

CHILD PROTECTION REPORTING POLICY AND PROCEDURES

Ratified by School Council: July 2016
Review: July 2019



PURPOSE:

- 1.1 All children have a right to feel safe and to be safe. As staff in Victorian government schools, we have a legal and moral responsibility to respond to serious incidences involving abuse and neglect of the children with whom we have contact, and to report instances that we believe involve physical abuse, sexual abuse or neglect. The purpose of this policy is to explain the roles and responsibilities of school staff to protect the safety and wellbeing of children and young people. The full policy with detailed information that all staff in Victorian government schools must follow is found at:

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

GUIDELINES:

- 2.1 All staff who are Victorian Institute of teaching (VIT) registered teachers (including principals) or who have been granted permission to teach by the VIT are 'mandatory reporters'. This means that in the course of undertaking their professional duties, they must report to the Department of health and Human Services (DHHS) Child Protections a belief on reasonable grounds that a child is in need of protection from significant harm as a result of sexual abuse or physical injury and the child's parents are unable or unwilling to protect the child. They must report as soon as practicable after forming the belief.
- 2.2 There may be times when two or more mandated staff members, for example a teacher and a principal, have formed the belief about the same child or young person on the same occasion. In this situation it is sufficient for only one of the mandated staff members to report to Child Protection. The other staff member is obliged to ensure that the report has been made and that all of the grounds for their own belief were included in the report made by the other staff member.
- 2.3 If one staff member has a different view from another staff member about making a report and the staff member continues to hold the belief that a child is in need of protection, that person is obliged to make a report to Child Protection.
- 2.4 Any person, who believes on reasonable grounds that a child is in need of protection, may report their concerns to Child Protection. This means that any person, including non-mandated school staff, is able to make a report to Child Protection or Victoria Police when they believe that a child or young person is at risk of harm and in need of protection, and the child's parents are unable or unwilling to protect the child.

- 2.5 In order to discharge duty of care, staff members, **whether or not mandated**, need to report a belief formed in the course of undertaking their professional duties. A report must be made as soon as practicable after forming the belief, and on each occasion on which they become aware of any further reasonable grounds for the belief.
- 2.6 In addition to mandatory reporting and duty of care obligations, **any adult** who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 must report that information to police. 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 Child Protection or the child is older than 16 when the belief is formed. More information about the offence can be found at:

<http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence>

- 2.7 School staff have a duty of care to take reasonable steps to protect the safety, health and wellbeing of children in their care. If a staff member has concerns about the safety, health and wellbeing of children in their care it is important to take immediate action. In the case of a child who may be in need of protection or therapeutic treatment, or where there are significant concerns about the wellbeing of a child, school staff can discharge this duty of care by taking action which includes the following:
- Reporting their concerns to Child Protection, Victoria Police or another appropriate agency
 - Notifying the principal or a member of the school leadership team of their concerns and the reasons for those concerns

Duty of care obligations are separate and additional to mandatory reporting and ‘failure to disclose’ reporting obligations.

- 2.8 Staff **do not require** the permission of parents, carers or guardians to make a report to Child Protection, nor are they required to tell parents, carers or guardians that they have done so.

Staff are expected to follow the Department policy for making a report set out at:

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

Reports to Child Protection and Victoria Police are confidential unless you consent or a court or tribunal decides that it is necessary in the interests of justice for your identity to be disclosed.

- 2.9 All concerns must be reported immediately to the Principal, or in their absence, an Assistant Principal or Student Wellbeing Officer
- 2.10 The Principal will keep a record of all discussions about a student with whom there is a concern.

- 2.11 If a belief has been formed by a staff member that sexual or physical abuse or neglect has taken place an Incident Report must be completed and filed in the office.
- 2.12 The teacher and/or Principal/Assistant Principal will contact the Department of Human Services (Child Protection) by telephone as soon as possible to make an official notification on: **1300 360 391 or after school hours crisis line 131278**
- 2.13 Members of the Department of 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/Assistant Principal or his/her nominee.
- 2.14 All Incident Reports relating to Mandatory Reporting remain filed securely in the office.
- 2.15 All reports, information sheets and subsequent discussions and information are to be recorded and remain strictly confidential.
- 2.16 All incidents to be monitored, and any subsequent signs or indications of abuse are also to be reported.
- 2.17 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.
- 2.18 Students, who disclose to staff a desire to harm themselves or others, must be reported by staff to the principal.
- 2.19 As part of their initial induction to the school, staff will be informed of child protection reporting requirements and Department Policy:
- 2.20 <http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx> and will be provided with supporting documentation in their staff handbook. Staff will be reminded of mandatory responsibilities annually through online training and via staff meeting agenda.
- 2.21 Students will engage in Protective Behaviours sessions. This will include developing support networks e.g. 5 fingers/ 5 names of those at school and home who will listen and help when in need.
- 2.22 Review and updates will take place annually. Responsibility – Principal.
- 2.23 Further information and reference materials:
- School Policy & Advisory Guide –
<http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx>
- Protecting the Safety and Wellbeing of Children & Young People (PSWC&YP)
<http://www.education.vic.gov.au/school/principals/spag/safety/Documents/protectionofchildren.PDF>

Guide to Making a Report

<http://www.education.vic.gov.au/Documents/school/principals/spag/safety/makingareportchild.pdf>

Australian Government Mandatory Reporting of Child Abuse and Neglect

<http://www.aifs.gov.au/cfca/pubs/factsheets/a141787/>