



## MANDATORY REPORTING OF CHILD ABUSE AND/OR NEGLECT POLICY

### Commencement Date

1<sup>st</sup> November, 2018

### Next Review Date

November 2020

### Relevant Legislation

- Child, Youth and Families Act 2005
- Australian Human Rights Commission Act 1986
- Children, Young Persons and Their Families Act 1997
- Registration to Work with Vulnerable People Act, 2013
- Family Law Act 1975
- The Anti-Discrimination Act 1998 or Tasmanian Anti-Discrimination Act 1998
- Workplace Relations Act 1996
- Workplace Health and Safety Act 1995

### Policy

Peregrine is committed to the safety of students and has screening protocols for employees and volunteers at the school (refer to Policy 4.2.1-02, *Working With Vulnerable People Cards for Employees and Volunteers*).(under 3. Staffing)

Should there be reasonable suspicion of abuse or neglect of a child, Tasmanian teachers are legally required to report the alleged abuse to Child Protection, Department of Health and Human Services. Teachers who fail to report abuse or neglect may be held accountable (refer to *Children, Young Persons and their Families Act 1997*).

### Scope

All staff (employees, contractors and volunteer) within our School are required to meet the requirements of our policy on responding to child abuse reports and allegations. Which includes in Tasmania: physical abuse, sexual abuse, emotional /psychological abuse, neglect and exposure to family violence. No one within our School is exempt from meeting the standards and requirements set out in this policy.

## Key Requirements

Our staff are required to report any instance of serious abuse or neglect (cases in which a child or young person has suffered, or is likely to suffer, significant harm from abuse or neglect) immediately, or if that is not possible, no later than before end of their workday at the School. Any staff member who has reasonable grounds in suspecting abuse or harm to a child should consult the Principal or his delegate immediately for advice, however this does not abrogate the teacher's responsibility to report. This consultation will help establish whether you have reasonable grounds and receive help if are unsure if something is reportable.

Every adult who knows, or believes or suspects on reasonable grounds, that a child is suffering, has suffered or is likely to suffer abuse or neglect, has a responsibility to take steps to prevent the occurrence or further occurrence of the abuse or neglect. Prescribed persons (who are often called 'mandatory reporters') have a special duty to inform Child Protection Services if they believe, suspect or know that a child has been or is being abused or neglected. Mandatory reporters may face penalties if they fail to inform Child Protection Services of their knowledge, belief or suspicions. Teachers and Early Childhood Education and Care staff fall in the category of mandatory reporters.

In your responses you will need to consider the specific needs of the child or young person. Consider the unique qualities of a child including, for example, whether the child is Aboriginal or Torres Strait Islander, has a disability and/or has a culturally and linguistically diverse background.

## Immediate Danger or Risk of Harm

If a child or young person is at **imminent risk of harm** or in **immediate danger**, staff are required to report the situation:

- If a child is at immediate risk and Police or medical assistance is required, dial 000
- directly to Tasmanian Police on **131 444** or;
- to the Strong Families, Safe Kids Advice and Referral Line on **1800 000 123**.

For urgent matters, where a child or young person needs immediate protection, please call **1800 000 123** at any time.

This state-wide number can be used 24 hours a day to report concerns about children. However, outside of usual business hours (8:30am to 5:00pm) it should only be used to report emergencies or urgent concerns regarding risk of immediate harm.

## Reporting concerns or allegations regarding abuse or neglect by family or external sources

Peregrine requires all of its staff to report any instance or suspicions of child abuse or neglect that has resulted in, or is likely to result in, significant harm to a child or young person, to either:

- Strong Families, Safe Kids Advice and Referral Line on **1800 000 123**
- Online using the DHHS form  
[https://www.dhhs.tas.gov.au/children/child\\_protection\\_services/what\\_can\\_i\\_expect\\_when/child\\_protection\\_notification\\_form](https://www.dhhs.tas.gov.au/children/child_protection_services/what_can_i_expect_when/child_protection_notification_form)

Notifications should be made as soon as practicable, or referred to the Principal or delegate for reporting, as above. Reports must be made on the same day as the suspicion or report is made.

**The following legal mandatory reporting requirements also apply to staff within the School:**

(please refer to <https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect>)

Mandatory reporting legislation and summary	Relevant staff who must comply	Information Sharing
Children, Young Persons and Their Families Act 1997. is to provide for the care and protection of children in a manner that maximises a child's opportunity to grow up in a safe and stable environment and to reach his or her full potential.	All staff, registered teachers, early childhood education and care workers, registered psychologist, all employees, volunteers or other persons who work or participate in education.	Principal

**Procedures**

**Allegations of Abuse and Neglect**

We ask that our staff inform the Principal of any report they make to these authorities, to enable our School to best provide support to the students or children, their family and our staff, where appropriate.

All our staff retain the right to report directly to relevant authorities, such as the Strong Families, Safe Kids Advice and Referral Line, police or child protection, any concerns they may have in relation to the safety and welfare of a child or young person, regardless of whether or not they have also reported that matter internally.

In taking a report of concern, or of an incident, from others within our School, our staff are:

- Not to assess the validity of such allegations or concerns, but to report all allegations or concerns to the nominated person or persons within the School as described in this policy (the validity of an allegation will then be assessed in the manner described in this policy);
- To disregard factors such as the authority or position of the persons involved and any pre-existing views about the good character, or otherwise, of any person involved or under investigation;

In situations where a child or young person is making an allegation, our staff are required to:

- Listen to the allegation or disclosure supportively, without dispute;
- Clarify the basic details, without seeking detailed information or asking suggestive or leading questions, using our School's 'Child Abuse Incident Form (Internal Notification)';
- Record on the Child Abuse Incident Form what was said (where possible, noting the exact words used by the person making the allegation);
- Date and sign the record;
- Explain to the child (if present) that other people may need to be told, in order to stop what is happening; and
- Provide reassurance that our School will take immediate action in response to the allegation.

Report the matter as per School policy requirements (as stated earlier).

### **Additional requirements where concerns or allegations of abuse or neglect involve our employees or volunteers.**

All staff must report, immediately, to the Principal any breach of the Protective Practice and Behaviour Guidelines / Appropriate Student and Staff Relationships / Code of Conduct arising from an action by an employee or volunteer within our School.

In response to any instance of 'serious' breaches which relate to abuse or neglect ('serious' being cases in which the abuse or neglect has resulted in, or is likely to result in, significant harm to a child or young person) our Principal will investigate and deal with allegations of inappropriate and unacceptable behaviour towards a child in line with our school's general procedures for complaint resolution and disciplinary measures and in consultation with police and other authorities.

If a 'serious' allegation has been made against a staff member of our School, the Principal will:

- Fill in a 'Child Abuse Incident Form' form to ensure all relevant details are documented.
- Cooperate with the Police and other authorities and assist in their investigation of the allegation.
- Take any action necessary to safeguard the child or young person (or other students or children in our care) from additional harm through options such as:
  - Redeploying that staff member to a position where they do not work with children;
  - Additional supervision of that staff member;
  - Removing/suspending that staff member from duty until the validity of the allegations is determined.
- Assist in addressing the support needs of those impacted by the allegation including considerations of cultural safety for:
  - The child and their family (this includes any specific support needs for those from an Aboriginal and Torres Strait Islander; Culturally and Linguistically Diverse; or person with a disability background);
  - The person against whom the complaint is made by, for example, offering professional counselling'
  - Other staff impacted by the allegations.
- Make clear to all other staff who are aware of the allegation that:
  - The allegation does not mean the person is guilty, and that the allegation will be properly investigated and will include the right to 'procedural fairness';
  - They are not to discuss the matter with any person, except as directed by police, child protection authorities, Safe Guarding Children Program Coordinator, and/or the Principal and only in direct relation to investigation of the allegation.

All instances, allegations, disclosures or reasonable concerns of abuse or neglect of a child or young person arising from an action by an employee or volunteer within our School will be investigated and will be the subject of a critical incident review.

### **Confidentiality and privacy**

Our School maintains the confidentiality and privacy of all concerned (including the alleged perpetrator), except if doing so would compromise the welfare of the child or young person and/or investigation of the allegation.

**Communication**

We communicate our Policy requirements to all our staff involved with students or children in our School. We involve our staff in reviews of our Mandatory Reporting (responding to child abuse reports and allegations policy) requirements. We communicate any significant alterations to our Mandatory Reporting (responding to child abuse reports and allegations policy) requirements and resources to all staff.

**For further information refer to the attached DHHS Information Sheets:**

*What is Child Abuse? (2010)*

*What is the Role of Child Protection Service?*

*How is Risk of Child Abuse or Neglect Assessed?*

*Charter of Rights for Children in Care*

*Children have a right to protection from abuse*

*Mandatory Reporting of Child Abuse and/or Neglect*