

Mandatory Reporting

BRUNSWICK EAST PRIMARY SCHOOL POLICY

Rationale

All children and young people have the right to be protected from abuse and neglect. Brunswick East Primary School has a legal responsibility and duty of care in the prevention and reporting of child abuse and neglect, to protect all its students.

Objectives

To ensure that children's rights to be safe are maintained and each child is protected against physical and sexual abuse and neglect.

Implementation

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 Department of Health and Human Services (DHHS) Child Protection.

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
- 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.

Staff

School staff have a duty of care to protect and preserve the safety, health and wellbeing of children and young people in their care and staff must always act in the best interests of those children and young people. If a staff member has any concerns regarding the health, safety or wellbeing of a child or young person it is important to take immediate action.

Any staff member who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 must disclose that information to police. Failure to disclose the information to police is a criminal offence.

Staff must respect confidentiality when dealing with a case of suspected child abuse and neglect, and may discuss case details and the identity of the child or the young person and their family only with those involved in managing the situation.

Principal

The Principal will inform staff of this policy and notify them of any changes to it.

The Principal will keep a record of all discussions about a student for whom there is a concern.

Making a Report

Steps	Description
1	In case of emergency or if a child is in immediate danger contact Triple Zero (000) or the local police station. Alternatively, to report concerns about the immediate safety of a child within their family unit to DHHS Child Protection, call the Child Protection Crisis Line on 13 12 78 (24 hours 7 days, toll free).
2	Keep comprehensive notes that are dated and include the following: <ul style="list-style-type: none">• information that has led to concerns about the child's safety (e.g. physical injuries, student behaviour)• the source of this information (e.g. observation of behaviour, report from child or another person)

	<ul style="list-style-type: none"> the actions taken as a result of the concerns (e.g. consultation with principal, report to DHHS Child Protection etc.)
3	Discuss any concerns about the safety and wellbeing of students with the principal or a member of the school leadership team. 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.
4	Gather the relevant information necessary to make the report. This should include the following: <ul style="list-style-type: none"> full name, date of birth, and residential address of the child or young person the details of the concerns and the reasons for those concerns the individual staff member's involvement with the child or young person details of any other agencies who may be involved with the child or young person, if known
5	Make a report to the relevant agency. To report concerns that are life threatening phone 000 or the local police station. To find the nearest Victoria Police Sexual Offences and Child Abuse Investigation Team contact your local police station. To report concerns about the immediate safety of a child within their family unit to DHS Child Protection, call the Child Protection Crisis Line on 13 12 78 (24 hrs 7 days, toll free) To report concerns to DHHS Child Protection, contact your local child protection office.
6	Make a written record of the report which includes the following information: <ul style="list-style-type: none"> date and time of the report and a summary of what was reported name and position of the person who made the report and the person who received the report
7	Notify relevant school staff and/or Department staff of a report to DHHS Child Protection or Child FIRST. For Victorian government schools, the allegations must be reported to the: <ul style="list-style-type: none"> principal or member of the school leadership team Department's Security Services Unit on (03) 9589 6266 relevant Regional Office Student Critical Incident Advisory Unit on (03) 9637 2934 or (03) 9637 2487 In the case of international students, the principal must notify the International Education Division on (03) 9637 2990 to ensure that appropriate support is arranged for the student. In the case of Koorie students, the principal must notify the Regional Office to ensure that the regional Koorie support officer can arrange appropriate support for the student.

Type of Reporting	By Whom	To Whom
Mandatory Reporting - DHHS Child Protection Mandatory reporters must make a report 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 or sexual abuse, and the child's parents are unable or unwilling to protect the child.	<i>Mandatory reporters</i> Teachers registered to teach or who have permission to teach pursuant to the <i>Education and Training Reform Act 2006 (Vic)</i> Principals of government and non-government schools Registered medical practitioners Nurses All members of the police force	DHHS Child Protection
Child in need of protection Any person may make a report if they believe on reasonable grounds that a child is in need of protection for any of the following reasons: <ul style="list-style-type: none"> The child has been abandoned and there is no other suitable person who is willing and able to care for the child. The child's parents are dead or incapacitated and there is no other suitable person who is willing and able to care for the child. The child has suffered or is likely to suffer significant harm as a result of physical injury and the parents are unable or unwilling to protect the child. The child has suffered or is likely to suffer significant harm as a result of sexual abuse and their parents are unable or unwilling to protect the child. The child has suffered or is likely to suffer emotional or psychological harm and the parents 	Any person	DHHS Child Protection Victoria Police

<ul style="list-style-type: none"> are unable or unwilling to protect the child. The child's physical development or health has been, or is likely to be significantly harmed and the parents are unable or unwilling to provide basic care, or effective medical or other remedial care. 		
<p>Child displaying sexually abusive behaviours and in need of therapeutic treatment</p> <p>Any person may make a report if they believe on reasonable grounds that a child who is 10 years of age or over, but under 15 years of age, is in need of therapeutic treatment because he or she has exhibited sexually-abusive behaviours.</p>	Any person	DHHS Child Protection
<p>Significant concerns about wellbeing of a child</p> <p>Any person may make a report if they have significant concerns for the wellbeing of a child.</p>	Any person	DHHS Child Protection Child FIRST
<p>Reasonable belief that a sexual offence has been committed by an adult against a child under 16</p> <p>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 the following circumstances:</p> <ul style="list-style-type: none"> The victim is 16 years of age or older and does not have an intellectual disability that limits his/her capacity to make an informed decision; and he/she does not want the information reported to the police The victim has disclosed the information in confidence in the course of a therapeutic relationship with you as a registered medical practitioner or counsellor The victim turned 16 years of age before 27 October 2014 <p>Reasonable excuses for failing to comply with the requirement include:</p> <ul style="list-style-type: none"> a reasonable belief that the information has already been reported to police or DHHS Child Protection disclosing all of the information a reasonable fear that the disclosure will place someone (other than the alleged perpetrator) at risk of harm 	Any person aged 18 or over	Victoria Police

Definitions

Reasonable 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

Child Abuse

Child abuse includes physical abuse, sexual abuse, emotional abuse, neglect, medical neglect, family violence, human trafficking (including forced marriage) and sexual exploitation (including pornography and prostitution).

References and Resources

[DET Step by Step guide to Making a Report](#)

[DET – Duty of Care](#)

[DET– Supervision](#)

[DET – Child Protection – Reporting Obligations](#)

Updated by	Education Committee	Version Final
Principal signature		Approved by School Council on 25 October 2016
School Council President signature		Scheduled review date October 2019