



## Mandatory Reporting Policy

### 1.0 Purpose:

All children have a right to feel safe and to be safe. Teachers have a legal and moral responsibility to respond to serious incidents involving abuse and neglect of children, and to report instances of physical abuse, sexual abuse or serious neglect.

This policy aims to ensure:

- all children's right to be safe is maintained and that each child is protected against physical and sexual abuse, and neglect; and
- there are clearly understood responsibilities and processes within the school.

**NOTE:** this policy is closely linked to the College Child Safe Policy

### 2.0 Reporting Child Abuse

#### 2.1 What is mandatory reporting and who is mandated to report suspected abuse?

Mandatory reporting describes the legal obligation of certain professionals and community members to report incidences of child sexual abuse. These people are called mandated reporters. If the mandated reporters fail to report child abuse they may be fined and/or incarcerated.

Section 182 (1) of the Children, Youth and Families Act 2005 (as amended in 2011) lists the following people as mandated to report:

- Teachers registered to teach or who have permission to teach pursuant to the Education and Training Reform Act 2006
- the principal of a Government school or non-Government school
- Registered medical practitioners, nurses
- All members of the Police Force

For more information on mandatory reporting of all state and territories, visit the [Australian Institute of Family Studies website](#).

#### 2.1 What is reportable?

Mandated reporters must report if in the course of carrying out our duties, they form **reasonable belief** that a child has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse, domestic violence and psychological harm, and the child's parents have not protected, or are unlikely to protect, the child from harm of that type. These are all reportable offences.

#### 2.2 What are reasonable grounds?

You do not need to have proof to report any concerns you have about the safety of a child under the age of 16. Indicators that represent reasonable grounds to report a suspected offence include:

- a child or young person discloses that he or she has suffered or is suffering non accidental physical injury or sexual abuse

- someone else advises you that a child or young person has been sexually abused or non-accidentally injured, or
- your own observations of the child or young person's physical condition or behaviours lead you to reasonably suspect that the child or young person has suffered or is suffering non-accidental physical injury or sexual abuse.

For more information, staff can email and talk to qualified staff at Child Wise at [helpline@childwise.org.au](mailto:helpline@childwise.org.au). Additionally, the Department of Human Services Child Protection in conjunction with the Department of Education and Early Childhood Development have also provided a step-by-step guide to making a report.

### 3.0 Implementation:

- All members of the teaching staff 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 as part of their induction procedure
  - Staff will be reminded of mandatory responsibilities annually
- All concerns regarding a child's wellbeing must be reported immediately to the Principal, or in his/her absence, the Deputy Principal, and or Head of School – Senior and Junior. These concerns may include
  - Significant parenting problems
  - Family conflict or family breakdown
  - Pressure due to a family member's physical/mental illness, substance abuse or disability
  - Vulnerability due to youth, isolation or lack of support
  - Significant social or economic disadvantage

*(Taken from the Victoria State Government Education and Training website)*

- The Principal (or their nominated person) will keep a record of all discussions about a student about whom an issue potentially warranting mandatory reporting arises.
- If a staff member has formed a belief that sexual or physical abuse has taken place, a 'Mandatory Reporting Information Sheet' will be completed and filed in the Principal's office.
- The Principal or their nominated person will contact the Department of Human Services by telephone as soon as possible to make an official notification on: 1800 075 599 (business hours) or after school hours crisis line 131278 (5.00pm - 9.00am Monday - Friday, 24 hours on weekends and public holidays).
- Members of the Department of Human Services, or associated support or intervention services who visit the school following a notification, will interview staff and children only in the presence of the Principal or his/her nominee.

**NOTE:** A failure to notify the Department of Human Services is an offence under the Children, Youth and Families Act. Teachers are free to make contact individually, independent from the school, if they feel this is warranted.

### 4.0 Documentation:

- All reports, information sheets and subsequent discussions and information are to be recorded and to remain strictly confidential.
- Staff members will be advised to document details in writing as to the time, place, circumstance and description of the incident/events.
- Hard copies of computer-generated documentation will be maintained.

- No judgement/assumptions will be included. Factual information and observations must be dated.
- Patterns of behaviour will be established – using attendance records, behaviour management records and adult observations of social interaction.
- Staff notes are to be collated into useable documentation for the file.
- All incidents are to be monitored on an ongoing basis, 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.
- The Principal will be responsible for supporting staff who have been involved in mandatory reporting incidents.
- **To keep this information safe and able to be retrieved years later, all hard-copy documentation and information will be secured safely by the Principal**

## 5.0 Overseeing Legal Acts:

The Department of Human Services is responsible for overseeing and upholding child protection in Victoria. Numerous Acts (laws) help to govern and guide the process of child protection in Victoria. These acts include:

Principal Acts:

- [Children, Youth and Families Act 2005 \(as amended 2014\)](#)

Other relevant Acts:

- [Failure to Disclose 2014](#)
- [The Charter of Human Rights and Responsibilities Act 2006](#)
- [Working with Children Act 2005](#)
- [Child Wellbeing and Safety Act 2005](#)
- [Family Law Act 1975](#)
- [Failure to protect 2015](#)

POLICY DATES			
<i>Written / updated</i>	October 2017	<i>Approved by Head of Schools</i>	February 2018
<i>Approved by College Leadership Team:</i>	February 2018	<i>Next Review Due</i>	February 2019