

Ballarat (Dana Street)
Child Safe
Mandatory Reporting Policy

Dana Street Primary School is committed to ensuring the safety and wellbeing
of all children and young people.

Rationale:

Schools have a responsibility in the prevention and reporting of child abuse and neglect. Ballarat (Dana Street) 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.

Compiled: August 2017

Compiled by: Emma Remilton

Approved by School Council: August 2017

Review: August 2019

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.

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.

Types of child abuse include:

- physical abuse
- sexual abuse
- emotional abuse
- neglect
- medical neglect
- family violence
- human trafficking (including forced marriage)
- sexual exploitation (including pornography and prostitution).

A report should be made to DHHS Child Protection in circumstances where, for example:

- the child is engaging in risk-taking behaviour
- female genital mutilation has occurred, or there is a risk of it occurring
- there is a risk to an unborn child

- a child or young person is exhibiting sexually-abusive behaviours
- there are indications that a child is being groomed. For information see: Department of Justice and Regulation – Grooming offence.

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

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 the Principal/Assistant Principal and stored as a cumulative record in the student's central file and/or counselling file. The Principal/Assistant Principal shall in turn notify the relevant authority.

Clarify Whether a Report to Child Protection Services is Required:

A report to the 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 the Principal/Assistant 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/Assistant 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. If there is uncertainty about the need for a mandatory report to Child Protection the Principal/Assistant Principal should ring the Department of Human Services for advice/secondary consultation.

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 and carers. Your reason for believing that the injury or behaviour is the result of abuse or neglect.

*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 • You consent to your identity as the notifier being disclosed.

Communication:

A decision regarding who else (if anyone), should be informed, needs to be made. 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 the Principal/Assistant Principal. Individual teachers should not engage in discussion with parents or others.

Even where Leadership 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.

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.

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. Any information provided at any stage of the process shall also be shared with the Principal/Assistant Principal in a timely manner.

Staff Professional Development:

- staff will complete professional development as per the DET eLearning module – Mandatory Reporting and Other Obligations as required
- staff will be provided with a copy of the DSPS Mandatory Reporting Policy and the document *A step-by-step guide to making a report to Child Protection or Child FIRST* at the beginning of each school year.

Further information:

The Department of Education and Training

<http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx>

The module can be accessed here: Protecting Children - Mandatory Reporting and other Obligations <https://lcms.elmolms.com/elmoportal/deecd/sciau/portal.php>