



Mandatory Reporting Policy and Procedure

Purpose

To ensure staff are trained in recognising potential child abuse or neglect and respond appropriately, and that critical incidents are immediately reported to the Emergency and Security Management Unit.

Guidelines

Child abuse and neglect occurs when a parent/carer or any other person having the care of a child who has suffered, or who is likely to suffer, significant harm from sexual abuse, physical injury, emotional or psychological harm, neglect or abandonment, and where the parents have not protected or are unlikely to protect them. This may be the result of one abusive or neglectful incident, or the cumulative result of many instances, or a general pattern of behaviour or circumstances.

Types of Abuse

Physical abuse

Physical abuse refers to a situation in which a child suffers, or is likely to suffer, significant harm from an injury inflicted by the child's parent/carer. The injury may be inflicted intentionally, or may be the inadvertent consequence of physical punishment or physically aggressive treatment of a child. Children who are physically abused may have frequent injuries explained as accidental bruises and welts on areas not easily injured by falling (for example, the backs of the legs) and may seek to avoid situations at school where such injuries could be observed (for example, sport).

Physical indicators include:

- bruises or welts, often of different ages
- burns, scalds, sprains, dislocations, bites, cuts
- lacerations or abrasions
- poisoning.

Sexual abuse

Child sexual abuse includes those situations where:

- a parent/carer, family member or care giver involves the child in sexual activity
- a child is unable to give informed consent because of their stage of development



- a parent/carer or care giver is not able to protect the child from that abuse.

Sexual abuse is not always identified through physical indicators being present or obvious. A child or young person may disclose sexual abuse to a trusted teacher. Such disclosures should always be taken seriously. Sexual abuse includes exploitation such as pornography or prostitution.

Emotional abuse

Emotional abuse occurs when a child is repeatedly rejected or subjected to threats, hostility or persistent coldness. The child might be called derogatory names, humiliated, ignored over long periods of time, or isolated from social relationships with peers to such an extent that the child's behaviour is disturbed or the child's emotional development is at serious risk of being impaired. Emotional abuse is most prevalent as a corollary of other forms of abuse or neglect. However, sometimes emotional abuse exists as the primary form of abuse or neglect. There are few physical indicators of such abuse or neglect. Emotional abuse can cause delay in physical, emotional and mental development.

Neglect

Neglect includes a failure to provide the child with an adequate standard of nutrition, medical care, clothing, shelter or supervision to such an extent that the child's health and development are impaired or placed at serious risk. A child is neglected if they are left uncared for over long periods of time or abandoned.

Children and young people have the right to be protected from abuse and neglect. When teachers form a belief that a child may be at risk of harm due to sexual abuse or physical injury that results from abuse or neglect, they have a legal responsibility to make a report. Failure to act may exacerbate the problem. Research has shown that the frequency and intensity of abuse is likely to escalate over time unless it is stopped.

If, in the course of his or her duties, a teacher or principal forms the belief on reasonable grounds that a child is in need of protection on the grounds that a child 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 unlikely to protect the child from harm of that type; the person must report to the Department of Human Services Child Protection of that belief and of the reasonable grounds for it, as soon as practicable:

- after forming the belief; and
- after **each occasion** on which he or she becomes aware of any further reasonable grounds for the belief.



The basis for making a report to Child Protection

Forming a belief

The *Children, Youth and Families Act (2005)* states that teachers must report to the Department of Human Services when they “form a belief on reasonable grounds” that a child has suffered, or is likely to suffer, significant harm as a result of physical injury or as a result of sexual abuse.

A belief is considered to be more than a suspicion. One may be considered to have formed a belief if one is more likely to accept rather than reject the suspicion that a child is at risk of harm from physical or sexual abuse. This procedure applies to allegations of disclosure of child abuse made by or in relation to a child, school staff, visitors or other persons connected to the school environment.

Proof is not required that abuse has occurred or is likely to occur. A belief is sufficient. It is the role of the Department of Human Services Child Protection to determine whether that belief should be investigated.

Reasonable grounds

Reasonable grounds can be thought of as the mechanism used for forming the belief. These include situations where:

- a child tells the teacher they have been abused
- someone else tells the teacher (perhaps a relative, friend, neighbour or sibling of the child) that a child has been abused or is at risk of abuse
- a child tells the teacher that they know someone who has been abused (often a child is referring to him or herself)
- the teacher's own observation of a particular child's behaviour/injuries or their knowledge of children generally leads them to suspect that abuse is occurring.

NB: It is not the responsibility of teachers or other DEECD personnel to determine whether child abuse and neglect exists. Teachers and principals should never attempt to seek information from a child about the specifics of suspected abuse nor should they attempt to investigate what may have occurred. That responsibility rests entirely with the Department of Human Services as the agency authorised to investigate or the Victoria Police.

Legislative responsibilities

Our organisation takes our legal responsibilities seriously, including:



- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.
- **Failure to protect:** People of authority in our organisation will commit an offence if they know of any risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- Any personnel who are **mandatory reporters** must comply with their duties.

Making a mandatory report

Once a teacher or principal has formed a belief or a disclosure has been made, a report **must** be made to the Department of Human Services Child Protection as soon as practicable. A teacher may wish to seek assistance or advice to help form the belief that a report is required and assistance to make the report. This is entirely appropriate and should form part of normal school procedures

Implementation

- The guidelines will be followed and a mandatory report will be made whenever a child is in need of protection because the child 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 unlikely to protect, the child from such harm.
- As part of the induction process, mandatory reporting training will be arranged for all new teaching staff
- To maintain staff well-being at Berwick Chase, the Principal or Assistant Principal will be responsible for liaising with Child Protection. However if, in a staff member's opinion, a justifiable report did not proceed, then that staff member is legally obliged to make the report independently.
- The principal or assistant principal will be the point of contact by Child Protection workers when discussing case matters, setting up case planning meetings or arranging interviews with students on school property.

The following information will be supplied as the basis and background for the report:



- Details: The child or young person's name, age and address
- Indicators of harm: The reason for believing that the injury or behaviour is the result of abuse or neglect
- Reason for reporting: The reason the call is being made at this point in time
- Safety assessment: Assessment of immediate danger to the child or children (information may be sought on the whereabouts of the alleged abuser/s)
- Description: Description of the injury or behaviour observed
- Child's address: The current whereabouts of the child or young person
- Other services: Knowledge of other services involved with the family
- Family information: Any other information about the family
- Cultural characteristics: Any specific cultural or other details, which will help the child, (e.g. Aboriginality, interpreter or disability needs)

Evaluation

- This policy will be reviewed as part of the school's **annual cycle**.

This Policy was ratified at School Council September 2017