homelessness service and referral decisions.

Where concerns do not meet the statutory threshold for a report to the Department of Communities and Justice, WHC may still provide support, make referrals, consult with relevant services and monitor risk in line with its duty of care and service role.

Making a report does not prevent WHC from continuing to support the child, young person or family within its service role, including through tenancy management, referrals, safety planning and service coordination.

Where a family does not engage with offered support, WHC will continue to provide information about available services, document relevant concerns and monitor any ongoing risk through appropriate contact and service coordination.

When a child, young person or adult discloses abuse, neglect or violence, staff must respond in a trauma-informed and child-safe way. Staff should listen calmly, reassure the person that they have done the right thing by speaking up, avoid blame, avoid leading questions, explain the limits of confidentiality, document the disclosure using the person's own words where possible, and escalate the concern promptly in line with this policy.

5.0 Organisational Capability

WHC is committed to building the skills, capacity and confidence of staff and contractors to identify, respond to and escalate child safety concerns appropriately.

Staff will be trained and supported to identify indicators of abuse, neglect, domestic and family violence, cumulative harm and risk of significant harm; use the NSW Mandatory Reporter Guide; make reports to the Child Protection Helpline; document concerns appropriately; and provide safe, trauma-informed support and referrals.

WHC will identify roles that involve child-related work, verify Working with Children Check details for those roles where required, and keep appropriate verification records in accordance with Office of the Children's Guardian requirements. WHC will also maintain child-safe recruitment and screening practices, including referee checks, role-appropriate onboarding, supervision and ongoing training for staff and contractors whose work may involve contact with children or young people.

WHC will regularly review child safety risks across its services, properties, home visits, outreach work, digital communication, partnerships and complaints processes, and will take reasonable steps to reduce opportunities for harm and strengthen safe service delivery.

WHC will work with government agencies, specialist services and support providers, where appropriate, to promote the safety, welfare and wellbeing of children and young people living in WHC properties or receiving WHC homelessness support services.

6.0 Complaints and Appeals

Any child, young person, tenant, applicant, family member, support provider, staff member or other person may raise a complaint or concern about child safety, the handling of a mandatory reporting matter, or the

administration of this policy. Complaints and concerns will be managed promptly, fairly, confidentially and without victimisation, in line with WHC's Compliments, Complaints and Appeals Policy.

Child safety complaints must be handled in a way that prioritises the immediate safety and wellbeing of children and young people. Where a complaint raises possible risk of significant harm, staff must follow the mandatory reporting and escalation requirements in this policy.

7.0 References

7.1. External or Statutory Requirements

This policy is informed by, and should be applied consistently with, the following legislation, standards and guidance:

- Children and Young Persons (Care and Protection) Act 1998 (NSW) and Children and Young Persons (Care and Protection) Regulation 2022 (NSW)
- Child Protection (Working with Children) Act 2012 (NSW) and Child Protection (Working with Children) Regulation 2013 (NSW)
- National Principles for Child Safe Organisations
- NSW Mandatory Reporter Guide and ChildStory Reporter guidance
- NSW Residential Tenancies Act 2010 and Residential Tenancies Regulation 2019
- Housing Act 2001 (NSW)
- Community Housing Providers (Adoption of National Law) Act 2012 (NSW)
- Privacy and Personal Information Protection Act 1998 (NSW) and Health Records and Information Privacy Act 2002 (NSW), where applicable

7.2. Internal Requirements and Forms

This policy should be read together with the following WHC documents and operational procedures:

- Customer Service Charter
- Customer Rights and Responsibilities
- Compliments, Complaints and Appeals Policy
- Privacy Policy
- Code of Conduct
- Recruitment, screening and onboarding procedures
- Incident and risk management procedures
- Domestic and family violence, safeguarding and support referral procedures, where applicable