



St. Joseph's Primary School Numurkah Child Protection Mandatory Reporting Policy March 2016

Policy Statements

Basic Beliefs:

- “In never seeing a need without doing something about it” (Mary MacKillop).
- That our school community nurtures the development of the whole child.
- Providing programs and support that meet the individual needs of all students (social, emotional, educational, psychological, spiritual, physical and behavioural).
- A safe environment is required to protect children and young people from harm and to prevent staff from abusing their position of authority and trust.
- The child and young person's ongoing safety and wellbeing must be the primary focus of all decision making.
- The commitment to protecting children is embedded in St. Joseph's School culture and responsibility for taking action is understood and accepted at all levels of our school community.
- As stated in the SSEB Protection of Children, Mandatory Reporting Policy dated December 2015 that while protecting children and young people against sexual abuse is a community wide responsibility, schools have particular moral and legal responsibilities to ensure children and young people are safe in their care and to actively and intentionally work to eliminate all forms of abusive behaviours towards children. There are also particular moral and legal obligations for those in authority to prevent, reduce and minimize child abuse and exploitation in all forms.

Aims and Objectives:

- That staff members acknowledge that they are mandated professionals and are legally compelled to make a report to the Department of Health and Human Service (DHHS) Child Protection, as soon as practicable, if in the course of practicing their profession or carrying out their duties, they form a belief on reasonable grounds that a child or young person has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse, and the child's parents have not protected, or are unable or unwilling to protect the child.
- That staff members understand their legal responsibility to engage in the Mandatory Reporting Process when necessary.

- That all instances of concern by the informed staff member need to be discussed with the Principal / Vice Principal immediately. Documentation of these concerns needs to be made.
- All Staff will be involved in P.D. on Mandatory Reporting at the Beginning of each school year. Staff undertake training each year on mandatory via the eLearning module. Evidence of this will be maintained each year.
- **Note:** There may be times when two or more mandated professionals, for example a teacher and a principal, have formed a belief about the same child on the same occasion. In this situation it is sufficient that only one of the mandated professionals make a report. The other is obliged to ensure that the report has been made and that all the grounds for their own belief were included in the report made by the other person
- In the case where one mandated professional directs another mandated professional not to make a report, and one professional continues to hold the belief that a child is in need of protection, then that professional is legally obliged to make a report to Child Protection.
- A mandated professional who fails to report a 'belief based on reasonable grounds that a child is in need of protection' because of physical or sexual abuse is liable to be prosecuted under s. 184(1), CYFA.
- Note: There are also obligations for ALL Victorian adults under the 2014 'failure to disclose' amendments to the Crimes Act separate from, and in addition to, Mandatory Reporting obligations.
- Confidentiality is provided for reporters in the CYFA (ss. 190 and 191), and prevents the disclosure of the name or any information likely to lead to the identification of a person who has made a report in accordance with the legislation except in very specific circumstances.
- This policy applies to the whole school community in supporting safe environments for all children and young people.

Organisation:

To ensure that the Mandatory Reporting Process is implemented if and when necessary.

- All concerns are to be documented by the informed staff member and placed in the students file in the Welfare Folder on Teachers Common drive. A hard copy needs to be given to the Principal.
- When the information leads to an “**informed opinion**” that the child is at risk the following process is implemented:

1. The Principal will seek further advice from the teacher who reported the incident.
2. Staff member in consultation with Principal / Vice Principal will conduct a Mandatory Report immediately.

*The Principal / Vice Principal will support the staff member during the reporting process **but it is the responsibility of the informed staff member to make the report.***

3. The staff member will contact Child First (Department of Human Services). The staff member who reports the incident will document the contents of the telephone conversation. The Principal and the Staff member will check documentation together to ensure the accuracy of the conversation.
 4. The Staff member will be available to speak with the Child Protection Case worker if requested.
 5. Follow up documentation to be kept and placed in the Welfare file on Teachers Common, a hard copy is to be given to the Principal.
- The Principal or nominated person is to work with staff member at the conclusion of the report to ensure that the he/she is clear on how to respond to inquiries from parents and/or colleagues.

Definitions:

Child

In relation to Mandatory Reporting the Child Youth and Families Act 2005 (s. 3) defines a child as a person who is under the age of 17 years or, if a protection order, a child protection order or an interim order continues in force in respect of him or her, a person who is under the age of 18 years

A child in need of therapeutic treatment is defined in the Children Youth and Families Act 2005 (s.244) as over the age of 10 and under the age of 15 and has exhibited sexually abusive behaviours.

Reasonable belief

A 'belief on reasonable grounds' is formed if a reasonable person in the same position would have formed the belief on the same grounds. (s. 184(4), CYFA)

For example, there may be reasonable grounds when:

- 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 the child states that the child has been physically or sexually abused
- professional observations of the child's behaviour or development leads the mandated professional to form a belief that the child has been abused or is likely to be abused
- signs of physical or sexual abuse leads to a belief that the child has been abused.

Physical abuse

Physical abuse consists of any non-accidental form or injury or serious physical harm inflicted on a child or young person by any person. Physical abuse can include beating, shaking, burning and assault with implements. Physical abuse can also include female genital mutilation (FGM).

Sexual abuse

Sexual abuse occurs when a person uses power or authority over a child to involve the child in sexual activity and the child's parent or caregiver has not protected the child. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity, including physical activity and/or exposure of the child to pornography.

Related documentation

This policy should be read in conjunction with the other policies and procedures of St. Joseph's School concerned with Child Safety and Pastoral Wellbeing:

- (Include the following , together with any other relevant school policies)
- Charter of Sandhurst School Improvement (CoSSI)
- Child Protection and Safety Policy
- Child Protection – Failure to Protect Policy
- Child Protection – Failure to Disclose Policy
- Child Protection – Grooming Policy
- Child Protection – Working With Children Policy
- Catholic Education Sandhurst Information for Schools – Child Safe Organisations

Resources

- Children, Youth and Families Act (Vic) 2005

DEECD and DHS 2010, Protecting the Safety and Wellbeing of Children and Young People, A joint protocol of the Department of Human Services Child Protection, Department of Education and Early Childhood Development, Licensed Children's Services and Victorian Schools.

2) Support:

Principal / Vice Principal

Evaluation: Expectations and Procedures

Child First will control procedure following the incident report

Ratified by the School Board on 15/06/2016

For review 2019