



ELTHAM HIGH SCHOOL

POLICY DOCUMENT *Child Protection Reporting*

INTRODUCTION

Eltham High School is committed to providing a strong foundation for students learning through a whole-school approach to student engagement and wellbeing.

This policy aims 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:

- Comply with reporting obligations under child protection law and criminal law and fulfil their duty of care.
- Make a report about a child or young person who may be in need of protection.

PHILOSOPHY

Eltham High School is committed to promoting the safety and wellbeing of all members of our school community. School staff members 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.

POLICY STATEMENT

The purpose of this policy is to explain the roles and responsibilities of 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:

<https://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotectobligation.aspx>

GUIDELINES FOR IMPLEMENTING THE POLICY

Mandatory Reporters

Mandatory reporters must make a report to the Department of Health and Human Services (DHHS) (Child Protection) as soon as practicable if, in the course of practising their profession or carrying out their duties, they form reasonable belief that a child or young person is in need of protection, as a result of physical injury or sexual abuse, and the child's parents are unable or unwilling to protect the child from that abuse.

A mandatory reporter who fails to comply with these reporting obligations may be committing a criminal offence.

Note: the following professionals are considered mandatory reporters

- Teachers registered to teach or who have permission to teach pursuant to the Education and Training Reform Act 2006 (Vic)
- Principals of government and non-government schools
- Registered medical practitioners, nurses and all members of the police force
- Registered psychologists

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 that a child is in need of protection 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

All adults, not just professionals who work with children, have a legal obligation to report to Victoria Police where they form a reasonable belief that a sexual offence has been committed by an adult against a child under the age of 16. Failure to disclose the information may amount to a criminal offence unless you have a "reasonable excuse" or have an "exemption" from doing so.

More information about the offence can be found at: <https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence>

Failure to Protect

Any staff member in a position of authority, who becomes aware that an adult associated with their organisation (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the care, authority or supervision of the organisation, must take all reasonable steps to remove or reduce that risk. This may include, for example, removing the adult from child-related work pending investigation. If a staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence.

The offence applies only to adults in a position of authority within an organisation. In a school context, this may include Principals, Assistant Principals, and Campus Principals.

More information about the offence can be found at:

<https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-protect-a-new-criminal-offence-to>

For more information about managing and responding to the risk of abuse see:

https://www.education.vic.gov.au/Documents/about/programs/health/protect/FourCriticalActions_ChildAbuse.pdf

Duty of care

All school staff have a duty of care to take reasonable steps to prevent reasonably foreseeable injury to children and young people under the care. This includes taking reasonable steps to protect their safety, health and wellbeing.

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, reasonable steps may include (but are not necessarily limited to):

- acting on concerns and suspicions of abuse as soon as practicable
- seeking appropriate advice or consulting with other professionals or agencies when the school staff member is unsure of what steps to take

- reporting the suspected child abuse to appropriate authorities such as Victoria Police and DHHS Child Protection
- arranging counselling and/or other appropriate welfare support for the child
- providing ongoing support to the child and young person – this may include attending DHHS Child Protection Case Planning meetings, and convening regular Student Support Group meetings
- sharing information with other school based staff who will also be responsible for monitoring and providing ongoing support to the child or young person.

Making a report

Staff members 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 members are expected to follow the Department policy for making a report set out at: <http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx>

Staff members are encouraged to work with the Student Services Leader on making the report. Where they have made the report independently, they are encouraged to inform the principal, or delegate (member of the Principal class).

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.

Staff training

School staff play a vital role in protecting children from harm and are well placed to observe signs or behaviours that may indicate risks of child abuse, neglect or exploitation.

The Protecting Children – Mandatory Reporting and Other Obligations eLearning module (<http://www.elearn.com.au/det/protectingchildren/schools/>) is an essential professional learning resource that assists schools to protect the safety and wellbeing of children and young people.

The module provides detailed information for identifying and responding to child abuse, and includes case studies and practical scenarios to assist staff fulfil their reporting obligations.

Requirements - school staff

Staff in schools who are:

- mandated reporters must undertake the training once per calendar year
- not mandated reporters are strongly encouraged to undertake the training once per calendar year.

BASIS OF DISCRETION

The School Council has responsibility for the establishment, evaluation and review of school policies. The School Principal has the responsibility to ensure that school policies are implemented effectively.

Minor changes to the policy (changes that will not affect the spirit of the policy) may be made at the discretion of the Principal.

The Policy Review and Evaluation process will recommend any major changes to the policy to School Council.

RELATED POLICIES

Student Engagement Policy

DET Guidelines

<http://www.elearn.com.au/det/protectingchildren/schools/>

<https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/default.aspx>
<https://www.education.vic.gov.au/school/principals/spag/safety/Documents/protectionofchildren.PDF>

REVIEW

This policy should be reviewed every 3 years.

Date Endorsed: 15 / 05 / 2019

Executive Officer

Eltham High School Council

CONSULTATION PROCESS AND WORKING PARTY INFORMATION:

This policy was written by: Fran Mullins

Consultation has taken place with the relevant group(s) in the following list:

Group	Consultation
	✓
School Operations Committee	
Staff	
Students (randomly selected group)	
Parents (randomly selected group)	
Members of the Community	
Other (where relevant please specify)	
Planning and Policy Review Team of Council (Mandatory)	✓
School Council (Mandatory)	✓

PROCESS FOR POLICY DEVELOPMENT AND REVIEW

The Policy is developed or reviewed by the Policy Writer or Policy Writing Team using the agreed "Policy Template"

The policy is presented to the Planning and Policy Review Team

Relevant groups are consulted in relation to the policy by the Policy Writer / Policy Writing Team

Feedback is addresses by the Policy Writer /Policy Writing Team

The policy is re-presented to the Planning and Policy Review Team

Approved

The policy is presented to the School Council for endorsement

The policy is endorsed by the School Council

Further Clarification

Additional Feedback

Re-presented

