

Protecting Children and Young People - DoCS Risk of Harm Report Form

Document Number PD2006_109

Publication date 12-Dec-2006

Functional Sub group Clinical/ Patient Services - Baby and child
Clinical/ Patient Services - Incident management

Summary Provides the form to be used for reporting a child or young person at risk of harm to the DoCS Helpline in accordance with the Children & Young Persons (Care and Protection) Act 1998. The Risk of Harm Report form replaces the Recording Form for the Report of Suspected Risk of Harm Related to the Abuse or Neglect of a Child or Young Person attached to PD2005_299-Protecting Children & Young People. The Risk of Harm Report form is to be used for documentation of a report made by phone or fax after which the form is to be placed on the client health record. The Frequently Asked Questions assists workers to make a report.

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Applies to Area Health Services/Chief Executive Governed Statutory Health Corporation, Board Governed Statutory Health Corporations, Affiliated Health Organisations - Non Declared, Affiliated Health Organisations - Declared, Community Health Centres, Dental Schools and Clinics, Divisions of General Practice, Government Medical Officers, NSW Ambulance Service, NSW Dept of Health, Public Health Units, Public Hospitals

Audience All staff

Distributed to Public Health System, Community Health Centres, Dental Schools and Clinics, Divisions of General Practice, Environmental Health Officers of Local Councils, Government Medical Officers, Health Associations Unions, Health Professional Associations and Related Organisations, NSW Ambulance Service, NSW Department of Health, Public Health Units, Public Hospitals, Private Hospitals and Day Procedure Centres, Tertiary Education Institutes

Review date 12-Dec-2011

Director-General **File No.**

Status Active

This Policy Directive may be varied, withdrawn or replaced at any time. Compliance with this directive is **mandatory** for NSW Health and is a condition of subsidy for public health organisations.

PROTECTING CHILDREN AND YOUNG PEOPLE – DoCS RISK OF HARM REPORT FORM

A new, standard fax reporting form has been developed for reporting children and young people at risk of harm to the NSW Department of Community Services' (DoCS) Helpline.

The DoCS Helpline has been working with agencies to adopt a standard fax form to improve the quality of risk of harm reports from mandatory reporters, and to ensure the form is aligned with the approved practice commitments in the new *NSW Interagency Guidelines for Child Protection Intervention, 2006*.

The [Risk of Harm Report form](#) replaces the *Recording Form for the Report of Suspected Risk of Harm Related to the Abuse or Neglect of a Child or Young Person* attached to *PD2005_299 – Protecting Children and Young People*. The Risk of Harm Report form is to be used for documentation of a telephone or a fax report and is to be placed on the client's file.

Receiving a report or risk of harm by telephone remains the preferred option as a verbal report allows Helpline caseworkers to clarify information, particularly when a report relates to a high risk matter. Overall, a telephone report provides a better quality of information to inform initial assessment and any other action taken.

The [form](#) may be faxed if the wait time on the telephone exceeds five (5) minutes or where operational commitments prevent health staff from making a telephone report.

The '*Frequently Asked Questions*' (FAQ) sheet assists staff to complete the form.

This fax form will be trialled for a period of 6 months after which feedback will be sought by DoCS, to determine necessary amendments prior to further roll-out of the standard form.

**HELPLINE'S TELEPHONE CONTACT NUMBER
FOR MANDATORY REPORTERS - 13 3627 (13 DoCS)**

HELPLINE'S FAX NUMBER FOR MANDATORY REPORTERS - 9633 7666

Robyn Kruk
Director-General

RISK OF HARM REPORT

- This form is to be used for the documentation of a risk of harm report to the DoCS Helpline.
- Reporting to the DoCS Helpline by telephone to **133 627 (13 DoCS)** is the preferred option.
- This form should only be faxed to **9633 7666** where the wait time exceeds five (5) minutes or where operational commitments prevent you from doing so.
- This form should be placed on the client health record after use.

PLEASE TYPE OR PRINT CLEARLY

Please make sure all pages are sent

1. YOUR DETAILS			
Reporter's name		Position	
Service / Agency			
Contact phone no.		Fax no.	
Business Address			
Was a message left on the DoCS Helpline telephone system?	<input type="checkbox"/> No <input type="checkbox"/> Yes	If yes →	Date _____ Time _____
COPS Event No. (police only)			
Child Protection Watch Team (tick if applicable)	<input type="checkbox"/> Yes	In relation to this report, are you an Opioid treatment prescriber?	<input type="checkbox"/> Yes

2. DETAILS ABOUT THE CHILD OR YOUNG PERSON			
Child or young person's name			
Date of birth (or expected date)		Age or approximate age	<input type="checkbox"/> Unborn
Gender	<input type="checkbox"/> Male	<input type="checkbox"/> Female	<input type="checkbox"/> Not known
Tick if applicable	<input type="checkbox"/> Aboriginal	<input type="checkbox"/> Torres Strait Islander	<input type="checkbox"/> ATSI
Cultural background			
School / Pre-School attended or other child care (Family Day Care / nanny arrangements etc)			
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3. FAMILY DETAILS

Family's address			
Suburb		Postcode	
Home phone			
Interpreter required	<input type="checkbox"/> No <input type="checkbox"/> Yes →	Please identify language spoken	
Disability issues			
Current whereabouts of child / young person			

4. NAME OF PARENTS/ CARERS & THEIR RELATIONSHIP TO THE CHILD OR YOUNG PERSON

Name	
Address (if different from above)	
Phone (if different from above)	
Relationship	
Name	
Address (if different from above)	
Phone	

(if different from above)	
Relationship	
Significant others close to the child and/or family (eg. grandparents/ aunts/ uncles)	

5. SAFETY CONCERNS

Known relevant criminal history of parents/carers			
Current Apprehended Violence Order (AVO)	<input type="checkbox"/> Yes ↓	<input type="checkbox"/> No	<input type="checkbox"/> Not known
Who is the AVO against?			
Who is protected by the AVO?			
Family Law Court Orders (please provide details)			
Any known worker safety issues	<input type="checkbox"/> No	<input type="checkbox"/> YES (please provide details)	

AS PER THE ACT, A CHILD IS DEFINED AS A PERSON WHO IS UNDER THE AGE OF 16 YEARS, AND A YOUNG PERSON IS DEFINED AS 16 YEARS AND ABOVE, BUT IS UNDER THE AGE OF 18 YEARS.

What is the reason for reporting under the <i>Children and Young Persons (Care and Protection) Act 1998</i> ?	<input type="checkbox"/> Request for Assistance (Sect 113)	<input type="checkbox"/> Prenatal (Sect 25)
	<input type="checkbox"/> Risk of Harm (Sect 23/24)	<input type="checkbox"/> Homelessness (Sect 120/121/122)

Please provide details of concern for the safety and/or welfare of the child/ren and/or young persons. Also include any concerns you may have in regards to: <ul style="list-style-type: none"> issues of domestic violence carer's alcohol or other drug misuse carer's mental health issues 	
What have you noticed of concern about the child/ren and/or young person's appearance and behaviour?	
What is the nature of your ongoing professional role, if any, with the child/ren, young person/s and their parents/carers, and the frequency,	

duration and type (if applicable)?	
What other services or supports are currently in place to support the child/ren, young person/s and their parents/carers (if known)?	
<p>Is the family, child or young person aware that this report has been made? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If DoCS considers the report should be referred to NSW Police for criminal investigation, do you consent to your details being forwarded? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If the report is referred to NSW Police, the same protections and confidentiality relating to your identity will continue to apply as per section 29 of the <i>Children and Young Persons (Care and Protection) Act 1998</i>.</p>	
Reporter's name (please print clearly)	
Signature	
Date and time	

FREQUENTLY ASKED QUESTIONS

**REPORTING BY TELEPHONE IS THE HELPLINE'S PREFERRED OPTION,
AS IT ALLOWS THE HELPLINE CASEWORKER TO CLARIFY INFORMATION.**

THE HELPLINE'S CONTACT NUMBER FOR MANDATORY REPORTERS IS 13 3627 (13 DOCS)

**FAXES SHOULD ONLY BE UTILISED WHERE THE WAIT TIME BY TELEPHONE EXCEEDS 5 MINUTES,
OR OPERATIONAL COMMITMENTS PREVENT PHONE CONTACT.**

QUESTIONS	ANSWERS
1. What is the reason for reporting under the <i>Children and Young Persons (Care & Protection) Act 1998</i>?	<p>As mandated reporters under Section 27 of the NSW <i>Children and Young Persons (Care and Protection) Act 1998</i>, you have a statutory duty to report a child (who is under the age of 16 years) to DoCS if you have current concerns for the safety, welfare or well-being of the child because of the presence of any one or more of the following circumstances of risk of harm as described in section 23 of the Act, and you have <u>reasonable grounds</u> to suspect that a child is at risk of harm from any one or more of these circumstances:</p> <ul style="list-style-type: none">○ Physical / psychological needs not being met or at risk of not being met○ Parents / carers unable or unwilling to arrange medical care○ Physical / Sexual Assault has occurred or is at risk of occurring○ Risk of physical or psychological harm due to domestic violence○ Psychological abuse has occurred or is at risk of occurring. <p><u>Note:</u> Physical or sexual abuse may include an assault and can exist, despite the fact that the consent has been given.</p> <p>Mandatory reporters may also report a young person (who is 16 years and above, but is under the age of 18 years) if you suspect they are at risk of harm, but you are not mandated to do so.</p>

QUESTIONS	ANSWERS																					
<p>2. What if I have a concern about a young person, or an unborn child, or about a homeless child or young person? Am I mandated under the legislation to report to DoCS?</p>	<p>The following table identifies the way in which mandatory and non-mandatory reporting applies in certain types of cases, noting that there are no mandatory provisions for young persons aged 16 to 18 years or for unborn children:</p> <table border="1" data-bbox="779 395 1921 994"> <thead> <tr> <th colspan="3" data-bbox="779 395 1921 432">Reporting Matrix</th> </tr> <tr> <th data-bbox="779 432 1294 480">Case Type</th> <th data-bbox="1294 432 1655 480">Mandatory report</th> <th data-bbox="1655 432 1921 480">Not mandatory</th> </tr> </thead> <tbody> <tr> <td data-bbox="779 480 1294 560">A child or a group of children under 16 years</td> <td data-bbox="1294 480 1655 560" style="text-align: center;">✓</td> <td data-bbox="1655 480 1921 560"></td> </tr> <tr> <td data-bbox="779 560 1294 671">A young person or a group of young people aged 16 years or above but under 18 years</td> <td data-bbox="1294 560 1655 671"></td> <td data-bbox="1655 560 1921 671" style="text-align: center;">✓</td> </tr> <tr> <td data-bbox="779 671 1294 727">An unborn child</td> <td data-bbox="1294 671 1655 727"></td> <td data-bbox="1655 671 1921 727" style="text-align: center;">✓</td> </tr> <tr> <td data-bbox="779 727 1294 831">A child under 16 years living away from home without parental permission</td> <td data-bbox="1294 727 1655 831" style="text-align: center;">✓ for persons who provide residential accommodation</td> <td data-bbox="1655 727 1921 831" style="text-align: center;">✓ for other reporters</td> </tr> <tr> <td data-bbox="779 831 1294 994">A young person 16 years or above but under 18 years who is homeless</td> <td data-bbox="1294 831 1655 994"></td> <td data-bbox="1655 831 1921 994" style="text-align: center;">✓ and any such report requires the consent of the young person</td> </tr> </tbody> </table> <p data-bbox="779 994 1621 1018">Source: 2006 edition of the <i>NSW Interagency Guidelines for Child Protection Intervention</i></p> <ul data-bbox="824 1043 2002 1251" style="list-style-type: none"> • A report can be made about an unborn child under section 25 (Prenatal Reports) of the <i>Children and Young Persons (Care and Protection) Act 1998</i>. • Homelessness can be reported under the following sections: Section 120 - Homelessness of children Section 121 - Homelessness of a young persons <u>Note:</u> Do you have consent from the young person to report? 	Reporting Matrix			Case Type	Mandatory report	Not mandatory	A child or a group of children under 16 years	✓		A young person or a group of young people aged 16 years or above but under 18 years		✓	An unborn child		✓	A child under 16 years living away from home without parental permission	✓ for persons who provide residential accommodation	✓ for other reporters	A young person 16 years or above but under 18 years who is homeless		✓ and any such report requires the consent of the young person
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<p>3. What if I am still uncertain about my obligation to report or wish to clarify information about any child protection concerns?</p>	<p>Helpline caseworkers will be able to assist if you are uncertain about your obligation to report, or wish to clarify information about child protection concerns.</p>																					

QUESTIONS	ANSWERS
<p>4. Can I request assistance for a family?</p>	<p>Yes, a Request for Assistance can be made to DoCS under section 113 of the Act for the following reasons:</p> <ul style="list-style-type: none"> ○ serious or persistent conflict between parents and child/ young person, and / or ○ parents unable to provide adequate supervision for child / young person
<p>5. Can my identity be revealed to any person or agency?</p>	<p>The legislation prohibits the disclosure of the identity of anyone who makes a report to DoCS, unless that person gives consent, or a court or other body before which proceedings are conducted, gives leave for the disclosure.</p>
<p>6. What protection does the Act provide for mandatory reporters?</p>	<p>Section 29 of the NSW <i>Children and Young Persons (Care and Protection) Act 1998</i> provides protection for mandated reporters who report concerns “in good faith”.</p> <p>In summary, these protections mean that certain matters cannot be deemed to be:</p> <ul style="list-style-type: none"> • a breach of professional etiquette, ethics or conduct • defamatory • grounds for civil proceedings for malicious prosecution or for conspiracy, or the subject of information which a person can be compelled to provide in evidence in Court proceedings.
<p>7. What if I suspect drug misuse and/or alcohol abuse and/or mental health issues and/or domestic violence, or I have been told about the abuse or health issues by a third party - it could be inaccurate or out of date. Should I still provide the information?</p>	<p>Yes, still provide the information. Reporters are asked to include any concerns in regard to these issues as they are often important in relation to the child or young person’s safety, welfare and well-being. If you suspect these issues are relevant, or have been told about such issues, and you believe such issues may impact on the child or young person, you should clarify your reasons for suspecting this information and/or identifying how you learned this information.</p> <p>Remember that the capacity of the Helpline to undertake the initial assessment is greatly assisted by the quality of information provided by the reporter.</p>