

**MANDATORY REPORTING POLICY**

**Philosophical Basis**

Rangeview Primary School staff have a duty of care to protect the safety, health and wellbeing of children in their care. Child abuse can have a significant effect on a child’s physical or emotional health, development and wellbeing. Abuse includes: physical, sexual, emotional, neglect, medical neglect and family violence.

**Purpose**

* To define the roles and responsibilities of school staff in protecting the safety and wellbeing of children and young people.
* To enable staff to identify the indicators of a child or young person who may be in need of protection.
* To enable staff to make a report of a child or young person who may need protection.

**Guidelines**

***Mandated staff members:***

* The following professionals are prescribed as **mandatory reporters** under section 182 of the *Children Youth and Families Act 2005* (CYFA):

Primary and secondary school teachers and Principals (including students in training to become teachers)

Registered medical practitioners (including psychiatrists)

Nurses (including school nurses)

Midwife

Police

***Non-mandated staff members:***

* Section 183 of the CYFA states that any person who believes on reasonable grounds that a child is in need of protection may report their concerns to Child Protection.

***Forming a belief on reasonable grounds:***

A person may form a belief on reasonable grounds that a child is in need of protection after becoming aware that a child or young person’s health, safety or wellbeing is at risk and the child’s parents are unwilling or unable to protect the child. There may be reasonable grounds if:

* A child or young person states that they have been physically or sexually abused
* A child or young person discloses that a child they know is the victim of abuse (sometimes the child may be talking about themselves).
* Someone who knows the child or young person states that the child or young person has been physically or sexually abused.
* A child shows signs of being physically or sexually abused.
* The staff member is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on the child or young person’s safety, stability or development
* The staff member observes signs or indicators of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision.
* A Child’s actions or behaviour may place them at risk of significant harm and the child’s parents are unwilling or unable to protect the child.
* 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 exhibited sexually abusive behaviours.

There are many indicators of child abuse and neglect. The presence of a single indicator or even several indicators, does not prove that abuse or neglect has occurred. However, the repeated occurrence of an indicator, or the occurrence of several indicators together should alert teachers to the possibility of child abuse and neglect.

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.

**Implementation**

**Please refer to the Responding to Incidents, Disclosures and Suspicions of Child Abuse document and the Responding to Student Sexual Offending document at the end of this policy.**

***School staff***

**School staff have a duty of care** 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 all cases where a staff member has concerns about a child or young person, they should discuss their concerns with the Principal or Assistant Principal.**

* **Mandatory Reporters**, who believe on reasonable grounds that a child or young person is in need of protection from physical injury or sexual abuse must report their concerns to the Department of Health and Human Services **(DHHS) Child Protection**.
* **Other School Staff** who believe on reasonable grounds that a child or young person needs:
* Protection, are encouraged to report their concerns to DHHS Child Protection or Victoria Police.
* Therapeutic treatment, are encourage to report their concerns to DHHS Child Protection.

Other school staff can also discharge this duty of care by **notifying the Principal or the Assistant Principal** of their concerns and the reasons for those concerns.

If the source of the suspected abuse comes from **within the school** a report must be made to Victoria Police and the Principal and Employee Conduct Branch and the DET Security Services Unit.

All instances of suspected **sexual abuse** including grooming must be reported to Victoria Police in addition to DHHS Child Protection.

**Student Sexual Offending**

The immediate response to an incident of student sexual offending must be to ensure the safety of all students. A report must be made to Victoria Police and to DHHS Child Protection if you believe that the victim’s parents/carer’s are unable to protect the child or the student who has engaged in the offending is over 10 and under 15 and may be in need of therapeutic treatment. A report must also be made to the Principal and DET Security Services Unit.

 ***Making a report***

School staff should keep comprehensive notes that are dated and include the following:

* Description of the concerns (e.g. physical injuries, student behaviour).
* Source of those concerns (e.g. observation, report from child or another person).
* Actions taken as a result of the concerns (e.g. consultation with Principal, report to DHHS Child Protection etc.

School staff should also gather relevant information necessary to make the report including:

* Full name, date of birth, and residential address of the child or young person.
* Details of the concerns and the reasons for those concerns.
* The individual staff member’s involvement with the child or young person.
* Details of any other agencies who may be involved with the child or young person.

School staff should make a written record of the report which includes the following information:

* The name and position of the person who made the report.
* The name and position of the person who received the report.

School staff should advise the Principal or Assistant Principal if they have made a report.

In the case of an international student the Principal must notify the International Education Division of DET (03 9637 2990) to ensure that appropriate support is arranged for the student.

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.

Notify the Victoria Police if there is concern that a criminal offence may have been committed.

***NOTE:***

The role of investigating an allegation of child abuse rests solely with Child Protection and/or Victoria Police.

***Confidentiality***

* Staff must respect confidentiality with dealing with a case of suspect child abuse and neglect and may discuss case details and the identity of the child or young person only with those involved in managing the situation.
* **The identity of a reporter must remain confidential unless:**

The reporter chooses to inform child, young person or parent of the report.

A Court or Tribunal decides that it is necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child.

A Court or Tribunal decides that the reporter is required to give evidence.

***Advising parents, carers or guardians***

* 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.
* It is the **responsibility of Child protection** to advise the parents, carers or guardians of the interview at the earliest possible opportunity. This should occur either before or by the time the child arrives home.

***Professional Protection - If a report is made in good faith:***

* It does not constitute unprofessional conduct or a breach of professional ethics on the part of the reporter
* The reporter cannot be held legally liable in respect of the report.

***Interviews***

DHHS Child Protection and/or Victoria Police may conduct interviews of children and young people at the school without the parent’s knowledge or consent.

* Interviewing children and young people at school will only occur if it is in the best interests of the child to proceed in this manner.
* DHHS and/or Victoria Police will notify the Principal or Assistant Principal of their intention to interview the child or young person on the school premises.
* The Principal or Assistant Principal should request to see identification before permitting them to have access to the child or young person.
* When a child or young person is being interviewed by DHHS Child Protection and/or Victoria Police, school staff must arrange to have a supportive adult present with the child or young person – staff member or Principal class.
* A staff member may be identified as a support person for the interview. Prior to the commencement of the interview, the Child Protection practitioner should always authorise the staff member to receive information regarding Child Protection’s investigation.
* Independent persons must refrain from providing their opinions or accounts of events during interviews. A Principal or their delegate may act as an independent person when the child or young person is to be interviewed, unless they believe that it will create a conflict of interest.

***Ensuring that a Child Protection interview takes place***

The school does not have the power to prevent parents, carers or guardians from removing their children from the school and should not attempt to prevent the parents, carers, or guardians from collecting their child. If a parent, carer or guardian removes a child before a planned interview has taken place, the Principal and/or their nominee should contact Child Protection or Victoria Police immediately.

***Staff training***

Staff will be informed of Mandatory Reporting requirements as part of their initial induction to the school and will be provided with supporting documentation. Updates will occur annually for all staff.

Staff will also be provided with the on-line Mandatory Reporting Professional Development.

***This policy is underpinned by the:***

Responding to Incidents, Disclosures and Suspicions of Child Abuse

Responding to Student Sexual Offending

Duty of Care Policy

Student Engagement and Wellbeing Policy

Student Welfare Policy

***Date approved by School Council:***

