

MANDATORY REPORTING POLICY AND PROCEDURE

Rationale

To protect children and young people from abuse and neglect by ensuring East Doncaster Secondary College's staff:

- Understand mandatory reporting responsibilities and duty of care obligations to protect children and young people from child abuse including physical and sexual abuse;
- Are aware of which employment categories are mandated notifiers;
- Know how to make a mandatory report to the Department of Human Services (DHS) Child Protection when they have formed a belief on reasonable grounds that a child or young person is at risk of significant harm;
- Are able to identify and be aware of the indicators of child abuse;
- Are able to align mandatory reporting requirements with the college Child Safety policy
- All staff are required to undertake online Mandatory Reporting Training on an annual basis

For the purpose of this document child abuse includes-

- (a) *any act committed against a child involving-*
 - (i) *a sexual offence; or*
 - (ii) *an offence under section 498(2) of the Crimes Act 1958 (grooming);*
- (b) *the infliction, on a child, of-*
 - (i) *physical violence; or*
 - (ii) *serious emotional or psychological harm;*
- (c) *serious neglect of a child*

Legislation

Under Sections 182(1) a-e, 184 and 162 c-d of the *Children, Youth and Families Act 2005* (Vic.), the following persons are mandatory reporters for the purposes of this Act:

- Registered medical practitioners
- Registered nurses
- Members of the police force
- Principals of government or non-government schools
- A person registered as a teacher under the *Education, Training and Reform Act 2006* or teachers granted permission to teach under that Act

Legislation in all jurisdictions requires mandatory reporting in relation to all young people up to the age of 18 (whether they use the terms "children" or "children and young people").

Aims

- To embed a culture of child safety within the College community that supports all students and takes into account the diversity of all students, including the needs of Aboriginal and Torres Strait Islander students, students from culturally and linguistically diverse backgrounds, students with disabilities, and students who are vulnerable
- To support, encourage and enable school staff, parents and students to understand, identify, discuss and report child safety matters
- To define the roles and responsibilities of the College and staff and volunteers in protecting the safety and wellbeing of students
- To support and assist students and staff in the process of reporting suspected abuse

Implementation

- All members of the Teaching Service are mandated by law to report signs of physical and/or sexual abuse, and neglect.
- New staff will be informed of mandatory reporting responsibilities and procedures.
- All staff are required to undertake online Mandatory Reporting training on an annual basis.
- All concerns must be reported immediately to the Principal, or in his/her absence, the Assistant Principal.
- The Principal will keep a record of all discussions about a student with whom there is a concern.
- If a belief has been formed by a staff member that sexual or physical abuse or neglect has taken place a "Mandatory Reporting Information Sheet" available from the Principal must be completed and filed in the Principal's office.
- A member of the Principal class or nominee will contact the Department of Human Services by telephone as soon as possible to make an official notification on:
1300 360 391 or after school hours crisis line 13 12 78
- Members of the Department of Human Services, or associated support or intervention services that visit the school following a notification, will interview staff and children only in the presence of a Principal class member or his/her nominee.
- All "Mandatory Reporting Information Sheets" remain filed in the Principal's office.
- All reports, information sheets and subsequent discussions and information are to be recorded and remain strictly confidential.
- All incidents to be monitored, and any subsequent signs or indications of abuse are also to be reported.
- While only mandated by law to report incidents of physical and sexual abuse, and neglect; teachers are also encouraged to report incidents of emotional abuse or neglect.
- Students, who disclose to staff a desire to harm themselves or others, must be reported by staff to the Principal.
- To lodge a Mandatory Report, all mandated staff must consult the "Making a mandatory report" document (see Appendix).
- Non-mandated staff members, who believe on reasonable grounds that a child is in need of protection, are encouraged to speak to the Principal or Assistant Principal as well as being able to make a report to DHS Child Protection.

Making a Mandatory Report:	
Who:	Mandated staff: Principals, Primary and Secondary Teachers, School Nurses
Must:	Report to the Department of Human Services (DHS) Child Protection as soon as practicable after forming a belief on reasonable grounds that a child or young person is at risk of significant harm, and the child's parents are unable or unwilling to protect the child.
Who:	Non-mandated staff (section 183, CYFA 2005)
	Any person who believes on reasonable grounds that a child is in need of protection may make a protective report regarding their concerns to DHS Child Protection. Staff, who forms a belief on reasonable grounds, should inform the Principal or Assistant Principal of any concerns.
Who:	All staff if they have formed a belief on reasonable grounds
	<p>A belief is formed when a person has:</p> <ul style="list-style-type: none"> • More than a suspicion. • Is more likely to believe rather than disbelieve that a student is at risk. <p><i>If a staff member has unresolved suspicions that do not lead them to form a belief, they should initially consult with the Principal or Assistant Principal.</i></p>
Reasonable grounds are established when:	
	<ul style="list-style-type: none"> • a child or young person states that they have been physically or sexually abused; • a child or young person states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves); • someone who knows the child or young person states that the child or young person has been physically or sexually abused; • a child shows signs of being physically or sexually abused; • the staff member is aware of persistent family violence or parental substance misuse; psychiatric illness or intellectual disability that is impacting on the child and young person's safety, stability or development; • the staff member observes signs or indicators of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision; • a child's actions or behaviour may place them at risk of significant harm and the child's parents are unwilling or unable to protect the child;
Who:	Staff seeking consultation regarding making a Referral
	<p>Consult with:</p> <ul style="list-style-type: none"> • Principal Class or nominee will make contact with: DHS Child Protection Eastern Region; 1300 360 391; After office hours, call the Child Protection Crisis Line on 13 1278 (Vic only); <p>☎ Child First; 1300 369 146</p> <p>A referral to Child FIRST is the best way of connecting children, young people and their families to the services they need. Staff should make a referral to Child First where staff have concerns about a child's wellbeing but do not believe the child is in need of protection.</p>

Teacher and Management actions

Teachers should:

- only gather enough information to form the belief;
- use open ended questions when talking to the student;

Teachers should not, under any circumstances:

- conduct their own investigation;
- interview witnesses;
- take statements;
- collect evidence;
- ask leading questions that suggest the abuse took place;
- conduct a physical examination;

Staff should keep comprehensive, chronologically ordered notes that describe the source of their concerns, e.g. from obvious injuries, behaviours or comments made outlining related events, actions taken and further considerations determine the need for help. Notes should also reflect who the staff member has been in contact with.

Information required when making a report to Child Protection

The following information is required to make the report:

- name of family and children;
- addresses, language spoken and student's date of birth;
- factual and specific reason for concern;
- the reporter's involvement with the family,
- any other people or agencies involved;
- concerns about a child protection worker's safety in visiting the family;
- best time to find the parents/guardians at home;
- if the family knows the report is being made;

Note: An inability to provide all of this information should not delay the making of the report. Further information can be provided after the initial report is made.

Professional Protection for Reporters

Teachers and principals making mandatory reports: are protected against legal, professional and civil actions by the Child and Youth Families Act as long as they are acting:

- In good faith;
- For the best interests of the child;
- Cannot be held to have acted unprofessionally

Information Sharing

Teachers and Principals making reports or providing information to Child Protection, Child FIRST and Victoria Police Sexual Offences and Child Abuse Investigation Teams (SOCIT) are specifically protected against legal, professional and civil actions by the CYFA provided they are "acting in good faith" in the interests of the child. Staff are allowed to share information with Child Protection that may help them to make an initial assessment about a child. Any information that is relevant to the protection or development of a child when Child Protection is investigating a report, is allowed to be shared.

Each year, all staff must complete the online DET Mandatory Reporting module located at

<http://www.elearn.com.au/det/protectingchildren/schools/>