MANDATORY REPORTING

Rationale:
- A broad range of professional groups are identified in the Children Youth and Families Act 2005 (CYFA) as mandatory reporters. Mandated staff members must make a report to Child Protection as soon as practicable after forming a belief on reasonable grounds that a child or young person is in need of protection from significant harm as a result of physical injury or sexual abuse, and the child’s parents are unable or unwilling to protect the child.
- The following professionals are prescribed as mandatory reporters under section 182 of the CYFA:
  - primary and secondary school teachers and principals (including students in training to become teachers)
  - registered medical practitioners (including psychiatrists)
  - nurses (including school nurses)
  - police.
- 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 or neglect.

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

Implementation:
- All members of the Teaching Service are mandated by law to report signs or risks of harm, disclosures of abuse or neglect, or a reasonable belief a student is subjected to sexual abuse or physical harm.
- A person may form a belief on reasonable grounds that a child is in need of protection after becoming aware that a child or young person’s health, safety or wellbeing is at risk and the child’s parents are unwilling or unable to protect the child.
- There may be reasonable grounds for forming such a belief if:
  - a child or young person states that they have been physically or sexually abused
  - a child or young person 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 or young person states that the child or young person has been physically or sexually abused
  - a child shows signs of being physically or sexually abused
  - the staff member is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on the child or young person’s safety, stability or development
  - the staff member observes signs or indicators of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision
  - a child’s actions or behaviour may place them at risk of significant harm and the child’s parents are unwilling or unable to protect the child.
- New staff will be informed of mandatory reporting responsibilities and procedures as part of their induction procedure.
- Confidentiality is provided for reporters under the CYFA. The CYFA prevents disclosure of the name or any information likely to lead to the identification of a person who has made a report in accordance with legislation, except in specific circumstances.
- The identity of a reporter must remain confidential unless:
  - the reporter chooses to inform the child, young person or family of the report
  - the reporter consents in writing to their identity being disclosed
  - a court or tribunal decides that it is necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child
  - a court or tribunal decides that, in the interests of justice, the reporter is required to attend court to provide evidence.
- Information provided during a protective investigation may be used in a court report if the risks to the child or young person require the case to proceed to court. In these circumstances, the source of the information may be required to provide evidence to the court.
- Staff will uphold their mandatory responsibilities by annually completing the online Mandatory Reporting module.
- All concerns must be reported immediately to a Principal Class Officer.
- The Principal Class Officer will keep a record of all discussions about a student with whom there is a concern.
- If a belief has been formed by a staff member that a mandatory report must be made, a “Mandatory Reporting Information Sheet” available from the Principal must be completed and filed in the Principal’s office.
The teacher and/or the Principal class officer will contact the Department of Human Services by telephone as soon as possible to make an official notification on:

(03) 9275 7000 (Footscray)  9479 6222 (Preston) or after school hours crisis line 131278

- The police must be contacted when allegations of physical assault, sexual assault or sexual harassment occur.
- Members of 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.
- All “Mandatory Reporting Information Sheets” remain filed in the Principal’s office.
- 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.
- While only mandated by law to report incidents of physical and sexual abuse, and neglect; teachers are also encouraged to report incidents of emotional abuse or neglect.
- Students, who disclose to staff a desire to harm themselves or others, must be reported by staff to a Principal Class Officer.
- Staff will be informed of Mandatory Reporting requirements as part of their initial induction or pupil free days at the beginning of each year and a copy of the policy will be posted on the school intranet.

Evaluation:

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

References:


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