



Mandatory Reporting

Policy Category	1. Tenancy	Policy Number	1.12
Author	Cliff Jones - CEO	Board Approval Date	23 May 2019
Position Responsible	Housing Services Manager	Scheduled Review Date	May 2020

Purpose:

This policy outlines the responsibilities of Homes Out West (HOW), staff and contractors in the area of mandatory reporting under NSW child protection legislation.

Policy:

HOW will respond early to any concerns regarding the welfare safety and well-being of children and young people according to the requirements of a mandatory reporter under the Children and Young Persons (Care and Protection) Act 1998.

Relevant Service Standards:	<p>National Community Housing Standards</p> <ul style="list-style-type: none"> • 1.3 Changing Needs of Tenants • 4.1 Tenants' Access to Support <p>Legislation</p> <ul style="list-style-type: none"> • Children and Young Persons (Care and Protection) Act 1998. <p>National Regulatory System for Community Housing (NRSCH) Performance Outcome and Performance Requirement</p> <ul style="list-style-type: none"> • Outcome 1. Tenant Housing Services • Outcome 3. Community Engagement
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Procedure and Guidelines:

Under the Children and Young Persons (Care and Protection) Act 1998 (the Act), HOW staff and contractors are classified as mandatory reporters. This means that if during the course of their work they have a reasonable suspicion that a child (aged 0-15) is at risk of significant harm from abuse or neglect, they are legally obliged to report these concerns to the Department of Family and Community Services. This includes the children of a tenant, household members, their guests and also housing applicants. Any staff member or contractor who suspects a child or young person is at risk of or experiencing harm must report this in accordance with this policy.

A staff member or contractor who has any concerns regarding child safety issues will initially inform the Client Services Officer responsible for the tenancy.

Situations that may lead to child safety issues may include:

- signs of domestic and family violence
- signs of drug use or manufacturing on the premises where a child or young person is present
- signs of potential harm being caused to a child or young person
- signs of potential neglect of a child or young person
- impending homelessness due to eviction.

The Client Services Officer will complete the *Childstory Reporter Decision Tree* available at <https://reporter.childstory.nsw.gov.au/s/mrg>.

The Client Services Officer will inform the Housing Services Manager or available Executive Team member of their concerns and the results of their completion of the *Decision Tree*. The Housing Services Manager or Executive Team member will assess the information and if indicated by the *Decision Tree* outcome will inform the Client Services Officer to report the matter to Community Services on the Child Protection Helpline on 132 111 within 24 hours.

When risk of harm concerns does not meet the reporting threshold to warrant reporting to the FACS, HOW will work to support children, young people and their families through active referral to support services that meet their needs.

Chapter 16A of the Act calls for information to be exchanged between certain organisations working with or providing services to children and young people and their families, despite other laws that prohibit or restrict the disclosure of personal information. The needs and interests of children and young people (and of their families) in receiving services relating to the care and protection of children or young people take precedence over the protection of confidentiality or of an individual's privacy.

If HOW staff are requested by another organisation for information regarding a tenant in relation to child safety, the Housing Services Manager or Executive team member are to be informed. The Housing Services Manager or Executive team member will determine if any information will be shared with another organisation without the tenant's consent after checking the provisions of the Act. If deemed appropriate, such information can be shared by the Housing Services Manager or Executive team member if they act in good faith to provide information in accordance with the legislation and will therefore not be liable to any legal or disciplinary action and cannot be held to have breached any professional ethics, code or standards.

If a situation arises whereby HOW may be required to initiate sharing information under Chapter 16A, the Housing Services Manager will discuss the situation with the CEO to determine whether such information will be shared without the tenants' consent. It is always preferable to seek the tenant's consent and discussion will occur about whether it is considered to be safe and appropriate to do so.

HOW staff can contact the *Keep Them Safe* Support Line for further information 1800 772 479.