



MANDATORY REPORTING POLICY

Rationale:

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

Aims:

- To ensure that students' rights to be safe are maintained and each student is protected against physical and sexual abuse, and neglect.

Implementation:

- The following members of staff are mandated by law to report signs of physical and/or sexual abuse, and neglect: Teachers registered to teach or who have permission to teach; the Principal; the school nurse. Under mandatory reporting teachers are legally responsible to ensure that a report is made where they have formed belief that abuse is occurring, regardless of whether their belief is supported by the Principal of the campus.
- New staff will be informed of mandatory reporting responsibilities and procedures as part of their induction procedure.
- Staff will be reminded of mandatory responsibilities annually.
- All concerns must be reported immediately to the Principal, or in his absence, to the designated college senior staff member.
- The Principal will keep a record of all discussions about a student with whom there is a concern. The staff member should also keep a record of these discussions.
- If a belief has been formed by a staff member that sexual or physical abuse has taken place a "Mandatory Reporting Information Sheet" must be completed by the reporting staff and then filed in the Principal's office. The staff member should keep a copy of this completed form for their own records (See annexed pg. 6)
- In case of emergency or if a child is in immediate danger contact Triple Zero (000)
- The teacher is mandated to report their concerns to the Department of Health and Human Services (DHHS) Child Protection by telephone as soon as possible to make an official notification on: **1300 555 526 or after hours on 131278**
- Members of DHHS, Child protection, or associated support or intervention services that visit the school following a notification, will interview staff and children only in the presence of Minaret College Principal or his nominee.
- All "Mandatory Reporting Information Sheets" remain filed in the Principal's office. The staff member completing the form should keep a copy for their own records.
- 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, sexual abuse and neglect; teachers are also encouraged to report incidents of emotional abuse.

Purpose:

- Schools have a responsibility in the prevention and reporting of child abuse and neglect. Minaret College has developed policies and procedures to outline the requirement and process involved in the mandatory reporting of child abuse.
- In Victoria, a child or young person is someone under 17 years of age. However, the principles outlined below shall apply to all students enrolled at Minaret College (regardless of age).
- This Policy sets out what constitutes child abuse, which is mandated to make a notification, and the process of making a report to the Department of Health and Human Services (Child Protection).
- By definition, child abuse is an act by another person which endangers a child or young person's physical or emotional health or development. Child abuse includes physical injury, sexual abuse, emotional abuse and neglect.

Application:

This policy applies to all Minaret College employees and contractors.

Legislation:

Underpinning the concepts discussed in this policy is the following State legislation:

Victorian:

Children, Youth and Families Act 2005 (Vic.)

Crimes Act 1958 (Vic.)

*The Victorian Government recently passed the **Child Wellbeing and Safety Amendment (Child Safe Standards) Bill 2015.***

Ministerial Order No. 870 – Child Safe Standards ensures that in future all Victorian schools are required to implement the child safe standards to improve the protection of children, and adopt consistent policies for responding to allegations of abuse.

- ***Who is Mandated to Make a Notification?***
- The *Children, Youth and Families Act 2005 (Vic)*, section 64 (1C), states that certain professionals must report to the Department of Health and Human Services (DHHS) (Child Protection Services), when in the course of their professional duty: –
- (they) form the belief on reasonable grounds that a child is in need of protection because the child has suffered, or is likely to suffer, significant harm as a result of physical injury and the child's parents or caregiver have not protected, or are unlikely to protect the child from harm or;
- The child has suffered, or is likely to suffer, significant harm as a result of sexual abuse and the child's parents or caregiver have not protected, or are unlikely to protect the child from harm.
- Specifically, the Victorian professionals mandated to report are:
- Legally qualified medical practitioners, registered nurses and members of the Victorian police force;
- Primary school and secondary school teachers and principals;
- The above people are referred to as *mandatory reporters*;
- If you are a *mandatory reporter*, failure to notify, when you have reasonable grounds, is an offence under the Mandatory Reporting amendment to the Children and Young Persons Act, and could lead to criminal prosecution.

- Where two or more staff members who are mandated reporters share a belief, based on reasonable grounds, that a child or young person is in need of protection from physical or sexual abuse, then only one staff member needs to make a report. However, the other staff member/s must be satisfied that the report is made promptly and that all of the reasonable grounds are included in the notification by checking with the other staff member that the report has been made.

Non-mandated Staff Members:

Non-mandated staff members such as administration or support staff, may also be aware of or have concerns about the wellbeing of a student at the School. Such staff members can report their concerns to a teacher or School Counsellor or make a report directly to CHILD First (Child and Family Information, Referral and Support Teams). CHILD First has been established across Victoria to provide an entry point into family services or other support services for vulnerable children and families (see link below).

<http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first>

Prior to contacting CHILD First, the internal process outlined in 1) *Keeping Notes* below should be followed to ensure that accurate records are kept and key personnel are aware of the CHILD First report.

Sexual Offences against a Child

Under the *Crimes Act 1958*, any adult (aged 18 and over) who holds a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child (aged under 16 years) is required to disclose that information to police (unless they hold a reasonable excuse). Refer to Child Protection Policy for further information.

How to Make a Report to the Department of Human Services (Child Protection Services)

1. Keeping Notes

Individual staff members should keep notes of concerns that have led them to file a report as is necessary. These dated notes should be recorded on the Mandatory Reporting Information Sheet. These forms should be given to relevant Head of School and stored as a cumulative record in the student's central file and/or counselling file. The Head of School shall in turn notify the Principal without delay.

2. Clarify Whether a Report to Child Protection Services is required

A report to Department of Human Services / Child Protection is **required** when:

- A teacher believes, based on reasonable grounds, that a child has suffered, or is likely to suffer, significant harm as a result of physical, sexual, emotional abuse or neglect AND
- The child's parents or caregiver have not protected, or are unlikely to protect the child from such harm.

The belief and the reasonable grounds for forming that belief should be reported by the mandated reporter who has formed the belief to Child Protection Services as soon as practicable. Additional reports should be made after each occasion in which there is awareness of further concerns.

It is permissible for a teacher to ask a child sufficient questions to establish a reasonable belief, but care should be taken not to ask leading questions. Once a concern has been raised the matter

must be referred to appropriately trained or senior staff such as the Principal, Assistant Principal or School Counsellors of each campus (Springvale/Officer). The role of the notifying staff member from this point forward is to continue monitoring the child of concern. It is NOT the role of the mandated notifier to take on the role of investigator. It is, however, their role to make a report to child protection if they have formed a reasonable belief.

The Principal of each campus (Springvale/Officer) shall not disclose to any other person, the identity, or information with potential to indicate the identity of the notifying individual without written consent from the notifier. If there is uncertainty about the need for a mandatory report to Child Protection, the Principal (Springvale/Officer) or the notifier should ring the Department of Human Services for advice/secondary consultation:

Department of Health and Human Services (DHHS) Ph: 1300 555 526 or after school hours crisis line 131278.

3. Making a Report to Child Protection Services:

If a staff member believes a report to Child Protection Services is required, the School Counsellors of either campus will be notified and they will immediately consult the Principal. The notifying staff member, Principal or the School Counsellor will proceed with a report to Child Protection Services – ph: 1300 555 526 (business hours) or ph: 13 12 78 (after hours).

The following information will be required when making a report:

- The child's name, age 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;
- Your identity as a notifier will remain confidential unless;
- You choose to inform the child and/or family of the notification yourself; and
- You consent to your identity as the notifier being disclosed.

4. Communication:

A decision regarding who else (if anyone), should be informed, needs to be made. Parents, guardians or care givers of the alleged victim are to be contacted unless circumstances indicate this should not occur. Staff members are encouraged to discuss this with the Duty Worker when they make the notification.

The need for confidentiality should be remembered at all times in the interest of the child and family. Only where the welfare of the child will be affected should the matter be discussed with anyone else.

If, following a report, a family approaches the School; they should be politely directed to speak with authorised senior managers or School Counsellors. Individual teachers should not engage in discussion with parents or others without the presence (or the express authorisation) of the respective Head of Campus as a minimum.

Even where senior management representatives meet with parents or others in regard to a report, it is recommended that an interview be conducted with a minimum of two designated school staff members present.

The focus of such a meeting should be on the welfare of the child, not on justifying the actions or perceptions of the staff involved.

5. Support:

It is essential that reports are managed in a caring, supportive and confidential manner. Support for the responding staff member and the student who is the cause for concern as well as anyone else affected should be arranged.

6. Monitoring:

After notification to Child Protection Services is made, a senior protective worker will decide whether or not further investigation is required. The notifying staff member will be advised of this decision. If the notifying staff member is not advised, the Head of School may contact Child Protection Services and request information about what action is proposed. Any information provided at any stage of the process shall also be shared with the Principal in a timely manner.

7. Document Control, Protection of Individuals and Confidentiality of Information:

Other than ensuring the safety of all involved, there should be no detailed communication with alleged perpetrators or any other students involved until after approval from Victoria Police. Police and Child Protection Services are to be the investigating body at all times.

The Principal or his delegate is the only authorized representative of the School able to make media comment.

Further Information:

Further information concerning any aspect of Mandatory Reporting obligations may be directed to the School Counsellors.

Information on [Responding to Child Abuse](#) – has been developed to assist those professionals whose work brings them into contact with children and young people, is available via the Department of Health and Human Services (children youth & families) website www.cyf.vic.gov.au. Other Child Protection Publications are also available via this link.

**This policy was last ratified by Minaret College Board in August, 2016.
This policy will be next reviewed by Minaret College Board by August, 2019.**

MANDATORY REPORTING INFORMATION SHEET

VICTIM DETAILS

Name: _____ Student

Address: _____

Date of Birth: _____ Age: _____ Male: Female:

NATURE OF INCIDENT (please tick)

Sexual Assault _____

Physical Abuse _____

Emotional Abuse _____

Neglect _____

PLACE OF INCIDENT (Please tick/explain)

Outdoor activity (explain)

Indoor activity (explain)

Car Park	<input type="checkbox"/>	Oval	<input type="checkbox"/>
Paths/walkways	<input type="checkbox"/>	Playground	<input type="checkbox"/>
Classroom	<input type="checkbox"/>		
Hallway	<input type="checkbox"/>		

Other Incident categories (specify):

BRIEF ACCOUNT OF INCIDENT (to be filled out by the mandated reporter)

Name of staff in charge at location of incident: _____ Time of incident _____

Name of mandated reporter

Details of incident:

Name of Notified Person or Organization:

Note: Department of Health and Human Services: **1300 555 526 or 131 278** (After school hours crisis line), Police: **000**

Action taken for person's welfare:

Signature of Mandated Reporter: _____ Print Name _____ Date _____

PRIVATE AND CONFIDENTIAL