



Mandatory Reporting Policy

Purpose:

- School staff has a duty of care to protect the safety, health and wellbeing of children in their care.
- The principal has a duty to ensure all roles and responsibilities in this policy are met
- If a staff member has concerns about the safety, health and wellbeing of children in their care it is important to take immediate action.
- For the purpose of this policy, mandatory reporters are teachers who are registered to teach and the principal of our school

Aims:

- To define the roles and responsibilities of school staff in protecting the safety and wellbeing of children and young people
- To enable staff to identify the indicators of a child or young person who may be in need of protection.
- To enable staff to make a report of a child or young person who may be in need of protection

Implementation:

- At our first staff meeting of each year, all staff will be provided with a copy of this policy.
- All staff will complete the online Mandatory Reporting training on an annual basis. (Term 4)
- If a staff member has a significant concern for the wellbeing of a child or young person, they are encouraged to report their concerns to DHS Child Protection or Child FIRST
- In cases where staff has concerns about a child or young person, they should discuss their concerns with the principal.
- Mandatory reporters must make a report as soon as practical if, in the course of practising their profession or carrying out their duties, they form a belief on reasonable grounds that a child or young person is in need of protection, as a result of physical injury or sexual abuse, and the child's parents are unable or unwilling to protect the child.
- Staff are to follow the DEECD guidelines as to the correct procedure in making a report. These guidelines are available on the department web site.

A summary of these guidelines include:

- Keeping comprehensive notes that are dated and include a description of the concern.
- Discussing their concerns with the principal but making their own assessment as to whether or not to make a report to DHS Child protection.
- Advise the principal if they have made a report.

- A number of changes to the *Crimes Act 1958* and the *Working with Children Act 2005* have recently been implemented as part of the response to *Betrayal of Trust*. A new 'failure to disclose' offence has been created under the Crimes Act. The offence commenced operation on 27 October 2014.

-This includes the 3 new offences of Grooming, failure to disclose and failure to protect

- All adults are now required to disclose to the Victoria Police if they know or reasonably believe that a sexual offence has been committed by an adult against a child under the age of 16. The new offence, however, applies more broadly than to the professionals currently subject to mandatory reporting requirements under the Children, Youth and Families Act 2005. The new 'failure to disclose' offence is likely to include some persons in school environments not currently subject to mandatory reporting requirements.

Reporting:

- If the source of suspected abuse comes from within the school (this includes any form of suspected child abuse involving a school staff member, contractor or volunteer), the reporter must:
 - Contact Victoria Police (via the Castlemaine Police Station)
 - Also report internally to: School Principal, Employee Conduct branch (03 9637 259) and the DET Security Services Unit (03 9589 6266)
- If the source of suspected abuse comes from within the family or community, the reporter must
 - Report to DHHS CHILD PROTECTION (1800 675 598) or after school hours crisis line (131278) if the child is considered to be in need of protection due to child abuse

Safety and care of affected child/ren

- School staff should do any or all of the following to support and protect the affected child/ren:
- Separate the alleged victim and others involved, ensuring all parties are supervised by a school staff member.
- Arrange urgent medical assistance where necessary.
- Preserve any items that may amount to evidence of the abuse (e.g. environment, clothing, other physical items, potential witnesses).
- Monitor the affected child/ren over a pre-determined period and review their circumstances.
- Refer the child/ren to the school Social Worker for further support and/or counselling.
- Refer the child/ren to the DET's Student Support Services team.

Contacting carers/parents

- In many cases, where it is suspected that a child has been, or is at risk of being abused, it is extremely important that the parents/carers are notified as soon as practicable. This enables them to take steps to prevent or limit their child's exposure to further abuse and/or ensure their child receives the support that they require. (Source: Protect-Identifying and responding to all forms of abuse in Victorian schools)
- A staff member does not require the permission of parents, carers or guardians to make a report to DHHS Child Protection, nor are they required to tell parents, carers or guardians that they have done so.
- The Principal school should seek the advice of DHHS Child Protection and/or the Victorian Police to determine if it is appropriate to contact parents/carers.
- Where advised to be appropriate, the Principal should make sensitive and professional contact with parents as soon as possible on the day of the incident, disclosure or suspicion.

- **Further information**

- Proof is not required that abuse or neglect has occurred or is likely to occur. A belief is sufficient. It is the role of the Department of Health and Human Services to determine whether that belief should be investigated.
- Members of the Department of Health and Human Services, or associated support or intervention services that visit the school following a notification, will interview staff and child/ren only in the presence of a Principal class member or his/her nominee.
- Fulfilling the roles contained in the procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.
- All reports, information sheets and subsequent discussions and information are to be recorded and stored in the Principal's office and remain strictly confidential.
- While only mandated by law to report incidents of physical and sexual abuse; teachers are also encouraged to report incidents of grooming, emotional abuse, neglect and family violence.
- Students who disclose to staff a desire to harm themselves or others, must be reported by staff to the Principal.
- School staff are encouraged to contact DET Employee Assistance Program (EAP) 1300 361 008 to seek assistance / support for any potential stress they may be subjected to during incidents, disclosures and/or reporting of child abuse.

Legislative Requirements:

- Charter of Human Right and Responsibilities Act 2016
 - Education and Training Reform Act 2006 (ETRA)
 - Children, Youth and Families Act 2005 (CYFA)
 - Education and Training Reform Regulations 2007 (ETRR)
 - Crimes Act 1958
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- **Evaluation:** This policy will be reviewed as part of the school's 1 year cycle review. This policy was ratified by staff followed by school council on 22/6/2016