



Mandatory Reporting Policy

POLICY OWNER: Principal
APPROVED: Board of Directors
REVIEW DATE: July 2024

1. PURPOSE

Hume Anglican Grammar is committed to preventing harm to children through the reporting of child abuse and neglect under *the Children, Youth and Families Act 2005* (Vic) (CYFA).

The School will comply with the requirements set out in clause 11 of [Ministerial Order 1359](#) to 'have a clear procedure or set of procedures for responding to complaints or concerns relating to child abuse'.

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 in section 8, must be read and understood by all those connected to the School.

2. SCOPE

This policy applies to members of the governing body and its members, the Principal, all school staff, volunteers, contracted service providers and ministers of religion working in the school environment.

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.

3. ALIGNMENT TO THE STRATEGIC PLAN

Values: Christian, Respect, Integrity and Safety

Goal:

1. Student Wellbeing – a supportive, caring and inspiring environment where all can thrive.
3. Staff – professional and dedicated staff committed to the success of the School.
4. Parents – engaging families and forging strong relationships.
7. Infrastructure and development – a responsible organisation, looking after and making best use of our resources on a sustainable basis.

Pathways:

- a. Create a culture which promotes a positive sense of wellbeing and self-worth based upon Christ's example.
- b. Maintain and promote a safe and secure environment with a zero tolerance towards child abuse, with an emphasis on pastoral care that nurtures each individual.
- a. Attract, develop and retain staff of the highest calibre.
- b. Establish a supportive and collegial workplace culture based upon optimism, respect and professionalism.
- e. Provide a structured and targeted approach to professional development that enhances personal and organisational performance.
- a. Foster a fruitful partnership between home and school.
- a. Manage the grounds and buildings effectively based upon sound stewardship and environmental principles, and with full regard to health and safety.

Outcomes: 1. instil students with school pride, who can embark on meaningful and productive lives as confident and respected global citizens.

4. PRINCIPLES

- a. The values and ethos as set out in the School's Strategic Plan – Shaping our Future form the foundation for the Mandatory Reporting Policy.
- b. The School, those that work in it and its wider community together have a duty of care to protect students in its care from harm through abuse or neglect.
- c. The School is committed to implementing clear procedures for reporting and recording reports of suspected child abuse and grooming.
- d. 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.

5. AIMS OF THE POLICY

- a. To protect students in our care from abuse.
- b. To comply with the School's reporting obligations under child protection law and criminal law and to fulfil its duty of care.
- c. To enable school staff to protect the safety and wellbeing of students by being able to:
 - i. Identify indicators that a child or young person may need protection.
 - ii. Make a report about a child or young person who may need protection.
 - iii. Make a report about an allegation of child abuse against any adult including adults who are employees or who are in some way connected with the school.

6. DEFINITIONS

6.1 Mandatory reporting

The Children, Youth and Families Act 2005 places a legal obligation on principals, teachers and others working in schools to make a report to Child Protection (DHHS) if they believe, on reasonable grounds, that a child has been physically or sexually abused or a child needs protection from significant harm because of physical or sexual abuse.

6.2 Mandated notifiers

Are legally required to report child physical and sexual abuse. Mandated notifiers include:

- registered principals and teachers (including pre-service and visiting teachers).
- registered medical practitioners and psychiatrists.
- registered nurses including school nurses.
- members of the police force.
- registered psychologists.
- people in religious ministry.
- staff who provide direct support to students for mental, emotional, or psychological wellbeing, including (but not limited to) school health and wellbeing staff, primary welfare officers, student wellbeing coordinators, mental health practitioners, chaplains, and Student Support Services staff.

6.3 Non-mandated person

May make a report to Child Protection if they are concerned for a child's welfare even if they are not required to do so as a mandatory notifier (for example, volunteers). Any person making a voluntary (non-mandated) report is also protected regarding confidentiality and immunity from legal liability.

6.4 Grooming

Grooming involves predatory conduct by adults designed to facilitate later sexual activity with a child. Grooming does not necessarily involve any sexual activity or even discussion of sexual activity. Since 2014, grooming for sexual conduct with a child under the age of 16 years has been a crime.

7. ROLES AND RESPONSIBILITIES

- a. Mandatory Notifiers are required to report to Child Protection at the Department of Health and Human Services (DHHS) if they believe on reasonable grounds that a child has been physically or sexually abused or a child needs protection from significant harm because of physical or sexual abuse.
- b. Any adult (i.e. including but not limited to 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 (see section 11 Failure to Disclose offence). This responsibility does not change mandatory reporting obligations.
- c. All those in a position of authority within or associated with the School (including the Chair of the Board of Directors, its members, the Principal, senior staff, and the Business Manager and Chaplain(s)) has a specific duty to protect children against the risk of a sexual assault. If they know of a substantial risk of a sex offence that may be committed by an adult associated with the School 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 (see section 11 Failure to Disclose offence).
- d. Under the Reportable Conduct Scheme, the Principal must have in place systems to prevent child abuse and to investigate and respond to such allegations. The Principal is required to report allegations of child abuse to the Commission for Children and Young People (CCYP).
- e. The Reportable Conduct Scheme does not replace Mandatory Reporting requirements nor the need to report allegations of child abuse, criminal conduct and family violence to Victoria Police.
- f. The Principal must ensure the school's internal reporting procedures are clear so that employees and other members of the school community are able to make correct decisions in a timely manner.
- g. The Principal is responsible for providing comprehensive training so that employees and other members of the school community are alert to child abuse and understand their legal responsibilities.
- h. 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.

8. LEGAL AND REGULATORY BASIS FOR COMPLIANCE

- a. Child Wellbeing and Safety Act 2005 (Vic)
- b. Ministerial Order No. 1359 – Implementing the Child Safe Standards – Managing the risk of child abuse in schools and school boarding premises
- c. Children Legislation Amendment (Reportable Conduct) Act 2017 (Vic)
- d. Children, Youth and Families Act 2005 (Vic)
- e. Crimes Act 1958 (Vic)
- a. *Crimes Amendment (Grooming) Act 2014 (Vic)*
- b. *Crimes Amendment (Protection of Children) Act 2014*

9. LINKS TO OTHER POLICIES AND IMPLEMENTATION DOCUMENTS

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

- a. Policies
 - i. Child Safety Policy
 - ii. Reportable Conduct Policy
 - iii. Duty of Care Policy
 - iv. Excursion and Incursion Policy
 - v. Staff Professional Expectations Policy
 - vi. Student Wellbeing Policy
 - vii. Information and Communication Technology Policy
 - viii. Social Media Policy
 - ix. Staff ICT Device Policy
 - x. Staff Recruitment and Selection Policy
 - xi. Volunteer Policy
 - xii. Contractor Management Policy
 - xiii. Occupational Health and Safety Policy
 - xiv. Privacy Policy
 - xv. Whistleblower Policy
 - xvi. Relief Lesson Policy
 - xvii. Complaints and Grievances Policy
 - xviii. Risk Management Policy
- b. Related documents
 - i. Keeping Children Safe at Home
 - ii. Child Safe Standards Code of Conduct
 - iii. VIT Teaching Professional Code of Conduct
 - iv. Responding to Incidents, Disclosures and Suspicions of Child Abuse
 - v. Mandatory Incident Report Record
 - vi. Grounds Supervision Expectations
 - vii. Responding to child abuse and student sexual offending – ISV Guide

10. MANDATORY REPORTING

a. All mandatory notifiers must make a report to Department of Families, Fairness and Housing (DFFH) Child Protection (AND to Victoria Police in the case of suspected sexual abuse) as soon as practicable if, during the course of carrying out their professional roles and responsibilities, they form a belief on reasonable grounds that:

- A child has suffered, or is likely to suffer, significant harm as a result of physical abuse and/or sexual abuse (extending to child-led harmful sexual behaviours); and
- The child's parents have not protected the child, and are unable or unwilling to protect, the child from harm of that type.

A belief on reasonable grounds is if a reasonable person, doing the same work, would have formed the same belief on those grounds.

Significant harm may relate to:

- Physical injury
- Sexual abuse
- Emotional or intellectual development
- Physical development or health
- Abandonment or parental incapacity.

Mandatory notifiers are required to report in relation to significant harm as a result of physical injury or sexual abuse. They may choose, as can anyone, to report in relation to other types of significant harm.

- b. All mandatory notifiers must act as soon as they:
 - receive a disclosure;
 - witness an incident; or
 - form a belief on reasonable grounds that a child has been, or is at risk of being, abused (including being exposed to family violence).
- c. Mandatory notifiers must follow the Four Critical Actions (Appendix B) to ensure they fulfil their legal obligations.
- d. Practical tips for staff following an incident, allegation or suspicion of child abuse are listed in Appendix C.

11. FAILURE TO DISCLOSE

- a. Failure to disclose legislation makes it a criminal offence not to report information leading to a belief on reasonable grounds that sexual or physical abuse has occurred.
- b. It is not an offence if there is a 'reasonable excuse' for not reporting. A 'reasonable excuse' for not reporting includes:
 - 'Fear for safety' for you or another person; or
 - You have confirmation the information has already been reported and you have no further information to add.

12. REVIEWING THIS POLICY

The Board of Directors will require the Principal to report on this policy on a regular basis and in the case of any exception without delay, and to recommend any change that may be called for in the policy or arrangements for its implementation.

The Board of Directors will review the Mandatory Reporting Policy annually.

Hume Anglican Grammar seeks to embed a culture of continuous improvement by ensuring that it regularly reviews existing school policies and procedures, whilst also keeping abreast of the latest government regulations and educational discourse. The Deputy Principal will undertake a consultative approach and seek views, comments and suggestions from children, parents and staff as part of the review process as appropriate.

13. COMMUNICATION OF THIS POLICY

The School will through regular public statements and other actions and internal communications demonstrate its commitment to child safety and raise an awareness of the School community's collective responsibility to ensure all children are safe from harm.

This policy, and relevant policy implementation documents, will be made publicly available on the School's website, and from the School office as requested.

The School will put in place arrangements to ensure members of the School community, including applicants for employment, are informed about the School's Mandatory Reporting Policy, procedures and allocated roles and responsibilities.

The School will require all staff to confirm in writing when appointed and thereafter on an annual basis that they know their legal obligations and that they have read and understood the School's Mandatory Reporting Policy and procedures.

This policy will be available to staff via SIMON and the School's internal file storage system.

In addition to providing information about the policy, various initiatives will be employed to ensure the policy is understood by all staff, pre-service teachers and volunteers.

Appendices:

- A. Child Safety Code of Conduct
- B. Four Critical Actions – Responding to Incidents, Disclosures and Suspicions of Child Abuse
- C. Practical tips for staff following an incident, allegation or suspicion of child abuse
- D. Mandatory Report Procedure Record



Child Safety Code of Conduct

Hume Anglican Grammar is committed to child safety and has a **zero tolerance of child abuse**. We support and respect all children, as well as our staff and volunteers. In accordance with Hume Anglican Grammar's commitment to the safety, participation and empowerment of all children, all staff are obligated to actively support the School's child safe standards. A means of affirming commitment is by the endorsement of this Code of Conduct which conveys appropriate standards of behaviour by adults when working with children.

Purpose

Our Child Safety Code of Conduct sets out the expected behaviour of adults with children and young people in our school.

All Hume Anglican Grammar staff, volunteers, contractors, service providers, Board members and any other adult involved in child-connected work must follow the Child Safety Code of Conduct.

The Child Safety Code of Conduct applies to all physical and online environments used by students. It also applies during or outside of school hours and in other locations provided by the School for student use (for example, a school camp).

Acceptable behaviours

As Hume Anglican Grammar staff, volunteers, contractors and any other member of our school community involved in child-connected work, we are responsible for supporting and promoting the safety, participation, wellbeing and empowerment of children by:

- upholding our Hume Anglican Grammar commitment to child safety at all times and adhering to our Child Safety Policy
- treating students and families in our school community with respect in our school environment and outside our school environment as part of normal social and community activities
- listening and responding to the views and concerns of students, particularly if they disclose that they or another child or student has been abused or are worried about their safety or the safety of another child or student
- promoting the cultural safety, participation and empowerment of Aboriginal students, students with culturally and/or linguistically diverse backgrounds, students with a disability, international students, students who are unable to live at home and lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI+) students
- ensuring, as far as practicable, that adults are not alone with a student – one-to-one interactions between an adult and a student are to be in an open space or in line of sight of another adult
- reporting any allegations of child abuse or other child safety concerns to the Deputy Principal, as the School's Child Safety Officer
- understanding and complying with all reporting and disclosure obligations (including mandatory reporting) in line with our child safety responding and reporting policy and procedures and the PROTECT Four Critical Actions
- if child abuse is suspected, ensuring as quickly as possible that the student(s) are safe and protected from harm.

Unacceptable behaviours

As Hume Anglican Grammar staff, volunteers, contractors and members of our school community involved in child-connected work, we must not:

- ignore or disregard any concerns, suspicions or disclosures of child abuse or harm
- develop a relationship with any student that could be seen as favouritism or amount to 'grooming' behaviour (for example, by offering gifts)
- display behaviours or engage with students in ways that are not justified by the educational or professional context
- ignore an adult's overly familiar or inappropriate behaviour towards a student
- discuss intimate topics or use sexualised language, except when needed to deliver the school curriculum or professional guidance
- treat a child or student unfavourably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity
- communicate directly with a student through personal or private contact channels (including by social media, email, instant messaging, texting, etc.) except where that communication is reasonable in all the circumstances, related to schoolwork or co-curricular activities or where there is a safety concern or other urgent matter
- photograph or video a child or student in a school environment except in accordance with school protocols related to photography for publications, or where required for duty of care purposes
- consume alcohol against school policy or take illicit drugs in the school environment or at school events where students are present
- have contact with any student outside of school hours except when needed to deliver the school curriculum, or where professional guidance and parental permission has been sought.

Breaches

All Hume Anglican Grammar staff, volunteers, contractors and any other member of the School community involved in child-connected work who breach this Child Safety Code of Conduct may be subject to disciplinary procedures in accordance with their employment agreement or relevant industrial instrument, professional code or terms of engagement.

In instances where a reportable allegation has been made, the matter will be managed in accordance with the Department of Education and Training Reportable Conduct Scheme Policy, including a report being made to Victoria Police and the Commission for Children and Young People.

All breaches and suspected breaches of the Hume Anglican Grammar Child Safety Code of Conduct must be reported to the Principal.

If the breach or suspected breach relates to the Principal, a report must be made to the Chair of the Board.

Commitment

By observing these standards of behaviour and signing below, you confirm your commitment to the School's child safe principles and expectations and acknowledge your responsibility to immediately report any breach of this Code to a member of Hume Anglican Grammar's Senior Leadership Team.

I agree to adhere to the Hume Anglican Grammar Child Safety Code of Conduct:

Name: Signature:Date:

IF YOU BELIEVE A CHILD IS AT IMMEDIATE RISK OF ABUSE PHONE 000.

Approval and review

The Deputy Principal, as the School's designated Child Safety Officer, is responsible for the development, review and implementation of the Child Safety Code of Conduct.

FOUR CRITICAL ACTIONS FOR SCHOOLS

Responding to Incidents, Disclosures and Suspicions of Child Abuse

YOU MUST TAKE ACTION

As a school staff member, you play a **critical role** in protecting children in your care.

- You **must** act, by following the Four Critical Actions, as soon as you witness an incident, receive a disclosure or form a reasonable belief* that a child has, or is at risk of being abused.
- You **must** act if you form a suspicion/ reasonable belief, even if you are unsure and have not directly observed child abuse (e.g. if the victim or another person tells you about the abuse).
- It is strongly recommended that you follow the **Responding to Suspected Child Abuse template** to keep clear and comprehensive notes, even if you make a decision not to report.

*A reasonable belief is a deliberately low threshold. This enables authorities to investigate and take action.

1 RESPONDING TO AN EMERGENCY

If there is no risk of immediate harm go to **Action 2**.

If a child is at immediate risk of harm you **must** ensure their safety by:

- separating alleged victims and others involved
- administering first aid
- calling **000 for urgent medical and/or police assistance** to respond to immediate health or safety concerns
- identifying a contact person at the school for future liaison with Police.

Where necessary you may also need to maintain the integrity of the potential crime scene and preserve evidence.

2 REPORTING TO AUTHORITIES / REFERRING TO SERVICES

As soon as immediate health and safety concerns are addressed you **must** report all incidents, suspicions and disclosures of child abuse as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.

Q: Where does the source of suspected abuse come from?

WITHIN THE SCHOOL

VICTORIA POLICE

You **must** report all instances of suspected child abuse involving a school staff member, contractor, volunteer or visitor to Victoria Police.

You **must also** report **internally** to:

GOVERNMENT SCHOOLS

- School principal and/or leadership team
- Employee Conduct Branch
- DET Incident Support and Operations Centre.

CATHOLIC SCHOOLS

- School principal and/or leadership team
- Diocesan education office.

INDEPENDENT SCHOOLS

- School principal and/or school chairperson
- Commission for Children and Young People on **1300 782 978**.

All allegations of 'reportable conduct' **must** be reported as soon as possible to:

GOVERNMENT SCHOOLS

- Employee Conduct Branch

CATHOLIC SCHOOLS

- Diocesan education office

INDEPENDENT SCHOOLS

- Commission for Children and Young People on **1300 782 978**.

WITHIN THE FAMILY OR COMMUNITY

DHHS CHILD PROTECTION

You **must** report to DHHS Child Protection if a child is considered to be:

- in need of protection from child abuse
- at risk of being harmed (or has been harmed) and the harm has had, or is likely to have, a serious impact on the child's safety, stability or development.

VICTORIA POLICE

You **must also** report all instances of suspected sexual abuse (including grooming) to Victoria Police.

You **must also** report **internally** to:

GOVERNMENT SCHOOLS

- School principal and/or leadership team
- DET Incident Support and Operations Centre.

CATHOLIC SCHOOLS

- School principal and/or leadership team
- Diocesan education office.

INDEPENDENT SCHOOLS

- School principal and/or chairperson.

3 CONTACTING PARENTS/CARERS

Your principal **must** consult with DHHS Child Protection or Victoria Police to determine what information can be shared with parents/carers. They may advise:

- not to contact** the parents/ carer (e.g. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and does not wish for their parent/ carer to be contacted)
- to contact** the parents/ carers and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion)
- how to communicate** with all relevant parties with consideration for their safety.

4 PROVIDING ONGOING SUPPORT

Your school **must** provide support for children impacted by abuse. This should include the development of a **Student Support Plan** in consultation with wellbeing professionals. This is an essential part of your duty of care requirements.

Strategies may include development of a safety plan, direct support and referral to wellbeing professionals and support.

You **must** follow the **Four Critical Actions** every time you become aware of a further instance or risk of abuse. This includes reporting new information to authorities.

CONTACT

DHHS CHILD PROTECTION AREA

North Division **1300 664 977**
 South Division **1300 655 795**
 East Division **1300 360 391**
 West Division (Rural) **1800 075 599**
 West Division (Metro) **1300 664 977**

AFTER HOURS

After hours, weekends, public holidays **13 12 78**.

CHILD FIRST

<https://services.dhhs.vic.gov.au/referral-and-support-teams>

ORANGE DOOR

<https://www.vic.gov.au/familyviolence/the-orange-door.html>

VICTORIA POLICE

000 or your local police station

DET INCIDENT SUPPORT AND OPERATIONS CENTRE

1800 126 126

INCIDENT MANAGEMENT AND SUPPORT UNIT

1800 126 126

EMPLOYEE CONDUCT BRANCH

(03) 9637 2595

DIOCESAN OFFICE

Melbourne **(03) 9267 0228**
 Ballarat **(03) 5337 7135**
 Sale **(03) 5622 6600**
 Sandhurst **(03) 5443 2377**

INDEPENDENT SCHOOLS VICTORIA

(03) 9825 7200

THE LOOKOUT

The LOOKOUT has a service directory, information, and evidence based guidance to help you respond to family violence: <http://www.lookout.org.au>

Family violence victims/survivors can be referred to **1800 Respect** for counselling, information and a referral service: **1800 737 732**.



Practical tips for staff following an incident, allegation or suspicion of child abuseStaff members **SHOULD**:

- Provide a safe space for a student to discuss the incident, without other students being present.
- Listen to the student and allow them to speak.
- Stay calm and not display expressions of panic or shock.
- Use a neutral tone with no urgency and where possible use the student's language and vocabulary.
- Be patient and non-judgmental.
- Highlight to the student that they are doing the right thing in telling you about what has happened and that it is not their fault.
- Be patient and allow the student to talk at their own pace and in their own words.
- Reassure the student that you believe them and that disclosing the matter was the right thing to do.
- If appropriate, tell the child you may have to let someone else know about the incident or behaviour.
- Keep a record of what action you have taken and what has occurred.

Staff members should **AVOID**:

- Making promises you cannot keep (e.g. that you will not tell anyone).
- Discussing the incident with other students.
- Asking questions that are investigative and potentially invasive (this may make the student feel uncomfortable and may cause them to withdraw).
- Going over the information repeatedly (you are only gathering information to help you determine next steps).
- Asking leading questions (instead, gently ask "what happened next?" rather than "why did this happen?").
- Pressuring the student into telling you more than they want to.
- Attempting to commit things to memory, rather make a reco



Mandatory Report Procedure Record

Incident/disclosure/suspicion details

Date of incident/ disclosure/suspicion:	
Time of incident/ disclosure/suspicion:	
Location of incident/ disclosure/suspicion:	
Name(s) of child/ren involved:	
Name(s) of person/s making report:	
Relationship to child:	

If you believe a child is at immediate risk of abuse phone 000.

Does the child identify as Aboriginal or Torres Strait Islander?

(Mark with an 'X' as applicable)

No

Yes, Aboriginal

Yes, Torres Strait Islander

Please categorise the incident/disclosure/suspicion about the child's safety and wellbeing

Family violence

Grooming

Physical abuse

Sexual abuse

Serious emotional or psychological abuse

Serious neglect

Please describe the incident/disclosure or suspicion formed about the child's safety and wellbeing

When did the incident/disclosure or suspicion formed take place?	
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Who was involved?	
What happened?	
Other information	

Has the incident been reported? If so, please provide a time and date.

Child protection	
Police	
Another third party (please specify):	

Signature: _____ **Date:** _____

Deputy Principal:

Date incident report received:	
Staff member reporting incident:	
Follow-up date:	

Has the incident been reported? Please provide a time and date.

Child protection	
Police	
Another third party (please specify):	

Incident reporter wishes to remain anonymous?

(Mark with an 'X' as applicable)

Yes **No**

Notes

What you will need to make a Mandatory Report

1. Child's Name: _____

2. Child's date of birth: _____

3. Child's address: _____

4. Mother's name: _____

5. Mother's address: _____

6. Mother's phone number: _____

7. Father's name: _____

8. Father's address: _____

9. Father's phone number: _____

10. Siblings (name and age): _____

11. You will be asked to speak slowly to describe what has happened; use this record to support your responses.