

# Keep Them Safe

## A shared approach to child wellbeing

Keep Them Safe Factsheet No. 6

# New Statutory Threshold

**Keep Them Safe: A shared approach to child wellbeing** is the NSW Government's response to the Report of the Special Commission of Inquiry into Child Protection Services in NSW, led by the Honourable James Wood, AO, QC, released in November 2008. Keep Them Safe recognises the importance of the wellbeing of all children and young people, with the aim of providing appropriate support to families earlier, to prevent children and young people requiring statutory child protection intervention. To achieve this, Keep Them Safe encourages families, communities, government agencies and non-government organisations to work together to support children, young people and families.

### Summary of changes

From 24 January 2010, the statutory threshold (the point at which a concern should be reported to the Child Protection Helpline) changed from "risk of harm" to "risk of **significant** harm". A child or young person is at risk of significant harm if the circumstances that are causing concern for the safety, welfare or wellbeing of the child or young person are present to a significant extent.

The amendments also include the addition of two new grounds for reporting that indicate a child may be at risk of significant harm:

- Parents or carers who have not made proper arrangements and are unable or unwilling to arrange for their child to receive an education.
- A series of acts or omissions that when viewed together may establish a pattern of significant harm (cumulative impact).

### Why the change?

The Wood Inquiry found many children who did not require statutory intervention of the State were being reported to Community Services. This used valuable resources and did not result in children and their families receiving the support they needed. The Inquiry recommended that the threshold be raised so that:

- those children and young people who do not require a statutory response are no longer reported to the Child Protection Helpline
- more families are supported at a local level by other government and non-government services
- Community Services is able to focus on the most serious cases.

The aim is to ensure that vulnerable children and their families receive appropriate services at an earlier stage in the life of the problem.

### What does this mean for reporters?

From 24 January 2010, members of the community and mandatory reporters who assess that a child or young person is at risk of significant harm (the new statutory threshold) should report their concerns to the Child Protection Helpline:

- Mandatory reporters, phone **133 627**.
- Non-mandatory reporters (including the general public), phone **132 111**.

### How will I know what meets the new threshold?

A **Mandatory Reporter Guide (MRG)** has been developed to help front-line mandatory reporters such as doctors, police officers, teachers and social workers determine whether the risk to a child or young person meets the new statutory threshold. It will form part of the Keep Them Safe framework for all agencies working with children, young people and families. The MRG is an interactive tool and will be available online. Training will be provided to all mandatory reporters.

In addition, Child Wellbeing Units (CWUs) have been established in the four major government reporting agencies to:

- help agency mandatory reporters identify whether a child meets the new risk of significant harm threshold
- provide advice to mandatory reporters about possible service responses to children below the threshold



- drive better alignment and coordination of agency service systems over time, to enable better responses to children and families in need of assistance.

Agencies or organisations without a CWU can continue to contact the Child Protection Helpline where they suspect a child is at risk of significant harm.

### **KTS Support Line**

The NSW Government has established a telephone support line to assist NGOs with the changes under Keep Them Safe, specifically with the introduction of the new reporting threshold. It is called the KTS Support Line and is a transitional service for the first six months of the new system. It will then be reviewed to identify if there is a future need for the service.

The KTS Support Line operates 8am to 5pm, Monday to Friday (excluding public holidays). The phone number is **1800 772 479**.

### **What happens to reports that do not meet the new threshold?**

If a child or young person is not at risk of significant harm, the report does not meet the new statutory threshold. In these situations mandatory reporters should:

- continue to offer the services of their own organisation (where appropriate)
- refer to local services and work collaboratively with other organisations to help keep children safe
- refer to Family Referral Services (where available), which will be run by NGOs to link families to local services.

Information sharing will ensure that concerns for children and young people's wellbeing are monitored and reported to Community Services if they reach a level considered to be risk of significant harm.

The Helpline will provide feedback to mandatory reporters about whether or not the report meets the new threshold for statutory intervention.

### **What's New?**

- The threshold for reporting to the Child Protection Helpline is rising to "risk of significant harm" at the end of January 2010.
- Reports that do not meet the statutory threshold will be assessed and referred to non statutory services if needed, either by the reporting agency/ reporter or by referral to a **Family Referral Service** and/or other services that can provide supports to families to mitigate concerns or risks.
- Reporters will be assisted in decision making through newly developed Structured Decision Making Tools, including the **Mandatory Reporter Guide (MRG)**.
- A transitional KTS Support Line has been established to assist mandatory reporters from non-government organisations (NGOs).

### **For further information:**

- Consult your Child Wellbeing Unit, if relevant
- Contact your supervisor or manager
- Consult your legal services branch
- Keep Them Safe: [www.keepthemsafe.nsw.gov.au](http://www.keepthemsafe.nsw.gov.au)
- HSNet ServiceLink: [www.hsnet.nsw.gov.au](http://www.hsnet.nsw.gov.au)
- Association of Childrens Welfare Agencies: [www.acwa.asn.au](http://www.acwa.asn.au)
- KTS Support Line, 1800 772 479.