



St. Mary's, Inglewood

Learning Today, Wisdom Tomorrow

Child Protection: Mandatory Reporting

Identity Statement

St Mary's Catholic School, Inglewood, is a community of learners, inspiring all to be people of light, in the footsteps of the Presentation Sisters.

Vision Statements

- Model and teach the message of Jesus in our relationships with each other, our God and our world.
- Build and value collaborative partnerships with students, staff and parents, the Parish and wider community.
- Create a positive and stimulating environment in which each person can academically, spiritually, emotionally, physically and socially reach their full potential.
- To foster a love of learning in a safe and respectful environment.

RATIONALE

Effective Catholic schools provide a safe, supportive and secure environment that promotes respect and care and values diversity. The mental, physical, spiritual and emotional wellbeing of children and young people are essential preconditions for successful learning.

St. Mary's School Inglewood is committed to the creation of a safe, just and respectful environment that supports wellness for all members of the school community. As members of a community, we all have a moral obligation to protect any child under our care and supervision from foreseeable harm.

COMMITMENT TO CHILD SAFETY

St. Mary's Primary School is committed to the safety and welfare of all children, within a secure environment. All children have a right to be treated with respect and to be protected from abuse and harm.

LEGAL OBLIGATIONS

School leaders and staff must be fully self-aware of, and comply with, their professional obligations and responsibilities.

As stated in the Child Youth and Families Act (CYFA) 2005, *mandated professionals* 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 reasonable belief on reasonable grounds that a child or young person has suffered, or is likely to suffer, significant harm as a result of physical or sexual abuse, and the child's parents have not protected, or are unable or unwilling to protect the child.

In Victoria, *mandated professionals* are:

- Teachers registered to teach or who have permission to teach pursuant to the *Education and Training Reform Act 2006* (Vic)
- Principals of government and non-government schools
- Registered medical practitioners
- Nurses
- All members of the police force

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.

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.

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 of 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.

IMPLEMENTATION

This policy applies to the whole school community in supporting safe environments for all children and young people.

- This policy is communicated to staff each year, and during induction of new staff.
- Staff undertake training each year on Mandatory Reporting via the eLearning module. Evidence of this training is retained each year for each staff member.
- Students participate, on a weekly basis, a Social and Emotional Relationships program, based upon the *Resilience, Rights and Respectful Relationships* program. Throughout this learning, students...
- In the event that a teacher or other staff members forms a view that a child may be at risk of harm, that staff member is obliged to ensure an appropriate report is made. Staff are encouraged to advise the Principal that a report is to be made or has been made, or to seek support in making the report.

- Staff making a mandated report should keep appropriate records, including times and dates, of what had led to that report and the report itself.
- Four critical actions

FOUR CRITICAL ACTIONS FOR SCHOOLS
Responding to Incidents, Disclosures and Suspicions of Child Abuse

YOU MUST TAKE ACTION

As a school staff member, you play a **critical role** in protecting children in your care.

• You **must act** to follow the four Critical Actions, as soon as you become aware of a disclosure or suspicion of child abuse, or if you have any doubts about the safety of a child or young person.

• You **must act** if you have a suspicion or concern about a child or young person, even if you are not sure if you are right.

• It is **strongly recommended** that you use the **Responding to Incidents, Disclosures and Suspicions of Child Abuse template** to document and communicate with your school community and report.

*A reasonable belief is a discretionary law threshold. This enables authorities to investigate and take action.

1 RESPONDING TO AN EMERGENCY

If there is a risk of immediate harm to a child or young person, you **must** act immediately to prevent or minimise harm.

If a child is at an immediate risk of harm, you **must** act immediately to prevent or minimise harm by:

- separating alleged victims and alleged perpetrators
- separating alleged victims from alleged perpetrators
- calling **000** for urgent medical and/or police assistance to respond to the immediate health or safety concerns
- identifying a control officer to manage the safety of the school
- When necessary, you may also need to consider the safety of the school and other children and young people.

2 REPORTING TO AUTHORITIES / REFERRING TO SERVICES

As soon as immediate health and safety concerns are addressed, you **must** report all incidents, disclosures and disclosures of child abuse as soon as possible to the relevant authority to report professional and ensure child abuse stays relevant to a criminal offence.

Q: Where does the source of suspected abuse come from?

WITHIN THE SCHOOL:

VICTORIA POLICE

You **must** report all instances of suspected child abuse involving a child or young person to Victoria Police.

You **must** also report (depending on the school type):

- **GOVERNMENT SCHOOLS**
 - School principal or/and leadership team
 - Employee Contact Branch
 - VET Incident Support and Employee Conduct Branch
 - School principal or/and leadership team
 - Diocesan education office
- **INDEPENDENT SCHOOLS**
 - School principal or/and leadership team
 - Employee Contact Branch
 - Young People's 1800 helpline
- **CATHOLIC SCHOOLS**
 - All allegations of suspected child abuse are reported to the Diocese of Sandhurst
 - **GOVERNMENT SCHOOLS**
 - School principal or/and leadership team
 - Diocesan education office
 - **INDEPENDENT SCHOOLS**
 - Employee Contact Branch
 - Young People's 1800 helpline

WITHIN THE BROADLY COMMUNITY:

DRUGS CHILD PROTECTION

You **must** report to Child Protection in the role of protection from child abuse in all cases of suspected child abuse, including where the child has not yet been born, including in pregnancy, stillbirth, neonatal or perinatal loss.

VICTORIA POLICE

You **must** also report all instances of suspected child abuse including grooming to Victoria Police.

OTHER CONCERNS

If you become aware of a child or young person who is at risk of harm, you **must** report to the relevant authority.

CONTACT

DHS CHILD PROTECTION

ALBA
 North Division **1800 664 617**
 South Division **1800 363 795**
 East Division **1800 363 391**
 West Division **1800 675 589**
 Head Office **1800 184 817**

AFTER HOURS

After hours, emergency police: **112**
 Child First: **1800 363 795**
 1800 664 617

ORANGE DOOR

Highly specialised child protection services for children with complex needs: **1800 664 617**

VICTORIA POLICE

000 or on-line police station **180 000 0000**

VET INCIDENT SUPPORT AND OPERATIONS CENTRE
1800 184 136

EFFICIENT MANAGEMENT AND SUPPORT UNIT
1800 126 126

EMPLOYEE CONDUCT BRANCH
180 844 397

DIOCESAN OFFICE
 Melbourne **03 9464 5126**
 Ballarat **03 9327 770**
 Geelong **03 5222 2000**
 Bendigo **03 9444 3977**

INDEPENDENT SCHOOLS VICTORIA
03 9453 7700

THE LADYBIRD

THE LADYBIRD has a service advisory, information and evidence based guidance to help you respond to family violence (DFV) incidents in schools. Family violence incidents can be referred to **1800 Respects** for free helpline support or a referral service **1800 727 765**

PROTECT **VICTORIAN** **DECE** **CCCV**



RELATED DOCUMENTATION

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

- *Charter of Sandhurst School Improvement (CoSSI)*
- Child 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*

REFERENCES

- 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.*

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