When navigating the child protection system, you may come across terms you are unfamiliar with. These terms help create a shared language about child protection that makes working together to keep children safe easier and more effective.

It is important to know commonly used terms so you can work with others to help provide services or responses that will help keep children safe.

This fact sheet provides definitions of some common terms.

What’s the difference between referring and reporting?

‘Referring’ a child or family is commonly used to describe the process of linking a child or family with a support service. You would normally refer a child or family for support when their needs would benefit from professional support. Although the child or family may need some help, the concerns for the child or family are not so serious that you would need to make a ‘report’ to Child Safety Services.

‘Reporting’ a child or family is commonly used to describe the process of notifying Child Safety Services of the concerns you have about a child. You would normally make a report to Child Safety Services when you hold concerns that meet the threshold for reporting.

What is a ‘threshold for reporting’?

You should make a report to Child Safety Services if you reasonably and honestly suspect a child ‘may be in need of protection’. This is sometimes referred to as a ‘threshold for reporting’. It means that certain criteria must be met before making a report to Child Safety Services.

If you reasonably and honestly believe a child may be in need of protection you will be legally protected when sharing this information to make a report to Child Safety Services.

The criteria for determining whether a child ‘may be in need of protection’ are:

1. a child has suffered, is suffering or is at risk of suffering significant harm and
2. there may not be a parent able and willing to protect the child.

What is significant harm?

Harm is defined in the Child Protection Act 1999 as ‘any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing’. The Child Protection Act 1999 specifies that it doesn’t matter how the harm was caused but includes physical, emotional or sexual abuse or neglect as possible causes. It also recognises that harm can be caused by a single incident of abuse or be a cumulative impact of multiple incidents.

When considering whether a child has suffered, is suffering or is at risk of suffering ‘significant harm’, you may consider the impact of the harm on the child’s body and psychological or emotional wellbeing. You can also consider the age of the child as very young children are more vulnerable to harm as they rely solely
on their caregiver. In determining whether the harm is significant, consider the nature and severity of the impact on the child’s presentation, functioning or behaviour and the likelihood the impact will continue. This means it will have impacts on the child that are not minor or trivial and are more than just temporary.

Significant harm is so serious that it may warrant a response by the government, with or without the family’s consent.

‘Risk’ of significant harm means the harm hasn’t happened yet but you are aware of an incident or incidents, or actions or inactions, which are likely to result in significant harm in the future. For example, a parent may tell you they have stopped taking their medication against their doctor’s advice to treat their diagnosed mental illness. You know they have a history of becoming physically abusive towards their children when they stop treating their mental illness. It would be reasonable to suspect the child is at risk of significant harm based on the behaviours of the parent and the known history.

**Who is a ‘parent able and willing’ to protect the child from harm?**

If a child has suffered, is suffering or is at risk of suffering significant harm, then the question to determine whether they are a child in need of protection is to consider if they have a parent who is both ‘able’ and ‘willing’ to protect them from harm.

A ‘parent’ is the child’s mother, father or someone else who has or exercises parental responsibility for the child.

A parent of an Aboriginal or Torres Strait Islander child also includes a person who under Aboriginal or Torres Strait Islander tradition is regarded as a parent of the child.

If a child protection order is needed to help protect a child, the definition of parent is different. In this circumstance it means a mother, father or a person who is a parent under law.

The parent is able and willing to protect the child when they are aware of the concerns and are capable and willing to take action to ensure the child’s safety and stability and to promote their health, wellbeing and development.

A parent may be willing to protect their child, but not have capacity to do so (that is, they are ‘not able’). This includes situations where the parents’ inability is due to ill health or because the actions or behaviour of another person prevent them from doing so, for example, they are a victim of domestic violence.

Alternatively, a parent may have the capacity and be able to protect their child, but may choose not to do so (that is, they are ‘not willing’). This includes situations where a parent chooses an ongoing relationship with a person who has harmed their child.

If a parent is ‘willing’ but not ‘able’ then a plan may be developed in collaboration with Child Safety Services to build the parent’s ability to protect the child from harm. This may include making referrals to services to help support the family. It may be that a parent needs to demonstrate that they are ‘able’ to protect for a period of time before Child Safety Services will cease involvement.

If one parent is ‘willing’ and ‘able’ then the child protection system may no longer need to be involved. This means, if you know one parent is protecting the child and able and willing to continue to protect the child, a report to Child Safety Services may not be needed. Instead, you could consider whether the family may benefit from other support services to help them to protect the child from harm in the future. Only if it is reasonably suspected there is no parent able and willing to protect the child from harm will Child Safety Services intervene. Family disputes about whose care the child should be in and parenting arrangements can be determined under the family law system (through the Family Court of Australia).

In some cases, the harm itself is so severe it indicates there may not be a parent able and willing to protect the child. For example, a child has significant bruising on his neck and tells you his mother tried to choke him last night because he didn’t finish his dinner.


**What is the difference between ‘reasonable suspicion’ and ‘reportable suspicion’ when reporting?**

When services, especially government services, intervene in families’ lives, it can have a significant impact on them. Therefore, any decision about whether to intervene needs to be considered seriously and needs to be based on a ‘reasonable suspicion’ that the child is in need of protection.
A reasonable suspicion is a suspicion that is reasonable in the circumstances. In other words, you have evidence, such as observations, information, or specialist training or experience, to inform and support your opinion. It means it is not just possible but it is likely.

For example, you may have formed a reasonable suspicion because you:
- have observed physical or emotional symptoms of harm in the child and believe this is detrimental to the child, or
- believe it is likely that the harm will continue, or
- are aware that the child is very young or vulnerable and
- there may not be a parent able and willing to protect the child.

Anyone can report concerns about a child to Child Safety Services.

A reportable suspicion is a reasonable suspicion formed by a mandatory reporter that the child:
- has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm caused by physical or sexual abuse; and
- may not have a parent able and willing to protect the child from the harm.

Mandatory reporters must inform Child Safety Services in writing if they have formed a reportable suspicion about a child.

If you are a mandatory reporter, you MUST report significant harm caused by physical or sexual abuse. However, you SHOULD report all significant harm to Child Safety Services because under the Child Protection Act 1999, children have a right to be protected from harm or risk of harm.

Who is a mandatory reporter?

Certain professionals, referred to as ‘mandatory reporters’, must make a written report to Child Safety Services if they form a reportable suspicion about physical or sexual abuse. However, mandatory reporters should also report a reasonable suspicion that a child is need of protection caused by any form of abuse or neglect.

A mandatory reporter is:
- a doctor
- a registered nurse
- a teacher
- certain police officers
- a child advocate under the Public Guardian Act 2014
- an early childhood education and care professional
- Child Safety Services
- licensed care services.

What is Child Safety Services’ threshold for intervention?

A threshold for intervention simply means concerns about a child have to reach a certain level (threshold) before the government can respond (intervene).

Section 14 of the Child Protection Act 1999 requires Child Safety Services to take action when it suspects a child is in need of protection. Sometimes this is referred to as a ‘threshold for intervention’. Child Safety Services must take action when there is a reasonable suspicion that a child is in need of protection because he or she:
- has suffered significant harm, is suffering significant harm or is at unacceptable risk of suffering significant harm and
- does not have a parent able and willing to protect the child from the harm.

Both of these criteria need to be met in order for concerns to reach the ‘threshold for intervention’.

A reasonable suspicion means it is ‘probable’, not just ‘possible’. This requires more evidence that what is required when making a report. This is because the assessment shifts from whether there ‘may’ be a child in need of protection to having a reasonable suspicion the child ‘is’ in need of protection.

Unacceptable risk means the harm hasn’t happened yet but is likely to in the future if the current risks aren’t addressed.
Who is a child in need of protection?

After Child Safety Services conducts an investigation, they will assess whether the child is 'in need of protection'. If the child is not in need of protection, Child Safety Services may end contact with the family and may refer the family to other services for support.

If a child is in need of protection it means Child Safety Services has assessed that the child has suffered, is suffering or is at risk of suffering significant harm, and there is no parent able and willing to protect the child from harm.

You may also hear terms such as ‘substantiated’ or ‘unsubstantiated’ used with ‘child in need of protection’ and ‘child not in need of protection’. These terms are used together to describe the outcome of an investigation.

**Substantiated** means the child has suffered significant harm or the risk of significant harm occurring to the child is unacceptably high.

**Unsubstantiated** means the child is unlikely to have suffered significant harm.

‘Child not in need of protection’ means there is a parent able and willing to protect the child so Child Safety Services doesn’t need to continue intervention.

Sometimes you may hear an investigation is substantiated but the child is not in need of protection. This means the child was harmed but there is a parent able and willing to protect the child.

### Investigation and Assessment - Outcome Matrix

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<tr>
<th></th>
<th>Child in need of protection</th>
<th>Child not in need of protection</th>
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<tbody>
<tr>
<td><strong>Substantiated</strong></td>
<td>▶ The child has suffered, is suffering or is at risk of suffering significant harm, and there is no parent able and willing to protect the child from harm.</td>
<td>▶ The child has suffered, is suffering or is at risk of suffering significant harm, however there is a parent who is able and willing to protect the child from harm.</td>
</tr>
<tr>
<td><strong>Unsubstantiated</strong></td>
<td>▶ This is not a possible outcome. If a child has not suffered, and is not at risk of suffering, significant harm the child would not need protection.</td>
<td>▶ The child has not suffered, and is not at risk of suffering, significant harm so does not need protection.</td>
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**Note:** If Child Safety Services is already working with a family through ongoing intervention, investigation and assessment outcomes can vary because the ongoing intervention case continues regardless of whether new concerns about harm are substantiated or unsubstantiated. Put simply, the child is already in need of protection.

**What are risk factors and protective factors?**

A protective factor is something that reduces the likelihood of future harm by helping a parent to meet the child’s protective needs. For example, a grandparent moves into the family home to help provide supervision of the children and mentor the parent.

A risk factor is something that increases the likelihood a child may be harmed in the future. For example, if there is ongoing parental drug use, this could be a risk factor.

What is ‘ongoing intervention’?

‘Ongoing intervention’ means Child Safety Services will work with the child and family after they have assessed the child is in need of protection. Sometimes the child is placed in out-of-home care if it is unsafe for the child to live at home. Child Safety Services can also provide ongoing intervention in some circumstances where a child is not in need of protection, such as to a young person who is over 18 years old.

The term ‘ongoing intervention’ can describe different types of intervention such as support services cases, child protection orders or interventions with parental agreement.

What is ‘reunification’?

‘Reunification’ means the child is reunified to the care of their family from out-of-home care because the child’s parents and safety support network have helped the child be cared for safely in their home. Child Safety Services may continue to provide support to the family for a short period of time to make sure everything is okay or may engage another agency to support the family once Child Safety Services is no longer involved.

What is ‘transition to adulthood’?

Transition to adulthood, or transition to independence, is the process of supporting a young person’s transition from living in out-of-home care to independence when they reach adulthood.

💡 You may be asked to contribute to planning a child’s transition to adulthood or to provide a service that will help the child to become more independent.