



Child Protection (Mandatory Reporting – Mason’s Law) Amendment Bill

QCEC Submission, April 2016

Introduction

The Queensland Catholic Education Commission (QCEC) makes the following submission to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee on the *Child Protection (Mandatory Reporting – Mason’s Law) Amendment Bill 2016*. QCEC, as an approved Central Governing Body, is responsible for distributing funding to five delegated Catholic agencies which manage 25 standalone Catholic kindergartens across Queensland. These kindergartens come under the *Education and Care Services National Law (Queensland)*.

In September 2015 QCEC provided a written submission to the Queensland Law Reform Commission (QLRC) supporting proposed changes to the *Child Protection Act 1999 (Qld)*. In this submission, QCEC restates its position in supporting amendments to the *Child Protection Act 1999 (Qld)* for mandatory reporting to be extended to the early childhood education and care sector.

QCEC reiterates the above position by making the following points:

- Mandatory reporting should apply to all early childhood education and care services that come under the *Education and Care Services National Law (Queensland)* and the *Education and Care Services Act 2013*.
- Mandatory reporting requirements should apply to the following individuals in the ECEC sector - approved providers, nominated supervisors, educators with approved early childhood teaching qualification, diploma level or Certificate 111 qualification in education and care.
- Other staff members and volunteers should not be required to make a mandatory report. It is important to communicate that any person can report concerns about a child to the Department of Communities, Child Safety and Disability Services (DCCSDS) at any time under the *Child Protection Act 1999 (Qld)*.

Implications for the ECEC sector

The education and care sector will need sufficient lead-in time before any legislative changes come into effect. While approved providers that manage a number of early education and care

(ECEC) services will be better placed to ensure the legislative changes are fully understood by relevant staff and embedded in policy than those approved providers that manage a sole service, all ECEC service providers will require time and appropriate support resources to train staff.

The following areas require consideration prior to implementation:

○ **Policy development**

Approved providers will need to update existing child protection policies to clearly identify the internal processes and steps to be taken by all staff (those that come under the legislation and those who do not) to ensure all aspects of the legislative requirements are understood and met.

○ **Staff training**

It will be vital for the effective implementation of the legislation that high quality training of relevant staff across the ECEC sector is provided. Consideration must be given to how mandatory reporters will be trained and supported – both as an initial and ongoing commitment. Consistent training that provides clarity about legislative requirements will need to be delivered across the diverse range of service and delivery types in the early childhood education and care sector.

Child Safety Services should be the lead agency in developing training packages. There already exists high quality packages for training in the school education sector which can be modified to include appropriate early childhood scenarios. It is important that the role, function and impact of Family and Child Connect services are considered as a major factor in the implementation of child protection legislation and policy.

Training will need to include:

- Clarity about the meaning of such terms as: ‘significant harm’, ‘reasonable suspicion’, ‘parent not willing or able’
- Understanding the indicators and signs of child abuse - physical, sexual, emotional and neglect.
- Knowing which agency to contact – Child Safety Services or Family and Child Connect.
- The use of the Online Child Protection Guide (CPG) to support decision making.
- The steps that need to be taken by mandatory reporters so they are clear about the process for making a mandatory report.

○ **Community awareness**

It is suggested that the media campaign conducted by the Queensland Family and Child Commission to encourage families to take a positive view of assistance available from Child Safety Services should be repeated. The recent communications strategy on changes to child immunisation legislation may provide some guidance in this area.

Conclusion

QCEC supports expanding the legislative mandatory reporting requirements under the *Child Protection Act 1999* to apply to the early childhood education and care sector.