

# CAMPBELLFIELD HEIGHTS PRIMARY SCHOOL

## MANDATORY REPORTING POLICY AND PROCEDURES



**"At CHPS we are committed to developing safe, respectful, responsible and successful learners by promoting a stimulating, positive and inclusive environment"**

### Rationale:

- School staff have a duty of care to protect the safety, health and wellbeing of children in their care.
- All children have a right to feel safe and be safe, and to develop to their potential.
- Teachers/Principals/Doctors/Nurses/Police/Registered Psychologists/School counsellors are all mandated reporters and have a legal responsibility to respond and report instances that they believe involve physical abuse and sexual abuse and the child's parents are unable or unwilling to protect the child.
- All staff have a moral and social 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, emotional abuse, sexual abuse or neglect.

### Aims:

- To ensure that children's rights to be safe are maintained and each child is protected against physical abuse and sexual abuse
- define the roles and responsibilities of school staff in protecting the safety and well-being of children and young people
- enable staff to identify the indicators of child or a young person who may be in need of protection
- enable staff to make a report of a child or young person who may be in need of protection

### Implementation:

- All staff members have a moral and social obligation to report concerns of child abuse and/or neglect
- Mandated reporters **MUST** make a report to **DHHS (Child Protection)** as soon as practicable if, in the course of practising their profession or carrying out their duties, they form a belief on **reasonable grounds** that a child or young person is in need of protection, as a result of physical injury (s.162(c) CYFA) or sexual abuse (s.162 (d) CYFA) and the child's parents are unable or unwilling to protect the child.
- As a professional who works with children, you play a vital role in protecting children from harm. You are well placed to observe signs or behaviours that may indicate risks of child abuse, neglect or exploitation.
- Although some school staff are mandatory reporters and must report risks of physical or sexual abuse of children, all staff should make a report about any type of child abuse to the relevant authorities or seek support from school leadership as part of their legal **duty of care obligations**.
- In fulfilling your duty of care, you must take reasonable steps to protect your students from risks of reasonably foreseeable harm. This requires you to take positive action.
- 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 they have been physically or sexually abused
- a child states that they know someone who has been physically or sexually abused
- All staff (even those who are NOT Mandated) **MUST** report **ALL** concerns for a student's safety and/or well-being and any disclosures made by students that may place them at risk of significant harm to the Principal, Assistant Principal or member of Well-being team. In their absence concerns should be reported to OIC
- If there are times when two or more school staff members, for example a teacher and a Principal, have formed a belief about the same child on the same occasion and based on the same information. In this situation it is sufficient that only one of the staff members 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.

**REMEMBER IT IS NOT UP TO STAFF TO PROVE A CHILD IS IN NEED OF PROTECTION, OR THAT ABUSE HAS TAKEN PLACE OR TO INVESTIGATE CONCERNS**

### **Reportable Conduct**

Our school will notify the Department's Employee Conduct Branch (9637 2594) if we become aware of an allegation of 'reportable conduct'.

There is an allegation of reportable conduct where a person has formed a reasonable belief that there has been:

- a sexual offence (even prior to criminal proceedings commencing), sexual misconduct or physical violence committed against, with or in the presence of a child;
- behaviour causing significant emotional or physical harm to a child;
- significant neglect of a child; or
- Misconduct involving any of the above.

The Department, through the Employee Conduct Branch, has a legal obligation to inform the Commission for Children and Young People when an allegation of reportable conduct is made.

Our principal must notify the Department's Employee Conduct Branch of any reportable conduct allegations involving current or former teachers, contractors, volunteers (including parents), allied health staff and school council employees.

If school staff become aware of reportable conduct by any person in the above positions, they should notify the school principal immediately. If the allegation relates to the principal, they should notify the Regional Director.

- Under the criminal offence of '[Failure to Protect](#)', people in positions of authority such as principals must take action to protect children where they know that a person associated with their organization poses a substantial risk of sexually abusing children under the age of 16. A report is required to Victoria Police.
- Under the '[Failure to disclose](#)' offence, adults must disclose child sexual abuse to police. This offence applies to all adults, not just professionals who work with children. Any adult who holds a reasonable belief that a sexual offence has been committed by an adult against a child in Victoria must report that belief to police, unless they have a reasonable excuse for not reporting.
- The '[Grooming for sexual conduct with a child under the age of 16](#)' offence applies where an adult communicates, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvement in sexual conduct, either with the groomer or another adult. Grooming does not necessarily involve any sexual activity or even discussion of sexual activity – for example, it may only involve establishing a relationship with the child, parent or carer for the purpose of facilitating sexual activity at a later time.

### **Making a Report**

1. Staff should keep comprehensive notes that are dated/timed and include a description of the concerns (physical injuries, student behaviour), source of those concerns (observation, report from child or other student), action taken as a result of the concerns (consult with leadership, report DHHS/Child First).
2. Discuss concerns with Principal, Assistant Principal, and Well-Being Staff. Staff member should then make their own assessment about whether they have formed a 'Belief on reasonable grounds'.
3. Staff should gather relevant information necessary to make report including Full name, DOB, residential address, details of concern, and other siblings at school or home, contact numbers, other supports/agencies involved with family.
4. **Staff DO NOT require parental permission or carer consent to make a Child protection report, nor are they required to tell parents, or carers that have done so**
5. Contact relevant agency -DHHS Child Protection **1300 664 977 / 13 12 78** Child First HUME **1300 786 433** Vic Pol **000**
6. Staff should make a record of the report made including date and time, summary of what was reported, the name a position of the person they spoke to and who received the report.

Should DHHS/Victoria Police want to interview a child/young person at school they **CAN** do this **WITHOUT** parent's knowledge or consent. Students should be supported by a staff member during interviews.

A report should also be made to Child Protection when a child/young person is exhibiting sexually abusive behaviour towards others. Children between the ages of 10-15 can be made subject to Therapeutic Treatment Orders.

**Physical Abuse** – any non-accidental form of injury or serious physical harm inflicted on a child or young person by any person. Does not mean 'reasonable discipline', may result from excessive or inappropriate discipline. Can include beating, shaking, burning, and assault with implements. May also result from failure of a parent/caregiver to adequately ensure safety of child, exposing them to extremely dangerous/life threatening situations. Behaviour indicators include, unusual fear of physical contact, flinches, wearing unsuitable clothes for weather, wariness/fear of caregiver, no reaction/little emotion displayed when hurt, unexplained absences, overly compliant, shy withdrawn, unusually nervous, hyperactive, aggressive, disruptive, wetting themselves, excessively friendly with strangers, poor memory/concentration.

**Sexual Abuse** – occurs when a person uses their authority or power over a child/young person to engage sexual activity. May include fondling genitals, masturbation, oral sex, vaginal/anal penetration, voyeurism/exhibitionism, exploitation through pornography/prostitution. 'Grooming' is a criminal offence includes actions deliberately undertaken with the intention of befriending and establishing an emotional connection with a child, to lower their inhibitions and facilitate sexual conduct with the child. Communication technologies such as online gaming, instant messaging, email, voice over internet protocol, social media and mobile phones can also be used in the grooming process. In these cases, the grooming process may continue for months before the offender arranges a physical meeting. In line with obligations under the 'Failure to Disclose' offence and duty of care, any staff member who suspects a child is being groomed by an adult should report their concerns to Victoria Police. Physical indicators include injury to genital/rectal area, vaginal/anal bleeding, inflammation, STI, bruising to breast/buttocks/thighs and UTI's. Behaviour indicators disclosure, inappropriate sexual activity, a fear of home, specific adult, poor self-care/personal hygiene, complaining of headaches/stomach aches, rocking, sucking or biting, sleeping issues, wetting themselves, depression aggressive behaviour, self-injury.

**Emotional abuse** - occurs when a child is repeatedly rejected, isolated or frightened by threats or by witnessing family violence. It also includes hostility, derogatory name-calling and put-downs, and persistent coldness from a person, to the extent that the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired. Emotional abuse may occur with or without other forms of abuse. Physical indicators include speech disorders, developmentally delayed, failure to thrive. Behaviour indicators include overly compliant, passive, extremely demanding, aggressive, attention seeking, poor self-image, low tolerance, non-age appropriate behaviours (overly adult/overly infantile), emotional delays, violent drawings/writing.

**Neglect** - includes a failure to provide the child with an adequate standard of nutrition, medical care, clothing, shelter or supervision to the extent that the health or physical development of the child is significantly impaired or placed at serious risk. Physical indicators may include, appearing consistently dirty and unwashed, being consistently inappropriately dressed for weather conditions, being at risk of injury or harm due to consistent lack of adequate supervision from parents, being consistently hungry, tired and listless, having unattended health problems and lack of routine medical care, having inadequate shelter and unsafe or unsanitary conditions, showing signs of failure to thrive (without an organic cause). Behavioural indicators may include, gorging when food is available or inability to eat when extremely hungry, begging for or stealing food, appearing withdrawn, listless, pale and weak, aggressive behaviour, irritability, acts of vandalism, little positive interaction with parent, carer or guardian, poor socialising habits, excessive friendliness towards strangers, indiscriminate acts of affection, poor, irregular or non-attendance at school, self-destructive behaviour, taking on an adult role of caring for parent.

**Family violence** is behaviour by a person towards a family member that may include, physical violence or threats of violence, verbal abuse, including threats, emotional or psychological abuse, sexual abuse, financial and social abuse. Physical indicators of family violence may include, speech disorders, delays in physical development, bruises cuts or welts on facial areas, and other parts of the body including back, bottom, legs, arms and inner thighs, any bruises or welts (old or new) in unusual configurations, or those that look like the object used to make the injury (such as fingerprints, handprints, buckles, iron or teeth). Behavioural indicators of family violence may include, extremely

demanding, attention-seeking behaviour, overly compliant, shy, withdrawn, passive and uncommunicative behaviour, anti-social, destructive behaviour, aggressive or inappropriate behaviour with other children or adults, low tolerance or frequent frustration, wariness or distrust of adults, demonstrated fear of parents, carers or guardians, and of going home, depression, anxiety.

**Grooming** is a way of getting someone ready for abuse and involves tricks that offenders of sexual abuse use to manipulate their victim, the victim's family or community over time. This can be a very sneaky and slow process.

**Professional Learning** - At our school, all mandated school staff must undertake the *Mandatory Reporting and Other Obligations eLearning Module* annually. We also require all other staff to undertake this module, even where they are not mandatory reporters.

**Staff will be informed of Mandatory Reporting responsibilities/procedures during their induction and reminded annually. They will also be provided with supporting documentation in the staff handbook.**

Department Policy - <http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx>

This policy is to be read in conjunction with The Identifying & Responding to All forms of Abuse in Victorian Schools Guidance (DET Website) and The FOUR CRITICAL ACTIONS FOR SCHOOLS - Responding to Incidents, Disclosures and Suspicions of Child Abuse Guide) - <http://www.education.vic.gov.au/about/programs/health/protect/Pages/schoolsguide.aspx> , Schools Child Safe policy and code of conduct.

**Evaluation:**

- This policy will be reviewed annually.
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This policy was last ratified by School Council on the **19<sup>th</sup> February 2020**

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- *Signed by:*
- *School Council President:* \_\_\_\_\_ *Faye Khalil*
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- *Principal:* \_\_\_\_\_ *(Jo Howard)*
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- *Date: 20<sup>th</sup> February 2020*