



Braemar College

Mandatory Reporting



RATIONALE

Braemar College is committed to supporting the wellbeing of its students and protecting them from child abuse. All members of the College community share a responsibility to ensure the welfare of all students. We believe that protecting children is everyone's business.

SCOPE

This policy applies to all Braemar College employees and contractors.

PURPOSE

This policy sets out what constitutes child abuse, who is mandated to make notification and the process of making a report to the Department of Families, Fairness and Housing.

Legislation

The following policy has been developed using the guidelines established under the *Children, Youth and Families Act* which was passed in 2005 and legislation came into effect in April 2007. 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. (18 years if the young person is currently under a Protective Court Order.) Having a policy enables the College to protect children and support staff and families in a sensitive, caring way whilst meeting the legislative requirements of Mandatory Reporting.

Mandated to Make a Notification

Police officers, registered medical practitioners, nurses, midwives, registered teachers (including kindergarten teachers), school principals, out of home care workers, early childhood workers, registered psychologists and youth justice workers are legally required to notify protective services if they have formed a belief, based on reasonable grounds, that a child has suffered, or is likely to suffer harm as a result of physical injury, sexual abuse or emotional or psychological harm and parents have not or are unlikely to protect the child from such harm.

While non-teaching members of staff are not mandated legally, they should and are expected to follow the processes set out in this policy.

PROCEDURES AND GUIDELINES

Whilst it is the individual teacher who is mandated to report incidences of suspected child abuse, it is recognised that Braemar College has a procedure to deal with suspected incidents involving its students.

1. Forming a belief

A requirement of the *Children, Youth and Families Act* (CYFA 2005 Vic) is that when a registered teacher or mandated reporters forms a reasonable belief that a child is in need of protection from physical injury or sexual abuse, he/she must make a report to Child Protection as soon as practicable on each occasion of forming a belief.



A reasonable belief that a child is in need of protection is likely to be formed in circumstances where:

- A child discloses that he or she has suffered or is suffering non-accidental physical injury or sexual abuse;
- A relative, friend or acquaintance states that a child has been physically or sexually abused; or
- Professional observations of the child's physical condition or behaviours lead to reasonable belief that the child has suffered or is suffering physical or sexual abuse.
- You do not have to be able to prove that the abuse has occurred.

2. Responsibilities

The concerns and observations regarding the suspected physical or sexual abuse of a child must be discussed with one of the following nominated reporting officers as soon as possible so there is no delay in contacting protective services.

The Principal

Associate Principal

Head of Middle School

Head of Senior School

College Counsellor

Campus First Aid Officer

If a teacher suspects that a child is in need of protection it is essential that he/she document all concerns and observations in a confidential file. This process of documentation may occur over a period of time.

Non-teaching staff members who have concerns about suspected physical or sexual abuse of a student must discuss these concerns with one or more of the people listed above.

Remember, it is your personal responsibility to report your belief – it is not the responsibility of your supervisor, Principal etc. If you are one of a group of mandated notifiers who share the belief, based on reasonable grounds, that a child or young person is in need of protection from physical or sexual abuse, then only one member of that group needs to make the report. However, you must be satisfied that the report has been made promptly and that all reasonable grounds were included in the notification.

Even if your supervisor, Principal etc. does not share your belief you are still required to make a report.

If you are a mandated notifier, failure to notify your belief, when you have reasonable grounds, is an offence under *The Children, Youth and families Act 2005* (Vic).

Fulfilling the roles and responsibilities contained in the procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse

3. Reporting to relevant agencies



The two relevant agencies are Child Protection and Child FIRST

If the teacher believes under reasonable grounds that a child is in need of protection, then he/she must make a report. The usual practise would be that the staff member would discuss the matter with one of the above staff members, (listed in 2), who would then be the person who would make the notification to Child Protection. The teacher making the report will be told when the notification has been made.

Child Protection is a Victorian Government agency, provided by the Department of Families, Fairness and Housing that protects children at risk of significant harm.

Where there are not protective concerns but instead a significant concern for a child's wellbeing, and these concerns have low to moderate impact on the child, and where the child's immediate safety is not compromised, staff can make a referral to Child FIRST.

Child FIRST is the Child and Family Information, Referral and Support Team run by a registered community service in the local area that can receive confidential referrals about a child of concern. They undertake initial needs and risk identification and assessment, and are supported by a community based Child Protection Worker.

Remember that the teacher does not have to be able to prove that the child has been abused before notifying protective services.

An attempt is to be made to file the report on the same day as the belief is formed.

If the nominated reporting officers do not share the belief that a child is in need of protection and does not notify Child Protection, the teacher must still report the child abuse. It is the College's policy that the teacher must inform the Principal that he /she has made a report.

In addition, Child FIRST and Child Protection can consult teachers and principals when they are deciding how best to respond to a referral or a report that they have received. The legislation allows the teacher to share relevant information with the agency about a vulnerable child without needing to be concerned about legal or professional consequences, provided the teacher does so in "good faith".

4. Protection for College staff that make a report

College staff are protected provided you share information under "authorised circumstances" and in "good faith." (CYFA 2005).

Your identity must be kept confidential unless you consent to it being disclosed.

You are not subject to any legal liability in respect of the giving of information – you cannot be successfully sued.

Authorised disclosure cannot constitute unprofessional conduct or a breach of professional ethics and they do not contravene the following

- *Health Services Act 1988, section 141*
- *Mental Health Act 1986, section 120A*
- *CYFA 2005, section 212*
- *Information Privacy Act 2000.*



Below is a guide to making a report to Child Protection or Child FIRST and a list of contact numbers.

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 		Child Wellbeing Referral <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. 		Mandatory/Protective Report* <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. <ul style="list-style-type: none"> <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>

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*

Department of Education and Early Childhood Development	Department of Human Services Child Protection	CHILD FIRST
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 – <i>Responding to Allegations of Student Sexual Assault Compulsory Actions for Principals</i> at: http://www.education.vic.gov.au/healthwellbeing/safety/childprotection/childprotection.htm	METROPOLITAN REGIONS Intake Unit Eastern 1300 360 391 North and West 1300 664 977 Southern 1300 655 795 RURAL REGIONS Intake Unit Barwon South Western 1800 075 599 Gippsland 1800 020 202 Grampians 1800 000 551 Hume 1800 650 227 Loddon Mallee 1800 675 598 Regional Office Box Hill (03) 9843 6000 Preston 1300 664 977 Footscray 1300 360 462 Dandenong (03) 9213 2111 Regional Office Geelong (03) 5226 4540 Traralgon (03) 5277 2500 Ballarat (03) 5333 6530 Wangaratta (03) 5722 0555 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	Local Catchment Area Contact Barwon South Western Greater Geelong, Queenscliff, Surf Coast 1300 551 948 Colac – Otway, Corangamite 5232 5500 Warrambool, 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, Boroondarra 1300 762 115 North and West Metropolitan Nillumbik, 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



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