

PROCEDURES



TASMANIAN  
CATHOLIC  
education commission

Mandatory  
Reporting  
Procedure

## TABLE OF CONTENTS

<b>1</b>	<b>AUTHORITY AND APPLICATION .....</b>	<b>3</b>
<b>2</b>	<b>RELATED DOCUMENTS .....</b>	<b>4</b>
<b>3</b>	<b>PURPOSE.....</b>	<b>4</b>
<b>4</b>	<b>COVERAGE.....</b>	<b>4</b>
<b>5</b>	<b>MANAGING A CHILD’S DISCLOSURE OF ABUSE OR NEGLECT .....</b>	<b>4</b>
	5.1 Private Disclosure.....	4
	5.2 Public Disclosure .....	5
	5.3 Listening to a Child’s Disclosure.....	5
	5.4 Documenting a Child’s Disclosure .....	5
	5.5 Support for those involved with disclosures .....	6
<b>6</b>	<b>ASSESSING POSSIBLE ABUSE AND NEGLECT OTHER THAN BY DISCLOSURE .....</b>	<b>6</b>
<b>7</b>	<b>LODGING A CHILD SAFETY NOTIFICATION .....</b>	<b>7</b>
<b>8</b>	<b>SUSPECTED ABUSE AND NEGLECT BY A CET WORKER .....</b>	<b>7</b>
<b>9</b>	<b>SCHOOL COOPERATION WITH THE CHILD SAFETY SERVICE.....</b>	<b>7</b>
	9.1 Family Group Conferencing.....	7
	9.2 Interviewing a Child at School .....	7
	9.3 Removal of a Child from the School.....	8
	9.4 Advising Parents/Guardians .....	9
<b>10</b>	<b>FURTHER INFORMATION .....</b>	<b>9</b>

Document:	Date of commencement:	Page Reference:
Mandatory Reporting Procedure	9 May 2016	Page 2 of 9

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**1 AUTHORITY AND APPLICATION**

<b>Date of approval</b>	5 May 2016
<b>Source of approval</b>	Tasmanian Catholic Education Commission
<b>Start date</b>	9 May 2016
<b>Date of review</b>	5 May 2019
<b>Date of amendments</b>	Not Applicable
<b>Replaces previous</b>	Collaborative Care DHHS MOU

**SIGNED:**

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Chair of the TCEC

**DATE:**

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5 May 2016

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## **2 RELATED DOCUMENTS**

This Procedure should be considered in conjunction with the TCEC Mandatory Reporting Policy and any associated policies, procedures and Applicable Laws.

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## **3 PURPOSE**

The aim of this Procedure is to assist Mandatory Reporters undertake their Mandatory Reporting obligations.

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## **4 COVERAGE**

This Procedure covers and applies to any Worker who is prescribed as a Mandatory Reporters, including any:

- Principal or Teacher;
- Psychologist registered under the Health Practitioner Regulation National Law (Tasmania);
- Registered Nurse or Enrolled Nurse; or
- Worker involved in the provision, management or administration of education, health, welfare and/or childcare services.

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## **5 MANAGING A CHILD'S DISCLOSURE OF ABUSE OR NEGLECT**

A Child may disclose information about their own or another Child's abuse or neglect privately to a Worker or alternatively may make a public disclosure in class or to a group of Students.

### **5.1 Private Disclosure**

- (a) Where a Child discloses a situation of abuse or neglect directly to a Worker, the Worker must:
  - (i) reassure the Child and support the Child in their decision to disclose;
  - (ii) assure the Child that they have the right to feel safe; and
  - (iii) listen actively to what the Child is saying.
- (b) Disclosure of abuse or neglect can cause strong feelings in both the Child and the Worker. It is important for the Worker to be aware of, and control, their feelings.
- (c) Sometimes the Child may try to elicit a promise that the Worker not tell anyone about the disclosure. Do not make such a promise as it may compromise your legal obligation to make a Child Safety Notification or report an offence to the police.

Document:	Date of commencement:	Page Reference:
Mandatory Reporting Procedure	9 May 2016	Page 4 of 9

## 5.2 Public Disclosure

If a Child begins to disclose in a group setting, a 'protective interruption' technique should be used to manage the disclosure discussion, for example:

- (a) acknowledge that you have heard the Child and stop further disclosure while maintaining support and encouraging the Child to discuss the matter in a more private situation;
- (b) quietly arrange to see the Child to continue the discussion as soon as possible away from other Students; and
- (c) discourage Students to ask questions or make judgements about what they have heard.

## 5.3 Listening to a Child's Disclosure

Do:

- Reassure the Child and support the Child in their decision to disclose.
- Assure the Child that they have the right to feel safe.
- Listen carefully to what the Child is saying and recognise their courage for talking about something that is difficult.
- Maintain a calm appearance with a listening style that is compassionate and reassuring.
- Give the Child your full attention. Let them tell you their situation in their own time.
- Let them use their own words.
- Take notes if the Child is comfortable with you doing so and you are able to maintain connection.
- Accept that the Child will disclose only what is comfortable. Tell the Child what you intend to do next, ensuring that your explanations of 'next steps' are appropriate to the age and level of understanding of the Child.
- Document your meeting and follow the TCEC Mandatory Reporting policy.

Do not:

- Allow your feelings to show if the information provided by the Child shocks, disgusts or distresses you.
- Blame the Child or suggest blame.
- Use leading questions.
- Make promises that cannot be kept.
- Confront the accused or suspected person.
- Undertake an investigation.

## 5.4 Documenting a Child's Disclosure

Notes about a disclosure must be recorded as soon as possible during or

Document:	Date of commencement:	Page Reference:
Mandatory Reporting Procedure	9 May 2016	Page 5 of 9

after the disclosure discussion, and as much as possible should include:

- identifying information of the Child, including date of birth, address and parent/carer details if known;
- the date, time, place and circumstances of the disclosure;
- the date, time, place and circumstances of the event(s) disclosed;
- the nature of harm, abuse or neglect,
- the actual words spoken (or as close as possible);
- all details mentioned, avoiding being selective or making assumptions about what may be relevant or not; details of any actions taken to support the Child after the disclosure;
- details of the recorder.

### **5.5 Support for those involved with disclosures**

Workers and Students involved with, or affected by disclosures will have access to debriefing mechanisms and support through School support structures.

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## **6 ASSESSING POSSIBLE ABUSE AND NEGLECT OTHER THAN BY DISCLOSURE**

- (a) In lieu of disclosure, possible indicators of abuse, neglect or vulnerability may manifest themselves in a Child's:
- general health (if sub-standard);
  - injuries and the explanation given for the injuries (being mindful of injuries that appear inconsistent with a given explanation);
  - behaviour with strong sexual connotations;
  - continuing withdrawn, apprehensive or emotionally disturbed behaviour;
  - repeated presentation of bruises or unexplained injuries; or
  - abuse of hazardous substances and/or self-harm.
- (b) Of themselves, these indicators may be very general, inconclusive and not exhaustive. If uncertain, you are encouraged to consult with the Principal and/or contact the Community Intake Gateway Service to discuss whether formal notification is appropriate for any given situation.
- (c) In some situations the need to notify an allegation of abuse or neglect will be as a result of a single incident. In other situations any incident or information regarding patterns of symptoms or behaviour of concern should be recorded and reported if there are reasonable grounds for suspecting that abuse or neglect may be occurring.

Document:	Date of commencement:	Page Reference:
Mandatory Reporting Procedure	9 May 2016	Page 6 of 9

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## 7 LODGING A CHILD SAFETY NOTIFICATION

- (a) Where you form a belief, suspicion or gain knowledge that a Child has been, or is at risk of being abused or neglected, you must lodge a Child Safety Notification.
- (b) When considering a notification involving a Student 16 years or older, it is important to take into account the young person's wishes, level of maturation and personal situation, while ensuring that the decision-making responsibility for Safety is not left entirely to the Student. It is strongly recommended that any Student over 16 years of age be informed of a decision to notify.
- (c) Where a notification concerns alleged peer assault/abuse, the police should be contacted where appropriate.

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## 8 SUSPECTED ABUSE AND NEGLECT BY A CET WORKER

- (a) Where a Child discloses abuse by a Worker or you have formed a belief or suspicion on reasonable grounds that a Worker may be responsible for the harm of a Child, you must notify your Principal (or TCEO Child Safe Officer if the matter involves the Principal) as soon as possible to determine a strategy to ensure the Child's immediate safety.
- (b) The Principal (or TCEO Child Safe Officer) must initiate the TCEC Reportable Conduct Guidelines immediately.

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## 9 SCHOOL COOPERATION WITH THE CHILD SAFETY SERVICE

### 9.1 Family Group Conferencing

- (a) If the Child Safety Service requires the Principal and/or Workers (as Service Providers) to be involved in facilitated Family Group Conferencing, they should cooperate fully to talk about their involvement with the Child and to provide information about what supports they can offer the Child and their family in the future.
- (b) Further information related to Family Group Conferencing is available on the DHHS website:

[http://www.dhhs.tas.gov.au/children/child\\_protection\\_services/family\\_group\\_conferencing/what\\_happens\\_at\\_a\\_family\\_group\\_conference](http://www.dhhs.tas.gov.au/children/child_protection_services/family_group_conferencing/what_happens_at_a_family_group_conference)

### 9.2 Interviewing a Child at School

- (a) Where possible it is preferred that the Child Safety Service arrange to interview a Child away from the School outside school hours, however on occasion, the Child Safety Service may wish to attend a School to interview a Child. The decision to interview a Child on School premises rests with the Principal after consideration of the need to protect the Child from harm and consideration of the Child's rights.
- (b) When considering a request to interview a Child at School, the Principal should ascertain whether the interview will be conducted

Document:	Date of commencement:	Page Reference:
Mandatory Reporting Procedure	9 May 2016	Page 7 of 9

with/without parental knowledge or consent and clarify the responsibility of the Child Safety Service to inform the Child's Parents/Guardians that an interview will take place or has taken place.

- (c) The Principal or their nominee should negotiate an appropriate venue and time (during school hours only) for the interview.
- (d) When Child Safety Officers arrive at the School, the Principal or their nominee should verify their identification before allowing access to the Child.
- (e) **Support person**
  - (i) The Child should be advised of their right to have a supportive adult present during interviews. If a Child is too young to understand the significance of the interview, the Principal or their nominee should attend with the Child. Where the Child is 16 years or older, it is important to take into account the young person's wishes and level of maturation when deciding whether a supportive adult from the School should be present.
  - (ii) The independent support person must refrain from providing their opinions or accounts of events during interviews.
- (f) At the conclusion of the interview, the Principal or their nominee should meet with the Child Safety Officers to discuss a future action plan which should include:
  - (i) the safety of the Child and the role of the School in providing short and/or long-term support;
  - (ii) clarification of arrangements to notify the Parents/Guardians that an interview has taken place, including confirmation from the Child Safety Service to the School that this has occurred and agreement on the course of action by the Principal if contacted by the Parent/Guardian;
  - (iii) an understanding regarding any arrangements if the Child is required for further interviews or to be removed from the School for further Child Safety assessment (eg warrant);
  - (iv) an understanding regarding what (if any) level of engagement the Child Safety Service will have with siblings (if they attend the School), other Children at the School or Workers, and how this will be progressed;
  - (v) clarification of the Child Safety Service's assessment/investigation timeline and feedback process; and
  - (vi) any other relevant issues/questions.

### 9.3 Removal of a Child from the School

- (a) Occasionally Child Safety Officers or the police may be authorised to remove a Child from a School.
- (b) A Child cannot be removed from School without the knowledge or permission of a Parent/Guardian unless the Principal sights (and copies) a valid warrant, by the Child Safety Service or the Police. In

Document:	Date of commencement:	Page Reference:
Mandatory Reporting Procedure	9 May 2016	Page 8 of 9

such a situation, duty of care is transferred to either the Child Safety Service or the Police.

- (c) The Principal should clarify the responsibility of the Child Safety Service or the Police to inform the Child's Parents/Guardians that they have removed the Child and seek confirmation that this has occurred.
- (d) The School does not have the power to prevent Parents/Guardians from collecting/removing their Child from School and should not attempt to prevent them. If they collect/remove their Child before a planned interview has taken place, the Principal and/or their nominee should contact the Child Safety Service immediately.

#### **9.4 Advising Parents/Guardians**

- (a) Mandatory Reporters do not require the permission of Parents/Guardians to make a Child Safety Notification.
- (b) It is the responsibility of the Child Safety Service to advise Parents/Guardians of their Child's interview at School, or removal from School, at the earliest possible opportunity.
- (c) If a Child has been interviewed at School, or removed from School by the Child Safety Service or Police, and the Parent/Guardian subsequently contacts the School, they should be informed that it is not a matter for the School but one that is being handled by the statutory Child Safety Service. Any concerns should be directed to the Child Safety Service on 1300 736 639.
- (d) Workers must not discuss any aspect of a Child Safety Notification or Child Safety Service assessment/investigation process with Parents/Guardians.

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## **10 FURTHER INFORMATION**

Please contact TCEO on (03) 6210 8888 for:

- General information or support (Human Services)
- Specific queries (TCEO Child Safe Officer)

Document:	Date of commencement:	Page Reference:
Mandatory Reporting Procedure	9 May 2016	Page 9 of 9