Case Study

Blessing

Case Study

Mandatory reporting refers to the legal obligation for particular classes to report alleged child abuse and neglect to administration and other authorities. Mandatory Reporting legislation has been endorsed by the Parliaments of every Australian State and territories (Deverson, 2016). But these laws vary slightly across different territories. The key difference in laws over different states is that the laws depend upon the nature of reporting, type of abuses and neglect and also who reported it.

The other difference is known to be “state of mind” which refers to the reporting duty that is the existence of concern or suspicion based on solid reasoning and goal of the report. There are some categories of people who are obliged to report incidents of child abuse or neglect. These special classes are composed of healthcare workers like specialists, registered medical practitioners, midwives, general practice nurses, dentists, speech therapists, psychologists, professional therapists and other associated healthcare professionals who work solely or with the public or private health organizations. These groups also include psychologists, social workers, refuge workers, counsellors, teachers, principals, police, youth workers, child care workers, family day caretakers and home-based caretakers. With the existing differences in the laws about the obligatory reporter, the law also considers the type and gravity of the abuse or neglect (Pietrantonio et al., 2013).

Besides variances relating to type of mandated reporter in different jurisdictions, there exist differences in types of abuse and neglect too. Some of the jurisdictions declare that it is compulsory to report doubts of any of the four standard kinds of abuse and neglect, including corporal abuse, emotional abuse, sexual abuse and neglect. However, in some jurisdictions, only some of the types of abuses are considered mandatory like Vic or ACT. While some of the authorities also demand reports on domestic violence experience of children like NSW and Tas. The government takes the responsibility of security of reporter, and thus all of the jurisdictions keep the identity of the reporter confidential (Feng, Chen, Fetzer, Feng, & Lin, 2012). It is due only the report displays good faith. The reporter cannot be held accountable for any criminal, civil, or administrative court proceeding.

**Importance of duty care**

The most basic obligation for anyone who works in child care is to ensure safety of children, regardless of type of service and role. This is also the first most concern of the parents whose children are in care. Duty of care is a legal term which states this obligation and implies significantly that the organization and operations of service follow it. However, the duty of care is not only viewed in terms of childcare but a much wider framework.

**Ethical decision making**

The process of ethical decision making described the method of assessing and selecting amongst alternatives in a way which is relatable to ethical values (Ford & Richardson, 1994). While ethical decision making, the observation and reduce unethical choices, only the best suited ethical way must be adopted.

**NSW Child protection act**

Mandatory reporting is legalized through the Children and Young Persons (Care and Protection) Act 1998, also known to be the Care Act (Cashmore, 2002). It allows establishing a legislative structure for governing child wellbeing, provision of outside-home care facilities and child protection.

**The objects and the principles of the Act**

The key principle of the Act is that the security, wellbeing and comfort of children or young individuals have to be kept supreme in all matters. Every concerned organization should come to tighter to accomplish this target. In addition to his, some other principles which are also considered. Firstly, the ethnicity, language, disability, religious belief, and sexuality of child or young individual should be taken into account. Secondly, any involvement of a childcare worker should be minimum interfering in the personal lives of children or young individuals and their family. The involvement should be in harmony with the main issue of protecting the child or young individual from any potential damage or to encourage their growth. Thirdly, State should provide special safety and help to a child or young individual, briefly or eternally, who are deprived of a family atmosphere. In addition to this, the name, language, culture, identity and religious beliefs of a young individual or child must be protected. A child at all costs should be provided with a stable and safe home. Moreover, the need for initial decisions related to permanent housing becomes more significant if the child is younger. The child must continue to have healthy terms with close relations. However, if the interaction impact negatively on the growth of child, or the child feels comfortable with the relative, the interaction should be restricted. The children must also be given a chance to express his or her views and concerns related to significant matters if the child is able to establish his or her opinions on rational grounds. In this regard, the child or young individual should be provided with the necessary information to form his or her opinion on important matters. They should be made aware of the outcomes of their decisions so that they can judge better.

**Principles in code of ethics**

It is observed that the children get immensely affected by legislation and practices of society as well as government. The regulations affect child protection from abuse, either directly or indirectly. This has a long-lasting effect on the children and in the future, the children will become leaders. Hence, policies and practices affect the future of any society directly.

The code of ethics serves as foundation of practice anticipated by individuals or groups who are concerned with it. In any profession, Codes of Ethics are considered practice standards (Bloch & Coady, 1996). The specialties usually possess power because, with their immense knowledge and experience, the laws provide them with authority — the professional service people who are reliant on the aptitude and honour of the professional. Thus, the professionals have the responsibility of dedicating themselves to fitful the requirements of clients and not use their powers for personal gain.

**Reasons for Code of Ethics**

To develop and implement the Code of Ethics, there exist four key reasons. Firstly, the comprehensive aim of the profession is described through this code. This provides the child care with a sense of objective and the motivation which inspires the childcare workers to give their best to protect a child. These codes of ethics provide a guideline to the professionals even if they are unrealistic and denote an outcome which is far from the standards often found in the regular practice. Secondly, these codes can outline upright standard childcare exercise, which is above the least acceptable standards, however achievable on a regular basis. They provide direction and assistance for the childcare workers. It helps them become conscious of the standards which they are required to achieve and to serve as a quality assurance method. Thirdly, the codes sketch the least acceptable standards. No childcare worker is permitted to serve below them if they wish to be considered as professionals. Those who work with children and young individuals directly have direct access to them and can influence the children with their power. Hence, they are ethically and practically responsible for the welfare of the children in care. It can be concluded that the codes are monitoring and when it is required in case of a breach, they can be utilized for the corrective reasons. Lastly, studying Codes of Ethics or developing them encompasses childcare worker who learns to reflect and reason about the goal of their profession. Some countries of the world follow the written constitution and laws, but others deal with the issues through conversation and reasoning, which is seldom recorded. However, despite the ways adopted to dealing with concerns, course of conversing such issues assists people at varying levels to deliberate more about their objective and goals and the paths they need to reach their ultimate goals.

The key concern with the Code of Ethics is that sometimes they are considered as the fixed standards even in critical situations. This makes the code rigid and unchangeable instead of helping to cater to the needs of children and young individuals.

**Principles of Mandatory Reporting in given case study**

The given case study is about dealing with a client who has admitted neglecting their thirteen-year-old child. A child care worker must report the child neglect and make efforts to rectify the situation. The term ‘Child neglect’ refers to any proven or alleged grievous conduct or oversight by a parent or a caregiver who denies rights and needs of a child. Therefore, in result, the child experiences physical or mental damage. It is observed that the younger children are mistreated the most. Moreover, a greater number of girl’s experience neglect as compared to the boys. Child neglect consist of abandonment, deficiency of suitable supervision, inability to provide essential emotional or psychological necessities and inability to offer basic education, health care, nutrition, housing, and clothing.

According to this study case, the client has admitted to neglect. This infers that the client understands that he or she realizes the mistake. However, only the realization is not sufficient. The childcare worker who has been involved with the family must make sure that the client improves their behaviour and practical conduct. The childcare worker needs to pay attention and treat children who are affected by neglect through evaluations and adapted treatment.

In this particular case, mandatory reporting is important. The report should comprise of all known evidence and information related to the suspected neglect with details about activities which will help support the child.

**Possible Courses of Action**

It is compulsory for Health professionals who work with children to report the parents or caretaker who abuse or neglect the child to administrative authorities (Preis, Murphy, & Tuttle, 2000). Existing research shows that there exist numerous barriers to reporting, and only limited attention is given to procedures which support the reporting method (Cashmore, Higgins, Bromfield, & Scott, 2006). The existing practical strategies are based on factors which constructively impact the relationship between a parent or caregiver of the child and the reporter, agenda and related skills for conversing the concerns about mistreatment and reporting to child services with the parent or caregiver (Pietrantonio et al., 2013)

The healthcare worker is required to provide a comprehensive, authentic explanation of their observation which led him or her to suspect the incidence of child abuse or neglect. For reporting, a rational suspicion is adequate. The reporter has to report the incident of alleged abuse or neglect, but they should not act as investigators under any circumstances. The reporter must not ask the child any related questions. The best possible course of action is to report so that the professional investigators can look into the matter without any law complications and potential disorder. The reporter has the privilege to gather evidence which can support their claim. This evidence or information can include photographs or X-rays of wounds or injuries. The common reporter is not obliged to notify the parent or caretaker about the report. On the other hand, professional and staff in a healthcare organization or educational institute have to inform parent or caretaker according to their jurisdiction.

**Chosen action**

For the given case study, it is suitable for the health care worker to prepare a report and submit it to governmental authorities. According to the jurisdiction, it is up to the reporter if he or she wants to notify the client. The client has already admitted, which means that a relation of trust has been developed. The reporter can notify the client about the report. It will help the reporter maintain the trust as well the client will feel responsible for their actions. The reporter will collect easily available information related to neglect to submit along with the report.

**Conclusion**

Through the approach of Mandatory reporting, the occurrence, gravity and unforeseen circumstances of child abuse and neglect can be recognized. It allows detecting the cases earlier, which otherwise might not come to light. The necessity of mandatory reporting requirements strengthens a sense of moral responsibility in community members. The legislature is amended to create a safe environment for children where they do not have to face any extreme condition of abuse and neglect. It aids in forming a child-centred culture that does not tolerate any form of abuse or neglect. The inclusion of mandatory reporting and other similar training courses tend to help the professionals so that they can create child abuse and neglect awareness. Then, professionals can state the conditions which will impose on the reporter to report as well as protect the reporters. It has been observed through research that mandated reporters contribute significantly to child protection and welfare. There is a need for comprehensive research on mandatory reporting and practice based on evidence which will support better structured and decisive method of mandatory reporting (Sieber, 1994).

**References**

Bloch, S., & Coady, M. (1996). *Codes of Ethics and the Professions*. Melbourne University Press.

Cashmore, J. (2002). Promoting the participation of children and young people in care. *Child Abuse & Neglect*, *26*(8), 837–847.

Cashmore, J., Higgins, D. J., Bromfield, L. M., & Scott, D. A. (2006). Recent Australian child protection and out-of-home care research: What’s been done–and what needs to be done? *Children Australia*, *31*(2), 4–11.

Feng, J.-Y., Chen, Y.-W., Fetzer, S., Feng, M.-C., & Lin, C.-L. (2012). Ethical and legal challenges of mandated child abuse reporters. *Children and Youth Services Review*, *34*(1), 276–280.

Ford, R. C., & Richardson, W. D. (1994). Ethical decision making: A review of the empirical literature. *Journal of Business Ethics*, *13*(3), 205–221.

Pietrantonio, A. M., Wright, E., Gibson, K. N., Alldred, T., Jacobson, D., & Niec, A. (2013). Mandatory reporting of child abuse and neglect: Crafting a positive process for health professionals and caregivers. *Child Abuse & Neglect*, *37*(2–3), 102–109. https://doi.org/10.1016/j.chiabu.2012.12.007

Preis, C. M., Murphy, K. M., & Tuttle, A. (2000). Reporting medical neglect effectively: A guide for nurse practitioners working with child protective services. *Nurse Practitioner Forum*, *11*(1), 57–64.

Sieber, J. (1994). Issues Presented by Mandatory Reporting Requirements to Researchers of Child Abuse and Neglect. *Ethics & Behavior*, *4*, 1–22. https://doi.org/10.1207/s15327019eb0401\_1