MANSFIELD SECONDARY COLLEGE
MANDATORY REPORTING POLICY

Reviewed by: School Council
Date reviewed: November 2013
Date of next review: November 2015
Signature: _______________________
Name: Sandra O’Brien
Position: School Council President

The school policy sits within the DEECD policy.
Staff are made aware of this policy
- Through the induction process for new staff
- Through the Mandatory Reporting professional development program at the first staff meeting in the year

Purpose of this policy
To protect children and young people from abuse and neglect by ensuring school staff:
- understand their mandatory reporting responsibilities and duty of care obligations to protect children and young people from child abuse including physical and sexual abuse
- know how to make a mandatory report to the Department of Human Services (DHS) Child Protection when they have formed a belief on reasonable grounds that a child or young person is at risk of significant harm
- are able to identify and be aware of the indicators of abuse.

See: Flowchart: A step-by-step guide to making a report to Child Protection or Child FIRST

Policy
Any person who is registered as a teacher under the Education and Training Reform Act (2006), or any person who has been granted to teach under the Act, including principals, is mandated to make a report to the Department of Human Services (DHS) Child Protection. School staff should discuss any concerns about the safety and wellbeing of students with the school principal or member of the school leadership team, especially if they have a suspicion of possible abuse but have not formed a belief at that time. If a principal or member of the school leadership team does not believe that a mandatory report is warranted, this does not discharge the teacher of their obligation to do so if they have formed a reasonable belief that abuse may have occurred. If the teacher’s concerns continue, even after consultation with the principal, that teacher is still legally obliged to make a mandatory report of their concerns. Non-mandated staff members who believe on reasonable grounds that a child is in need of protection are encouraged to speak to their principal as well as being able to make a report to DHS Child Protection.

School staff who have concerns about a child or young person because they have been made aware of possible harm via their involvement in the community external to their professional role may make a (protective) report to DHS Child Protection.
The challenge of protecting children is everyone’s responsibility: parents, schools, communities, governments and businesses. The Department strongly encourages all school staff to protect and preserve the safety, health and wellbeing of all children and young people.

**Legislation**
Teachers and principals are mandated by law under section 184 of the *Children Youth and Families Act 2005* (CYFA) to make a report to child protection.

A mandatory reporter who, in the course of practising his or her profession or carrying out the duties of his or her office, position or employment as set out in section 182, forms the belief on reasonable grounds that a child is in need of protection must report to Child Protection as soon as practicable after forming the belief and after each occasion on which they become aware of any further reasonable grounds for the belief.

**Concurrent duty of care**
Quite apart from mandatory reporting requirements, a teacher has a concurrent duty of care to protect a student from harm that is reasonably foreseeable. A breach of this duty of care may lead to legal action being taken against the individual teacher or teachers concerned. A breach of this duty of care will be established if a teacher or principal failed to take immediate and positive steps after having acquired actual knowledge or formed a belief that there is a risk that a child is being abused or neglected including sexual abuse.

**Types of child abuse**
Child abuse can have a significant effect on a child’s physical or emotional health, development and wellbeing. The younger a child is the more vulnerable they are and the more serious the consequences are likely to be.

Types of child abuse include:
- Physical
- Emotional
- Neglect
- Medical neglect
- Sexual abuse
- Family Violence
- Female Genital Mutilation
- Risk-taking Behaviour.

**Indicators of harm**
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 teachers to the possibility of child abuse and neglect.

Teachers may observe:
- one or several indicators are displayed
- indicators occur repeatedly
- changes in relation to the child’s behavior.
Making a mandatory report

School staff should follow the relevant guidelines, found at: