



# Care to Learn Learn to Care

## Mandatory Reporting Policy

### Rationale:

All children have a right to feel safe and be safe, and to develop to their potential. Teachers have a legal and moral responsibility to respond to serious incidences involving abuse and neglect of the children with whom we have contact, and to report instances that we believe involve physical abuse, emotional abuse, sexual abuse or neglect.

### Aims:

To protect students from abuse and neglect by ensuring school staff:

1. understand their mandatory reporting responsibilities and duty of care obligations to
2. protect children and young people from child abuse including physical and sexual abuse
3. know how to make a mandatory report to the Department of Health & Human Services (DHHS) Child Protection when they have formed a belief on reasonable grounds that a child or young person is at risk of significant harm
4. are able to identify and be aware of the indicators of abuse

### Duty of Care:

Apart from mandatory reporting requirements, a teacher has a concurrent duty of care to protect a student from harm that is reasonably foreseeable. The Duty of Care obliges a teacher to act to protect children.

### Implementation

Any person who is registered as a teacher under the *Education and Training Reform Act (2006)*, or any person who has been granted to teach under the Act, including principals, is mandated to make a report to the Department of Health & Human Services (DHHS) Child Protection. Teachers and principals are mandated by law under section 184 of the *Children Youth and Families Act 2005 (CYFA)* to make a report to child protection.

A report should be made when there are:

- Concerns that have a serious impact on a child's immediate safety.
- Concern that is persistent and entrenched and likely to have a serious impact on the child's development. This being 'harm accumulated through a series of continuing acts, omissions or circumstances'.
- A report should be made on the same day as the belief of abuse is formed.
- A staff member is required to make a further report if they become aware of further grounds for the belief that a child is at risk, or is suffering abuse.
- The person reporting to DHHS will not be revealed unless permission is given by that person.
- The person making the report can contact DHHS to find the action that has been taken, within the limits of confidentiality.
- Non-mandated staff members who believe on reasonable grounds that a child is in need of protection are encouraged to speak to their principal as well as being able to make a report to DHHS Child Protection.
- School staff that have concerns about a child or young person because they have been made aware of possible harm via their involvement in the community

external to their professional role may make a (protective) report to DHHS Child Protection.

- New staff will be informed of mandatory reporting responsibilities and procedures as part of their induction procedure.
- Staff will be reminded of mandatory responsibilities and DEECD resources annually.
- Staff will complete Mandatory Reporting eLearning Module annually
- Staff will be made aware of supports within the DEECD available to discuss issues of child safety and wellbeing including:
  - school leadership or specialist staff
  - network support staff (Student Support Services)
  - regional wellbeing staff
  - DHHS Child Protection
  
- Where any report to the DHHS, Child Protection involves a Koorie student, the principal must advise the regional office. The regional office, with the regional Koorie support officer, ensures support is arranged.

**Reference:**

Department of Human Services: Children, Youth and Families Act 2005

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

<http://www.education.vic.gov.au/Documents/school/principals/spag/safety/makingareportchild.pdf>

<http://www.education.vic.gov.au/Documents/school/principals/spag/safety/protectkidsprotocol.pdf>

<http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/child-safe-standards-resources>

**Ratified by School Council**

**Date: 14/11/2016**

**Principal: John Barkley**

**School Council President: Stuart Horsburgh**

**Review Date: 14/11/2017**