

CHILD PROTECTION MANDATORY REPORTING

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LAUNCESTON
CHRISTIAN
SCHOOL

SOURCE OF OBLIGATION

Under the Children, Young Persons and Their Families Act 1997 (Tas) (CYPFA), a **principal** or **teacher** in any educational institution is required by law to make a report if he or she knows, believes or suspects, on reasonable grounds that:

- a child has been or is being abused or neglected;
- a child has been or is being affected by family violence; and
- there is a reasonable likelihood of a child being killed or abused or neglected by a person with whom the child resides.

LCS'S POLICY

LCS has developed a detailed **Child Protection Policy** 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.

This policy is designed to set out in plain English, teachers' obligations in relation to mandatory reporting of child abuse and neglect in Tasmania.

WHAT DOES 'KNOW, BELIEVE OR SUSPECTS ON REASONABLE GROUNDS' MEAN?

The CYPFA does not define the terms 'know, believe or suspect on reasonable grounds.'

This policy provides ordinary English meanings of these terms to assist the Principal and teachers in their understanding of how to comply with their obligations.

Know

This includes something you recognise, acknowledge or perceive.

You may consider that you know that a child is being abused or neglected because you have seen it occurring.

Believe

This includes if you think that something is the case, but do not yet know.

A belief is between a suspicion on reasonable grounds, and knowing.

Suspect, on Reasonable Grounds

To suspect, on reasonable grounds, is to form a suspicion on reasonable grounds.

A suspicion has its ordinary English meaning. This includes a guess, intuition or notion or impression.

Whether reasonable grounds exist is a question of fact that will vary depending on individual circumstances. This includes where you have seen, or have evidence of, something that could indicate a suspicion is true.

Reasonable grounds include:

- where a child tells you that he or she has suffered non-accidental physical injury neglect, sexual abuse and/or emotional trauma (such as extreme fear);
- someone tells you that a child has been abused or neglected; and
- your own observations of a child's physical condition or behaviours leads you to suspect that the child has suffered abuse or neglect.

WHAT MUST BE REPORTED?

If you believe, or suspect on reasonable grounds, or know that:

- a child has been or is being abused or neglected;
- a child has been or is being affected by family violence; or
- there is a reasonable likelihood of a child being killed or abused or neglected by a person with whom the child resides;

this information must be reported as soon as practicable after you form the belief or suspicion or gain the knowledge.

Refer to [**Child Protection - Abuse, Grooming & Neglect Identification & Initial Notification.**](#)

HOW IS A REPORT MADE?

Due to the seriousness of child abuse and neglect, reports should be made using the most direct means possible.

Concerns that require immediate attention should be made by calling Child Safety on 1300 737 639.

Reports can also be made by completing the [**online electronic form**](#) or by completing the [**Notification to Child Safety Services Form**](#). The report must include a statement of the observations, information, opinions and other grounds upon which the belief, suspicion, or knowledge is based.

The Notification to Child Safety Services Form will assist in making a comprehensive report, whether verbally or in writing.

CONFIDENTIALITY OF THE REPORTER'S IDENTITY

The identity of a person who makes a report to the Department of Health and Human Services is confidential and generally protected by law.

It is important to note however that the identity of the notifier may be disclosed if a person is acting in the course of official duties under the CYPFA or if a court grants leave.

WHAT HAPPENS AFTER A REPORT IS MADE?

The Department of Health and Human Services will assess the notification.

If it is assessed that there is no risk in the notification, or that the risk is being managed and the child is safe, there will be no further action.

If the notification is serious and requires further assessment, Child Safety Response will carry out an investigation.

If an investigation is necessary, the child will be seen, other services and agencies will assist, and a decision will be made about whether there is a risk substantiated. The Department of Health and Human Services will then take further steps, including short-term protective intervention and support, or longer-term protective intervention and support.

STUDENT INTERVIEWS CONDUCTED BY DHHS OFFICERS OR POLICE OFFICERS AT SCHOOL

In relation to reportable cases of abuse where DHHS has been notified, officers of DHHS and/or the Police Service may wish to carry out student interviews, sometimes jointly, at School.

Before allowing any officers access to information or students the Principal should sight the officer's identification and may confirm this with a phone call to their office.

The officers must give the School, in writing, an official confirmation of an investigation involving a particular child.

The interview will wait until the student has their guardian, supportive adult, or the Principal present.

No student will be interviewed at the School against the wishes of the student and it is the Principal's responsibility to inform the student of this.

At the commencement of the interview, the Principal should ask the investigating officers to explain to the student, in the presence of the guardian, supportive adult, or the Principal, the purpose of the interview and their role.

The Principal will inform the student of his or her right to choose a supportive adult (if guardian unable to be present or not advised) to be present at the interview. If a person is nominated by the student, the interview must not commence until that person has arrived. What takes place in the interview becomes part of the investigation and must remain confidential. The interview may be taped by the support person if all parties agree otherwise notes should be taken as a record of interview for the School.

Except in cases which involve a member of the family, it is expected that a parent of the child concerned will be present at any interview with the child. Should the allegations be made against a family member the parents will be informed of the interview as soon as possible after it has commenced.

DHHS or Police Officers are responsible for communicating with parents about any further matters related to an interview.

EXCHANGE OF INFORMATION WITH DHHS

Before any phone discussions occur between officers of DHHS and the Principal, the Principal must always confirm the identity of the caller by phoning the known number of the Community and Health Services Centre before any discussions occur.

Any verbal request for information must be confirmed in writing promptly.

Any staff that receive a call from DHHS must refer the officers to the Principal.

The Principal should inform parents immediately that the School has supplied information to DHHS unless DHHS supplies the School with a written confirmation that the parents are not yet excluded from suspicion.

REMOVAL OF STUDENTS BY DHHS OFFICERS

From time to time the Principal may be approached by officers from DHHS to remove a student from the School premises. The Principal must:

- sight the identification of the officers;
- take a copy of any Legal order cited;
- record details of the actions, names of officers and, where possible, place of lodgement of the student;
- obtain a written assurance from officers of DHHS that they will immediately inform the parent or care giver that the student has been removed from the School or has been ordered to remain at the School.