

MANDATORY REPORTING POLICY

PURPOSE

Indie School is committed to preventing harm to children through the reporting of child abuse and neglect under the Children, Youth and Families Act 2005 (Vic.).

The mandatory reporting policy sets out the principles and framework governing the school's behaviours and activities that enact the mandatory reporting requirements and which aims to keep all children safe from harm. The policy, together with the policy implementation documents listed on last page of this document, must be read and understood by all those connected to the school.

PRINCIPLES

1. The school, those that work in it and its wider community together have a duty of care to protect children from harm through abuse or neglect.
2. The school is committed to implementing clear procedures for reporting and recording reports of suspected child abuse and grooming.
3. The school will create a supportive culture in which children, staff, volunteers and families feel confident and comfortable in discussing any allegations of abuse, grooming or child safety concerns.

AIMS OF THE POLICY

1. To comply with the school's reporting obligations under child protection law and criminal law and to fulfil its duty of care.
2. To enable school staff to protect the safety and wellbeing of students by being able to:
 - a. Identify indicators that a child or young person may be in need of protection; and
 - b. Make a report about a child or young person who may be in need of protection.

LEGAL AND REGULATORY BASIS FOR COMPLIANCE

1. Duty of Care
2. Children, Youth and Families Act 2005 (Vic)
3. Crimes Act 1958 (amended) (Vic)

KEY DEFINITIONS

1. 'Child Protection' is the statutory child protection service provided by the Department of Human Services, which is able to intervene to protect children and young people at risk of significant harm.
2. 'Child and Family Information, Referral and Support Teams' (Child FIRST) is a Victorian Government initiative to provide support and help for vulnerable families, children and babies. Anyone may make a referral to Child First if they have a significant concern for a child's wellbeing.

3. 'Failure to Disclose': in addition to mandatory reporting obligations under the Children, Youth and Families Act 2005 (Vic.), the Crimes Act 1958 (amended) (Vic.) imposes a legal obligation upon all adults to report to Victoria Police [in addition to Child Protection] where they form a reasonable belief that a sexual offence has been committed by an adult against a child.
4. 'Failure to Protect': The Crimes Act 1958 (amended) (Vic.) provides that people in positions of authority, such as principals, must take action to protect children where they know that a person associated with their organisation poses a substantial risk of sexually abusing children.
5. 'Grooming': Crimes Act 1958 (amended) (Vic.), under the 'Failure to Disclose' offence and duty of care, any person who suspects a child is being groomed by an adult must report their concerns to Victoria Police.

SCOPE

1. The policy applies to members of the governing board, the principal, all school staff, volunteers, contracted service providers and ministers of religion working in the school environment.
2. The policy applies to allegations or disclosures of child abuse made by or in relation to a child, school staff, visitors, or other persons while connected to a school environment.

ROLES AND RESPONSIBILITIES

'Mandated notifiers' are legally required to report child physical and sexual abuse. Mandated notifiers are:

1. Registered principals and teachers (including pre-service and visiting teachers);
2. Registered medical practitioners and psychiatrists;
3. Registered nurses including school nurses; and
4. Members of the police force.

It is mandatory for registered principals and registered teachers in Victoria to notify Child Protection if they form the belief on reasonable grounds that a child has been physically or sexually abused or if they form the belief that a child is in need of protection.

Non-mandated people (e.g. educational support staff, non-teaching staff), who believe on reasonable grounds, that a child is in need of protection, must report their concerns to Child Protection.

Any adult (i.e. all members of the school community) who forms a reasonable belief that an adult (over the age of 18) has committed a sexual offence (including grooming) against a child under 16 must report that information to Victoria Police, unless the reporting adult has already made a report to Child Protection. This responsibility does not change mandatory reporting obligations (Failure to Disclose offence).

Any person in a position of authority within or associated with the school (will include the chair of the governing board, board members, principal, senior staff and may also include residential house staff, business managers, religious leaders) has a specific duty to protect children against the risk of a

sexual assault. If they know of a substantial risk another adult associated with the school may commit a sex offence against a child under 16 within the school's care, they must take reasonable steps to remove or reduce the risk of child sexual assault and must report the matter to Victoria Police (Failure to Protection offence).

[In addition to an employee's legal responsibility to report concerns as set out above, all employees must also comply with the school's internal reporting procedures.]

LINKS TO OTHER POLICIES

- Child Safe Standards Policy
- Duty of Care
- Pastoral Care
- Staff Code of Conduct (Vic)
- Privacy Policy

COMMUNICATION OF THE POLICY

The school will make regular and frequent public statements to raise an awareness of the school community's collective responsibility in reporting allegations of child abuse.

This policy will be made publically available on the school's website, and from the school office.

The school will put in place arrangements to ensure the school community (including applicants for jobs) is informed about the school's child safe standards policies, procedures and allocated roles and responsibilities.

POLICY IMPLEMENTATION DOCUMENTS

The documents setting out the strategies and actions required to implement this policy are:

- a. Reporting advice, including mandatory reporting;
- b. Internal reporting procedures and process to follow;
- c. Child Safe Standards reporting procedures;
- d. Child Safe Standards actions;
- e. Detailed roles and responsibilities for ensuring reporting procedures are implemented, monitored and reviewed;
- f. Training and guidance in recognising signs and indications of child abuse.