



<b>CEO\PROC 002</b>	<b>MANDATORY REPORTING - SAFETY &amp; PROTECTION OF ALL PERSONS EXPOSED TO DOMESTIC AND FAMILY VIOLENCE PROCEDURE</b>
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### **Purpose**

The purpose of this procedure is to:

- a) provide the obligations, according to the Mandatory Reporting Policy, relating to the safety and protection of all persons, including children, who are exposed to domestic/family violence
- b) provide the process of Mandatory Reporting
- c) provide the training obligations of leaders in Catholic Education
- d) define domestic violence, domestic and family relationships, legal protection and confidentiality
- e) provide templates for recording training and participation in training

### **Commencement of Procedure**

This Procedure will commence from the date of approval. It replaces all other Mandatory Reporting of Domestic and Family Violence Procedures of CEO (whether written or not).

### **Application of the Procedure**

This Procedure applies to all employees and volunteers of Catholic Education. It is the responsibility of leadership in Catholic Education to ensure that all staff, whether paid or unpaid, receive training in Mandatory Reporting.

The Australian Professional Standards for Teachers require knowledge of the legislative requirements regarding maintaining student safety and wellbeing as part of the professional practice of teachers.

### **Reporting Obligations**

In the Northern Territory, adults must report reasonable beliefs of harm and/or serious or imminent threat of harm.

If an adult or child discloses harm, the child or adult is to be told that it must be reported.

A report must be made as soon as possible after forming the belief. In the case of harm to a child, telephone the 24 hour toll free number 1800 700 250 (Department of Children and Families) or contact the police on 131 444. In the case of harm to an adult, contact the Police on 000 if in an emergency, otherwise on 131 444.

Provide information about the concern and/or belief of harm and/or imminent threat of harm in as much detail as possible.

Once a report is made, the responsibility for follow-up lies with the Police, or the Department of Children and Families, in the case of harm to a child.

A report to the Police does not have to be made if a belief is held that someone else has already made a report to Police. Making a report may be delayed, if involved in the removal of the person from the situation and/or if a belief is held that a report to the Police may result in a serious or imminent threat to the safety of any adult or child.

It is an offence if a reasonable belief is held that harm has occurred or is occurring and/or there is a serious or imminent threat of harm and this is not reported to the Police. It may result in a fine or prosecution.

Under the *Domestic and Family Violence Act*, the requirements of confidentiality or professional ethics is not breached by making a report.

The Department of Children and Families has published the *Information Sharing Guidelines (2012)*, in reference to the *Care and Protection of Children Act*. The guidelines describe the framework for information sharing in relation to child safety and well-being in the Northern Territory. The guidelines outline the obligations and legal protection for people, like principals, registered teachers and child care workers to share information relating to the safety and wellbeing of a child.

### **Training obligations**

The requirements for school leadership, according to the *Australian Professional Standard for Principals*, include knowledge and understanding of the legislative obligations of child safety and wellbeing. This is consistent with the Catholic Education Office Northern Territory Mandatory Reporting Policy which is underpinned by the *Domestic and Family Violence Act*.

Catholic Education will induct Principals of schools/colleges and leadership in the Catholic Education Office in their responsibilities of Mandatory Reporting.

The *Australian Professional Standards for Principals* also outline the professional practices of principals. Two of these practices that relate to Mandatory Reporting are:

1. developing self and others through professional learning and staff induction, and
2. engaging and working with the community to ensure the safety and wellbeing of students and recognize and support families and carers.

Principals in schools and leadership in the Catholic Education are to ensure training in Mandatory Reporting is given to all staff, whether paid or unpaid, and that records of the training are kept. (See Attachment A and Attachment B).

Principals of schools/colleges and leadership in the Catholic Education Office are to ensure that support mechanisms are in place for those who do report. It is not mandated, but it is recommended that the Principal is advised of a report being made so support mechanisms can be put into place when a report is made.

## Definitions

### Adult

Under legislation, an adult is a person at least 18 years of age

### Child

Under legislation, a child is defined as a person aged less than 18 years

### Confidentiality

The *Domestic and Family Violence Act* (NT) makes it clear that the requirements of confidentiality or professional ethics is not breached by making a report. Neither is the person civilly or criminally liable.

### Domestic and Family Relationships

Under the *Domestic and Family Violence Act* (NT), domestic and family relationships includes spouses, defacto partners, grandparents, stepchild, stepparent, aunts, cousins, uncles, relatives according to Aboriginal, cultural or religious tradition or contemporary social practice, boyfriends, girlfriends, engaged/betrothed couples, same sex couples and carers whether current or in the past and if it was sexual or not.

### Domestic and Family Violence

Under legislation, domestic violence includes actual, or attempts or threats to harm a person, damage property, including injury or death of an animal, intimidation, stalking and economic abuse.

### Harm

According to Section 1A of the Criminal Code, harm is physical harm or harm to a person's mental health, whether temporary or permanent.

### Harm to a person's mental health

This harm includes significant psychological harm, but does not include mere ordinary emotional reactions such as those of only distress, grief, fear or anger.

### Physical harm

Any harm that endangers or is likely to endanger, a person's life, or is likely to be significant or longstanding is serious physical harm. It includes sexual or physical assault resulting in unconsciousness, pain, disfigurement, infection with a disease, and any physical contact that a person might object whether or not they are aware of it at the time. When involving a child, refer to the Mandatory Reporting - Harm to a Child Procedure.

## Legal Protection

The *Information Sharing Guidelines 2012* (NT) outline legal protection for people, like principals, registered teachers and child care workers to share information with other authorised persons relating to the safety and wellbeing of a child.

## Variations

CEO reserves the right to vary, replace or terminate this Procedure from time to time.

## Related Policies, Legislation and Documents

These documents should be used to support the Mandatory Reporting - Safety & protection of all persons exposed to domestic and family violence procedure.

- CEO Mandatory Reporting Policy (2014)
- Domestic and Family Violence Act (Northern Territory), as in force at 1 July 2012
- Information Sharing Guidelines (1 July 2012) (Northern Territory)
- Criminal Code Act (As in force at 7 October 2013) (Northern Territory)
- NT Families and Children Mandatory Reporting of Domestic and Family Violence Fact Sheet, [www.stopfamilyviolence.nt.gov.au](http://www.stopfamilyviolence.nt.gov.au)
- [http://childrenandfamilies.nt.gov.au/Domestic\\_and\\_Family\\_Violence/Publications/index.aspx](http://childrenandfamilies.nt.gov.au/Domestic_and_Family_Violence/Publications/index.aspx)

Number	CEO\PROC 002	Mandatory Reporting - Safety & Protection Of All Persons Exposed To Domestic and Family Violence Procedure	
Approved by	Director CENT	Signature	
Date approved	18/1/2016	Version number	1
Document application	CEO staff All Catholic Education employees and volunteers in schools, whether paid or unpaid	SIRF area	Leadership, Pastoral Care and Wellbeing, Teaching and Learning

MANDATORY REPORTING  
Acknowledgement Form

School: \_\_\_\_\_

All people working within the school/college/early learning centre/preschool/ Out of School Care facility, both paid and voluntary, are to sign this form once in-serviced by the Principal in relation to Mandatory Reporting requirements.

I hereby acknowledge that I have attended a staff meeting conducted by the principal of this school or otherwise have been in-serviced by the principal where I have been provided with information about Mandatory Reporting requirements.		
Name	Position	Signature and Date

Principal Signature: \_\_\_\_\_ Date: \_\_\_\_\_

(DET Policy: Safeguarding the Wellbeing of Children - Obligations for the Mandatory Reporting of Harm and Exploitation, 2010)

MANDATORY REPORTING

Training Declaration Form

School: \_\_\_\_\_

I hereby acknowledge that I have in-serviced all people working within the school/college/early learning centre/preschool/ Out of School Care facility, both paid and voluntary, in Mandatory Reporting requirements.

All people in-serviced have completed the relevant acknowledgement form.

I am aware that I am required to in-service staff members who were absent or who commence at the school after the training session. Once in-serviced these staff are required to sign the Acknowledgement form.

Principal Signature: \_\_\_\_\_ Date: \_\_\_\_\_

(DET Policy: Safeguarding the Wellbeing of Children - Obligations for the Mandatory Reporting of Harm and Exploitation, 2010)