

# Child care insights

VITAL ROLE OF EARLY CHILDCARE WORKERS RECOGNISED BY  
LAW REFORM – 'MASON'S LAW'

## What does mandatory reporting mean for early child care workers?

Changes to the *Child Protection Act 1999* (Qld) reflect the vital role workers in the early childhood sector play in the health and wellbeing of Queensland's children. These changes will take effect on 1 July 2017.

Early childhood carers and educators are uniquely placed to observe and report any concerns about children who are (or are at risk of experiencing) physical and sexual abuse, and will now be considered 'mandatory reporters' along with professionals including teachers, doctors, nurses, police officers and other advocates.

This means approved child care providers, early child care educators and qualified individuals (Certificate III or higher) and their supervisors ('workers') must report a 'reasonable suspicion' of a child's actual or suspected harm. Harm may occur as a result of a single act or omission, or a number of acts, omissions or events including:

- physical abuse;
- psychological/emotional abuse;
- neglect; and
- sexual abuse or exploitation.

Workers may also provide information to their colleagues (for example, a supervisor) that leads to a reasonable and reportable suspicion of harm that their colleague must report. Under the Act, workers (not volunteers) who are 18 years and over, can contact the Department of Child Safety and Disability Service to report that a child may need protection because they have been physically or sexually abused or if they are at risk of this abuse, and the child does not have a parent willing and able to protect the child from harm. Section 13G(5) of the Act states that a person does not commit an offence only because of a failure to comply with the mandatory reporting provision.

In addition, section 197A of the Act provides that any individual providing information or making a report under the mandatory reporting provisions is 'not liable civilly, criminally or under an administrative process for giving the notification or information' providing they act honestly and reasonably. To assist with compliance of mandatory reporting obligations, managers and directors of kindergartens, family day care, long day care centre, limited-hours care and after school hours care services should:

- review and amend their policies and procedures to reflect the changes to the Act;
- provide in-service training to existing staff and about the reporting changes; and
- include information about mandatory reporting obligations in their staff induction process.

**MERIDIAN LAWYERS HAS EXTENSIVE EXPERIENCE ADVISING AND ASSISTING APPROVED EARLY CHILDHOOD AND CHILDCARE PROVIDERS. FOR MORE INFORMATION PLEASE CONTACT: SCOTT AMES OR HEATHER NIEUWENHOVEN.**



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