

Fairfield Primary School

Mandatory Reporting Policy

Rationale:

Every child and young person has the right to a full and productive life. It is up to all of us to ensure our children grow up in environments that build confidence, friendship, security and happiness, irrespective of a person's family circumstances or background. Child welfare is based on the principles of partnership and shared responsibility.

Mandatory Reporting

School teachers, principals and teachers in training have a legal obligation to report when they believe that a child is in need of protection from significant harm due to physical or sexual abuse (that has occurred or is likely to occur) and their parents have not or are unlikely to protect the child.

Teachers, principals and teachers in training are mandated by law under section 184 of the *Children and Families Act 2005* (CYFA) to make a report to child protection at the Department of Human Services (DHS). Non-mandated school staff (under section 183, CYFA 2005) who form a belief on reasonable grounds around a child's safety or wellbeing should inform the principal of their concerns.

Aim:

To protect children and young people from abuse and neglect by ensuring school staff:

- Understand their mandatory reporting responsibilities and duty of care obligations to protect children and young people from child abuse including physical and sexual abuse.
- Know how to make a mandatory report to DHS Child Protection when they have formed a belief on reasonable grounds that a child or young person is at risk of significant harm.
- Are able to identify and be aware of the indicators of abuse.

Implementation:

Staff must report when they form a belief a child needs protection.

Forming a belief on reasonable grounds:

To form a belief, the teacher or principal must think that a child needs protection based on the information they have. A "belief on reasonable grounds" is formed if a reasonable person in the same position would form the belief on the same set of circumstances and information. You do not have to prove that harm has, or will, take place – this is the role of DHS.

Reasonable grounds for forming a belief:

- When a child states that they have been physically or sexually abused.
- When a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves).
- When someone who knows the child states that the child has been physically or sexually abused
- When a child shows signs of being physically or sexually abused
- When a staff member is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on the child's safety, stability or development.
- When a staff member observes signs or indicators of abuse – unexplained injury, persistent neglect, poor care or lack of appropriate supervision
- When 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.

Reporting a belief:

All concerns must be reported immediately to the Principal or the Assistant Principal.

The principal will keep a record of all discussions about the student of concern.

If a belief has been formed that a child needs protection, the Principal will contact child protection – DHS on **1300 664 977** (Preston office).

If a principal does not share the belief that a child needs protection but the teacher still thinks the child is at risk, the teacher should still make the notification. However the teacher should also advise the principal they are doing so.

Members of DHS, or associated support or intervention services may seek further information and visit the school to interview personnel involved in order to determine whether further action is required.

Child protection may conduct interviews of children at school without parental knowledge or consent. Child Protection Workers must provide identification before gaining access to the child.

Interviews must be conducted in the presence of the principal.

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

Protocols:

- New staff will be informed of mandatory reporting responsibilities and procedures as part of their induction procedure.
- All staff will be reminded of their mandatory reporting responsibilities annually.
- The role of investigation around any allegations of child abuse rests solely with Child Protection (DHS) and or Victoria Police.
- All concerns around a child's safety and wellbeing must be reported immediately to the principal, or in their absence, the assistant principal.
- All incidents to be monitored, and any subsequent signs or indications of abuse are also to be reported.
- While only mandated by law to report incidents of actual or potential physical and sexual abuse; teachers are encouraged to report incidents of emotional abuse or neglect.
- All mandated staff are asked to complete the DEECD online (30 minutes) mandatory reporting eLearning module at: www.elearn.com.au/deecd/madatoryreporting User name: deecd Password: employee

Evaluation:

This policy will be reviewed as part of the 4 year school review cycle or sooner if there is a change in the law.

References:

DEECD, School Policy and Advisory Guidelines:

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

This policy was ratified by School Council in

December 2014