

Ave Maria College Internal School Process for Mandatory Reporting



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Formulated by: College Executive

This policy is to be read in conjunction with *Policy 2.19 PROTECT Identifying and responding to abuse – Reporting obligations, PROTECT Four Critical Actions for Schools, the Education Training and Reform Act 2006 and Protecting the safety of children and young people – A joint protocol of the Department of Human Services Child Protection, Department of Education and Early Childhood Development (DEECD), Licensed Children’s Services and Victoria schools. Under section 182 of the Children, Youth and Families Act 2005, a person registered under or who has been granted permission to teach under that Act is designated as a mandatory reporter.*

Vision

We strive to educate strong women of Truth and Love.

Intentions:

Our Mandatory Reporting Policy requires:

that College staff must notify the Department of Health and Human Services (the Department) and/or Sexual Offences and Child Abuse Investigation Teams (SOCIT) if they have formed the belief on reasonable grounds that:

- a child has suffered, or is likely to suffer, significant harm as a result of verbal, emotional, mental or psychological abuse and physical injury and the child's parent/carer have not protected, or are unlikely to protect, the child from harm of that type
- a child has suffered, or is likely to suffer, significant harm as a result of sexual abuse and the child's parent/carer have not protected, or are unlikely to protect, the child from harm of that type

It should be noted that:

- A failure to notify the Department is an offence under the Children, Youth and Families Act
- College staff must notify the Department as soon as practicable
- If the College staff member notifies the Department in good faith, it is not unprofessional conduct by the teacher
- The College staff member cannot be identified in court proceedings unless the court agrees, or the College staff member. The court will only identify the teacher where it is necessary to protect the child or in the interests of justice. The Department cannot identify the teacher to anyone (except the police) unless ordered to by the court
- In the past, the courts and the Victorian Civil and Administrative Tribunal have protected persons who have notified the Department of child abuse by suppressing their identity even where the abuse was shown, on investigation, not to have occurred

Consequences:

Reasonable grounds:

There must be reasonable grounds for forming the belief that the child has suffered or is likely to suffer harm - physical or sexual abuse.

1.This means that the College staff member does not have to be absolutely certain to notify the Department of physical or sexual abuse of a child, but genuinely believe, on the basis of the evidence, that the child might have been abused.

2.A reasonable belief can be formed on different types of evidence. That evidence could be a dramatic change in the behaviour of a student, a decline in academic performance, withdrawing from social contact, bruises, etc.

3.All staff are required to complete the DEECD Mandatory Reporting eLearning Module on an annual basis.

4.All College staff members including Teachers, Education Support Employees, School Service Officers and student teachers can report concerns to a member of the College Executive who will notify the Department.

5.Records of notifications to and subsequent follow up with the Department will be kept on the confidential student profile.

6.An advisory group will be established, which is to include the Principal and one or two informed key personnel, to discuss concerns and observations of abuse or neglect recorded by staff and to provide support where needed.

Ratified:	College Executive
Date:	2010, Revised 2011, 2014, October 2019