

Mandatory Reporting Policy



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Enquiries Contact: admin.wa@oneschoolglobal.com	Associated Documents Child Protection Policy Child Abduction Response Plan Guidelines Emergency & Critical Incident Management Staff Code of Conduct	

1. INTRODUCTION/POLICY STATEMENT

The Trustees and staff of OneSchool Global WA are committed to the protection of children and young people who come in contact with any OneSchool Global WA programs or related activities. All children have the right to be protected from sexual abuse.

2. PURPOSE

In Western Australia, the legislation covering mandatory reporting of child sexual abuse is the *Children and Community Services Act 2008*. SCOPE

Mandatory Reporting

In Western Australia, it is a legal obligation for designated professionals to report child sexual abuse to the Department of Communities - Child Protection and Family Support. All Australian jurisdictions have some level of mandatory reporting.

Who are mandatory reporters?

- Doctors
- Nurses and midwives
- Teachers
- Police officers
- Boarding Supervisors

It is mandatory for teachers, any staff member or community member concerned about the welfare, safety or possible sexual abuse of a student should advise the Principal.

Child

A child is defined in the *Children and Community Services Act 2004* as 'under 18 years of age, and in the absence of positive evidence of age, means a person apparently under 18 years of age'.

Physical abuse

Physical abuse occurs when a child or young person has experienced severe and/or persistent ill-treatment through behaviours such as beating, shaking, inappropriate administration of alcohol and drugs, attempted suffocation or excessive discipline or physical punishment.

Emotional and psychological abuse

Emotional and psychological abuse is the sustained, repetitive, inappropriate, ill treatment of a child or young person through behaviours including threatening, belittling, teasing, humiliating, bullying, confusing, ignoring and inappropriate encouragement.

Sexual abuse

Sexual abuse includes sexual behaviour where: a child or young person is subject to coercion, a threat, exploitation or violence; the child has less power than another person involved in the behaviour; and there is significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.

Sexual abuse occurs when a child has been exposed or subjected to sexual behaviours that are exploitative and/or inappropriate to his/her age and developmental level. Examples include sexual penetration, inappropriate touching and exposure to sexual acts or pornographic material.

Neglect

Neglect is when a child is not provided with adequate food or shelter, effective medical, therapeutic or remedial treatment, and/or care, nurturance or supervision to a severe and/or persistent extent.

Abusive Sexual Behaviour

Abusive sexual behaviour may include, but is not limited to:

- sexual penetration
- inappropriate touching
- exposure to sexual acts
- exposure to pornographic materials.

This applies to children and young people under 18 years of age.

Indicators of child sexual abuse

- Many indicators on their own may not lead to a belief, based on reasonable grounds, of child sexual abuse.
- Mandatory reporters must use their professional judgement and objective observation to form a belief on reasonable grounds of child sexual abuse.
- Indicators will assist you in making a professional judgement.
- The intention is not to capture all sexual activity involving children and young people, for example, between a teenage boyfriend and girlfriend engaging in consensual sexual activity.

Possible indicators of child sexual abuse

Possible indicators of child sexual abuse include, but are not limited to, when a child:

- displays sexualised behaviours inappropriate to their age (including sexually touching other children and themselves)
- demonstrates knowledge of sexual behaviour inappropriate to their age
- makes a disclosure of sexual abuse either directly or indirectly through drawings, play or writing that describes abuse
- exhibits pain or bleeding in the anal or genital area with redness or swelling
- exhibits fear of being alone with a particular person
- implies that he/she is required to keep secrets
- exhibits the presence of a sexually transmitted infection
- exhibits sudden unexplained fears
- exhibits enuresis and/or encopresis (bedwetting and bed soiling).

Harm which may result from child sexual abuse includes significant emotional trauma, physical injury, infection, and impaired emotional and psychological development.

The Department will consider contextual elements when trying to determine if a situation is abusive, such as the role of coercion or unequal power in a relationship. This is particularly important in relation to sexual behaviour between children, where the children's respective ages, developmental level and the nature of the relationship are important considerations.

Reasonable grounds for a belief

In Western Australia, it is only mandatory for certain professionals to report a belief of child sexual abuse. Mandatory reporters do not need proof of sexual abuse to make a report; a belief, based on reasonable grounds, is all that is required. Mandatory reporters must be able to state the grounds on which they formed the belief that a child has been, or is being, sexually abused.

Professional judgement and objective observation which identifies warning signs or possible indicators of child sexual abuse informs and contributes to 'reasonable grounds'. Knowledge of child development and consultation with colleagues or other professionals can also contribute to 'reasonable grounds'.

Child sexual abuse occurs when a child has been exposed or subjected to sexual behaviours that are exploitative and/or inappropriate to his/her age and developmental level. Examples include sexual penetration, inappropriate touching, and exposure to sexual acts or pornographic materials, or using the internet for soliciting children for sexual exploitation.

3. PROCEDURES

If you are a doctor, nurse, midwife, teacher, police officer or boarding supervisor you can lodge a verbal mandatory report by calling the Department of Communities - Child Protection and Family Support's Mandatory Reporting Service on **1800 708 704**.

Making a Report

Step 1

Mandatory reporters must report a belief, formed on reasonable grounds in the course of their work, paid or unpaid, that a child or young person has been the subject of sexual abuse or is the subject of ongoing sexual abuse, to the Department.

When making a report, in good faith, about possible child sexual abuse, a mandatory reporter does not breach any employment related duty of confidentiality, professional ethics or standards and will not have engaged in unprofessional conduct

Mandatory reporters must report the belief that a child is being sexually abused, or has been sexually abused, as soon as practicable. This is important as the earlier a report is received, the earlier steps can be taken to protect a child, where this is necessary

Reporters do not need to have proof that a child or young person is being abused in order to make a mandatory report. However, mandatory reporters must have formed a belief on reasonable grounds.

It is critical that professionals who believe a child is being sexually abused make a report so that the Department and the Western Australia Police can conduct the necessary investigation.

Mandatory reporters must specify the grounds on which they formed the belief that a child has been, or is being, sexually abused. It is important to provide as much detailed information as possible, including:

- what the child has said or done to suggest they are being sexually abused
- if the child has disclosed abuse, what they said happened and who they disclosed to and when
- a description of any behaviours/ interactions with the child that are of concern, including frequency and severity of behaviours
- whether the child has any injury, or medical needs.

When a mandatory reporter makes a report, the Mandatory Reporting Service may ask for further information about the child and their circumstances. This information does not have to be provided under the legislation, but it can assist in assessing the safety of the child. For example, the mandatory reporter may be asked to provide information about:

- the child's current whereabouts
- the telephone number of the child's current address
- the child's school, day care centre or kindergarten
- the child's cultural background
- whether the child or family needs an interpreter
- the child's family arrangements, such as siblings and carers
- the name of the person alleged to have harmed the child, including whether they have threatened to further harm the child
- whether the child and the child's family/carers are aware of the report.

Where a teacher has formed a belief that the child is at imminent risk of being abused, they should consider calling the Western Australian Police first, whether through the 000 or the 131 444 numbers. This does not fulfil the legal obligation to report a child sexual abuse belief and the individual who has formed the belief should then make a Mandatory Report (MR), which can be completed through the following link: <https://mandatoryreporting.dcp.wa.gov.au/Pages/MakeaReport.aspx>

Step 2

It is essential that reports are managed in a caring, supporting and confidential manner and that the reporting teacher be supported. Written records should be kept.

The identity or information with potential to indicate the identity of, the notifying individual must remain confidential.

This information will be kept in a confidential Incident Register in the Principal's office.

Step 3

If there is uncertainty about the need for a mandatory report, the teacher or his/her delegate should contact Department for Child Protection and Family Support on 1800 273 889 or email cpduty@cpfs.wa.gov.au

Step 4

If after these confidential discussions, it is deemed necessary to make a mandatory report, the teacher can make a verbal report through the Department for Communities - Child Protection and Family Support or a written report. However, a verbal report must be followed by a written report in all cases.

Step 5

After all the relevant authorities have been consulted with, referred to above in steps 1-4, it should then be decided who else, if anyone, should be informed. The need for confidentiality should be remembered at all times in the interest of the child and family. Only where the welfare of the child or the reporter will be affected should the matter be discussed with anyone else.

If, following a report, a family approaches the school, it is recommended that any interview or discussion be conducted with a minimum of two school staff members present. The focus of such a meeting should be on the welfare of the child, not on justifying the actions of the teacher/s involved.

This meeting must be documented.

Step 6

Support for the reporting teacher/s and the student who is the cause for concern and anyone else affected should be arranged. Support should continue to be provided if necessary, as the role of the teacher with the student and Department for Communities - Child Protection and Family Support may be ongoing.

4. LEGISLATION

Child Protection Policy and Procedure

Critical Incident & Emergency Policy

School Education Act 1999 s63 & 63

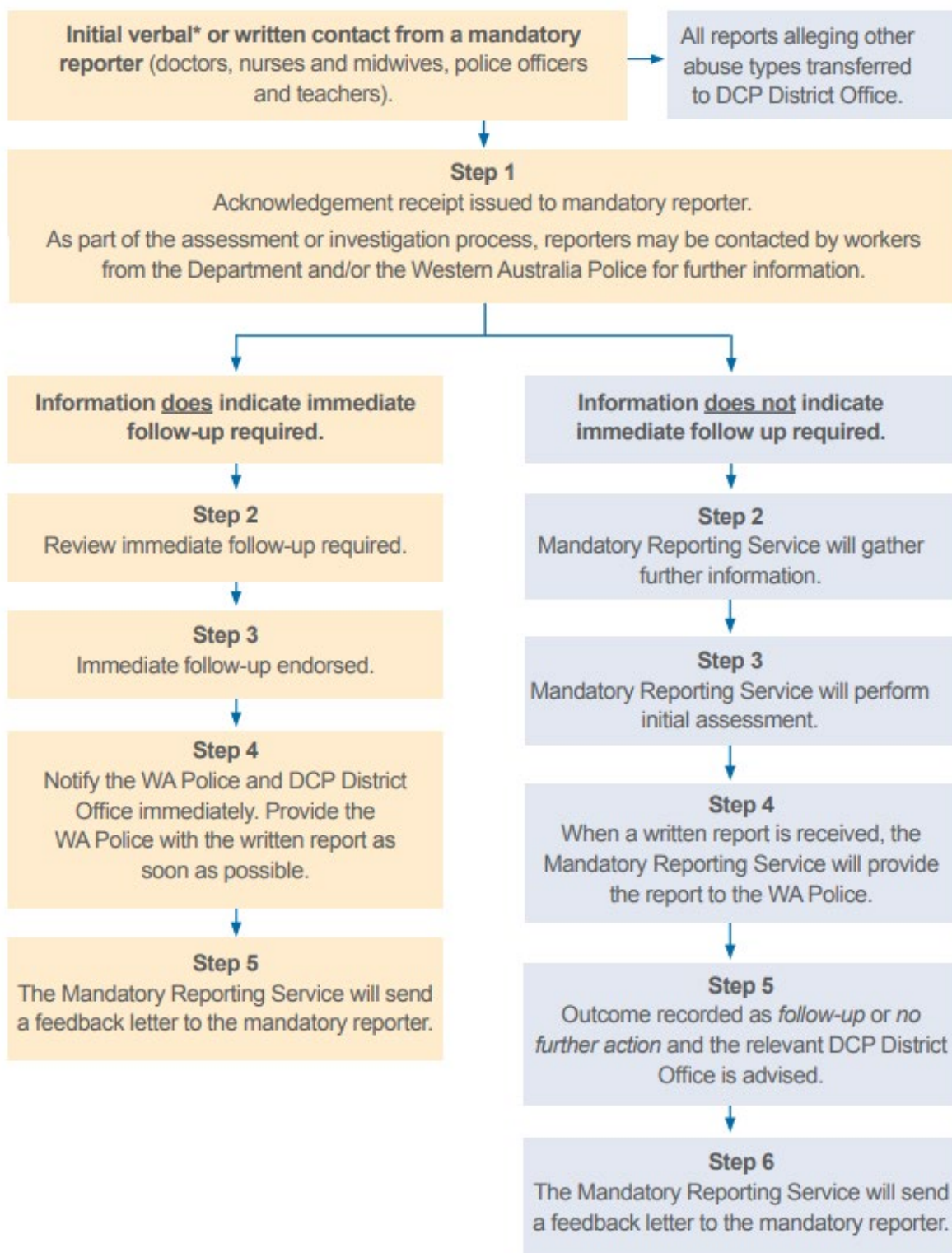
Working With Children Act 2004

Children and Community Services Act 2004

Criminal Code Act 1913 s322

Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008

AISWA Guidelines: Child Protection



5. VERSION CONTROL

Document Code	Date	Version No.	Nature of Change
Mandatory Reporting	2011		Various
Mandatory Reporting	January, 2018	0118	Various

Mandatory Reporting	January, 2019	0119	Various
POL-WA_ADM_Mandatory Reporting Policy	30/10/2019	v1.1	OSG Format
POL_WA_HR_Mandatory Reporting Policy	22/02/2021	v1.2	Review, update, reformat
POL_WA_HR_Mandatory Reporting Policy	04/09/2023	v1.3	Review & update