

## Mount Blowhard Primary School Mandatory Reporting Policy

### **Purpose:** To:

- define the roles and responsibilities of school staff in protecting the safety and wellbeing of children and young people.
- enable staff to identify the indicators of a child or young person who may be in need of protection.
- enable staff to make a report of a child or young person who may be in need of protection.
- ensure that children's rights to be safe are maintained and each child is protected against physical and sexual abuse and neglect.

This policy should be read in conjunction with Mount Blowhard Primary School's **CHILD SAFE POLICY**.

### **Implementation:**

All members of the Teaching Service are mandated by law to report signs of physical and/or sexual abuse and neglect to :

**Department of Human Services (DHS) Child Protection Central Highlands West Division on  
1800 000551 from 9am – 5pm**

**OR**

**After-hours Emergency and Crisis Response on  
131278**

All other school staff who believe on reasonable grounds that a child or young person is in need of protection are encouraged to report their concerns to DHS Child Protection or Victoria Police.

If ANY staff have significant concerns for the wellbeing of a child or young person they are encouraged to report their concerns to:

**Child FIRST on  
1300 783341**

New staff will be informed of mandatory reporting responsibilities and procedures. All staff will complete the Departments Mandatory On-line Training annually.

All incidents to be monitored, and any subsequent signs or indications of abuse/neglect 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.

WHAT	WHO SHOULD REPORT	WHERE TO REPORT
<p><b><i>Mandatory Reporting</i></b> Mandatory reporters must make a report as soon as practicable 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.</p>	<p>Teachers registered to teach or who have permission to teach pursuant to the <i>Education and Training Reform Act 2006</i> (Vic) Principals of government and non-government schools Registered medical practitioners Nurses All members of the police force</p>	<p>DHS Child Protection 1800 000 551</p>
<p><b><i>Child in need of protection</i></b> Any person may make a report if they believe on reasonable grounds that a child is in need of protection for any of the following reasons:</p> <ul style="list-style-type: none"> <li>• The child has been abandoned and there is no other suitable person who is willing and able to care for the child.</li> <li>• The child's parents are dead or incapacitated and there is no other suitable person who is willing and able to care for the child.</li> <li>• The child has suffered or is likely to suffer significant harm as a result of physical injury and the parents are unable or unwilling to protect the child.</li> <li>• The child has suffered or is likely to suffer significant harm as a result of sexual abuse and their parents are unable or unwilling to protect the child.</li> <li>• The child has suffered or is likely to suffer emotional or psychological harm and the parents are unable or unwilling to protect the child.</li> <li>• The child's physical development or health has been, or is likely to be significantly harmed and the parents are unable or unwilling to provide basic care, or effective medical or other remedial care.</li> </ul>	<p>Any person</p>	<p>DHS Child Protection 1800 000 551</p> <p>Child FIRST 1300 783341</p>
<p><b><i>Child in need of therapeutic treatment</i></b> Any person may make a report if they believe on reasonable grounds that a child who is 10 years of age or over, but under 15 years of age, is in need of therapeutic treatment because he or she has exhibited sexually-abusive behaviours.</p>	<p>Any person</p>	<p>DHS Child Protection 1800 000 551 Child FIRST 1300 783341</p>
<p><b><i>Significant concerns about wellbeing of a child</i></b> Any person may make a report if they have significant concerns for the wellbeing of a child.</p>	<p>Any person</p>	<p>DHS Child Protection Child FIRST</p>

## **Legislative responsibilities (also outlined in Child Safe Policy)**

### **1. Duty of care**

**School staff** have a duty of care to protect the safety, health and wellbeing of children in their care. If a staff member has concerns about the safety, health and wellbeing of children in their care they should take immediate action.

In the case of a child who may be in need of protection or therapeutic treatment, or where there are significant concerns about the wellbeing of a child, school staff can discharge this duty of care by taking action which includes the following:

- reporting their concerns to the DHHS Child Protection or another appropriate agency and keeping written records of this;
- notifying the Principal or a member of the school leadership team of their concerns and the reasons for those concerns and again keeping written records.

### **2. Failure to disclose**

**All adults in Victoria** who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police immediately. This is the law.

### **3. Failure to protect**

Any **staff member in a position of authority**, who becomes aware that an adult associated with their organisation (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the care, authority or supervision of the organisation, must take all reasonable steps to remove or reduce that risk. This may include, for example, removing the adult from child-related work pending investigation. If a staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence. The offence applies only to **adults in a position of authority** within an organisation, including Principals, senior school staff, regional directors and other senior managers.

### **4. Mandatory reporters**, who form a 'reasonable belief' that a child or young person is in need of protection from physical injury or sexual abuse, must report their concerns to Department of Health and Human Services (DHHS) Child Protection.

**Mandatory reporters:** teachers, Principals, Doctors, Nurses, Police Officers

All other school staff members who form a belief on reasonable grounds that a child or young person:

- is in need of protection, should report their concerns to DHHS Child Protection or Victoria Police.
- is displaying sexually abusive behaviours and is in need of therapeutic treatment should report their concerns to DHHS Child Protection.

If staff have significant concerns for the wellbeing of a child or young person they should report their concerns to DHHS Child Protection or Child FIRST.

In cases where staff have concerns about a child or young person, they should also discuss their concerns with the principal or a member of the school leadership team.

## **Types of child abuse and indicators of harm**

Child abuse can have a significant effect on a child's physical or emotional health, development and wellbeing. The younger a child the more vulnerable he/she is and the more serious the consequences are likely to be.

Types of child abuse include:

- physical abuse
- sexual abuse
- emotional abuse
- neglect
- medical neglect

School Policy & Advisory Guide -

<http://www.education.vic.gov.au/management/governance/spag/safety/protection/childprotection.htm>

Protecting Children Booklet - <http://www.eduweb.vic.gov.au/edulibrary/public/stuman/wellbeing/ProtectingChildrenProtocol.pdf>

- family violence.

Other reports to DHS Child Protection may be needed for:

- risk-taking behaviour
- female genital mutilation
- unborn child
- child or young person exhibiting sexually-abusive behaviours.

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.

## **Making a report**

### 1.School staff should keep comprehensive notes that are dated and include the following information:

- Description of the concerns (e.g. physical injuries, student behaviour)
- Source of those concerns (e.g. observation, report from child or another person)
- Actions taken as a result of the concerns (e.g. consultation with principal, report to DHS Child Protection etc.)
- All reports, information sheets and subsequent discussions and information are to be recorded and remain strictly confidential and remain filed in the Principals office.

### 2.School staff must discuss any concerns about the safety and wellbeing of students with the Principal or a member of the school leadership team. The individual staff member should then make their own assessment about whether they must or may make a report about the child or young person.

- The Principal will keep a record of all discussions about a student with whom there is a concern.

### 3.School staff should gather the relevant information necessary to make the report. This should include the following information:

- Full name, date of birth, and residential address of the child or young person
- Details of the concerns and the reasons for those concerns
- The individual staff member's involvement with the child and young person
- Details of any other agencies who may be involved with the child or young person .

### 4.Make a report to the relevant agency as soon as possible to make an official notification on: **1800 000 551 or after school hours crisis line 131278**

### 5.Make a written record of the report which includes the following information:

- The date and time of the report and a summary of what was reported
- The name and position of:  
the person who made the report  
the person who received the report.

### 6.Notify relevant school staff and/or Departmental staff of the report.

- School staff should advise the Principal or a member of the leadership team if they have made a report.
- In the case of international students, the Principal must notify the International Education Division of the Department on (03) 9637 2990 to ensure that appropriate support is arranged for the student.
- In the case of Koorie students, the principal must notify the Regional Office to ensure that the regional Koorie Support Officer can arrange appropriate support for the student.

### 7.Notify the Victoria Police if there is concern that a criminal offence may have been committed.

## Potential consequences of making a report

This table describes the potential consequences of making a report.

Potential Consequence	Description
Confidentiality	<p>The identity of a reporter must remain confidential unless:</p> <ul style="list-style-type: none"><li>the reporter chooses to inform the child, young person or parent of the report.</li><li>the reporter consents in writing to their identity being disclosed.</li><li>a Court or Tribunal decides that it necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child.</li><li>a Court or Tribunal decides that, in the interests of justice, the reporter is required to provide evidence.</li></ul>
Professional Protection	<p>If a report is made in good faith:</p> <ul style="list-style-type: none"><li>it does not constitute unprofessional conduct or a breach of professional ethics on the part of the reporter.</li><li>the reporter cannot be held legally liable in respect of the report.</li></ul>
Interviews	<p>DHS Child Protection and/or Victoria Police may conduct interviews of children and young people at the school without the parent’s knowledge or consent.</p> <p>Interviewing children and young people at school should only occur in exceptional circumstances and if it is in the best interests of the child to proceed in this manner.</p> <p>DHS Child Protection and/or Victoria Police will notify the principal or a member of the leadership team of their intention to interview the child or young person on the school premises.</p> <p>When DHS Child Protection practitioners/Victoria Police officers come to the school premises, the principal or a member of the leadership team should request to see identification before permitting them to have access to the child or young person.</p> <p>When a child or young person is being interviewed by DHS Child Protection and/or Victoria Police, school staff must arrange to have a supportive adult present with the child or young person.</p> <p>For more information on these requests and school responsibilities, see: <a href="#">Police and DHS Interviews</a></p>
Support for the child or young person	<p>The roles and responsibilities of staff members in supporting children who are involved with DHS Child Protection may include the following:</p> <ul style="list-style-type: none"><li>Acting as a support person for the child or young person.</li><li>Attending DHS Child Protection case planning meetings.</li><li>Observing and monitoring the child’s behaviour.</li><li>Liaising with professionals.</li></ul>
Requests for information	<p>DHS Child Protection and/or Child FIRST and/or Victoria Police may request information about the child or family for the purpose of investigating a report and assessing the risk to the child or young person.</p> <p>In certain circumstances, DHS Child Protection can also direct school staff and Department staff to provide information or documents about the protection or development of the child. Such directions should be in writing and only be made by authorised persons within DHS Child</p>

	Protection, see: <a href="#">Requests for Information About Students</a>
Summons	If DHS Child Protection makes a Protection Application in the Children’s Court of Victoria, any party to the application may issue a Witness Summons to produce documents and/or to give evidence in the proceedings, see: <a href="#">Subpoenas and Witness Summonses</a>

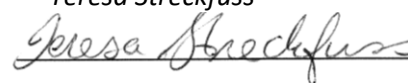
**Evaluation:**

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

Signed: Susan Knight  
Principal



Signed:  
School Council President

Teresa Streckfuss  


This policy was last ratified by School Council in....	<b>May 2018</b>
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