



Holy Saviour School – Vermont South

Mandatory Reporting of Child Physical and Sexual Abuse Policy

Mandatory Reporting of Child Physical and Sexual Abuse

Rationale

Mandatory reporters, who believe on reasonable grounds that a child or young person is in need of protection from physical injury or sexual abuse, must report their concerns to the Department of Health and Human Services (DHHS) Child Protection as soon as it is practicable. (January 2016 <http://www.education.vic.gov.au/>)

Who is mandated to report?

- Teachers who are registered or who have permission to teach (Education Training and Reform Act, 2006)
- Principals of government and non-government schools
- Registered medical practitioners
- Nurses
- All members of the Police Force

All other school staff members who form a belief on reasonable grounds that a child or young person:

- is in need of protection, should report their concerns to DHHS Child Protection or Victoria Police.
- is displaying sexually abusive behaviours and is in need of therapeutic treatment should report their concerns to DHHS Child Protection.

If staff have significant concerns for the wellbeing of a child or young person they should report their concerns to DHHS Child Protection or Child FIRST. In cases where staff have concerns about a child or young person, they should also discuss their concerns with the principal or a member of the school leadership team.

Any adult who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 must report that information to police. It is a criminal offence not to make a report, except in some circumstances (see <http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx#link65>)

This policy assists schools to comply with this requirement and fulfil their responsibilities regarding the welfare and protection of children at risk. This policy complements guidelines provided by the Department of Health and Human Services (DHHS) to all Victorian schools.

Definitions

Child: For the purpose of the relevant parts of the Children, Youth and Families Act 2005 (Vic.), a child is any person 17 years of age or younger.

Child FIRST: The Family Information Referral Support Team run by a registered community service in a local area that can receive confidential referrals about a child of concern. It does not have any statutory powers to protect a child but can refer matters to family services.

Child Protection: The Victorian Government agency, provided by DHS, that protects children at risk of significant harm. Child Protection has statutory powers and can use these to protect children.

Mandatory report: A report made to Child Protection, by a person mandated under the Act, that is based on a reasonable belief that a child is in need of protection from physical injury that results from abuse or neglect or harm caused as a result of sexual abuse.

Mandatory reporter: Person(s) required under the Children, Youth and Families Act 2005 (Vic.) to make a report to the Child Protection if they believe a child is in need of protection from physical injury or sexual abuse. Mandatory reporters include registered school teachers or principals and registered nurses.

School advisory group: A committee consisting of the principal and one or two key school personnel (Deputy Principal and / or Student Wellbeing Leader) to discuss any concerns and observations in relation to child physical or sexual abuse recorded by a teacher and to offer support to the teacher concerned. A gender balance within the group is an important consideration.

Procedures

1. Forming a belief

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation.

A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed if:

- 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 a child states that the child has been physically or sexually abused
- professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused
- signs of abuse lead to a belief that the child has been physically or sexually abused.

1.1 Discussing concerns

It is recommended that the mandatory reporter's concerns and observations regarding the suspected physical injury or sexual abuse of a child are discussed with a School Advisory Group formed to support all involved in matters of this nature. The confidentiality of these discussions must be maintained. The individual staff member should then make their own assessment about whether they should make a report about the child or young person and to whom the report should be made.

A mandatory reporter may make a referral to Child FIRST or a report to Child Protection without the prior knowledge of the principal. However, it is good practice for the mandatory reporter to inform the principal of his/her action as soon as practicable. See table below. *This table is also available for staff convenience on the hsvsresources google drive under the folder: Child Safety*

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	MAKING A REFERRAL TO Child FIRST	STEP 4	MAKE A REPORT TO CHILD PROTECTION
	<ol style="list-style-type: none"> 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*. Go to Step 4 If you have significant concerns that a child and their family need a referral to Child FIRST for family services. Go to Step 3 In all other situations Go to Step 2. <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>		<ol style="list-style-type: none"> Consider the level of immediate danger to the child. Ask yourself: <ol style="list-style-type: none"> Have I formed a belief that the child has suffered or is at risk of suffering significant harm? YES / NO and Am I in doubt about the child's safety and the parent's ability to protect the child? YES / NO If you answered yes to a) or b) Go to Step 4 If you have significant concerns that a child and their family need a referral to Child FIRST for family services. Go to Step 3 		<p>Child Wellbeing Referral</p> <ol style="list-style-type: none"> Contact your local Child FIRST provider. <ul style="list-style-type: none"> See over for contact list for local Child FIRST phone numbers. Have notes ready with your observations and child and family details. 		<p>Mandatory/Protective Report*</p> <ol style="list-style-type: none"> Contact your local Child Protection Intake provider immediately. <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. Have notes ready with your observations and child and family details. <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*

Contact Numbers		
Department of Education and Early Childhood Development		
METROPOLITAN REGIONS		
Eastern	(03) 9265 2400	
Northern	(03) 9488 9488	
Western	(03) 9291 6500	
Southern	(03) 9794 3555	
RURAL REGIONS		
Barwon South Western	5225 1000	
Gippsland	5127 0400	
Grampians	5337 8444	
Hume	5761 2100	
Loddon Mallee	5440 3111	
Office for Children and Licensed Children's Services:		
METROPOLITAN REGIONS		
Eastern	(03) 9265 2400	
Northern	(03) 9412 5333	
Western	(03) 9275 7000	
Southern	(03) 9096 9555	
RURAL REGIONS		
Barwon South Western	5225 1000	
Gippsland	5127 0400	
Grampians	5337 8444	
Hume	5761 2100	
Loddon Mallee	5440 3111	
Important information for government schools		
Principals of Victorian Government schools must report all incidents to the Emergency and Security Management Unit on 03 9589 6266.		
Victorian Government schools should contact the Student Critical Incident Advisory Unit (SCIAU), Student Wellbeing Division, for advice and support when responding to allegations of student sexual assault or inappropriate sexual behaviours.		
The SCIAU can be contacted on 03 9637 2934 or 03 9637 2487.		
Victorian Government School Principals should refer to the flowchart – Responding to Allegations of Student Sexual Assault Compulsory Actions for Principals at: http://www.education.vic.gov.au/healthwellbeing/safety/childprotection/childprotection.htm		
Department of Human Services Child Protection		
METROPOLITAN REGIONS		METROPOLITAN REGIONS
Intake Unit	1300 360 391	Regional Office
Eastern	1300 360 391	Box Hill (03) 9843 6000
North and West	1300 664 977	Preston 1300 664 977
		Footscray 1300 360 462
Southern	1300 655 795	Dandenong (03) 9213 2111
RURAL REGIONS		RURAL REGIONS
Intake Unit	1800 075 599	Regional Office
Barwon South Western	1800 020 202	Geelong (03) 5226 4540
Gippsland	1800 000 551	Traralgon (03) 5177 2500
Grampians	1800 650 227	Ballarat (03) 5333 6530
Hume	1800 675 598	Wangaratta (03) 5722 0555
Loddon Mallee		Wodonga (02) 6055 7777
		Bendigo (03) 5434 5555
After hours Child Protection Emergency Services (AHCPEs)		
Statewide number for all emergency child protection matters outside of normal business hours (24 hours, 7 days a week):		131 278
Victoria Police		000
Catholic Education Offices		
Catholic Education Office, Melbourne	(03) 9267 0228	
Catholic Education Office, Ballarat Diocese	5337 7135	
Catholic Education Office, Sale Diocese	5622 6600	
Catholic Education Office, Sandhurst Diocese	5443 2377	
Independent Schools Victoria (03) 9825 7200		
Other		
Victorian Aboriginal Education Association, Inc.	(03) 9481 0800	
Victoria Police Sexual Offences and Child Abuse Unit	(03) 9247 6666	
Centre Against Sexual Assault	1800 806 292	
Gatehouse Centre, Royal Children's Hospital (for specialist counselling and medical assistance)	(03) 9345 6391	
Child Safety Commissioner	(03) 8601 5884	
Victorian Aboriginal Child Care Agency	(03) 8388 1855	
CHILD FIRST		
Local Catchment Area	Contact	
Barwon South Western	Greater Geelong, Queenscliff, Surf Coast	1300 551 948
	Colac – Otway, Corangamite	5232 5500
	Warrnambool, Moyne, Glenelg, Southern Grampians	1300 889 713
Gippsland	East Gippsland	5152 0052
	Wellington	5144 7777
	La Trobe, Baw Baw	1800 339 100
	South Gippsland, Bass Coast	5662 5150
Grampians	Northern Grampians, West Wimmera, Hindmarsh, Yarrambat, Horsham	1800 195 114
	Ararat, Pyrenees, Hepburn, Ballarat, Golden Plains, Moorabool	1300 783 341
Hume	Wodonga, Towong, Indigo	1800 705 211
	Alpine, Benalla, Mansfield, Wangaratta	1800 705 211
	Greater Shepparton, Strathbogie, Moira	1300 854 944
	Mitchell, Murrindindi	1800 663 107
Loddon Mallee	Greater Bendigo, Campaspe, Central Goldfields, Loddon, Macedon Ranges, Mount Alexander	1800 260 338
	Buloke, Goonawarra, Swan Hill, Mildura	1800 625 533
		1800 MALLEE
Eastern Metropolitan	Yarra Ranges, Knox, Maroondah	1300 369 146
	Monash, Whitehorse, Manningham, Booroondarra	1300 762 125
North and West Metropolitan	Nullarbk, Whittlesea, Banyule, Yarra and Darebin	(03) 9450 0955
	Brimbank, Melton	1300 138 180
	Hume, Moreland	1300 786 433
	Hobson's Bay, Maribyrnong, Melbourne, Moonee Valley and Wyndham	1300 786 433
Southern Metropolitan	Casey, Cardinia, Greater Dandenong	(03) 9705 3939
	Aboriginal children and families (Casey, Cardinia and Great Dandenong)	(03) 9794 5973
	Frankston, Mornington Peninsula	1300 721 383
	Kingston, Bayside, Glen Eira, Stonington, Port Phillip	1300 367 441

2 Report to relevant agencies

2.1 Department of Human Services Child Protection

The mandatory reporter may form the belief that it is necessary to make a report to Child Protection. In this case, the teacher is required to make a report as soon as practicable.

The mandatory reporter may continue to suspect that a child is in need of protection. In this case, the mandatory reporter should continue to record any further observations made and make a report on each occasion where they form a belief, on reasonable grounds, that a child is or is likely to be at risk of physical or sexual abuse.

2.2 Contact with Child FIRST

A registered school teacher or principal in Victoria can seek advice from or make a referral to **Child FIRST** if they have a significant concern for the wellbeing of a child and where the immediate safety of the child is not compromised. The teacher or principal should share relevant information with **Child FIRST** to help them complete their assessment of the referral. Contact should be made with the nearest Child FIRST office (see Appendix 2) for information and advice.

A mandated reporter may wish to keep their identity confidential when they make a referral to **Child FIRST** or a report to **Child Protection**, or when they share information with these agencies. A **Child First** or **Child Protection** worker cannot disclose the identity of the person making a referral or report without their consent. The publications listed in Appendix 1 provide advice on why it may be appropriate for a person making a referral or report to disclose their

identity.

3 Protecting children from the risk of sexual abuse - failure to protect offence

Any staff member in a position of authority, who becomes aware that an adult associated with their organisation (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the care, authority or supervision of the organisation, must take all reasonable steps to remove or reduce that risk. This may include, for example, removing the adult from child-related work pending investigation. If a staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence.

The offence applies only to **adults in a position of authority** within an organisation, including Principals, senior school staff, regional directors and other senior managers.

Potential consequences of making a report

It is recommended that staff read information provided regarding consequences of making a report at <http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx#link82>

4 Ongoing Support

The principal has a role in seeking or offering appropriate pastoral support for the staff member making the report, for the student and student's family. The principal's actions in this regard should be informed by the school's policies and procedures for ensuring the safety and wellbeing of students.

References

Department of Health and Human Services Child Protection www.education.vic.gov.au
Department of Justice www.justice.vic.gov.au

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