
Policy Title: CHILD PROTECTION AND REPORTING CHILD ABUSE AND NEGLECT IN ACT PUBLIC SCHOOLS

Published: 2010

Identifier: CPRCAN201007

Legislation: *Children and Young People Act 2008 (ACT)*

This policy should be read in conjunction with the *Child Protection and Reporting Child Abuse and Neglect Guidelines for ACT Public Schools* and the booklet *'Keeping Children and Young People Safe: A Shared Community Response – A guide to reporting child abuse and neglect in the ACT'*, which is available at:
www.dhcs.act.gov.au

1. POLICY STATEMENT

1.1 ACT Public Schools provide a safe learning environment for all students. All staff and visitors in public school have a responsibility to act to protect students from child abuse and neglect.

2. RATIONALE

2.1 The purpose of this policy is to assist Department of Education Directorate and Training employees and visitors to schools to understand and fulfil their responsibilities in relation to child protection and in responding to suspected child abuse and neglect.

3. DEFINITIONS

Mandatory Reporting: Section 356 of the *Children and Young People Act 2008* outlines the legal requirement of a Mandated Reporter to report suspected cases of child abuse when they believe, on reasonable grounds, that a child or young person has experienced, or is experiencing, sexual abuse and/or non-accidental physical injury.

Voluntary Reporting: Section 354 of the *Children and Young People Act 2008* enables anyone to make a voluntary report to Care and Protection Services if they believe or suspect a child or young person is being abused or neglected, or is at risk of abuse or neglect.

Prenatal Reporting – anticipated abuse and neglect: Section 362 of the *Children and Young People Act 2008* enables a person to make a voluntary prenatal report if they suspect or believe a child, once born, may be in need of care and protection.

Child and Young Person: The *Children and Young People Act 2008* defines, a **child** as a person under the age of 12 years. A **young person** is a person who is 12 years old or older, but not yet 18 years old.

Child Abuse: Child abuse describes different types of maltreatment that endanger a child's or young person's safety, wellbeing and development. Child abuse can be a single incident or a chronic pattern of behaviour over time and may be intentional or unintentional. Child abuse may be experienced in families, the broader community and within schools.

Neglect: Refers to a failure to provide a child or young person with the basic needs for his or her physical, emotional/psychological and intellectual development and may be chronic or episodic in nature.

Child abuse and neglect may lead to long term harm to the physical or emotional well being and development of a child or young person.

Mandated Reporters: The *Children and Young People Act 2008* requires teachers, teacher assistants, persons employed to counsel children or young people in a school, and public servants who, in the course of employment as a public servant, works with or provides services personally to children, young people and their families or who has contact with children and young people and their families, to notify Care and Protection Services Centralised Intake Service when they believe on reasonable grounds that a child or young person has experienced, or is experiencing, sexual abuse and/or non-accidental physical injury.

If you are unsure that you are a mandated reporter please refer to '*Keeping Children and Young People Safe: A Shared Community Response – A guide to reporting child abuse and neglect in the ACT*', which is available at: www.dhcs.act.gov.au or contact Care and Protection Services Centralised Intake Service on 1300 556 728 for clarification.

Required Reporter: Anyone who is employed or contracted by the Directorate and is not a mandated reporter.

Visitors: Visitors in schools include people from the wider community, including the international community, who provide services directly to students or in support of students, through an employing or sponsoring organisation and or as volunteers. (Refer to the *Visitors in Schools Framework*)

Reasonable Grounds: A belief that a child or young person has experienced or is experiencing abuse or neglect may be formed when the abuse is disclosed, someone advises you, or your own observations of the physical condition, or observations of the behaviour of the child or young person or someone who has responsibility for the child or young person indicates abuse may have occurred or is occurring.

4. PROCEDURES

Responsibilities of Directorate staff who are mandated or required reporters and of visitors

- 4.1 Directorate staff and visitors who consider the risk of harm for a child or young person to require immediate police attention should ring emergency service (000).
- 4.2 Mandated and required reporters must report any belief on reasonable grounds that the child or young person has experienced or is experiencing sexual abuse and/or non-accidental physical injury. Mandated and required reporters are also required to report any reasonable belief of emotional abuse or neglect. Reports are to be made to Care and Protection Services Centralised Intake Service as soon as possible on 1300 556 728 or by fax to 6205 0641 (24 hours service).
- 4.3 Mandated and required reporters and visitors must report any suspicions or beliefs that a child or young person is experiencing or likely to experience any type of abuse or neglect to the Principal of the student's school.
- 4.4 If the subject of the report is a Directorate staff member, mandated and required reporters and visitors must make a report to the school principal. Refer to the *'Child Abuse and Neglect Guidelines for Schools'* on Index for further information.
- 4.5 If the subject of the report is the school principal mandated and required reporters and visitors must also immediately report the matter to the relevant School Network Leader. Please refer to the *'Child Abuse and Neglect Guidelines for Schools'* on Index for further information.
- 4.6 Information about concerns of neglect or abuse and reports made to Care and Protection Services Centralised Intake Service should be stored in a secure and confidential location. This information is sensitive information and must be protected under the *Children and Young People Act 2008*. Information should not be kept on the Student Record File or files that can be accessed by or passed onto general school staff.
- 4.7 Directorate staff are required to co-operate with Care and Protection Services and the Australian Federal Police when they are investigating child abuse and/or neglect of a child or young person.

Responsibilities of Principals in protecting children and young people from harm

- 4.8 Principals will act to protect children and young people from harm by:
 - providing annual training in mandatory reporting processes and procedures and in codes of conduct for all staff,
 - keeping a record of attendance of staff attending mandatory reporting training,
 - induct new staff who have missed training into their responsibilities under the policy,

- informing visitors of the requirement to report to the principal suspicions or beliefs of abuse or neglect developed in their work at school,
- ensuring lessons for children and young people in protective and safe behaviours are delivered,
- ensuring lessons for children and young people to enhance social and emotional skills are delivered,
- implementing the *Providing Safe Schools P-12* and associated policies, and
- ensuring appropriate pastoral care and protective behaviours programs are delivered.

Responsibilities of 8 JfYWcfUHY staff in protecting children and young people from harm

4.9 Directorate staff will act to protect children and young people from harm by:

- adhering to the principles of the Teachers' Code of Professional Practice and the Ethics of the ACT Public Service,
- training annually in mandatory reporting processes and procedures and in codes of conduct,
- delivering lessons for children and young people in protective and safe behaviours,
- delivering lessons for children and young people to enhance social and emotional skills.

Responsibilities of the 8 JfYWcfUHY in protecting children and young people from harm

4.10 The Directorate will act to protect children and young people from harm by:

- providing training in mandatory reporting processes and procedures,
- providing professional learning for school staff in protective and safe behaviours,
- providing professional learning for school staff in social emotional learning programs, and
- participating in the Young People's Taskforce chaired by the Disability, Housing and Community Support Directorate to contribute to and support the community child protection strategy.

5. POLICY OWNER

Director, Aboriginal and Torres Strait Islander and Student Support

6. RELATED POLICIES

Providing Safe Schools P-12 suite of policies
 Visitors in Schools Framework
 Teachers Code of Professional Practice
 Ethics in the ACT Public Service
 (http://www.cmd.act.gov.au/__data/assets/pdf_file/0005/410/actpsethics.pdf)

7. ASSOCIATED DOCUMENTS

Keeping Children and Young People Safe: A Shared Community Response –
 A guide to reporting child abuse and neglect in the ACT *Child Protection and Reporting Child Abuse and Neglect Guidelines for ACT Public Schools*