
Mandatory Reporting

Rationale:

All children have a right to feel safe and to be safe. As teachers, we 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, sexual abuse (including online), emotional maltreatment, neglect or exposure to family violence. Other types of maltreatment may include foetal, bullying, sibling, community violence, institutional, organised exploitation and state – sanctioned abuse.

Aims:

To ensure that children's rights to be safe are maintained and each child is protected against physical abuse, sexual abuse (including online), emotional maltreatment, neglect and exposure to family violence. Plus be aware of the subtypes of maltreatment including foetal, bullying, sibling, community violence, institutional, organised exploitation and state – sanctioned abuse.

Implementation:

Introduction

- All members of the Teaching Service are mandated by law to report signs of physical abuse, sexual abuse (including online), emotional maltreatment, neglect or exposure to family violence. Other types of maltreatment required to be reported are foetal, bullying, sibling, community violence, institutional, organised exploitation and state – sanctioned abuse.
- New staff will be informed of mandatory reporting responsibilities and procedures as part of their induction procedure.
- Staff will be reminded of mandatory responsibilities annually.
- Ensure that the 4 step process is followed through:
 - Respond to the emergency.
 - Report to the appropriate authorities.
 - Contact Parents and/or Carers.
 - Provide ongoing support.

Processes

- Initially you should make a referral to Child FIRST if:
 - You have a significant concern for a child's wellbeing and/or
 - Your concerns have a low-to-moderate impact on the child and/or
 - The child's immediate safety is not compromised and/or
 - You/your school has discussed the referral with the family and they are supportive of it.
- In addition to reporting suspected abuse to appropriate authorities, you should contact DHHS Child Protection if:
 - There is a serious impact on a child's safety, stability or development (including abandonment, death or incapacity, extreme risk-taking behaviour, or harm to an unborn child and/or
 - Behaviours are persistent and entrenched and likely to have a serious impact on a child's safety, stability or development and/or
 - Whether a parent/s who cannot or will not protect the child from significant harm and/or
 - Includes a belief that the family is likely to be uncooperative in seeking assistance.
- In addition to reporting suspected abuse to appropriate authorities, you must contact Victoria Police if the:
 - child's immediate safety is compromised and/or
 - child is partaking in any risk taking activity that is illegal and extreme in nature or poses a high risk to their safety, or the safety of somebody else.

Abused Children

- If a belief has been formed by a staff member that either physical abuse, sexual abuse (including online), emotional maltreatment, neglect or exposure to family violence has taken place the teacher will contact the Department of Health and Human Services (DHHS) and/or Victoria Police by telephone as soon as possible.
- To make an official notification on call DHHS on:
1300 664 9777 or after school hours crisis line 131278
Or
Victoria Police
000
- Members of the Department of Human Services, Victoria Police 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.
- All reports, information sheets and subsequent discussions and information are to be recorded and remain strictly confidential.
- All incidents to be monitored, and any subsequent signs or indications of abuse are also to be reported.

Note* - that fulfilling the roles and responsibilities contained in the procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of abuse.

Failure to protect offence

This reporting obligation applies to school staff in a position of authority. This can include principals, assistant principals and campus principals. Any staff member in a position of authority who becomes aware that an adult associated with their school (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the age of 16 under their care, authority or supervision, must take all reasonable steps to remove or reduce that risk.

This may include removing the adult (ie persons aged 18 years and over) from working with children pending an investigation and reporting your concerns to Victoria Police.

If a school staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence.

For more information about this reporting obligation, see the Department's *School Policy and Advisory Guide*: [Failure to protect offence](#).

Grooming

Grooming is a criminal offence under the *Crimes Act 1958* (Vic). This offence targets predatory conduct undertaken by an adult to prepare a child, under the age of 16, to engage in sexual activity at a later time. Grooming can include communicating and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer.

For more information about this offence and reporting obligations see: [Child Exploitation and Grooming](#).

Others Connected to the Abuse

It is also important to manage the safety of the people connected to the abuse, some considerations are:

- Take reasonable steps to make a child feel safe and supported whilst they are a part of proceedings (keep friends close, school day modifications, clear lines of communication on wellbeing etc)
- Where appropriate consider providing professional support for people impacted by abuse (this may include referral to wellbeing professionals like councillors or social workers etc).
- Providing support for impacted staff members via GP's, EAP's, councillors etc
- Providing culturally sensitive and developmentally appropriate support for those who have higher needs in these areas.
- Support people as they may also be required to respond to subpoenas to attend court proceedings.
- Ensure that all complaints and concerns are addressed in some format.
- Ensure that these occur until the allegation is fully resolved.

Residential Outdoor School Factors

Some of the considerations to address around the student attending a residential outdoor school are

- Ensure that the Principal of the home school is contacted early in the process by the Outdoor School Principal as they may be able to assist with the allegation and the ongoing support of the children connected to the abuse.
- Students living arrangements will need to be addressed to enable all students to be safely (physically and emotionally) accommodated at school both at night and through the day. This may involve the reallocating of friends and support people, altering the day to day program and providing safe spaces within the school.
- Outdoor School Principal to liaise with the relevant parents of students connected to the abuse (directly and indirectly) to provide a clear picture of the process going forward ie more student information, services involved, potential pickups, etc
- Outdoor School to organise professional assistance for staff and students via the DET regional services, this will need to involve an overnight living context.
- Outdoor School Principal to update the home school Principal of any changes to the situation as they occur, these then may be passed onto relevant staff within the home school.

Evaluation:

This Management Procedure will be reviewed as part of the school's Strategic Plan Review in consultation with all members of the wider community.

Last reviewed by Principal and/or nominated person – Feb 2018