



## **MATER DEI CHILD PROTECTION – Mandatory Reporting of Abuse & Neglect Policy**

### **SOURCE OF OBLIGATION**

Under the Children and Young Persons (Care and Protection) Act 1998 (NSW), in NSW all teachers, child care workers, refuge workers, community housing providers and health professionals such as doctors, nurses and midwives, as well as police officers are required by law to report abuse and neglect to the Department of Community Services (DoCS), where they suspect, on reasonable grounds, that a child (being a person under the age of 16), or a young person (aged 16-17 years) is at risk of significant harm. All children have the right to be protected from abuse, maltreatment and harm.

To comply with its obligation Mater Dei School has developed a detailed Child Protection Policy framework which outlines abuse and neglect risk indicators, key requirements when managing student disclosure, initial notification procedures, the development of a management plan, the provision of ongoing support, record keeping and confidentiality.

The Child Protection – Mandatory Reporting of Abuse & Neglect Policy is designed to set out in plain English, teachers' obligations in relation to mandatory reporting of child abuse and neglect in NSW.

### **What does "Reasonable Grounds that a Child is at Risk of Significant Harm" mean?**

Suspecting on "**reasonable grounds**" that a child is "**at risk of significant harm**" is the standard that reporters must use in deciding whether or not to report child abuse to DoCS.

A child or young person is at "**risk of significant harm**" if the circumstances that are causing concern for the safety, welfare or wellbeing of the child or young person are present to a significant extent.

"**Significant**" means that which is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent.

What is "**significant**" is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child or young person's safety, welfare or well being. Significance can result from a single act or omission or an accumulation of these.

The concept of "**reasonable grounds**" requires you to consider whether another person, when faced with similar information, would also draw the same conclusion. It does not mean reporters are required to be certain, but rather reporters should ensure their concerns are well founded and based on information from a reliable source.

## What Must Be Reported?

All suspicions on reasonable grounds, that a child or young person is at risk of significant harm from the following types of abuse and neglect, must be reported:

- Physical abuse;
- Neglect – including supervision, physical shelter / environment, food, hygiene/clothing, medical care, mental health care, education;
- Sexual abuse;
- Psychological harm; and
- Carer concern – including substance abuse, mental health and domestic violence.

Refer to the New South Wales Mandatory Reporter Guide for guidance on making a decision on whether to report abuse and neglect. This guide includes “decision trees”.

## When Mandatory Reports Must Be Made

Reports of child abuse and neglect must be made *as soon as practicable* once a suspicion has been formed. The earlier a report is received the earlier steps can be taken to protect a child, where this is necessary.

## How is a Report Made?

Due to the seriousness of child abuse and neglect, reports should be made using the most direct means possible. In most instances this will be done by the Assistant Principal.

Concerns that require immediate attention will be made by calling the DoCS Child Protection Helpline on **13 3627**.

When preparing to make a report, the specific circumstances that supported the responses to the **decision trees** (if used) and any unique circumstances supporting a decision to report should be readily available to assist DoCS, as well as the following information:

- Full name, date of birth (or approximate age), address and phone number of the child/ren you are concerned about;
- Full name (including any known aliases), approximate age, address and phone number of the parents or carers;
- A description of the child and their current whereabouts;
- Why you suspect the child is at risk of significant harm (what you have seen, heard or been told);
- Whether a language or sign interpreter may be required, whether support is required for a person with a disability or an Aboriginal agency is involved; and

- Your name and contact details.

Sometimes all of this information will not be known to the reporter. As a minimum, DoCS needs to be able to identify and locate the child.

Additionally, information about the child/young person's reaction to the report should also be provided to enable Community Services to take into account any view or wish expressed by the child/young person, including their opposition to the report being made.

### **Optional for Schools that have Registered for eReporting:**

Concerns that do not require immediate attention, will be reported using an **eReport**.

Mater Dei School is registered to lodge eReports via the DoCS Connect Portal. Where necessary the Assistant Principal or School Psychologist will lodge an eReport.

### **Staff / Volunteer / Others Misconduct**

Where a matter that is subject to mandatory reporting also involves an allegation against a staff member or any person engaged by the school to provide services to children, including volunteers, it must also be reported to the NSW Ombudsman.

For details refer to our Child Protection – Reportable Conduct of Staff, Volunteers & Others Policy.

### **Confidentiality of the Reporter's Identity**

Reports made to DoCS are confidential and the reporter's identity is generally protected by law. It is important to note however that NSW Police may be granted access to the identity of the reporter if this is needed in connection with the investigation of a serious offence against a child or young person. The request must come from a senior NSW Police officer and the reporter must be informed that their identity is to be released, unless informing them of the disclosure will prejudice the investigation.

### **What Happens After a Report is Made?**

The Child Protection Helpline will assess the information that is provided, along with information that may be known to DoCs, to determine whether the child is actually at risk of significant harm. DoCS may then do one of the following:

- Screen out the report because it does not meet the threshold for risk of significant harm;
- Refer the report to Brighter Futures (an early intervention program designed to build the resilience of families and children that are at risk);
- Assess the report but not open it for ongoing services;
- Offer ongoing services/further assessment to the child/young person, other individual

family members, or to the family together; or

- Arrange protective placement of the child/young person.

Reporters will be informed of the action that will be taken by DoCS in writing, including whether the report made met the threshold of significant harm and/or whether no further action was recommended.

Even after a report to the Child Protection Helpline has been made, reporters must continue to respond to the needs of the child or young person within the terms of their work role. This may include providing a report to the NSW Police and/or arranging for medical care.

### **IMPLEMENTATION**

This policy is implemented through a combination of:

- Staff training;
- Effective communication and incident notification procedures;
- Effective record keeping procedures; and
- Initiation of corrective actions where necessary.

### **DISCIPLINE FOR BREACH OF POLICY**

Where a staff member breaches this policy Mater Dei School may take disciplinary action, including in the case of serious breaches, summary dismissal.

### **RELATED POLICIES/STATEMENTS**

Mater Dei Child Protection Incident Management Overview Flow Chart

Mater Dei Child Protection – Abuse, Grooming & Neglect Identification & Initial Notification

Mater Dei Child Protection - Reportable Conduct of Staff, Volunteers & Others

Mater Dei Child Protection - Working With Children Checks

Mater Dei Crisis Management (Traumatic Events) Policy

Mater Dei Counselling Services (Student) Policy

New South Wales Mandatory Reporter Guide Procedures

New South Wales Mandatory Reporter Guide – help with selecting a tree

Approved at Leadership Team YES / NO / NA	Signed	Date
Approved at Board YES / NO / NA	Signed	Date
Staff Briefed YES / NO	Signed	Date
Review Date      February 2017		