



# Mandatory Reporting POLICY

## Rationale

All children have a right to feel safe and to be safe. As staff members, we have a legal and moral responsibility to respond to serious incidences involving abuse and neglect of the children with whom we have contact, and to report instances that we believe involve physical abuse, sexual abuse or neglect.

The challenge of protecting children is everyone's responsibility: parents, schools, communities, governments and businesses. The Department strongly encourages all school staff to protect and preserve the safety, health and wellbeing of all children and young people.

## Definitions

### Child abuse

Child abuse can have a significant effect on a child's physical or emotional health, development and wellbeing. The younger a child is the more vulnerable they are and the more serious the consequences are likely to be. For full definitions for all of the types of child abuse listed see: Protecting the safety and wellbeing of children and young people (the protocol) within Department resources below.

### Indicators of harm

There are many indicators of child abuse and neglect. The presence of a single indicator, or even several indicators, does not prove that abuse or neglect has occurred. However, the repeated occurrence of an indicator, or the occurrence of several indicators together, should alert teachers to the possibility of child abuse and neglect. A comprehensive list of all of the indicators of harm can be found in: Protecting the safety and wellbeing of children and young people (the protocol) within Department resources below.

## Aims

To ensure that children's rights to be safe are maintained and each child is protected against physical and sexual abuse, and neglect.

## Guidelines

- All registered members of the Victorian Institute of Teaching (this includes teachers, principals and staff who have been granted permission to teach by the VIT) are classed as "mandatory reporters".
- All mandatory reporters must make a report to Victoria Police and/or DHHS Child Protection as soon as practicable if, during the course of carrying out their professional roles and responsibilities, they form a belief on reasonable grounds that:
  - a child has suffered, or is likely to suffer, significant harm as a result of physical abuse and/or sexual abuse, **and**
  - the child's parents haven't protected or are unlikely to protect, the child from harm of that type.
- It is a criminal offence not to report in these circumstances.

## Implementation

- New staff will be informed of mandatory reporting responsibilities and procedures.
- All staff are required to complete the DET online training module provided annually.
- Staff will be reminded of mandatory responsibilities regularly.
- Any teacher who forms a belief, on reasonable grounds, that a child has been abused or neglected will discuss such concerns with the Principal (or other designated person if the Principal is unavailable).
- If a Principal or their nominee does not believe that a mandatory report is warranted, this does not discharge the teacher of their obligation to do so if they have formed a reasonable belief that abuse may have occurred. If the teacher's concerns continue, even after consultation with the Principal, that teacher is still legally obliged to make a mandatory report of their concerns.

## 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 (Bendigo Police Station)
  - ALSO report internally to:
    - School Principal or other designated person e.g. Acting Principal
    - Employee Conduct Branch (03 9637 259) and
    - 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
  - At risk of being harmed (ore has been harmed) and the harm has, or is likely to have a serious impact on the child's safety, stability or development.
  - ALSO report suspected sexual abuse (include grooming) to Victoria Police.
  - ALSO report internally to:
    - School Principal (or acting Principal)
    - Employee Conduct Branch (03 9637 259)
    - DET Security Services Unit (03 9589 6266)
  - The reporter may also make a referral to Child FIRST (if they have other reasonable concerns for the wellbeing of the child e.g. conflict within a family, parenting difficulties, isolation of a family or a lack of apparent support)
- The following information will be required when making a report to DHHS Child Protection:
  - The child's name, date of birth and address
  - The name, age and address of any known siblings
  - Your reason for believing that the injury or behaviour is the result of abuse or neglect
  - Your assessment of the immediate danger to the child
  - Current whereabouts of the child or young person
  - Your description of the injury or behaviour observed
  - Any other information you have about the family
- The reporter's identity as a notifier will remain confidential unless: you choose to inform the child and or family of the notification yourself OR you consent to your identity as the notifier being disclosed.
- The reporter should keep detailed and accurate notes, that include the following:
  - A description of the concerns (e.g. observation, report from a child or another person).
  - Source of these concerns (e.g. observations, report from a child or another person).
  - Actions taken as a result of the concerns (e.g. consultation with Principal, report to DHHS).

- A teacher may make a Mandatory Report independently and without discussing it with anyone, or when a Principal disagrees with the teachers' beliefs.
- The report should be made on the same day as the belief is formed or a disclosure has been made.
- Further reports can be made if the teacher becomes aware of further reasonable ground that continued abuse or neglect has or will occur.
- Where required, teaching staff will be released from their classroom duties to speak with DHHS Child Protection or other authorities about their report.

### **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 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.

### **Providing Ongoing Support**

- Support must be provided for children impacted by abuse. This should include the development of a Student Support Plan in consultation with wellbeing professionals. This is an essential part of our duty of care requirements.
- Strategies may include development of a safety plan, direct support and referral to wellbeing professionals etc.

### **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. (Appendix A)
- 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.

### **Evaluation**

- This policy will be reviewed as part of the school's three-year review cycle.

<b>Date Implemented</b>	October 2017
<b>Author</b>	Wellbeing Sub-committee
<b>Approved By</b>	School Council
<b>Date Reviewed</b>	August 2017
<b>Responsible for Review</b>	Wellbeing Sub-committee
<b>Review Date</b>	October 2018

### **Appendices:**

The Quarry Hill PS Primary School Child Safe policy should be read in conjunction with the following:

- Duty of Care
- Child Safe Policy
- Student Engagement and Wellbeing Policy

### **References:**

Related DET policies:

- Police and DHHS Interviews
- Responding to Student Sexual Assault
- Protecting the safety and wellbeing of children and young people  
(<http://www.education.vic.gov.au/documents/school/principals/spag/safety/protectionofchildren.pdf>)
- School Policy and Advisory Guidelines: Child Protection Reporting Obligations  
<http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx>
- Child Safe Standards  
<http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies%2c-guidelines-and-legislation/child-safe-standards-resources>
- Child Protection  
(<http://www.education.vic.gov.au/school/parents/health/Pages/childprotection.aspx>)
- PROTECT: Four Critical Actions  
<http://www.education.vic.gov.au/about/programs/health/protect/Pages/schcritical.aspx>
- PROTECT: Identifying and Responding to All forms of abuse in Victorian Schools  
[http://www.education.vic.gov.au/Documents/about/programs/health/protect/ChildSafeStandard5\\_SchoolsGuide.pdf](http://www.education.vic.gov.au/Documents/about/programs/health/protect/ChildSafeStandard5_SchoolsGuide.pdf)



## Appendix A

# Incident report

The child safe standards require organisations that provide services for children<sup>1</sup> to have processes for responding to and reporting suspected child abuse.<sup>2</sup> This resource can be provided to a child or their family if they disclose an allegation of abuse or safety concern in your organisation. Your staff can also use this resource to record disclosures.

All incident reports must be stored securely.

## Incident details

Date of incident:	
Time of incident:	
Location of incident:	
Name(s) of child/children involved:	
Name(s) of staff/volunteer involved:	

If you believe a child is at immediate risk of abuse phone 000.

### Does the child identify as Aboriginal or Torres Strait Islander?

(Mark with an 'X' as applicable)

No  Yes, Aboriginal  Yes, Torres Strait Islander

### Please categorise the incident

Physical violence	<input type="checkbox"/>
Sexual offence	<input type="checkbox"/>
Serious emotional or psychological abuse	<input type="checkbox"/>
Serious neglect	<input type="checkbox"/>

<sup>1</sup> For a [list of the organisations in scope](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/in-scope-organisations-for-child-safe-standards) for the child safe standards, please see the Department of Health and Human Services website: <www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/in-scope-organisations-for-child-safe-standards>.

<sup>2</sup> The child safe standards aim to protect children from abuse in organisations, including physical violence, sexual offences, serious emotional or psychological abuse and serious neglect. For further explanation of the different types of child abuse, please see see [An Overview of the Victorian child safe standards](http://www.dhs.vic.gov.au/__data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc): <www.dhs.vic.gov.au/\_\_data/assets/word\_doc/0005/955598/Child-safe-standards\_overview.doc>.

## Please describe the incident

When did it take place?	
Who was involved?	
What did you see?	
Other information	

## Parent/carer/child use

Date of incident:	
Time of incident:	
Location of incident:	
Name(s) of child/children involved:	
Name(s) of staff/volunteer involved:	

## Office use:

Date incident report received:	
Staff member managing incident:	
Follow-up date:	
Incident ref. number:	

## Has the incident been reported?

Child protection	
Police	
Another third party (please specify):	

## Incident reporter wishes to remain anonymous?

(Mark with an 'X' as applicable)

Yes  No