

8.0 Mandatory Reporting Policy

Policy Rationale

The Empathy Initiative has a zero-tolerance approach to child abuse. The Empathy Initiative must and will comply with the minimum standard for the care, safety and welfare of children as detailed in the Child Safe Standards specified by Ministerial Order No. 870. Underpinning the information and procedures discussed in this policy is the Children, Youth and families Act 2005. All employees and contractors of The Empathy Initiative undertake compulsory annual 'Mandatory Reporting' training.

The purpose of this document is to outline The Empathy Initiative's responsibilities and approach to Child Protection Reporting.

- The Policy provides its Staff, Contractors and Volunteers with an outline of what to do in the event of incidents, disclosures or allegations of child abuse against a student or child in the care of The Empathy Initiative.
- The Policy must be read in conjunction with the Child Safe Environments Policy.

Procedures

The policies and procedures contained in this document covers both contemporary and historical Child Abuse Matters. The document applies to all Staff, Contractors, Volunteers and all attendees at The Empathy Initiative.

All The Empathy Initiative Staff, Contractors and Volunteers must familiarise themselves with this Policy document and respond appropriately and in accordance with the provisions of the Policy.

All staff are required to complete the Mandatory Reporting eLearning Module each year, as a part of The Empathy Initiative's child safe training.

The Empathy Initiative recognises that it is essential that the safety, health, welfare and wellbeing of its attendees are safeguarded at all times. Every person working for The Empathy Initiative is responsible for the ongoing care and protection of its attendees.

The Empathy Initiative is committed to ensuring all incidents, disclosures or allegations of Child Abuse are reported immediately to the appropriate authorities and the child's wellbeing is at the centre of any actions or decisions that ensue. The Empathy Initiative adheres to the Child Safe Standards and Mandatory reporting legislation. All The Empathy Initiative personnel, either voluntary or paid, who have formed a belief based on reasonable grounds of child abuse are to contact the relevant Child Safe Officer and collectively make a Mandatory Report.

In addition to Mandatory reporting The Empathy Initiative requires all The Empathy Initiative staff members, contractors and volunteers, whether required by the legislation or not, who have formed a belief on reasonable grounds of any child abuse (sexual, physical, emotional/psychological, neglect, grooming or domestic violence), or who have had an attendee disclose child abuse directly to them or indirectly through a friend, are to report to The Empathy Initiative's Director.

The Child Safe Standards require The Empathy Initiative to have processes for responding to and reporting suspected child abuse. This procedure is designed to provide guidance on what to do if a child discloses an incident of abuse, or if a parent/carer raises a concern or allegation of abuse.

If a child discloses an incident of abuse to you

- Try and separate them from the other children discreetly and listen to them carefully.
- Let the child use their own words to explain what has occurred.
- Reassure the child that you take what they are saying seriously, and it is not their fault and that they are doing the right thing.
- Explain to them that this information may need to be shared with others, such as with their teacher.
- Do not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- Do not leave the child in a distressed state. If they seem at ease in your company, stay with them. Take measures to protect the child until the allegation has been resolved.
- Provide them with an Incident Report Form to complete, or complete it together, if you think the child is able to do this.
- As soon as possible after the disclosure, record the information using the child's own words if this has not already been done, and report the disclosure to Child First or Child Protection.
- Ensure the disclosure is recorded accurately on an Incident Report Form, and that the record is stored securely in a central file.

Useful Information

You need to be aware that some people from culturally and/or linguistically and/or intellectually diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police and communicating in English may be a barrier for some. You need to be sensitive to these issues and meet people's needs where possible, such as having an interpreter present (who could be a friend or family member).

If an allegation of abuse involves an Aboriginal child, you will need to ensure a culturally appropriate response.

If a staff member believes a child is at risk of abuse/neglect they are to contact the relevant Child Safe Officer (HOS or DP) and collectively make the following call:

1. During office hours contact CHILD FIRST 1300 762 125 (Boorondara) for wellbeing/neglect issues.
2. Contact CHILD PROTECTION 1300 360 391 for a child in immediate danger of abuse or significant harm.

Circumstances under which a mandated reporter must make a report

While the child safe standards focus on organisations, every adult who reasonably believes that a child has been abused, whether in their organisation or not, has an obligation to report that belief to authorities.

Fulfilling the roles and responsibilities contained in this procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.

The failure to disclose criminal offence requires all adults (aged 18 and over) who hold a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 to disclose that information to police (unless they have a reasonable excuse not to, for example because they fear for their safety or the safety of another).

While failure to disclose only covers child sexual abuse, all adults should report other forms of child abuse to authorities. Failure to disclose does not change mandatory reporting responsibilities.

Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), school counsellors, Principals and police and religious leaders) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

The failure to protect criminal offence (commenced on 1 July 2015) applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently failed to do so.

Step-by-step guide to making a report to Child Protection or Child FIRST

A step-by-step guide to making a report to Child Protection or Child FIRST

Protective concerns

You are concerned about a child because you have:

- received a disclosure from a child about abuse or neglect
- observed indicators of abuse or neglect
- been made aware of possible harm via your involvement in the community external to your professional role.

At all times remember to:

- record your observations
- follow appropriate protocols
- consult notes and records
- consult with appropriate colleagues if necessary
- consult with other support agencies if necessary

STEP 1	RESPONDING TO CONCERNS	STEP 2	FORMING A BELIEF ON REASONABLE GROUNDS	STEP 3	MAKING A REFERRAL TO Child FIRST	STEP 4	MAKE A REPORT TO CHILD PROTECTION
	<p>1. If your concerns relate to a child in need of immediate protection; or you have formed a belief that a child is at significant risk of harm*. Go to Step 4</p> <p>2. If you have significant concerns that a child and their family need a referral to Child FIRST for family services. Go to Step 3</p> <p>3. In all other situations Go to Step 2.</p> <p>* Refer to Appendix 2: Definitions of child abuse and indicators of harm in the Protocol – Protecting the safety and wellbeing of children and young people</p>		<p>1. Consider the level of immediate danger to the child. Ask yourself:</p> <p>a) Have I formed a belief that the child has suffered or is at risk of suffering significant harm? YES / NO and</p> <p>b) Am I in doubt about the child's safety and the parent's ability to protect the child? YES / NO</p> <p>2. If you answered yes to a) or b) Go to Step 4</p> <p>3. If you have significant concerns that a child and their family need a referral to Child FIRST for family services. Go to Step 3</p>		<p>Child Wellbeing Referral</p> <p>1. Contact your local Child FIRST provider.</p> <ul style="list-style-type: none"> See over for contact list for local Child FIRST phone numbers. <p>2. Have notes ready with your observations and child and family details.</p>		<p>Mandatory/ Protective Report*</p> <p>1. Contact your local Child Protection Intake provider immediately.</p> <ul style="list-style-type: none"> See over for contact list for local Child Protection phone numbers. For After Hours Child Protection Emergency Services, call 131 278. <p>2. Have notes ready with your observations and child and family details.</p> <p>* Non-mandated staff members who believe on reasonable grounds that a child is in need of protection are able to report their concerns to Child Protection</p>

For further information refer to *Protecting the safety and wellbeing of children and young people – A joint protocol of the Department of Human Services Child Protection, Department of Education and Early Childhood Development, Licensed Children's Services and Victorian Schools*

Contact Numbers		
Department of Education and Early Childhood Development		
METROPOLITAN REGIONS		
Eastern	(03) 9265 2400	
Northern	(03) 9488 9488	
Western	(03) 9291 6500	
Southern	(03) 9794 3555	
RURAL REGIONS		
Baywon South Western	5225 2000	
Gippsland	5227 0400	
Grampians	5337 8444	
Hume	5761 2100	
Loddon Mallee	5440 3111	
Office for Children and Licensed Children's Services:		
METROPOLITAN REGIONS		
Eastern	(03) 9265 2400	
Northern	(03) 9422 5333	
Western	(03) 9275 7000	
Southern	(03) 9096 9555	
RURAL REGIONS		
Baywon South Western	5225 2000	
Gippsland	5227 0400	
Grampians	5337 8444	
Hume	5761 2100	
Loddon Mallee	5440 3111	
Important information for government schools		
Principals of Victorian Government schools must report all incidents to the Emergency and Security Management Unit on 03 9589 6266.		
Victorian Government schools should contact the Student Critical Incident Advisory Unit (SCIAU), Student Wellbeing Division, for advice and support when responding to allegations of student sexual assault or inappropriate sexual behaviours.		
The SCIAU can be contacted on 03 9637 2934 or 03 9637 2487.		
Victorian Government School Principals should refer to the flowchart – Responding to Allegations of Student Sexual Assault Compulsory Actions for Principals at: http://www.education.vic.gov.au/health/wellbeing/safety/childprotection/childprotection.htm		
Department of Human Services Child Protection		
METROPOLITAN REGIONS		
Intake Unit		
Eastern	1300 360 392	
North and West	1300 664 977	
Southern	1300 655 795	
METROPOLITAN REGIONS		
Regional Office		
Box Hill	(03) 9843 6000	
Phanton Footscray	1300 664 977	
Dandenong	(03) 9213 2111	
RURAL REGIONS		
Intake Unit		
Regional Office		
Baywon South Western	1800 075 599	
Gippsland	1800 020 202	
Grampians	1800 000 551	
Hume	1800 650 227	
Loddon Mallee	1800 675 598	
Geelong	(03) 5226 4540	
Traralgon	(03) 5177 2500	
Ballarat	(03) 5333 6530	
Wangaratta	(03) 57 22 0555	
Wodonga	(02) 605 5 7777	
Bendigo	(03) 5434 5555	
After hours Child Protection Emergency Services (AHCPEs)		
Statewide number for all emergency child protection matters outside of normal business hours (24 hours, 7 days a week): 131 27 8		
Victoria Police 000		
Catholic Education Offices		
Catholic Education Office, Melbourne	(03) 9267 0228	
Catholic Education Office, Ballarat Diocese	5337 7135	
Catholic Education Office, Sale Diocese	5622 6600	
Catholic Education Office, Sandhurst Diocese	5443 2377	
Independent Schools Victoria (03) 9825 7200		
Other		
Victorian Aboriginal Education Association, Inc.	(03) 9481 0800	
Victoria Police Sexual Offences and Child Abuse Unit	(03) 9247 6666	
Centre Against Sexual Assault	1800 806 292	
Gatehouse Centre, Royal Children's Hospital (for specialist counselling and medical assistance)	(03) 934 5 6391	
Child Safety Commissioner	(03) 8602 5884	
Victorian Aboriginal Child Care Agency	(03) 8388 1855	
CHILD FIRST		
Local Catchment Area		
Contact		
Baywon South Western	Greater Geelong, Queenscliff, Surf Coast	1300 551 948
	Colac - Otway, Corangamite	5232 5500
	Warrambool, Moyne, Glenelg, Southern Grampians	1300 889 713
Gippsland	East Gippsland	5252 0052
	Wellington	5244 7777
	La Trobe, Baw Baw	1800 339 200
	South Gippsland, East Coast	5662 5250
Grampians	Northern Grampians, West Wimmera, Hindmarsh, Yarrambat, Horsham	1800 295 214
	Anarat, Pyrenees, Hepburn, Ballarat, Golden Plains, Moorabool	1300 783 341
Hume	Wodonga, Towong, Indigo	1800 705 211
	Alpine, Benalla, Mansfield, Wangaratta	1800 705 211
	Greater Shepparton, Strathbogie, Moira	1300 854 944
	Mitchell, Murrindindi	1800 663 207
Loddon Mallee	Greater Bendigo, Campaspe, Central Goldfields, Loddon, Macdon Ranges, Mount Alexander	1800 260 338
	Buloke, Coonawarra, Swan Hill, Hildura	1800 625 533
Eastern Metropolitan	Yarra Ranges, Knox, Maroondah	1300 369 226
	Monash, Whitehorse, Manningham, Boroondara	1300 762 225
North and West Metropolitan	Nilumbik, Whittlesea, Bayside, Yarra and Darebin	(03) 9450 0955
	Brimbank, Melton	1300 238 280
	Hume, Moorland	1300 786 433
	Hobson's Bay, Maribymong, Melbourne, Moonee Valley and Wyndham	1300 775 260
Southern Metropolitan	Casey, Cardinia, Greater Dandenong	(03) 9705 3939
	Aboriginal children and families (Casey, Cardinia and Great Dandenong)	(03) 9794 5073
	Frankston, Mornington Peninsula	1300 722 383
	Kingston, Bayside, Glen Eira, Stonington, Port Phillip	1300 367 441

Incident Report Form

This incident report form can be provided to a child or their family if they disclose an allegation of abuse or safety concern. The Empathy Initiative staff can also use this form to record disclosures.

All incident reports must be stored securely in a central file.

Date of incident:		
Time of incident:		
Location of incident:		
Name(s) of child/children involved:		
Name(s) of staff/volunteer involved:		

If a staff member believes a child is at risk of abuse/neglect they are to contact The Empathy Initiative's Director and collectively make the following call:

1. During office hours contact CHILD FIRST 1300 762 125 (Boorondara) for wellbeing/neglect issues.
2. Contact CHILD PROTECTION 1300 360 391 for a child in immediate danger of abuse or significant harm.

After hours contact CHILD PROTECTION 131 278 (state-wide number) Child First / Child Protection will contact police if required.

Does the child identify as Aboriginal or Torres Strait Islander?

(Mark with an 'X' as applicable)

No

Yes, Aboriginal

Yes, Torres Strait Islander

Please categorise the incident

Physical violence

Sexual offence

Grooming

Serious emotional or psychological abuse

Serious neglect

Please describe the incident

When did it take place?	
Who was involved?	
What did you see?	

Other information (i.e., disabilities, mental or physical issues; social and economic background; previous history or indicators of abuse; cultural status; language/s spoken; religion; etc.)	

Parent/carer/child use (if required)

Date of incident:	
Time of incident:	
Location of incident:	
Name(s) of child/children involved:	
Name(s) of staff/volunteer involved:	

Office use:

Date incident report received:	
Staff member managing incident:	
Follow-up date:	

Incident reference number:	
----------------------------	--

Name of child	
Address	
Date of birth	

Has the incident been reported?

Child First	
Child Protection	
Police	
Another third party (please specify):	

Does the incident reporter wish to remain anonymous?
(Mark with an 'X' as applicable)

Yes

No

References

- ACECQA National Quality Framework Resource Kit (2012)
- Quality Area 1 – Educational Program and Practice.
- Quality Area 2 – Children’s Health and Safety
- Quality Area 7 – Leadership and Service Management
(Standard: 7.2; Elements: 7.3.3, 7.3.4, 7.3.5)
- Education and Care Services National Law Act (2010), S 168, S 174
- Education and Care Services National Regulations (2011), R 173, R 176

Version control date: April 2022

To be reviewed: December 2022