



Our Lady of the Sacred Heart School

Mandatory Reporting

2015

RATIONALE;

As members of Our Lady of the Sacred Heart, we believe all children have a right to feel safe and to be safe. As teachers, we have the legal and moral responsibility to respond to serious incidences involving abuse and neglect of the children with who we have contact, and to report instances that involve physical, emotional, psychological, sexual abuse or neglect.

VISION STATEMENT:

We believe that Our Lady of the Sacred Heart School is a community in which:

- The care, safety, wellbeing and inclusion of all children is central to our purpose.
- We educate the whole child; in a learning environment where teamwork and collaboration is central to students reaching his or her potential.
- All children can learn in a nurturing and stimulating environment.
- Learning and teaching is a priority to build an independent and motivated learner.

GRADUATE OUTCOMES:

Our Lady of the Sacred Heart School seeks to educate students:

- Who are resilient and empowered learners.
- To collaborate, negotiate and contribute in an ever-changing world.
- Reliable, confident and independent lifelong learners.

AIM:

- To ensure that children's rights to be safe, are maintained and each child is protected against physical, motional, psychological, sexual abuse, and neglect.

ANNUAL ACTION

All Staff (teaching and non-teaching) are to complete the online 'Protecting the Safety of Children and Young People, Mandatory Reporting Professional Learning Module'.

Staff are to access the online mandatory reporting eLearning module at:

www.elearn.com.au/deecd/mandatoryreporting/external

The username is 'deecd' and password is 'external'.

Certificates of completed 'Protecting the Safety of Children and Young People, Mandatory Reporting Professional Learning Modules' will be kept on file in staff folders. These should be given to Nerida no later than **1st February 2016**.

New staff will be informed of mandatory reporting responsibilities and procedures as part of their induction procedure.

IMPLEMENTATION

Under the Children, Youth and Families Act 2005 (CYFA), teachers are legally compelled to make a report to Child Protection if they form a belief on reasonable grounds that a child is in need of protection from abuse.

Forming a belief

To form a belief, the reporter must be aware of matters and hold any opinions in relation to those matters that lead them to reasonably believe a child is in need of protection

Reasonable grounds

A 'belief on reasonable grounds' is formed if a reasonable person in the same position would have formed the belief on the same grounds. 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.

Reporting a belief

Our Lady of the Sacred Heart School requires staff to report their belief, when the belief is formed in the course of practising their profession. A report must be made as soon as practicable after forming the belief, and on **each occasion** on which they become aware of any further reasonable grounds for the belief.

There may be times when two or more mandated professionals, ie. 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 staff member directs another 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.

The reporter will contact the Department of Human Services by telephone as soon as possible to make an official notification on:

Crisis line 131 278

All reports, information sheets and subsequent discussions and information are to be recorded and shall remain strictly confidential in a locked file.

Protection for reporters

If a report is made in good faith then:

- it does not constitute unprofessional conduct or a breach of professional ethics;
- the reporter cannot be held legally liable;
- it does not constitute a breach of s. 141 of the Health Services Act or s. 120A of the Mental Health Act.

A reporter who makes a report in accordance with the legislation is not liable for the eventual outcome of any investigation.

Confidentiality for reporters

Confidentiality is provided for reporters in the CYFA 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.

The identity of a reporter must remain confidential, unless:

- the reporter chooses to inform the child or family of the report;
- the reporter consents in writing to their identity as the reporter being disclosed;
- a court or tribunal decides that it needs this information in order to ensure the safety and wellbeing of the child;
- a court or tribunal decides that in the interests of justice the evidence needs to be given.

For detailed information, refer to Advice Number 1090 'Information sharing in Child Protection practice'

Failure to report

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.

Follow Up

Members of the Department of Human Services, or associated support or intervention services that visit the school following a notification, will interview staff and children only in the presence of a Principal, class member or his/her nominee. Staff are required to report reoccurring incidents as they arise.

For follow up confidential staff support, staff members can notify CatholicCare Sandhurst on 1800 222 125. This is a complimentary service for Sandhurst employees for adequate supervision purposes.

Evaluation:

This policy will be reviewed as part of the school's three-year review.

Policy First Ratified: 2015

Revised: 2017

Due for Review: 2019

MANDATORY REPORTING CHECKLIST

To be completed by the Principal and the Staff Member involved in the process.

Date of Report:

Student's Name:

Date of Birth:

Address:

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Telephone:

Parent's Names:

Custody Arrangements (if relevant)

Anecdotal notes from Staff Member **Yes/No**

Anecdotal notes from Principal **Yes/No**

Anecdotal notes from contact with second opinion **Yes/No**

Student file accessible **Yes/No**

Re enforce with Child Protection Confidentiality **Yes/No**

Re enforce with Staff Member Confidentiality **Yes/No**

DURING AND OR AFTER REPORT

Name of Case Worker:

Follow up Process:

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A step-by-step guide to making a report to Child Protection or Child FIRST

Protective concerns

You are concerned about a child because you have:

- received a disclosure from a child about abuse or neglect
- observed indicators of abuse or neglect
- been made aware of possible harm via your involvement in the community external to your professional role.

At all times remember to:

- record your observations
- follow appropriate protocols
- consult notes and records
- consult with appropriate colleagues if necessary
- consult with other support agencies if necessary

STEP 1	RESPONDING TO CONCERNS	STEP 2	FORMING A BELIEF ON REASONABLE GROUNDS	STEP 3	STEP 4	MAKE A REPORT TO CHILD PROTECTION
	<p>1. If your concerns relate to a child in need of immediate protection; or you have formed a belief that a child is at significant risk of harm*.</p> <p>Go to Step 4</p> <p>2. If you have significant concerns that a child and their family need a referral to Child FIRST for family services.</p> <p>Go to Step 3</p> <p>3. In all other situations</p> <p>Go to Step 2.</p> <p>* Refer to Appendix 2: Definitions of child abuse and indicators of harm in the Protocol – <i>Protecting the safety and wellbeing of children and young people</i></p>	<p>1. Consider the level of immediate danger to the child.</p> <p>Ask yourself:</p> <p>a) Have I formed a belief that the child has suffered or is at risk of suffering significant harm?</p> <p>YES / NO</p> <p>and</p> <p>b) Am I in doubt about the child's safety and the parent's ability to protect the child?</p> <p>YES / NO</p> <p>2. If you answered yes to a) or b)</p> <p>Go to Step 4</p> <p>3. If you have significant concerns that a child and their family need a referral to Child FIRST for family services.</p> <p>Go to Step 3</p>	<p>Child Wellbeing Referral</p> <p>1. Contact your local Child FIRST provider.</p> <ul style="list-style-type: none"> • See over for contact list for local Child FIRST phone numbers. <p>2. Have notes ready with your observations and child and family details.</p>	<p>Mandatory/Protective Report*</p> <p>1. Contact your local Child Protection Intake provider immediately.</p> <ul style="list-style-type: none"> • See over for contact list for local Child Protection phone numbers. • For After Hours Child Protection Emergency Services, call 131 278. <p>2. Have notes ready with your observations and child and family details.</p> <p>* <i>Non-mandated staff members who believe on reasonable grounds that a child is in need of protection are able to report their concerns to Child Protection</i></p>		

For further information refer to *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*