

# Mandatory Reporting Policy



## Policy Statement

The Children Youth and Families Act 2005 identifies a range of professionals who are mandated to report to Child Protection when they have formed a belief on reasonable grounds that a child or young person is in need of protection from significant harm as a result of sexual abuse or physical injury.

Any person who is registered as a teacher under the Education and Training Reform Act 2006, or any person who has been granted permission to teach under that Act, including principals and teachers in training, is mandated to make a report to Child Protection. In the course of undertaking their professional duties, mandated staff members are required to report their belief, when the belief is formed on reasonable grounds that a child is in need of protection from significant harm as a result of sexual abuse or physical injury. School Nurses, SSSO staff and social workers are also mandated under the act.

### Forming a Belief

A person may form a belief on reasonable grounds that a child in in need of protection after becoming aware that a child or young persons health, safety to wellbeing is at risk and the child's parents are unwilling or unable to protect the child. Reasonable grounds could include:

- A child or young person who states they have been physically or sexually abused
- A child or young person who reports they know someone who has been physically or sexually abused (they may be talking about themselves)
- Someone who knows the child or young person has reported that the child or young person has been physically or sexually abused
- The child or young person shows signs of physical or sexual abuse
- The staff member is aware of persistent family violence or parent substance misuse, psychiatric illness or intellectual disability that is impacting on the child or 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 or young person.

### Reporting a belief

If two people in the same school form the same belief the report need only be made once. If one staff member has a different view from another staff member about making a report and the staff member continues to hold the belief that a child is in need of protection, that person is obliged to make a report to Child Protection.

Teachers are encouraged to discuss any concerns about the safety and wellbeing of students with a member of the leadership team. If a principal or ember of the leadership team does not wish to make a mandatory report, this does not discharge the teacher's 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 a member of the principal team of school leadership team that teacher is still legally obliged to make a mandatory report of their concerns.

## 1. Guidelines

- 1.1 All staff members including non-mandated staff are responsible for ensuring students are offered protection from significant harm through physical or sexual abuse.

## 2. Program

- 2.1 Any staff member, regardless of mandate, who forms a belief made on reasonable grounds that a student is in need of protection from significant harm as a result of sexual abuse or physical injury is required to report that belief.

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- 1.2 Where during the course of carrying out their normal duties, a school staff member forms the belief on reasonable grounds that a child is in need of protection, the staff member must make a report to Child protection regarding this belief and the reasonable grounds for it as soon as practicable..
  - 2.2 Although a mandated person cannot discharge their mandate it is sufficient for one person to make the report.
    - 2.2.1 In most cases all reports to Child Protection will be made through the Student Wellbeing Office or the Principal team as soon as practicable.
    - 2.2.2 Once a staff member has formed a belief they should report it directly to the Leader of Student Wellbeing.
    - 2.2.3 If the Leader of Student Wellbeing is unavailable that day the staff member should report the belief directly to a member of the Principal Team and provide all the grounds for their belief.
    - 2.2.4 The Leader of Student Wellbeing or Principal Team member will make the report on behalf of the staff member to Child Protection.
    - 2.2.5 It is not the role of the Leader of Student Wellbeing or member of the Principal team to assess the teacher's belief.
    - 2.2.6 The staff member must follow up and ensure the report has been made and that all of the grounds for their own belief are included in the report.
    - 2.2.7 Staff who chose to, may make a notification to Child Protection themselves, however in doing so they must notify the Leader of Student Wellbeing or a member of the Principal team that they have done so.
  - 2.3 After making the report the staff member will notify the Leader of Student Wellbeing or member of the Principal team of the report and the grounds for reasonable belief on return to the College.
    - 2.3.1 The staff member should ensure they make note of the intake workers name for follow up by the Leader of Student Wellbeing.
- 1.3 Where a student or member of the community discloses to a staff member outside of school hours that a child or young person is in need of protection from significant harm as a result of sexual abuse or physical injury outside school, the staff member is mandated to make a report as soon as practicable.
- 1.4 All Wantirna College staff will be required to undertake regular professional learning in relation to Child Protection
  - 2.4 Staff will undertake the DEECD annual Mandatory Reporting Online Professional Learning Module
    - 2.4.1 The Leader of Student Wellbeing will run additional Professional Learning in relation to the College's processes and procedures for mandatory reporting.
    - 2.4.2 Documented processes and advice regarding making a mandated report will be included in student management advice provided to all staff.
- 1.5 Staff are only required to form a belief based on reasonable grounds that a child requires protection from significant physical or sexual abuse.
  - 2.5 The role of investigating allegations of child abuse solely with Child Protection and/or Victoria Police.

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- 1.6 Staff must ensure they protect the child whilst taking into account different issues of confidentiality.
- 1.7 Child protection may conduct interviews at Wantirna College without parental knowledge or consent.
- 2.6 If a child discloses significant physical or sexual abuse the staff member must inform the child they have a mandate to report to Child Protection.
  - 2.6.1 What is reported to child protection must be respected as confidential information. Staff may discuss details of the case only with the Leader of Student Wellbeing or member of the Principal team on a need to know bases.
  - 2.6.2 When a child moves to another school professional judgement will be exercised by the Student Leader of Wellbeing about what information needs to be passed on.
- 2.7 Child Protection will notify of their intention to visit to interview a child. This may occur whether the College is the source of the report to Child Protection.
  - 2.7.1 When Child Protection Officers arrive at the school they must show a member of the Principal team or the Leader of Student Wellbeing their identification before access is granted.
  - 2.7.2 The College will provide a quite confidential space for such interviews to occur.
  - 2.7.3 A supportive adult (staff member) will be provided to attend the interview. Students who wish to not have an adult are able to request that the supportive adult do not sit in.
  - 2.7.4 The staff member must refrain from providing their opinions or accounts of events during interviews.

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| Policy Drafted by:           | Catherine Ford and Shane Kruger |
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| Minor Review                 |                                 |
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