

# BEECHWORTH PRIMARY SCHOOL



No. 1560

Believe - Persist - Succeed

## Beechworth Primary School

### Child Protection Reporting Policy

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#### **Purpose**

The purpose of this policy is to explain the roles and responsibilities of Beechworth Primary School staff to protect the safety and wellbeing of children and young people. The full policy with detailed information that all staff in Victorian government schools must follow is found at: [Child Protection Reporting Obligations](#)

#### **Policy statement**

#### **Background**

All children have a right to feel safe and to be safe. As teachers, we have a legal and moral responsibility to respond to serious incidents involving abuse and neglect of the children with whom we have contact, and to report instances that we believe involve physical abuse, sexual abuse or neglect.

#### **Whole school engagement**

Beechworth Primary School is committed to providing a Child Safe environment where children and young people are safe and their voices are heard about decisions that affect their lives. Particular attention will also be paid to the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds.

#### **Definitions**

**Mandatory Reporters** - All staff who are Victorian Institute of Teaching (**VIT**) registered teachers (including principals) or who have been granted permission to teach by the VIT are 'mandatory reporters'.

**Non Mandated staff members - Any person**, who believes on reasonable grounds that a child is in need of protection, may report their concerns to DHHS Child Protection.

**Duty of Care** - Principals and teachers are held to a high standard of care in relation to students. The duty requires principals and teachers 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 student

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

## **Responsibilities**

### **Mandatory Reporters**

All staff who are Victorian Institute of Teaching (**VIT**) registered teachers (including principals) or who have been granted permission to teach by the VIT are 'mandatory reporters'. This means that in the course of undertaking their professional duties, they must report to the Department of Health and Human Services (**DHHS**) Child Protection a belief on reasonable grounds that a child is in need of protection from significant harm as a result of sexual abuse or physical injury and the child's parents are unable or unwilling to protect the child. They must report as soon as practicable after forming the belief.

There may be times when two or more mandated staff members, for example a teacher and a principal, have formed a belief about the same child or young person on the same occasion. In this situation it is sufficient for only one of the mandated staff members to report to Child Protection. The other staff member is obliged to ensure that the report has been made and that all of the grounds for their own belief were included in the report made by the other staff member.

If one staff member has a different view from another staff member about making a report and the staff member continues to hold the belief that a child is in need of protection, that person is obliged to make a report to Child Protection.

### **Non-mandated staff members**

**Any person**, who believes on reasonable grounds that a child is in need of protection, may report their concerns to Child Protection. This means that any person, including non-mandated school staff, is able to make a report to Child Protection or Victoria Police when they believe that a child or young person is at risk of harm and in need of protection, and the child's parents are unable or unwilling to protect the child.

In order to discharge duty of care, staff members, **whether or not mandated**, need to report a belief formed in the course of undertaking their professional duties. A report must be made as soon as practicable after forming the belief, and on each occasion on which they become aware of any further reasonable grounds for the belief.

### **Failure to disclose offence**

In addition to mandatory reporting and duty of care obligations, **any adult** who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 must report that information to police. Failure to disclose the information to police is a criminal offence except in limited circumstances, such as where the information has already been reported to Child Protection or the child is older than 16 when the belief is formed. More information about the offence can be found at

<http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence>.

### **Duty of care**

School staff have a duty of care to take reasonable steps to protect the safety, health and wellbeing of children in their care.

If a staff member has concerns about the safety, health and wellbeing of children in their care it is important to take immediate action.

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, school staff can discharge this duty of care by taking action which includes the following:

- Reporting their concerns to Child Protection, Victoria Police or another appropriate agency
- Notifying the principal or a member of the school leadership team of their concerns and the reasons for those concerns.

Duty of care obligations are separate and additional to mandatory reporting and 'failure to disclose' reporting obligations.

### **Staff training**

As part of their initial induction to the school, staff will be informed of child protection reporting requirements and Department policy and will be provided with supporting documentation in the staff handbook.

### **Mandatory Online training**

## **Procedures**

1. All staff members have a duty to take reasonable steps to protect children under our care and supervision from harm that is reasonably foreseeable.

2. All registered teachers are mandated by law to report signs or risks of harm, disclosures of abuse or neglect, or a reasonable belief a student is subjected to sexual abuse or physical harm.
3. New staff will be informed of mandatory reporting responsibilities and procedures as part of their induction procedure.
4. Staff will be reminded of their mandatory responsibilities annually.
5. All concerns must be reported immediately to the Principal.
6. Follow the [Four Critical Actions Flow Chart for Schools](#) when responding to incidents, disclosures and suspicions of Child Abuse.
7. Individual students are supported whilst any reports are being investigated with an explicit support plan.
8. The Principal will keep a record of all discussions about a student with whom there is a concern.
9. The police must be contacted when allegations of physical assault, sexual assault or sexual harassment occur.
10. All "Mandatory Reporting Information sheets" remain filed in the Principal's office.
11. All reports, information sheets and subsequent discussions and information are to be recorded and remain strictly confidential.
12. All staff will undertake the on-line Mandatory reporting Learning module.

### **Making a report**

Staff **do not require** the permission of parents, carers or guardians to make a report to Child Protection, nor are they required to tell parents, carers or guardians that they have done so.

Staff are expected to follow the Department policy for making a report set out at: [Child Protection Reporting Obligations](#)

Reports to Child Protection and Victoria Police are confidential unless you consent or a court or tribunal decides that it is necessary in the interests of justice for your identity to be disclosed.

### **Relevant accountability documents**

Ministerial Order No. 870 – Child Café Standards.

Mandatory Reporting and other obligations -

<http://www.education.vic.gov.au/childhood/professionals/profdev/Pages/mandatoryreporting.aspx>

Child Protection Protocol

<http://www.education.vic.gov.au/childhood/providers/regulation/Pages/protectionprotocol.aspx>

Identifying and Responding to Student Sexual Offending

<http://www.education.vic.gov.au/about/programs/health/protect/Pages/stusexualoffending.aspx>

### **Related school policies**

Child Safety Policy

Code of Conduct – Child Safety

Statement of Child Safety

Supervision Policy

Protection Disclosure Policy

Grooming Policy

## **Monitoring and review**

This policy should be reviewed annually and is the responsibility of the Principal.

**Endorsed by school council:**

**Date: Wednesday 19<sup>th</sup> September 2018**

**Next review date: September 2019**