



LOYOLA COLLEGE

MANDATORY REPORTING POLICY

Intended audience	Loyola College Community
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PREAMBLE

As a Catholic co-educational secondary College in the Ignatian tradition, Loyola College is guided by its motto Justice, Mercy and Faith. The College strives to provide for its students, through the support of parents, guardians and staff members, the experience of high-quality interpersonal relationships of care and support. The College upholds the value that every child has the right to a full and productive life growing up in an environment that builds confidence, friendship, security and happiness, irrespective of a person's family circumstances or background. The College has in place a range of structures that enable its staff members and other professionals to care for the wellbeing of its students based on the principle of partnership and shared responsibility.

Mandatory reporting arises from the requirements of the *Children, Youth and Families Act 2005 (Victoria)* for the protection of children from harm due to physical injury and sexual abuse or neglect. College staff members mandated under this Act who, in the course of carrying out their duties, form a reasonable belief that a child is in need of protection from physical injury or sexual abuse, must report that belief and the grounds for it, as soon as possible to ensure timely and effective intervention.

This Policy assists the College in ensuring the wellbeing and protection of children at risk. At all times, the overriding priority is the protection of the child. The Policy is aligned with the guidelines provided by the Department of Health and Human Services (DHHS) and by the Catholic Education Melbourne (CEM).

DEFINITIONS

A child for the purpose of the relevant parts of the *Children, Youth and Families Act 2005 (Victoria)*, is defined as any person 17 years of age or younger.

Child FIRST is defined as the Child and Family Information Referral Support Team run by a registered community service in a local area that can receive confidential referrals about a child of concern. It does not have any statutory powers to protect a child but can refer matters to family services.

Child Protection is defined as the Victorian Government agency, provided by Department of Health and Human Services, which protects children at risk of significant harm. Child Protection has statutory powers and can use these to protect children.

A mandatory report is defined as a report made to Child Protection, by a person mandated under the Act, which is based on a reasonable belief that a child is in need of protection from physical, sexual, and emotional abuse, neglect or family violence.

A mandatory reporter is defined as a person or persons required under the *Children, Youth and Families Act 2005 (Victoria)* to make a report to Child Protection if it is believed that a child is in need of protection from physical, sexual, emotional abuse, neglect or family violence. Mandatory reporters include registered school teachers, principals, registered nurses and registered psychologists.

Reasonable belief. A reasonable belief that a child is in need of protection is more likely formed in circumstances where:

- A child states that they have been physically injured or sexually abused (self-disclosure)
- A child states that they know someone who has been physically injured or sexually abused (sometimes the child may be talking about him or herself)
- A relative, friend, acquaintance or sibling of the child states that the child has been physically injured or sexually abused
- Professional observations of the child's behaviour or development lead the mandated professional to form a belief that the child has been physically injured or sexually abused
- Signs of physical injury or sexual abuse lead to a belief that the child has been abused.

Physical abuse consists of any non-accidental form of injury or serious physical harm inflicted on a child by any person. Physical abuse does not mean reasonable discipline, though it may result from excessive or inappropriate discipline. Physical abuse can include beating, shaking, burning and assault with implements. Physical injury and significant harm to a child may also result from the failure of a parent, carer or guardian to adequately ensure the safety of a child, exposing the child to extremely dangerous or life-threatening situations.

Sexual abuse of a child occurs when any person uses their authority or power over the child to engage in sexual activity. Child sexual abuse involves a wide range of sexual activity including exploitation through pornography or prostitution.

Grooming is a method used by offenders that involves building trust with a child and the adults around a child in an effort to gain access to, and time alone with, her/him. In extreme cases, offenders may use threats and physical force to sexually assault or abuse a child. More common though, are the subtle approaches designed to build relationships with families.

Aspects of sexual grooming may include:

- targeting the victim
- securing access to and isolating the victim
- gaining the victim's trust
- controlling and concealing the relationship.

Emotional abuse occurs when a child or young person is repeatedly rejected, isolated or frightened by threats or by witnessing family violence. It also includes hostility, derogatory name-calling and putdowns, or persistent coldness from a person to the extent that the behaviour of the child is disturbed, or their emotional development is at serious risk of being impaired.

Neglect includes a failure to provide the child or young person with an adequate standard of nutrition, medical care, clothing, shelter or supervision to the extent that the health or development of the child is significantly impaired or placed at serious risk.

Family violence is defined as violence (either actual or threatened) that occurs within a family, including physical, verbal, emotional, psychological, sexual, financial and social abuse. When there are strong indicators that incidents of family violence are placing children at significant risk or danger, Child Protection must be informed. Family violence is a criminal offence and can be liable to prosecution.

Child Safety Officer is an allocated staff member who is the primary contact person/s when a child protection issue occurs. They must be informed and consulted with if any DHHS report is made by staff at the school.

GUIDING PRINCIPLES

A requirement of the *Children, Youth and Families Act 2005 (Victoria)* is that when a staff member forms reasonable belief that a child is in need of protection in accordance with this Policy, he or she must make a report to Child Protection as soon as practicable.

All teaching staff including counsellors/psychologists, are mandated to report any child abuse by law and can be fined and charged if they neglect their duty of care. However, it is the expectation that all staff working at the College, would make a report of any form of child abuse. This may be done directly to DHHS or to a Child Safety Officer at the school.

It should be noted that although it is not mandatory to report suspected incidents of emotional abuse or neglect, mandatory reporters should make a referral to Child FIRST (*Family Information Referral Support Team*) where they have a significant concern for a child's wellbeing, or a report to Child Protection where they form a reasonable belief that a child is in need of protection.

At all stages it is essential that those involved in any process of consultation maintain confidentiality regarding the child, the family, the notifier and any alleged perpetrator. The identity of the staff member making the notification will be kept confidential by the College and DHHS, unless that staff member gives written permission for that information to be divulged.

The College Principal has a role in seeking or offering appropriate pastoral support for the staff member making the report, for the student, the student's family and any other affected parties. The Principal's actions in this regard should be informed by the College's policies and procedures for ensuring the safety and wellbeing of students.

RELEVANT DOCUMENTS

Child Protection – Reporting Obligations (CEM Policy 2.19)

Children, Youth and Families Act 2005

National Framework for Protecting Australia's Children (2009)

Pastoral Care of Students in Catholic Schools (CEM Policy 2.26)

Protecting the Safety and Wellbeing of Children and Young People - A Joint Protocol of the Department of Health & Human Services, Child Protection, Department of Education and Early Childhood)

Child Safety Incident Form for Counselling Staff

DHHS Notification form for Counselling Staff

Loyola College Record of Notification and Concern (Loyola College Intranet)

Self-Harm and Suicidal Assessment form for Counselling Staff



LOYOLA COLLEGE

MANDATORY REPORTING PROCEDURAL DOCUMENT

The following procedural document outlines the steps to be taken when implementing the Mandatory Reporting Policy at Loyola College.

If a staff member suspects that a child is in need of protection it is essential that s/he document any concerns and observations in a confidential file. This process of documentation may occur over a period of time.

When belief is formed that a student is at risk, the following steps are to be taken:

- If a staff member has concerns, s/he meets with one of the two Child Safety Officers (Deputy Principal Students and Deputy Principal Staff and Organization), Head of Student Services or one of the College Counsellors to discuss their concerns and observations and to support all involved in matters of this nature. The confidentiality of these discussions must be maintained
- Any notification to the Department of Health and Human Services (DHHS) needs to be reported to one of the Child Safety Officers.
- The staff member will be asked to document his/her observations or any concerns. This documentation will be held in a confidential file and stored with the Deputy Principal Students.
- College Counsellors will provide a DHHS Notification form completed with all relevant information to the Deputy Principal Students.
- The staff member may request the presence of a Child Safety Officer, or the Head of Student Services at the time of notification to DHHS - Child Protection Unit. In the event that the staff member is not a registered teacher or nurse, the report may be made by one of the staff members present, however, the staff member who formed the belief of harm, may be required to speak directly to the intake worker at DHHS.
- If a child is in immediate danger the staff member can make a notification immediately to DHHS but then must report this to a Child Safety Officer as soon as possible. Written documentation of the notification needs to be provided to Deputy Principal Students.
- Following the notification, DHHS decides on the course of action. It is not the staff member's role to investigate or prove child abuse and neglect.

A registered teacher or the College Principal can seek advice from, or make a referral to, Child FIRST if they have a significant concern for the wellbeing of a child and where the immediate safety of the child is not compromised. The registered teacher or the College Principal should share relevant information with Child FIRST to help them complete their assessment of the referral.

Contact with Child FIRST will be made when there is significant concern about the wellbeing of a student including:

- Significant parenting problems that may be affecting the child's development
- Serious family conflict, including family breakdown
- Family under pressure due to a family member's physical or mental illness, substance abuse, disability or bereavement
- Young, isolated and/or unsupported families
- Significant social or economic disadvantage that may adversely impact on a child's care or development
- The family is willing to work with a community-based agency.

If Child FIRST advises to make a notification to Child Protection, the staff member should do so immediately. Once this has been completed the staff member needs to report this to a Child Safety Officer as soon as possible and provide documentation to the Deputy Principal students.

A report to Child FIRST does not discharge the requirement to report to Child Protection Unit under the mandate.

Making a Notification to DHHS

- All notifications to DHHS are confidential and reporters cannot be identified unless they consent to this or are ordered by the court to testify.
- When the staff member has formed a belief that a student is at risk s/he can discuss this with a Child Safety Officer, Head of Student Services, or one of the College Counsellors to receive support. These staff members can make the notification on the staff member's behalf, but often the DHHS worker will want to talk to the staff member directly especially if a disclosure has been made.
- The staff member does not have to inform the student that s/he is making the report, however, s/he should not promise the student that the disclosure will be kept confidential.
- If the student makes a disclosure, it is best to let him/her know that this will need to be reported because a belief has been made that the student is not safe. The staff member may take the student to the counselling area if s/he is upset, or additional support is required.
- If the student is in immediate danger staff must ring 000 rather than DHHS.
- If the student lives in the region, staff can contact DHHS child protection, Preston - 1300 664 977 or after 5pm on 13 12 78.

The staff member needs to ask to speak to someone about making a **child protection notification**.

- When a staff member makes a notification, s/he must:
 - Identify yourself, your position at the school, your contact number and email address.
 - Provide the student's name, contact details and date of birth.
 - Provide other information that you may have about the student, eg. if there are other siblings in the home.
- The Intake worker from DHHS will ask the staff member to:
 - Outline the concerns about the student
 - Supply specific dates
 - Inform them for conversations that you have had with the student or parent around the issues
 - Inform them of anything you have seen.
- The Intake worker will take the information provided, to their manager where a decision will be made about what action they will take.

- It is important to ask the Intake worker to provide the school with feedback about the outcome if possible. The staff member needs to ask for the Intake worker's name to put into the school documentation.
- DHHS may close immediately with no action, refer to a community agency, or accept the notification and do further investigation with the family.
- Once the report has been made, the Notification form (Appendix One) is to be completed and provided to the Deputy Principal Students.
- It may be important to debrief with another staff member about the experience if a level of stress or concern was felt in making the report.



**APPENDIX ONE
LOYOLA COLLEGE RECORD OF NOTIFICATION (CONFIDENTIAL)**

Student Name: _____ **Year Level:** _____
Date Of Birth: _____ **Age:** _____
Address: _____
Telephone Numbers: (H) _____ **(M)** _____
Parents/Guardians (Names): _____

Report Details

Agency Contacted & Telephone Number: _____
Date & Time of Notification: _____
Name of DHHS /Child First Intake Worker: _____

Reason for Reporting:

Family Information and Composition (i.e. siblings, parents):

Safety Assessment – Concerns about long and & short-term wellbeing of the child and other members of the family.

Child's Whereabouts:

Any other relevant information:

Name: _____ **Signature of Notifier:** _____

Date: _____

Name of Child Safety Officer: _____ **Signature:** _____

Date: _____