



## **MANDATORY REPORTING POLICY**

### **Brunswick South Primary School**

<b>Policy</b> <b>Implementation Date</b> May 2014	<b>Review Date</b> 2018	<b>Responsible for</b> <b>Review</b> Policy Subcommittee
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### **Rationale**

Schools have a responsibility in the prevention and reporting of child abuse and neglect. Brunswick South Primary School has developed policies and procedures to support the implementation of the mandatory reporting of child abuse.

In Victoria, a child or young person is someone under 17 years of age.

This Policy sets out what constitutes child abuse, who is mandated to make a notification, and the process of making a report to the Department of Human Services (Child Protection).

By definition, child abuse is an act by parents or caregivers 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.

### **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 Human Services (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 your belief, when you have reasonable grounds, is an offence under the Mandatory Reporting amendment to the Children and Young Persons Act, and may incur a fine.

Although only *mandatory reporters* have a legal responsibility to report abuse, everyone has a moral responsibility to report all types of possible or known child abuse.

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

### **1) Making Observations**

Individual staff members should make observations and keep notes of concerns that have led them to believe a report may be necessary. These dated notes should be recorded on the Mandatory Reporting Record Form.

These forms should be given to relevant Team Leader and stored as a cumulative record in the student's central file and/or counselling file. The Principal shall in turn notify the Principal

### **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 an individual authorized by the School 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 should be referred to appropriately trained or senior staff such Team Leader or Principal. 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.

The Principal 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 Team Leader or the notifier should ring the Department of Human Services for advice/secondary consultation:

**Department of Human Services (DHS) Ph: 1300 655 795**

### **3) Making a Report to Child Protection Services**

If a staff member believes a report to Child Protection Services is required, the Team Leader will be notified and they will immediately consult the Principal. The notifying staff member, Team Leader or Principal will proceed with a report to Child Protection Services – ph: 1300 655 795 (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 behavior 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 behavior 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
- 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 someone from the Leadership Team. 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.

Staff will be provided with regular awareness on mandatory reporting and protection of children education.

#### **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 Team Leader 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.

### **Further Information**

The Department of Education and Early Childhood Development's [Student Safety section](#) also includes information on child protection and mandatory reporting.