



Mandatory Reporting

POLICY

RATIONALE:

All children have the right to feel safe and be safe. Laurimar Primary School is committed to supporting the wellbeing of its students and protecting them from abuse. Principals and registered teachers are legally required to notify the Department of Health and Human Services (DHHS) Child Protection if they form a belief, based on reasonable grounds, that a child has suffered, or is likely to suffer harm as a result of physical injury, neglect or sexual abuse, or if the child's parents or guardians have not protected or are unlikely to protect the child from harm. DHHS Child Protection is a Victorian Government agency that protects children at risk of significant harm. The *Children, Youth and Families Act 2005 (VIC)* outlines the legal responsibilities of Principals and registered teachers in relation to the mandatory reporting of child abuse. For the purposes of this policy, a child is any person 17 years of age or under.

AIMS:

To ensure that children's rights to be safe are maintained and each child is protected against physical and sexual abuse, and neglect. For Laurimar Primary School to assist its staff in meeting their mandatory reporting obligations under the relevant legislation. All staff are required to follow the processes set out in this policy. This policy ensures that notifications to DHHS Child Protection are co-ordinated in a central manner within the school to ensure that:

- The legal responsibilities of teachers and Principals to make mandatory reports are carried out in accordance with legislations and DET guidelines
- Notifications are effectively documented
- Appropriate personnel are informed
- Staff members receive ongoing feedback, advice and support.

IMPLEMENTATION:

At Laurimar Primary School:

- All staff are provided with professional learning annually about their mandatory reporting responsibilities
- All staff are required to complete the DET's online mandatory reporting training
- New staff will be informed of mandatory reporting responsibilities and procedures as part of their induction process
- The school Mandatory Reporting Policy is available to all staff.

The following procedures are undertaken in relation to mandatory reporting:

1. Forming a Belief

When a registered teacher forms a reasonable belief that a child is in need of protection from physical injury, neglect or sexual abuse, he/she must make a report to DHHS Child Protection as soon as practicable, in accordance with the *Children, Youth and Families Act 2005 (VIC)*.

A reasonable belief that a child is in need of protection is likely to be formed in circumstances where:

- A child discloses that he or she has suffered or is suffering non-accidental physical injury or sexual abuse.

- A relative, friend or acquaintance states that a child has been neglected, sexually abused or non-accidentally injured, or
- Professional observations of the child's physical condition or behaviours lead to a reasonable suspicion that the child has suffered or is suffering non-accidental physical injury, neglect or sexual abuse.

If a staff member suspects that a child is in need of protection it is essential that he/she document all concerns and observations in a confidential file. This process of documentation may occur over a period of time. Any concerns and observations regarding the suspected physical injury, neglect or sexual abuse of a child must be discussed with an Assistant Principal or the Principal. Teachers must make every effort to contact an Assistant Principal or the Principal on the day that a reasonable belief is formed.

If a report is to be made to DHHS Child Protection, a "Mandatory Reporting Notification Form" will be completed. This form is available as an attachment to this policy.

Any person who completes a mandatory report is able to access the DET Employee Assistance Program (EAP) (1300 361 008) should they require support.

2. Reporting to Relevant Agencies

The two relevant agencies are:

**DHHS Child Protection North Western Region - 1300 664 977 or
After Hours Child Protection Emergency Services – 131 278**

and

Child FIRST – 9450 0955

If a teacher believes that a child is in need of protection, then he/she must make a report. The Principal, an Assistant Principal and/or the teacher will notify DHHS Child Protection.

Principals and/or teachers can share information and make a referral to Child FIRST when they have a significant concern for a child's wellbeing, but do not believe that the child needs protection. Child FIRST is the Family Information Referral Support Team run by a registered community service in a local area that can receive confidential referrals about a child of concern. It may be accessed for concerns of an emotional, psychological or social nature. It does not have any statutory powers to protect a child but can refer matters to DHHS Child Protection.

An Assistant Principal, Principal and/or teacher does not have to be able to prove that the child has been abused before notifying DHHS Child Protection.

An attempt is to be made to file a report on the same day as the belief is formed.

If the Principal or Assistant Principal does not share the belief that a child is in need of protection and does not notify DHHS Child Protection, the teacher must make this notification to DHHS Child Protection. Any staff member who makes a notification must inform the Principal and/or an Assistant Principal that he/she has made a report.

Staff members from DHHS Child Protection, or associated services that visit the school following a notification, will interview staff and children only in the presence of the Principal, Assistant Principal and/or a nominated staff member within the school.

A mandated notifier is both legally and professionally protected, which means that he/she cannot be successfully sued or subjected to any legal liability, nor can he/she be disciplined for unprofessional conduct. The mandatory reporter's identity is usually protected under the

Children, Youth and Families Act 2005 (VIC). Exceptions include when the choice is made to inform the child or the child's parents/guardians or when the court decides that evidence is required to be given.

Child FIRST and DHHS Child Protection can consult all Victorian principals and teachers when they are deciding how best to respond to a referral or a report they receive. Any information provided should relate directly to the teacher's concerns and should not be based on second-hand information.

The Student Welfare Team will be responsible for implementing an Action Plan that incorporates a range of support mechanisms that cater for the affected student's wellbeing at the school.

SUPPORTING DOCUMENTATION:

- *Children, Youth and Families Act 2005 (VIC)*
- DET Schools Reference Guide: Section 4.6.2 Child abuse and neglect including allegations of student sexual assault
- DET (2007) "Responding to Allegations of Student Sexual Assault - Procedures for Victorian Government Schools".

EVALUATION:

This policy will be reviewed as part of annually.

This policy was last ratified by School Council in....

November 2016

CONFIDENTIAL

DET MANDATORY REPORTING NOTIFICATION FORM



Name of Child: _____

Date of Birth: _____

Class: _____

Address:

Known siblings (include age and Year level):

Name of notifying staff member:

Date and Time of notification:

Indicators of harm – (facts and specifics):

Your involvement so far:

Other agencies involved that you know of:

Does the family know a report is being made? Yes No

DHHS STAFF MEMBER CONTACT DETAILS:

NAME: _____ PHONE: _____

TEAM LEADER NAME: _____

ACTIONS

LPS: _____

DHHS: _____