



MANDATORY REPORTING POLICY

Rationale

Under section 182 of the *Children, Youth and Families Act 2005*, a person registered under the *Education Training and Reform Act 2006*, or who has been granted permission to teach under that Act, is designated as a mandatory reporter. Consequently, teachers at St Columba's School must notify the Department of Human Services or Child First if they have formed the belief on reasonable grounds that:

- a child has suffered, or is likely to suffer, physical or emotional neglect or significant harm as a result of physical injury and where the child's parents have not protected or are unlikely to protect the child from harm of that type;
- a child has suffered, or is likely to suffer, significant harm as a result of sexual abuse and the child's parents have not protected or are unlikely to protect the child from harm of that type.

Aims

- to ensure every child's right to a full and productive life is maximised
- to develop a shared responsibility around protecting the safety and wellbeing of all our students
- to ensure all staff and the wider community know our responsibilities to report incidences of child neglect or abuse under the law

Implementation

- The school ensures that all leaders, teachers, support staff and the wider community know and understand the Mandatory Reporting legislation
- Teachers undertake professional learning regarding the legislation to build the understanding that failure to notify the Department of Human Services (the Department) is an offence under the *Children, Youth and Families Act*.
- The school ensures staff have a clear understanding of what constitutes 'reasonable grounds'* (see below)
- Teachers follow government guidelines on how to use open ended questions when a child discloses something that indicates either physical or sexual abuse
- Once the teacher has formed 'reasonable grounds' that a child is being abused, or at risk of harm, they must notify the Department as soon as practicable
- Teachers will know that if they notify the Department in good faith, it is not unprofessional conduct by the teacher
- Teachers will ensure they have assembled all required information about the child before making the report to DHS
- The person reporting must make full note of the incident, discussion with the child and the report including the date
- The teacher may choose to share their concerns with the principal when they believe that the child is at risk of harm, but are obligated to make a report to DHS or Child First at any time
- Teachers and the school will not approach parents regarding their belief that the child is being abused or at risk of harm

- If the teacher and/or school believe that cases of physical neglect or emotional neglect are occurring they can notify Child First who can support the family to help improve conditions for the child.

FURTHER INFORMATION

Teachers are assured that they cannot be identified in court proceedings unless the court agrees or the teacher agrees. The court will only identify the teacher where it is necessary to protect the child or in the interests of justice. The Department cannot identify the teacher to anyone (except the police) unless ordered to by the court.

The Department has to investigate the notification as soon as possible and, after the investigation is finished, can only report to the child, parent or police

In the past, the courts and the Victorian Civil and Administrative Tribunal have protected persons who have notified the Department of child abuse by suppressing their identity even where the abuse was shown, on investigation, not to have occurred.

Reasonable grounds

- There must be reasonable grounds for forming the belief that the child has suffered or is likely to suffer harm - physical or sexual abuse.
- This means that the teacher does not have to be absolutely certain to notify the Department of physical or sexual abuse of a child, but genuinely believe, on the basis of the evidence, that the child might have been abused.
- A reasonable belief can be formed on different types of evidence. That evidence could be a dramatic change in the behaviour of a student, a drop in grades, withdrawing from social contact, bruises, etc.
- It is important for teachers to receive some training on the symptoms of abuse of children.

Appendices

- Step by Step guide to making a Report
- Disclosure Guide
- Protecting Children Protocol

Evaluation

This policy will be reviewed as part of the schools cyclical review process.

Policy ratified by School Educational Board: 2015

Next review date: 2017

Person responsible: Principal and Administration Officer