



## Mandatory Reporting Policy and Procedures

Purpose:	To define the roles and responsibilities of the Team in protecting the safety and wellbeing of children and young people and to enable the Team to: <ul style="list-style-type: none"> <li>• identify the indicators of a child or young person who maybe in need of protection</li> <li>• make a report of a child or young person who may be in need of protection</li> <li>• comply with reporting obligations under child protection law and criminal law and in-line with Child Safe Standards in Ministerial Order 1359.</li> </ul>
Scope:	WP Board and all Team members
Implemented by:	Principal
Approved by:	WP Board
Reviewed:	Yearly or as regulatory changes arise or improvements are identified
Communicated via:	WP Website, Team Handbook, Policies and Procedures Master File

### Aims

Woodline Primary is committed to supporting the wellbeing of children and protecting them from child abuse. All members of the school community share a responsibility to ensure the welfare of children.

Woodline Primary will act on any allegations or disclosures of child abuse made by, or in relation to a child, team, visitor, or any other person connected to the school environment in accordance with this policy to ensure that children are supported and protected.

### Responding to Child Abuse Concerns

Woodline Primary Team members must take action by following the Four Critical Actions for Schools and using the Responding to Suspected Child Abuse Template.

#### 1. Responding to an Emergency

- If a Team member believes a child to be in immediate risk of harm they should separate alleged victim from others involved, administer first aid if required, call 000 for urgent medical or police assistance. Team members should also notify the Principal who will be the contact person for future liaison with Police.



## 2. Child Safety

- Woodline Primary will act to reduce or remove the risk of child sexual abuse posed by an adult associated with the school. This includes employees, volunteers and caregivers who are involved in direct contact with children at the school.
  - The accused person will be asked to leave the school grounds immediately
  - Failure to do so will be reported to police and the School will follow the Emergency Management Plan.

## 3. Reporting to Authorities/Referring to Services

- As soon as immediate health and safety concerns are addressed, Team members must report all incidents, suspicions and disclosures of child abuse as soon as possible to the Principal and Department of Human Services (DHHS) Child Protection if the source of suspected abuse comes from within the community or family or Victoria Police if the source of suspected abuse comes from within the school
- The School must report all allegations of Reportable Conduct to the Commission for Children and Young People on 1300 782 978
- If the Team member believes a child is not subject to abuse but still hold significant concerns for their wellbeing they should discuss their concerns with the Principal or a member of the school Executive Team and consider seeking advice from or making a referral to Child FIRST/The Orange Door (where the family is open to receiving support), DHHS Child Protection or Victoria Police
- The Principal is to secure and retain records of the allegation and the School's response to it

## 4. Contacting Caregivers

- Principal must consult with DHHS Child Protection or Victoria Police to determine what information can be shared with caregivers

## 5. Protect any child connected to the allegation until it is resolved

- Act as a support person for the child
- Observe and monitor the child's behaviour
- Refer to and/or liaise with wellbeing professional
- Ensure the accused has no access to the child while at school

## 6. Provide ongoing support

- The School will develop a child support plan based on consultations with professionals.



## Procedures

### 1. Reporting to relevant agencies

Relevant Agencies:

The relevant agencies are:

- Victorian Government Department of Health and Human Services (DHHS) Child Protection;
- Child FIRST (the Family Information Referral Support Team, which is also operated by the DHHS); and
- Victoria Police

### Child FIRST

Principals and Guides can share information and make a referral to Child FIRST when they have significant concern for a child's wellbeing, but do not believe that the child needs protection or is in imminent danger. Child FIRST is a registered local community service that can receive confidential referrals about a child of concern. It may be accessed for concerns of an emotional, psychological or social nature. It does not have any statutory powers to protect a child but can refer matters to family services.

### Mandatory Reporting - Reporting Child Protection Concerns

Any Team member can make a report to DHHS Child Protection if they believe on reasonable grounds that a child is in need of protection, however the following Team members and other persons are mandated to make a report if they form such a belief;

- Registered Guides
- School Principals
- School Counsellors
- Registered medical practitioners, nurses, and all members of the police force

If a Woodline Primary Team member believes on reasonable grounds that a child is in need of protection, then they must make a report to DHHS Child Protection. The usual practice is that the Team member will inform the Principal, who will notify DHHS Child Protection. However, if the Principal does not share the Team member's belief or does not make a report, that Team member must make the report themselves.

A mandated reporter must make a report on each occasion that they form a belief and must make a report even if the Principal or others within the organisation do not share their belief.



Mandated reporters must ensure that a report has indeed been made in any instance that another mandated reporter has undertaken to make a report. A mandated reporter who fails to comply with these obligations may be committing a criminal offence.

### Reporting Criminal Child Abuse & the Failure to Disclose Offence

Separate to the above mandatory reporting rules, any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child (or any child under 16) must disclose that information to police.

Failure to disclose the information to police is a criminal offence, except in limited circumstances including where there is a reasonable fear for their own safety or the safety of another person (such as a child or another family member) or where the person believes on reasonable grounds that the information has already been disclosed to police and they have no further information to add.

### Failure to Protect Offence

All Team members should be aware that it is an offence where a person in a position of authority is aware there is a substantial risk of sexual abuse of a child of Woodline Primary by an adult associated with Woodline Primary, and that person has the power or responsibility to reduce or remove the risk, but negligently fails to do so.

### Duty of Care

Team members also have a common law duty of care to protect the safety, health and wellbeing of children.

This duty includes taking reasonable precautions to prevent the abuse of a child by an individual associated with, or engaged by Woodline Primary, while the child is under the care, supervision or authority of Woodline Primary.

In the case of a child who may be in need of protection or therapeutic treatment, or where there are significant concerns about the wellbeing of a child, Team members can discharge this duty of care by taking the following actions:

- reporting their concerns to DHHS Child Protection or another appropriate agency (as identified above); and/or
- notifying the Principal of their concerns and the reasons for those concerns.

The Principal and Guides are held to a high standard of care in relation to children. The duty requires the Principal and Guides to take all reasonable steps to reduce risk, including:

- provision of suitable and safe premises;
- provision of an adequate system of supervision;
- implementation of strategies to prevent bullying;



- ensuring that medical assistance is provided to a sick or injured child;
- managing employee recruitment, conduct and performance

The duty is non-delegable, meaning that it cannot be assigned to another party.

A Team member's obligation to discharge their duty of care to a child is an addition to their obligations as mandatory reporters or the obligation to report criminal child abuse.

### Additional Guidance

A Team member does not have to be able to prove that the child has been abused before notifying protective services. An attempt should be made to file the report on the same day as the belief is formed. A mandated notifier is both legally and professionally protected. That means they cannot be successfully sued or subjected to any legal liability, nor can they be disciplined for unprofessional conduct by their professional body or the school.

They are able to share information, without legal or professional consequences, with family services such as Child FIRST and DHHS Child Protection to help protect vulnerable children.

The mandatory reporter's identity is usually protected by the Children, Youth and Families Act. Exceptions include when the reporter chooses to inform the child or the child's caregivers or guardians or when the court decides that it is satisfied that the interests of justice require that the evidence be given.

The Guide is not legally required to notify a protective service if they form a reasonable belief that a child is in need of protection in the Guide's private life or when they are working in a capacity that is not directly related to teaching.

If the Principal does not share the belief that a child is in need of protection and does not notify DHHS Child Protection, the Guide must still report the child abuse to the relevant agency. It is the school's policy that the Guide must inform the Principal that they have made a report.

In addition, Child FIRST and DHHS Child Protection can consult Victorian Guides and Principals when they are deciding how best to respond to a referral or a report they have received. The legislation allows the Guide to share relevant information with the DHHS about a vulnerable child without needing to be concerned about legal or professional consequences, provided the Guide does so in good faith. However, any information provided should be directly related to the Guide's concerns about the child and not based on second-hand information.



## 2. Forming a reasonable belief

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

- a child discloses that they have suffered or is suffering non-accidental physical injury or sexual abuse;
- a relative, friend or acquaintance states that a child has been sexually abused or non-accidentally injured; or
- professional observations of the child's physical condition or behaviours lead to a reasonable suspicion that the child has suffered or is suffering non-accidental physical injury or sexual abuse.

The concerns and observations regarding the suspected physical injury or sexual abuse of a child must be discussed with the Principal.

Guides must make every effort to contact the Principal as soon as possible so there is no delay in contacting DHHS Child Protection.

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

Information about child abuse must remain confidential and the Guide must not discuss this information with anyone other than the Principal and DHHS Child Protection. Discussions with other members of Team are at the discretion of the Principal who may decide that other members of Team are likely to be of assistance.

Non-teaching Team members who have concerns about suspected physical or sexual abuse of a child must discuss these concerns and observations with the Principal.

## 3. Types of child abuse and indicators of harm

Child abuse can have a significant effect on a child's physical or emotional health, development and wellbeing. Types of child abuse include:

- physical abuse;
- sexual abuse;
- emotional abuse;
- neglect;
- medical neglect;
- family violence;
- grooming;
- human trafficking (including forced marriage);



- sexual exploitation (including pornography and prostitution).

A mandatory report should be made to DHHS Child Protection in circumstances where, for example:

- the child is engaging in risk-taking behaviour;
- genital mutilation has occurred, or there is a risk of it occurring;
- there is a risk to an unborn child;
- a child or young person is exhibiting sexually-abusive behaviours;
- there are indications that a child is being groomed. For information see: Department of Justice and Regulation – Grooming offence.

There are many indicators of child abuse and neglect. The presence of a single indicator, or even several indicators, does not prove that abuse or neglect has occurred. However, the repeated occurrence of an indicator, or the occurrence of several indicators together, should alert Guides to the possibility of child abuse and neglect.

Team members should also be aware of signs of 'grooming'. Grooming is when an adult engages in predatory conduct to prepare a child or young person for sexual activity at a later time.

Grooming can include communicating and/or attempting to befriend or establish a relationship or other emotional connection with the child. Young people are often 'groomed' before they are sexually abused. Groomers may rely on mobile phones, social media and the internet to interact with children in inappropriate ways and will often ask the child to keep their relationship a secret. Offenders are deceptive and manipulative in the way they work, so it is important to draw on a range of information, such as the warning signs of sexual exploitation, if you have concerns.

#### 4. Warning Signs of Child Abuse

The most common physical and behavioural indicators of child abuse are outlined below. This is not an exhaustive list.

##### Common Physical Indicators of Child Abuse

- bruises, welts, cuts/grazes or burns (especially those on back, bottom, legs, arms and inner thighs or in unusual configurations and may resemble an object);
- internal injuries and bone fractures not consistent with the explanation offered;
- any injury to the genital or rectal area (e.g. bruising, bleeding, infection or anything causing pain to go to the toilet);
- wearing clothes unsuitable for weather conditions to hide injuries;
- sexually transmitted diseases and/or frequent urinary tract infections;



- appearing consistently dirty and unwashed and/or inappropriately dressed for weather conditions;
- being constantly hungry, tired and listless;
- having unattended health problems and lack of routine medical care;
- internal injuries.

#### Common Behavioural Indicators of Child Abuse

- disclosure of abuse and/or drawings or writing which depicts violence and abuse;
- habitual absences from school without reasonable explanation;
- significant and unexplained delays in emotional, mental or physical development ;
- regressive or unusual changes to behaviour (e.g. sudden decline in academic performance, nervousness, depression, withdrawal, hyperactivity, aggression, bedwetting);
- drug or alcohol misuse, suicide or self-harm, harm to others or animals;
- an inconsistent or unlikely explanation for an injury, or inability to remember the cause;
- reluctance to go home and/or a wariness or fear of a caregiver;
- unusual fear of physical contact with adults;
- persistent and age-inappropriate sexual activity (e.g. excessive masturbation or rubbing genitals against adults, promiscuity);
- poor self-care or personal hygiene;
- an unusually close connection with an older person;
- possessing expensive gifts or money (e.g. a new mobile phone given to them by a “friend”);
- taking on a caretaker role prematurely, trying to protect other family members.

#### What are the signs that an adult is perpetrating abuse?

The most common indicators that an adult is abusing a child are outlined below. This is not an exhaustive list.

If you feel uncomfortable in any way about a relationship between an adult and a child (or inappropriate relationships between children such as siblings) you MUST still act by following the Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse.

#### Common Behavioural Indicators of Adults Abusing Children

##### *Family Members*

*(caregivers, siblings, extended family)*

- attempts by one caregiver to alienate their child from the other caregiver;
- overprotective or volatile relationships;





- reluctance by the child to be alone with one or more of their family members;
- a child and a sibling behaving like boyfriend and girlfriend (embarrassment if they are found alone together).

#### *Other Adults*

*(eg: school Team member, volunteers, coaches)*

- touching a child inappropriately;
- bringing up sexual material or personal disclosures into conversations with a child;
- inappropriate contact with the child (e.g. calls, emails, texts, social media);
- obvious or inappropriate preferential treatment of the child (making them feel “special”);
- giving inappropriate/expensive gifts to a child;
- having inappropriate social boundaries (e.g. telling the child about their own personal problems);
- offering to drive a child to or from school;
- inviting themselves over to their homes, calling them at night;
- befriending the caregivers/carers of the child and making visits to their home;
- undermining the child’s reputation (so that the child won’t be believed)

#### 5. Summary of When to Report - the Four Critical Actions

The Four Critical Actions for Schools, published by the Department of Education and Training Victoria summarises the steps all Woodline Primary Team members should take when responding to incidents, disclosures and Suspicions of Child Abuse.

The Four Critical Actions for Schools document will be attached to this policy and can also be found at

[https://www.education.vic.gov.au/Documents/about/programs/health/protect/FourCriticalActions\\_ChildAbuse.pdf](https://www.education.vic.gov.au/Documents/about/programs/health/protect/FourCriticalActions_ChildAbuse.pdf) .



## 6. Potential consequences of making a report

This table describes the potential consequences of making a report.

Potential Consequence	Description
Confidentiality	<p>The identity of a reporter must remain confidential unless:</p> <ul style="list-style-type: none"> <li>● the reporter chooses to inform the child, young person or caregiver of the report.</li> <li>● the reporter consents in writing to their identity being disclosed</li> <li>● a Court or Tribunal decides that it necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child</li> <li>● a Court or Tribunal decides that, in the interests of justice, the reporter is required to provide evidence</li> </ul>
Professional Protection	<p>If a report is made in good faith:</p> <ul style="list-style-type: none"> <li>● it does not constitute unprofessional conduct or a breach of professional ethics on the part of the reporter</li> <li>● the reporter cannot be held legally liable in respect of the report</li> </ul>
Interviews	<p>DHHS Child Protection and/or Victoria Police may conduct interviews of children and young people at the school without the caregiver's knowledge or consent.</p> <p>Interviewing children and young people at school should only occur in exceptional circumstances and if it is in the best interests of the child to proceed in this manner.</p> <p>DHHS Child Protection and/or Victoria Police will notify the Principal or a member of the Executive Team of their intention to interview the child or young person on the school premises.</p> <p>When officers from DHHS Child Protection or Victoria Police come to the school premises, the Principal or a member of the Executive Team should request to see identification before permitting them to have access to the child or young person.</p>



	<p>When a child or young person is being interviewed by DHHS Child Protection and/or Victoria Police, the Executive Team must arrange to have a supportive adult present with the child or young person.</p> <p>For more information on these requests and school responsibilities, see: Police and DHHS Interviews</p>
Support for the child or young person	<p>The roles and responsibilities of Team members in supporting children who are involved with DHHS Child Protection may include the following:</p> <ul style="list-style-type: none"> <li>● acting as a support person for the child or young person</li> <li>● attending DHHS Child Protection case planning meetings</li> <li>● observing and monitoring the child's behaviour</li> <li>● liaising with professionals.</li> </ul>
Requests for Information	<p>DHHS Child Protection and/or Child FIRST and/or Victoria Police may request information about the child or family for the purpose of investigating a report and assessing the risk to the child or young person.</p> <p>In certain circumstances, DHHS Child Protection can also direct Team members and Department Team to provide information or documents about the protection or development of the child. Such directions should be in writing and only be made by authorised persons within DHHS Child Protection. For more information see: Requests for Information About Childs</p>
Witness Summons	<p>If DHHS Child Protection makes a Protection Application in the Children's Court of Victoria, any party to the application may issue a Witness Summons to produce documents and/or to give evidence in the proceedings, see: Subpoenas and Witness Summonses</p>

#### Table of Amendments

Version number	Date	Short description of amendment
1.0	June 2020	new policy
2.0	December 2021	No updates required



3.0	December 2022	To comply with new child safe standards
4.0	December 2023	No updates required

Scheduled review date	December 2024
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## Resources

- Daniel Morcombe Child Safety Curriculum:
  - Non-government schools, see: Scootle
  - Caregivers, see: Daniel Morcombe Child Safety Curriculum Parent Guides - Queensland Department of Education, Training and Employment.
- Department of Health and Human Services:
  - Child Protection
  - Child FIRST
  - Responding to Suspected Child Abuse Template
  - Four Critical Actions for Schools Document
- Victoria Police Sexual Offences and Child Abuse Investigation Teams (SOCIT)
- Department of Justice and Regulation:
  - Failure to disclose offence
  - Failure to protect offence
  - Grooming offence