

MANDATORY REPORTING POLICY

Rationale:

Alphington Primary School recognises the need for all children to have a right to feel safe and to be safe. Staff at the school are aware of the legal and moral responsibility to respond immediately when they have concerns over the safety, health and wellbeing of children in their care. Staff at the school are to report instances that they believe involve physical abuse, sexual abuse, emotional abuse, medical neglect, neglect or family violence to the appropriate agencies.

Aims:

To

- Ensure that children's rights to be safe are maintained and each child is protected against any abuse and neglect as described in the Rationale.
- Implement a reporting process where staff report to the appropriate agencies when they have formed a reasonable belief that a child is in need of protection (*Appendix One – Forming a 'reasonable belief' definition*).

Implementation:

1. Staff are mandated by law to report signs of physical and/or sexual abuse, and neglect.
2. All staff are made aware of this policy through the Staff Induction booklet.
3. Staff are informed of mandatory reporting responsibilities and procedures.
4. Staff are made aware of the Mandatory Reporting process. (*Appendix Two – Making a Report*).
5. If staff have significant concerns for the wellbeing of a child they should report their concerns to the Principal and DHHS (Department of Human Services) Child Protection or Child FIRST (*Appendix Three – When to Report*).
6. Staff members who form a reasonable belief that a sexual offence has been committed against a child must disclose that information to police.
7. The teacher and/or the Principal class officer will notify the DHHS as soon as practicable to make an official notification.
8. Staff are aware that failure to disclose the information to police is a criminal offence, except in limited circumstances such as where the information has already been reported to the DHHS Child Protection.
9. When a report has been made to DHHS Child Protection, the school will follow the process prescribed by the Department of Education
10. Any staff member who becomes aware that an adult associated with the school's organisation (such as an employee, contractor, volunteer or visitor) poses a risk of abuse to a child under the care, authority or supervision of the organisation, must take all reasonable steps to remove or reduce that risk.
11. The Principal will keep a record of all discussions about a student with whom there is a concern that abuse has occurred.
12. All 'Mandatory Reporting Information documentation' remain filed in the Principal's office.
13. Members of the Department of Health and Human Services, or associated support or intervention services that visit the school following a notification, will interview staff and children only in the presence of a Principal class member or his/her nominee.

14. All reports, information documentation and subsequent discussions and information are to be recorded and remain strictly confidential.

Evaluation:

- This policy will be reviewed as part of the school's three-year review cycle.

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

August 2015

Appendix One **Forming a Reasonable Belief**

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation.

A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed if:

- a child states that they have been physically or sexually abused
- a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves)
- someone who knows a child states that the child has been physically or sexually abused
- professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused
- signs of abuse lead to a belief that the child has been physically or sexually abused.

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](#).

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

Appendix Two

Making a Report

This table describes how to make a mandatory report, to report child abuse or child protection concerns.

Step	Description
1	<p>In case of emergency or if a child is in immediate danger contact Triple Zero (000) or the local police station.</p> <p>Alternatively, to report concerns about the immediate safety of a child within their family unit to DHHS Child Protection, call the Child Protection Crisis Line on 13 12 78 (24 hours 7 days, toll free)</p>
2	<p>Keep comprehensive notes that are dated and include the following information:</p> <ul style="list-style-type: none">• information that has led to concerns about the child's safety (e.g. physical injuries, student behaviour)• the source of this information (e.g. observation of behaviour, report from child or another person)• the actions taken as a result of the concerns (e.g. consultation with principal, report to DHHS Child Protection etc.).
3	<p>Discuss any concerns about the safety and wellbeing of students with the principal or a member of the school leadership team. The individual staff member should then make their own assessment about whether they should make a report about the child or young person and to whom the report should be made.</p>
4	<p>Gather the relevant information necessary to make the report. This should include the following information:</p> <ul style="list-style-type: none">• full name, date of birth, and residential address of the child or young person• the details of the concerns and the reasons for those concerns• the individual staff member's involvement with the child and young person• details of any other agencies who may be involved with the child or young person, if known.
5	<p>Make a report to the relevant agency</p> <p>To report concerns that are life threatening phone 000 or the local police station. To find the nearest Victoria Police Sexual Offences and Child Abuse Investigation Team contact your local police station or click here)</p> <p>To report concerns about the immediate safety of a child within their family unit to DHS Child Protection, call the Child Protection Crisis Line on 13 12 78 (24 hrs 7 days, toll free)</p> <p>To report concerns to DHHS Child Protection, contact your local child protection office.</p>
6	<p>Make a written record of the report which includes the following information:</p> <ul style="list-style-type: none">• the date and time of the report and a summary of what was reported• the name and position of the person who made the report and the person who received the report.
7	<p>Notify relevant school staff and/or Department staff of a report to DHHS Child Protection or Child FIRST. For Victorian government schools, the allegations must be reported to the:</p> <ul style="list-style-type: none">• principal or member of the school leadership team• Department's Security Services Unit on (03) 9589 6266• relevant Regional Office• Student Critical Incident Advisory Unit on (03) 9637 2934 or (03) 9637 2487. <p>In the case of international students, the principal must notify the International Education Division on (03) 9637 2990 to ensure that appropriate support is arranged for the student.</p> <p>In the case of Koorie students, the principal must notify the Regional Office to ensure that the regional Koorie support officer can arrange appropriate support for the student.</p>

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Appendix Three

When to Report

The following table sets out when to report a concern that a child or a young person has been abused, or is in need of protection.

Type of Reporting	By Whom	To Whom
<p><i>Mandatory Reporting - DHHS Child Protection</i></p> <p>Mandatory reporters must make a report as soon as practicable if, in the course of practising their profession or carrying out their duties, they form a belief on reasonable grounds that a child or young person is in need of protection, as a result of physical injury or sexual abuse, and the child's parents are unable or unwilling to protect the child.</p>	<p><i>Mandatory reporters</i></p> <ul style="list-style-type: none"> • Teachers registered to teach or who have permission to teach pursuant to the <i>Education and Training Reform Act 2006 (Vic)</i> • Principals of government and non-government schools • Registered medical practitioners • Nurses • All members of the police force 	<ul style="list-style-type: none"> • DHHS Child Protection
<p><i>Child in need of protection</i></p> <p>Any person may make a report if they believe on reasonable grounds that a child is in need of protection for any of the following reasons:</p> <ul style="list-style-type: none"> • The child has been abandoned and there is no other suitable person who is willing and able to care for the child. • The child's parents are dead or incapacitated and there is no other suitable person who is willing and able to care for the child. • The child has suffered or is likely to suffer significant harm as a result of physical injury and the parents are unable or unwilling to protect the child. • The child has suffered or is likely to suffer significant harm as a result of sexual abuse and their parents are unable or unwilling to protect the child. • The child has suffered or is likely to suffer emotional or psychological harm and the parents are unable or unwilling to protect the child. • The child's physical development or health has been, or is likely to be significantly harmed and the parents are unable or unwilling to provide basic care, or effective medical or other remedial care. 	<ul style="list-style-type: none"> • Any person 	<ul style="list-style-type: none"> • DHHS Child Protection • Victoria Police
<p><i>Child displaying sexually abusive behaviours and in need of therapeutic treatment</i></p> <p>Any person may make a report if they believe on reasonable grounds that a child who is 10 years of age or over, but under 15 years of age, is in need of therapeutic treatment because he or she has</p>	<ul style="list-style-type: none"> ▪ Any person 	<p>S Child Protection</p>

exhibited sexually-abusive behaviours.		
<p><i>Significant concerns about wellbeing of a child</i></p> <p>Any person may make a report if they have significant concerns for the wellbeing of a child.</p>	<ul style="list-style-type: none"> • Any person 	<ul style="list-style-type: none"> • DHHS Child Protection • Child FIRST
<p><i>Reasonable belief that a sexual offence has been committed by an adult against a child under 16.</i></p> <p>Any adult who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 must report that information to police. It is a criminal offence not to make a report, except in the following circumstances:</p> <ul style="list-style-type: none"> • The victim is 16 years of age or older and does not have an intellectual disability that limits his/her capacity to make an informed decision; and he/she does not want the information reported to the police • The victim has disclosed the information in confidence in the course of a therapeutic relationship with you as a registered medical practitioner or counsellor. • The victim turned 16 years of age before 27 October 2014. <p>Reasonable excuses for failing to comply with the requirement include:</p> <ul style="list-style-type: none"> • a reasonable belief that the information has already been reported to police or DHHS Child Protection disclosing all of the information • a reasonable fear that the disclosure will place someone (other than the alleged perpetrator) at risk of harm 	<ul style="list-style-type: none"> • Any person aged 18 or over 	

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