

Portfolio Policy Statement

Department of Communities

Disability Services Queensland

Title: Reporting of Harm
Policy No.: 354-2
Category: Child care and family support > child care

Date of approval: 23 February 2006
Date of operation: 19 June 2006
Date to be reviewed: 1 July 2007

Office: Program Directorate
Help Contact: Office for Children – 3224 4557

Authority:
Section 81 of the *Child Care Act 2002*.

The licensee must immediately report harm or suspected harm that occurs to a child while they are being cared for in a child care service, to the Chief Executive, in the approved form.

Objectives:

This policy aims to provide guidance as to the situations in which the Department will follow up reports of harm or suspected harm of children in child care services and the steps that must be undertaken in these circumstances.

Scope:

This policy refers to reporting of harm or suspected harm to a child while being cared for in a child care service.

Principles:

The Department will:

1. Ensure that the safety of children is the paramount consideration; and
2. Respond to reports regarding harm or suspected harm of children in child care services in a timely, consistent and objective manner.

Policy Statement:

The Department is committed to ensuring that reports in relation to harm or suspected harm that occurs to a child while they are being cared for in a child care service are responded to.

Roles and Responsibilities:

- The licensee must report the incident in the approved form.
- The Department will implement follow up procedures. Whenever possible and depending on circumstances this will occur within two (2) working days of receiving the report.

Process:

1. In what situations will the Department follow up reports regarding harm or suspected harm of children in child care services?

The department will follow up on all reports from licensees regarding harm or suspected harm of children in child care services that were caused, or suspected to have been caused, while a carer in the service was providing care to the child in the course of the service.

The licensee must report the incident concerning the child/children receiving care in the child care service to the department in the approved form (see Form 25 – Reporting of Harm or Suspected Harm) as required under section 81 of the *Child Care Act 2002*.

Where a licensee has not reported such matters in accordance with section 81 of the Act, but the incident has come to the department's attention in another way, the department will follow up the incident and if necessary in accordance with *Policy Number 352 - 1 Enforcement options for licensed child care services*.

2. Harm

"Harm" to a child is any detrimental effect of a significant nature on a child's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by physical, psychological or emotional abuse or neglect or by sexual abuse or exploitation (see section 9 of the *Child Protection Act 1999*).

3. How soon after receiving a report of harm or suspected harm in a child care service must the Department commence follow up?

Whenever possible and depending on circumstances the department must commence follow up procedures within two (2) working days of receiving the report.

Delegations:

There are no delegations required for section 81 of the *Child Care Act 2002*.

Procedure:

Reporting of harm or suspected harm

Related legislation or standards:

[*Child Protection Act 1999*](#)

[*Criminal Code Act 1899*](#)

[*Juvenile Justice Act 1992*](#)

Related departmental policy:

Enforcement options for licensed child care services

Power of entry and other powers under the *Child Care Act 2002*

Forms:

[Reporting of Harm or Suspected Harm to a child receiving care in a child care service licensed under the *Child Care Act 2002*](#)