Mandatory Reporting Policy

Purpose:	To define the roles and responsibilities of school staff in protecting the safety and wellbeing of children and young people and to enable staff to: • identify the indicators of a child or young person who may be in need of protection • make a report of a child or young person who may be in need of protection • comply with reporting obligations under the Children, Youth and Families Act 2005.
Scope:	All School Staff Noting that nothing in this policy is intended to limit the obligations in relation to child safety that any person may have at law or under any other school policy or procedure.
Implemented by:	Principal
Approved by:	Fitra Board
Effective Date:	May 2024
Review Date:	December 2026

Fitra Community School (Fitra) is committed to supporting the wellbeing of its students and protecting them from child abuse. All members of the school community share a responsibility to ensure the welfare of all students.

Who are Mandatory Reporters?

Specifically, the Victorian professionals mandated to report are:

- Legally qualified medical practitioners, registered nurses and members of the Victorian police force;
- Primary school and secondary school teachers and principals.

(together referred to as ***Mandatory Reporters)***.

While non-teaching members of staff who are not Mandatory Reporters are not mandated legally to report Notifiable Abuse , they should still follow the processes set out in this policy.

When & who to?

A Mandated Reporter must report to the Department of Families, Fairnenss and Housing (DFFH) (Child Protection Services), when in the course of their professional duty:

- (they) form the belief on reasonable grounds that a child is in need of protection because the child has suffered, or is likely to suffer, significant harm as a result of physical injury and the child's Parents/Guardians have not protected, or are unlikely to protect the child from harm; or

- the child has suffered, or is likely to suffer, significant harm as a result of sexual abuse and the child's Parents/Guardians have not protected, or are unlikely to protect the child from harm.

(together referred to as ***Notifiable Abuse***)

A Mandated Reporter should make a report on each occasion that they form a reasonable belief of Notifiable Abuse without delay and even if the Principal, another Teacher or other Mandatory Reporters do not share that belief.

Mandatory Reporters are required to ensure that a report has been made in instances where another mandated reporter has undertaken to make the report.

If you are a Mandatory Reporter, failure to report Notifiable Abuse, when you have reasonable grounds, is an offence under the Mandatory Reporting amendment to the Children and Young Persons Act.

What is a '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.

Who to report to?

Any Mandated Reporter or other member of staff who believes on reasonable grounds that a child or young person is in need of protection from Notifiable Abuse must report their concerns to Department of Families, Fairness and Housing (DFFH) Child Protection as soon as practicable.

If staff have significant concerns for the wellbeing of a child or young person they are encouraged to report their concerns to DFFH Child Protection or Child FIRST (see accompanying documentation: *Step-by-step Guide to Making a Report to Child Protection or Child FIRST).*

In cases where staff have concerns about a child or young person, they should discuss their concerns with the Principal.

Making a report

This table describes how to make a mandatory report.

Step	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 DFFH 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 information: • a description of the concerns (e.g. physical injuries, student behaviour) • the source of those concerns (e.g. observation, report from child or another person) • the actions taken as a result of the concerns (e.g. consultation with the Principal, , report to DFFH Child Protection etc.).
3	Discuss any concerns about the safety and wellbeing of students with the Principal. 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 information: • 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 and young person • details of any other agencies who may be involved with the child or young person.
5	Make a report to the relevant agency. To report concerns that are life threatening phone 000 or the local police station. To report concerns about the immediate safety of a child within their family unit to DFFH Child Protection, call the Child Protection Crisis Line on 13 12 78 (24 hrs 7 days, toll free) To report concerns to DFFH Child Protection, contact your local child protection office.
6	Make a written record of the report which includes the following information: • the date and time of the report and a summary of what was reported • the name and position of the person who made the report and the person who received the report.
7	Advise the Principal that a report to DFFH Child Protection or Child FIRST has been made.

Potential consequences of making a report

This table describes the potential consequences of making a report.

Potential consequence	Description

Confidentiality	The identity of a reporter must remain confidential unless: • the reporter chooses to inform the child, young person or parent of the report. • the reporter consents in writing to their identity being disclosed. • a Court or Tribunal decides that it is necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child. • a Court or Tribunal decides that, in the interests of justice, the reporter is required to provide evidence.
Professional Protection	If a report is made in good faith: • it does not constitute unprofessional conduct or a breach of professional ethics on the part of the reporter. • the reporter cannot be held legally liable in respect of the report.
Interviews	DFFH Child Protection and/or Victoria Police may conduct interviews of children and young people at the school without the parent's knowledge or consent. 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. DFFH Child Protection and/or Victoria Police will notify the Principal of their intention to interview the child or young person on the school premises. When DFFH Child Protection practitioners/Victoria Police officers come to the school premises, the Principal should request to see identification before permitting them to have access to the child or young person. When a child or young person is being interviewed by DFFH Child Protection and/or Victoria Police, school staff must arrange to have a supportive adult present with the child or young person.
Support for the child or young person	The roles and responsibilities of staff members in supporting children who are involved with DFFH Child Protection may include the following: • acting as a support person for the child or young person • attending DFFH Child Protection case planning meetings • observing and monitoring the child's behaviour

	• liaising with professionals.
Requests for Information	DFFH 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. In certain circumstances, DFFH Child Protection can also direct school staff and Department staff 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 DFFH Child Protection.
Witness Summons	If DFFH 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.

The document: *Protecting the Safety of Children and Young People* provides further information about child protection and community based child and family services.

Staff Awareness

Staff members will be made aware of their reporting requirements via annual communications.

All Teachers will complete the on-line Mandatory Reporting Professional Learning Module provided by the Victorian Government: https://training.infosharing.vic.gov.au/login/index.php.

Related Documentation

Step-by-step Guide to Making a Report to Child Protection or Child FIRST

Department of Justice – Failure to Disclose Fact Sheet

Department of Justice – Failure to Protect Fact Sheet

Protecting the Safety of Children and Young People

Mandatory Reporting Professional Learning Module

Related Policies

- Other Child Safety Reporting Obligations Policy
- Student Welfare Policy
- Duty of Care Policy

- Child Safety Policy