



## POLICY AND PROCEDURES MANUAL

### Child Safety (Mandatory and Non-Mandatory Reporting) Policy

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## 1. OVERVIEW

<b>First created:</b>	17 March 2015
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<b>Owner:</b>	Compliance Officer
<b>Stakeholders:</b>	Board, staff, students, parents
<b>Child Safety:</b>	National Principles 1-10

Rehoboth Christian College seeks to provide a learning environment in which all students are protected from harm and places the highest possible priority upon the safety and nurture of young people. The College expects all stakeholders to espouse this approach and to be aware of the Child Safe Framework, accessible from the College website.

- a) Rehoboth Christian College believes all children have a right to be protected from harm and teachers owe a 'duty of care' to all students at the College. The College has a special responsibility to protect children when they are on College premises and also to intervene when they believe the welfare of a child is at risk outside the College.
- b) The College is responsible to provide a safe environment for children and to provide an educational environment and curriculum which fosters their health spiritually, emotionally, physically, intellectually and socially.

## 2. ATTACHMENTS AND REFERENCES

This policy should be read in conjunction with the following documents:

- [Child Safe Framework](#)
- [Duty of Care \(Primary\) Policy](#)
- [Duty of Care \(Secondary\) Policy](#)
- [Identifying and Responding to Child Abuse and Neglect: A Guide for Professionals](#)



## 3. DEFINITIONS

### 3.1 Teacher

- a) A teacher, as described in section 5 of the *Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008*, means:
- i. a person who, under the Western Australian Teacher Registration Board, is registered, provisionally registered or has a limited authority to teach; or
  - ii. a person who is appointed under the *School Education Act 1999* section 236(2) as a member of the teaching staff of a community kindergarten; or
  - iii. a person who provides instruction in a course that is:
    - mentioned in section 11B(1)(a), (b) or (e); and
    - prescribed for the purposes of this definition; or
  - iv. a person who instructs or supervises a student who is participating in an activity that is:
    - part of an educational program of a school under an arrangement mentioned in the *School Education Act 1999* section 24(1); and
    - prescribed for the purposes of this definition; or
  - v. a person employed by the chief executive officer as defined in the Young Offenders Act 1994 section 3 to teach detainees at a detention centre as defined in that section.
- b) Education assistants, chaplains, school psychologists etc are examples of people who work with children in schools that are **not** mandatory reporters. However, all people working with children, whether mandatory reporters or not, are expected to report reasonable beliefs about all forms of abuse. These people who work with children also have a great knowledge of the children in their care and can be included in the consultative process with the teacher in the case of sexual abuse.
- c) Teachers are required to make the report, not the Principal. Teachers are, however, required to advise the Senior Leadership Team once a report has been made. Where the report concerns a member of the Senior Leadership Team, or the teacher has lost confidence in the Senior Leadership Team as a result of the forming a belief, they may advise the Board directly.

### 3.2 Sexual Abuse

- a) Section 124A of the Act defines **sexual abuse** in relation to a child as including sexual behaviour in circumstances where:
- i. the child is the subject of bribery, coercion, a threat, exploitation or violence; or
  - ii. the child has less power than another person involved in the behaviour; or
  - iii. there is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.



- b) This legislation is not intended to capture all sexual activity involving children and young people. Reference should be made to consent laws in Western Australia.

### 3.3 Child

- a) A **child** is defined in section 3 of the Act as a person who is under the age of 18 years. In the absence of positive evidence as to age, a child is a person who appears to be under 18 years of age.
- b) Young people aged 18 and over are considered to be adults and are not covered by this legislation; however, the College still owes a duty of care to all students enrolled. In these instances, Police should be informed of any assault or crime against the young person.

### 3.4 CPFS

Refers to the Department of Communities, Child Protection and Family Support (CPFS)

### 3.5 Critical Incidents (Reportable Incidents)

- a) A critical incident means an event in which there is a high likelihood of traumatic effects or evoking unusual or unexpectedly strong emotional reactions which have the potential to interfere with the ability of an individual to function either at the time of the event or later. These circumstances may include:
- i. the death of a student or staff member at school or during a school-related activity, or following an incident at school or during school-related activity;
  - ii. an incident involving injury, illness or trauma to a student or staff member at school or during a school-related activity requiring ambulance or hospital attendance;
  - iii. an incident requiring a police or other emergency services response when a student appears to have been taken or removed, or goes missing and cannot be accounted for, from the school or from a school-related activity without proper authority;
  - iv. an incident requiring the school to be locked down or to evacuate staff and students, or reduce the number of students or staff attending, or to close for any duration for health or safety reasons;
  - v. the receipt of a complaint or allegation of child abuse, including but not limited to sexual abuse, committed against a student –
    - by a staff member or another student; or
    - by another person on the school premises or during a school-related activity;whether the abuse is alleged to have occurred recently or in the past;
  - vi. issuing a formal warning to or ceasing the employment of a staff member for a breach of the Code of Conduct suspected to have involved grooming behaviour.
- b) All incidents as defined above are Reportable Incidents and require Critical Incident reporting. Mandatory or Non-Mandatory Reporting procedures as detailed in this policy apply for circumstances (v)-(vi). Procedures for circumstances (i)-(iv) are outlined in the College's Emergency Management Plan.



## 4. DESCRIPTORS

- a) Child abuse and neglect is the maltreatment of a person under the age of 18 years. It is the result of action or inaction on the part of a person who has responsibility to care for a child resulting in harm or injury to the child. The harm may include delayed physical and/or intellectual development. The maltreatment experienced is normally described in five categories. Each category of maltreatment is described by a range of indicators:
- i. physical;
  - ii. sexual;
  - iii. emotional;
  - iv. psychological;
  - v. neglect
- b) Descriptions of these indicators have been taken from the CPFS for Child Protection document Identifying and Responding to Child Abuse and Neglect: A Guide for Professionals.
- c) **Physical abuse:** Physical abuse occurs when a child has experienced severe and/or persistent ill-treatment. It can include, but is not limited by injuries such as cuts, bruises, burns and fractures caused by a range or acts including beating, shaking, illicit administration of alcohol and other drugs, attempted suffocation, excessive discipline or physical punishment.
- d) **Sexual abuse:** Sexual abuse covers a wide range of behaviour or activities that expose or subject a child to sexual activity that is exploitative and/or inappropriate to his/her age and developmental level. These behaviours include observation or involvement with inappropriate fondling of a child's body, making a child touch an adult's genitalia, showing pornographic material or sexual acts to a child, and sexual penetration of the child. Harm from sexual abuse may include significant emotional trauma, physical injury, infections and impaired emotional and psychological development.
- e) **Emotional abuse:** Emotional abuse is a sustained, repetitive, inappropriate, ill treatment of a child or young person through behaviours including threatening, belittling, teasing, humiliating, bullying, confusing, ignoring and inappropriate encouragement. Children who have been emotionally abused are likely to have a reduced capacity to experience a range of emotions, to express emotion appropriately and to modulate their emotional experience. Children who have been emotionally abused are likely to be fearful, withdrawn and/or resentful, distressed and despairing.
- f) **Psychological abuse:** Psychological abuse is the sustained, repetitive, inappropriate, ill treatment of a child or young person through behaviours including threatening, isolating, neglecting, discrediting, misleading, disregarding, ignoring and inappropriate encouragement. This abuse damages a child's intellectual faculties and processes, including intelligence, memory, recognition, perception, attention,



imagination and moral development. Children are likely to feel worthless, flawed, unloved, unwanted, endangered or only of value in meeting another's needs.

- g) **Neglect:** Neglect is the failure of a parent/caregiver to provide a child with the basic necessities of life. These include adequate supervision, adequate food or shelter, suitable clothing, effective medical, therapeutic or remedial care and emotional security. Neglect can be acute, chronic or episodic, and can result in detrimental effects on the child or young person's social psychological, educational or physical development and/or physical injury. Neglect should be considered in the context of physical, emotional or psychological abuse.
- h) Child abuse and neglect is defined through the CPFS as maltreatment done by a person who has responsibility to care for a child and this document concentrates specifically on that relationship. However, it is very important to note that the definitions of child maltreatment described in the current policy can be used to explain some of the behaviour that can occur in schools by one child to another. While the treatment of such behaviour may be dealt with through other College policies such as Bullying and Countering Bullying, the victim of that "bullying" may display some of the physical and behavioural indicators as those described in the next section of this document. These events should be treated seriously by the College with the aim to help both parties.
- i) It is also important to note that the child who is 'bullying' may be doing so because they have been subjected to the same inappropriate behaviour and may require assistance through the Child Protection policy.
- j) Students aged 18 and over may attend school but are legally considered adults and as such the CPFS does not have a child protection mandate for them. However, they can be considered potentially vulnerable and in need of specialist services and the College owes a duty of care towards them. There are many youth-specific agencies available to assist with these students. The College will contact the Police when aware of any assault or crime against a young adult.

## 5. INDICATORS OF CHILD ABUSE AND NEGLECT

- a) The following list of indicators is not exhaustive but contains those that will be of most use to staff.
- b) Students frequently show indicators from more than one category; and the examples listed are not necessarily exclusive to a single category of abuse. Any of these indicators may suggest that a student is being abused, neglected or at risk of harm; however, indicators should be considered in the context of the student's age, medical and developmental history, and capabilities. In addition, mental illness, substance abuse and domestic violence within families must also be considered.



## 5.1 Physical Abuse

Signs of physical abuse may include:

- a) broken bones or unexplained bruises, burns, or welts in various stages of healing;
- b) the child or young person is unable to explain an injury, or explanations given are inconsistent, vague or bizarre;
- c) direct admissions from the parents that they are concerned that they might harm their child;
- d) family history of violence;
- e) marked delay between injury and obtaining medical assistance;
- f) parent who shows little concern about the welfare of their child or the treatment and care of the injury;
- g) repeated presentations of the child to health services with injuries, ingestions or minor complaints (this could also be an indicator of Factitious Disorder by proxy, a rare expression of physical and emotional abuse);
- h) the child or young person is unusually frightened of a parent or carer, or is afraid to go home;
- i) the child or young person reports intentional injury by their parent or carer;
- j) arms and legs are kept covered by inappropriate clothing in warm conditions;
- k) ingestion of poisonous substances including alcohol or drugs;
- l) avoidance of physical contact by the child (particularly with a parent or carer).

## 5.2 Sexual Abuse

Signs of sexual abuse may include:

- a) sexualised behaviours inappropriate to their age (including sexually touching other children and themselves);
- b) knowledge of sexual behaviour inappropriate to their years;
- c) disclosure of abuse either directly or indirectly through drawings, play or writing that describes abuse;



- d) pain or bleeding in the anal or genital area with redness or swelling;
- e) fear of being alone with a particular person;
- f) child or young person implies that he/she is required to keep secrets;
- g) presence of sexually transmitted disease;
- h) sudden unexplained fears;
- i) enuresis and/or encopresis (bed-wetting and bed soiling).

### 5.3 Emotional or Psychological Abuse

Signs of emotional or psychological abuse may include:

- a) the parent or carer constantly criticises, threatens, belittles, insults, or rejects the child or young person with no evidence of love, support, or guidance;
- b) the child or young person exhibits extremes in behaviour from overly aggressive to overly passive;
- c) delayed physical, emotional, or intellectual development;
- d) compulsive lying and stealing;
- e) high levels of anxiety;
- f) lack of trust in people;
- g) feelings of worthlessness about life and themselves;
- h) eating hungrily or hardly at all;
- i) uncharacteristic seeking of attention or affection;
- j) reluctance to go home;
- k) rocking, sucking thumbs or self-harming behaviour;
- l) fearfulness when approached by a person known to them.



## 5.4 Neglect

Signs of neglect may include:

- a) signs of malnutrition, begging, stealing or hoarding food;
- b) poor hygiene: matted hair, dirty skin or severe body odour;
- c) unattended physical or medical problems;
- d) the child or young person states that no one is home to provide care (inadequate supervision, failure to ensure safety);
- e) child or young person appears constantly tired;
- f) frequent lateness to school or absence from school;
- g) inappropriate clothing, especially inadequate clothing in winter;
- h) alcohol and/or drug abuse present in the household;
- i) frequent illness, low grade infections or sores;
- j) hunger.

## 6. RESPONSE TO DISCLOSURE OF ABUSE OR NEGLECT

### 6.1 Techniques for Responding to Disclosure

- a) There may be times when a student makes a disclosure of abuse or neglect. Staff should be aware of the immediate needs of these students and should be familiar with the following techniques for managing such circumstances:
  - i. use 'protective interrupting' if students begin to disclose in class or in a public area to protect them from sharing the information with too many other people:
    - Acknowledge that you have heard them and stop them from disclosing any further;
    - Be supportive and gently indicate that they might tell you about it in a more private situation; and
    - Quietly arrange to see them as soon as possible, in a situation away from other students.
  - ii. establish clear limits on confidentiality by telling the child that a report will be made to a person who will be able to provide help and protection and that you will help them throughout the process;
  - iii. put your own feelings aside and listen as if the information is not sensational;



- iv. provide reassurance that you believe them, that it is right to tell and do not think that they are to blame or make judgements about what has happened;
  - v. listen to students in a private location within the school;
  - vi. be supportive and understanding;
  - vii. be empathetic to student feelings;
  - viii. acknowledge that it is difficult to talk about such things;
  - ix. try to identify students' fears;
  - x. let students tell the event in their own words;
  - xi. if you are unable to answer all the questions of the child, it is okay to let them know;
  - xii. once you have established that they have been harmed or are at risk of being harmed, do not pursue the conversation any further. This is important to ensure that questions cannot be raised later about possible manipulation of the disclosure;
  - xiii. allow students the option of support during any agency interview and reassure them of the availability of continuing support;
  - xiv. document the conversation that you have had remembering as accurately as you can, the words and phrases used by the child to describe what has happened to them;
  - xv. document the disclosure and subsequent discussion and actions;
  - xvi. explain what will happen next; and
  - xvii. pray with, and for, the child.
- b) Try and stay with the student after the disclosure to provide a sense of security until necessary steps have been taken to ensure the safety and support.

## 6.2 What to Avoid During a Disclosure

- a) Staff must be mindful that they:
- i. do not push for details or conduct an investigation. Other agencies have this responsibility;
  - ii. do not express judgement of the student, perpetrator or family;
  - iii. never get angry, upset or show shock;
  - iv. never ask questions that may make the child feel guilty or inadequate;
  - v. never ask leading questions, for example 'Did Daddy hit you?'
  - vi. do not put words in students' mouths or interrogate as this could jeopardise the interviewing process of the CPFS and Police;
  - vii. don't promise not to tell when there are clear limits on confidentiality;
  - viii. never make false promises;
  - ix. do not give a lecture about right and wrong;
  - x. never say 'Forget it', 'You'll get over it', or other such minimalising statements;
  - xi. do not give excessive pity;
  - xii. respect the confidentiality of the disclosure and do not share the information with anyone other than the Principal and either the CPFS for Child Protection or the Police. This includes not engaging in general staffroom discussion about the disclosure.



- b) Staff must be aware that a disclosure can arouse in them strong feelings of shock, anger and helplessness. It is important to control these feelings; they can be worked through after the disclosure.

## 6.3 Children Left at the College

- a) It is imperative that the College exhausts all avenues in attempting to contact the child's family and emergency contacts.
- b) In some cases, the Principal may decide to drive the child home to establish contact with the family. It would be wise in some circumstances to ask a staff member to accompany the Principal. For example, a male Principal taking home a young child should ask a female staff member to accompany them.
- c) If the College is unable to make any contact with the child's family, the Principal should contact the Local District Office of the CPFS and explain it is an emergency. After hours, the Crisis Care Line, also operated by the CPFS, is to be contacted.

## 7. THE FACTS ABOUT CHILD ABUSE

- a) Children or young people are more often abused by a parent or carer. Adults who were abused as children are at greater risk of developing psychological and emotional problems later in life, and repeating the pattern of abuse with their own children.
- b) A child abuser can be a member of the family (father, step-father, mother etc.) or someone close to the family or the child (church member, teacher, community group leader). A child abuser usually spends a lot of time grooming the child with the child being made to feel that they are in some way complicit in the acts, thus making disclosure a difficult process.
- c) On the whole, abusers are the least obvious people in our community. Many child sex abusers, for example, hold positions of trust within the community with easy access to children and their families. Occupations that some convicted child sex offenders have held include bus driver, entertainer, teacher, scout leader, librarian, principal, church leader, judge.
- d) Of the thousands of instances of abuse reported to the Commission, the most common perpetrators were persons in religious ministry or teachers (Royal Commission, 2017).
- e) Emotional abuse (59%) was the most common type of abuse or neglect that was substantiated through investigations. This was followed by neglect (17%), physical abuse (15%), and sexual abuse (9%). (AIHW, Australian Institute of Health and Welfare, 2019).



- f) Girls were more likely to be the subjects of sexual abuse than boys. This is consistent with recorded crime statistics for sexual assault. In contrast, boys had slightly higher percentages of substantiations for neglect and physical abuse (AIHW, Australian Institute of Health and Welfare, 2019).
- g) Two-thirds of all substantiations are for children aged 10 years old and under (AIHW, 2019).

## 8. CYBER PREDATORS

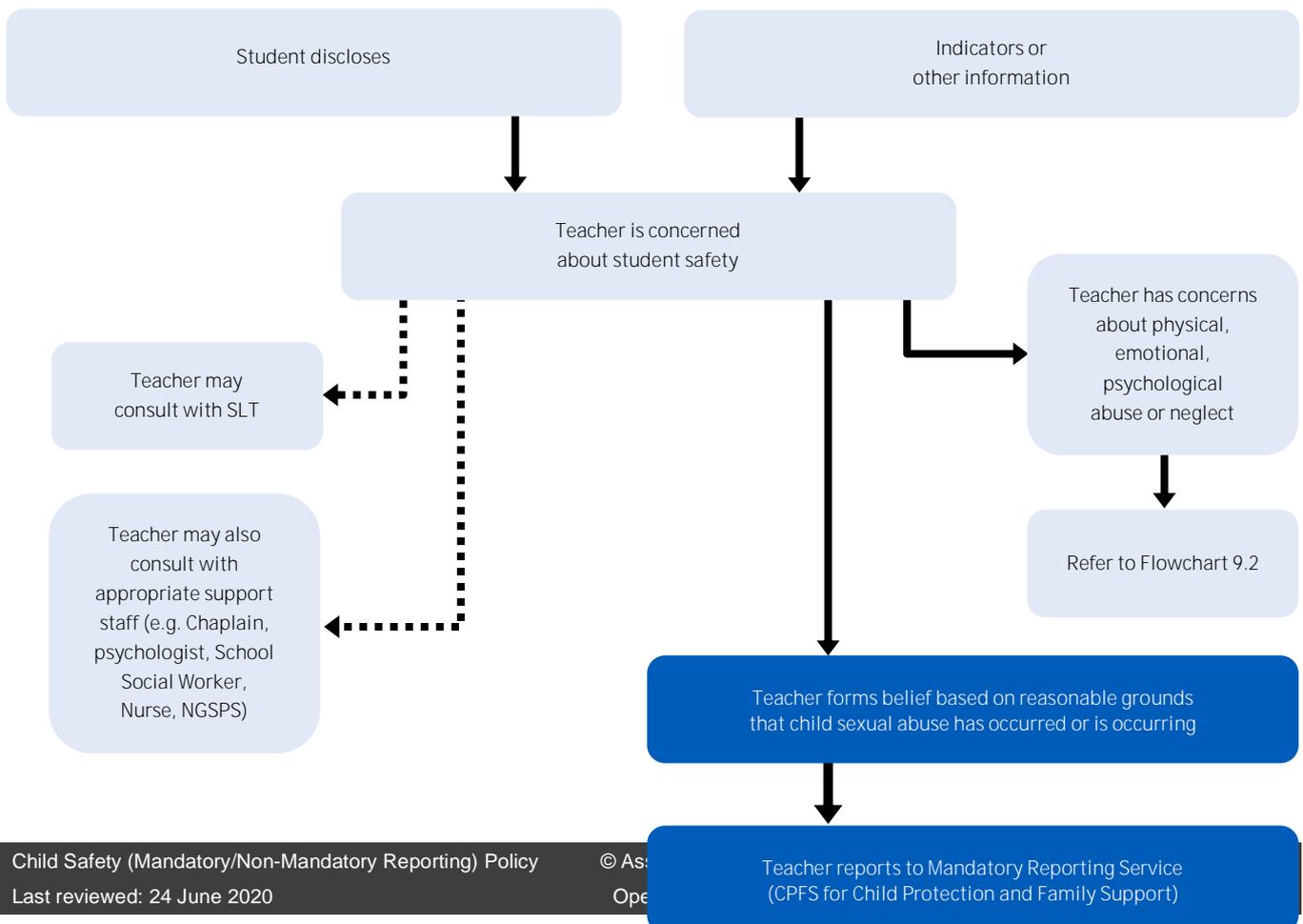
- a) As discussed above, the main perpetrators of child abuse and neglect are people that the child knows. However, the continuing popularity of the internet has given credence once more to the term **Stranger Danger**.
- b) The internet is one of the main sources of communication for young people today with the popularity of chat rooms, discussion groups, and playing interactive games. Unfortunately it is also a very attractive place for predators to go as they can remain virtually anonymous whilst participating in a range of paedophilic activity.
- c) As NetAlert describes on their website, '...paedophiles can socialise together, trawl for inappropriate content (such as child pornography) and easily make collections of this and distribute to others.
- d) They can pretend to be people other than themselves and they find a sense of security by operating from the confines of their own homes.
- e) Grooming children online with the intention to meet them in real life is an activity many undertake.
- f) They often set up bogus email accounts and handles (a nickname for a person who uses the Internet) which protect their identity online.
- g) Children need to think carefully about a handle they choose. Handles such as \*Angel-Babe\*, \*Sweet-Sixteen\* and \*SexyKid\* appear harmless on the outset; however, can attract the wrong attention. Paedophiles are often attracted to people with these types of names.
- h) Paedophiles may also erase the history of what they have done online from their personal computers, making it a lengthy task for authorities to charge them with an offence.
- i) Paedophiles conduct numerous activities online:
  - i. Swapping child porn pictures in chat rooms or through email or P2P networks;
  - ii. Swapping personal information of children that they have collected;



- iii. Participating in online communities with the intention to groom children for personal sexual gratification or to meet them in person;
  - iv. Forming networks with other paedophiles;
  - v. Trading techniques on how to avoid the authorities.
- j) The Police, in conjunction with AISWA, the CPFS of Education, and the Catholic Education Office have formed the Internet Safety Working Party. The aim of the working party is to implement strategies through schools and community networks to educate children and parents on safe internet behaviours.
- k) The working party has produced a DVD titled 'Keeping Safe on the Internet'. The DVD features two individual presentations – one aimed at students aged 12 to 16 and the other specifically for parents and is available online.
- l) The *Criminal Code Amendment (Cyber Predators) Bill 2006* is the legislation in Western Australia that protects children under the age of 16, or that the offender believes is under the age of 16, from an adult who uses electronic communications with the intent to procure the child to engage in sexual activity; or to expose the child to any indecent matter.

## 9. MANDATORY REPORTING OF CHILD SEXUAL ABUSE

### 9.1 Mandatory Reporting Notification Procedure Flowchart





SLT or Board must submit  
a critical incident report to  
Department of Education

## 9.2 Notification Steps

### a) Step 1:

- i. The individual teacher makes observations and keeps note of concerns that exist that have led them to the belief that a report may be necessary; or
- ii. A student discloses sexual abuse.
- iii. **Note:** It may assist teachers to think in terms of reporting a behaviour or a series of behaviours and concern/s rather than reporting an individual family.

### b) Step 2:

- i. The teacher's observations or the child's disclosure should be discussed, in the first instance, with the Principal or the CEO, if it is not appropriate to discuss it with the Principal.
- ii. The teacher and Principal may wish to consult with the Non-Government Schools Psychology Service, and/or the Chaplain.
- iii. **Note:** It is vital to remember that confidentiality is paramount and that disclosure of this information should only be discussed with those in the school who are required to know.

### c) Step 3:

- i. In cases of suspected sexual abuse, the teacher is the mandated reporter required to make a report to the CPFS for Child Protection through the Mandatory Reporting Service.
- ii. **Very important:** To avoid interfering with any investigative process initiated by the CPFS or the Police, the Principal or teacher must seek advice from the CPFS or Police prior to informing the parent/carer of a concern of sexual abuse.
- iii. **CPFS:** In cases of child sexual abuse the teacher will provide a written report to the Mandatory Reporting Service of CPSF. The Mandatory Reporting Unit will provide a feedback letter to the reporter outlining which CPSF local office is involved, and what action has been taken. The Mandatory Reporting Service is required to forward all reports on to the WA Police.



- iv. CPFS is required to provide feedback to people making reports on child abuse. The Principal should seek undertakings from the CPFS that they will be kept informed within the bounds of confidentiality. The Principal's initial contact with the CPFS will be through the Duty Officer at the Local District Office closest to where the child lives (all offices are listed in the White Pages). All calls from school concerning students are taken very seriously and it may be appropriate if the emergency occurs after hours to explain to the switchboard operator that it is an emergency so they can speak to the Duty Officer promptly. When reporting to the Duty Officer, note his/her name and position.
- v. **Note:** The Mandatory Reporting Service and the Duty Officer at the local CPFS office can also be used initially in a consultative role if either the Principal or the teacher is unsure of what action to take.

d) **Step 4:**

A Mandatory Report qualifies as a Critical Incident (see definitions of a Reportable Incident in the College's Emergency Management Plan). Once the SLT or Board have been notified that a Mandatory Report has been made, or that a teacher intends to submit a Mandatory Report, they are required to submit a Critical Incident Report using the appropriate Departmental form.

e) College staff should be aware that the powers of the CPFS under the *Children and Community Services Act 2004* include:

- i. apprehension of children in need of care and protection (without warrant);
- ii. **interviewing the child:** The CPFS has the authority to interview the child at school before contact is made with the parent/caregiver. Before doing so, the Principal or "person in charge" at the school must be notified. The child should have the option of having support at the interview from a staff member of their choosing.
- iii. **removal of children from the school:** CPFS officers may remove a child from the school if they have the permission of the parent/caregiver or if they have apprehended the child. The Principal should satisfy themselves that all conditions have been met before this occurs and document all conversations.
- iv. **medical examination:** The CPFS may require that a medical examination occur as soon as possible so that bruising, marking and other symptoms can be recorded for future reference. This would normally take place at either PCH or the Community Child Health Services Centres. This examination can only take place if permission has been obtained from the parent/caregiver or the child has been apprehended (when parent/carer permission is not obtained).
- v. **Police:** The Police are also notified by the Mandatory Reporting Service of the CPFS of all reports of child sexual abuse.
- vi. **Parents/Caregivers:** To avoid interfering with any investigative process initiated by the CPFS or the Police, the Principal and teacher must seek advice from the CPFS or Police prior to informing the parent/carer of a concern of sexual abuse.

f) **Step 5:**



- i. If following a report, a family approaches the College, it is recommended that any interview be conducted with a minimum of 2 College members present (e.g. The Principal and one other) to provide support.
- ii. **Note:** It is important to remember that the focus of the meeting should be the welfare of the child.
- iii. In cases of child sexual abuse, the legislation provides protection for the person reporting. Disclosure of the reporter's identity or identifying information to parents or any other party can incur a fine of \$24,000 and two years' imprisonment.

g) **Step 6:**

- i. The Principal should undertake ongoing support for the teacher, the student and anyone else affected. The need for ongoing support could be necessary as the teacher continues in their role with the student and the CPFS's role may continue for a while.

### 9.3 Current Legislation

- a) Since 1 January 2009, the *Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008* has been in effect and covers mandatory reporting of child sexual abuse in Western Australia. This amendment forms part of the *Children and Community Services Act 2004*.
- b) In Western Australia, the mandatory reporters of child sexual abuse are the following professions in both the government and non-government sectors:
  - i. doctors;
  - ii. nurses;
  - iii. midwives;
  - iv. teachers;
  - v. police officers.

### 9.4 When to Make a Report

- a) Mandatory reporters must report a belief, based on reasonable grounds in the course of their work, paid or unpaid, that child sexual abuse has occurred or is occurring. This means that teachers working outside of the school grounds are also required to report when working in either a paid or unpaid capacity. For example, tutoring, volunteer teacher at youth centre, working as a Sunday school teacher.
- b) Failure to make a report can incur the maximum penalty of \$6,000.
- c) A mandatory reporter can form the necessary belief, based on reasonable grounds, by noting the presence of indicators, disclosures, injuries, signs, symptoms and behaviours that heighten concerns about child sexual abuse. Please refer to the indicators of sexual abuse outlined in this policy.



- d) Teachers may wish to consider the following questions to assist them in deciding if their belief is based on reasonable grounds:
- i. Can you describe the reasons why you believe a child has been, or is being sexually abused?
  - ii. What has the child said or done to suggest they are being sexual abused?
  - iii. Have you observed, or been told about, the presence of any of the 'possible indicators' of sexual abuse?
  - iv. Did the child disclose sexual abuse? What did they say happened? Who did they disclose to and when?
  - v. What other behaviours have you observed and/or interactions with the child are of concern to you? What is the frequency and severity of the behaviour? How long has it been occurring?

## 9.5 How to Make a Report

- a) A centralised [Mandatory Reporting Service](#) has been established to receive all reports of child sexual abuse in Western Australia. This service is operational 24 hours a day, 7 days a week.
- b) There are two ways to make a report: **verbal** or **written**:
- i. A **verbal** report is preferred in the first instance as it allows the mandatory reporting Service to ask clarifying questions and gather as much information as possible. However, it must be followed by a **written** report as soon as is practicable, usually within 24 hours. To make a verbal report, the Mandatory Reporting Service can be reached on 1800 708 704.
  - ii. Failure to follow up a verbal report with a written report as soon as is practicable may result in a fine of \$3,000. A written report form can be downloaded from the Mandatory Reporting Service.
- c) If you do not have access to a computer, the form can also be mailed out to you. Once you have completed your written report, it can be returned using the following methods:
- By email:**     mrs@dcp.wa.gov.au
- By fax:**       1800 610 614
- By post:**     PO Box 8146  
Perth BC WA 6849
- d) Once you have lodged a report, you will receive an acknowledgement receipt. This receipt is proof that you have made a report so it is important that you keep it.
- e) Once the report has been lodged, the mandatory reporting Service will assess the immediate risk to the child and determine the need for further child protection assessment and investigation. A copy of the report is sent to the WA Police. The police will then decide whether they need to be involved on a case by case basis.



- f) The mandatory reporter will receive a feedback letter advising them of the District Office it has been referred to, or whether no further action was recommended by the Mandatory Reporting Service.
- g) The Senior Leadership Team and/or Board will be informed when a mandatory report has been made and will be provided with the report number, date, and details in confidence. This will be kept by the CEO or Board Chairperson and stored securely.

## 9.6 Confidentiality and Legal Protection

- a) The identity of the reporter is required to be kept confidential, except in limited circumstances. Section 124F(2) protects a reporter's identity from being disclosed. Disclosure of a reporter's identity carries a maximum fine of \$24,000 and two years' imprisonment.
- b) There are exceptions where a reporter's identity is permitted. Even where disclosure is allowed, consideration will be given to ensuring the reporter's safety has been taken into account. Examples of when a reporter's identity may be revealed include:
  - i. the Mandatory Reporting Service must send a copy of every written report to the WA Police;
  - ii. the WA Police may need to reveal a reporter's identity in order to investigate or prosecute a suspected offence;
  - iii. a CPFS for Child Protection officer may need to reveal the reporter's identity when certain child protection, family law or adoption proceedings are taking place;
  - iv. reporter may have provided written permission for their identity to be disclosed.
- c) A mandatory reporter who is normally governed by a code of confidentiality or secrecy, professional ethics, standards or principles of conduct (e.g. doctor/patient) is protected from a breach to this code if they are making a report in good faith. The legislative requirements of the Act override internal school policies, professional codes or confidentiality requirements.
- d) A mandated reporter is also protected from liability. If a report is made in good faith, they will not incur any civil or criminal liability by making a report.

## 9.7 Information and Assistance

- a) The [CPFS for Child Protection and Family Support](#) is the agency responsible for the new legislation regarding the mandatory reporting of child sexual abuse. The Mandatory Reporting Service has been established by the CPFS to receive and investigate reports of sexual abuse.
- b) Each teacher has been provided a booklet entitled 'A Guide for Mandatory Reporters' through the Western Australian Teacher Registration Board. AISWA has also provided this booklet and a series of fact sheets to all staff working in independent schools that have attended the information session on mandatory reporting.



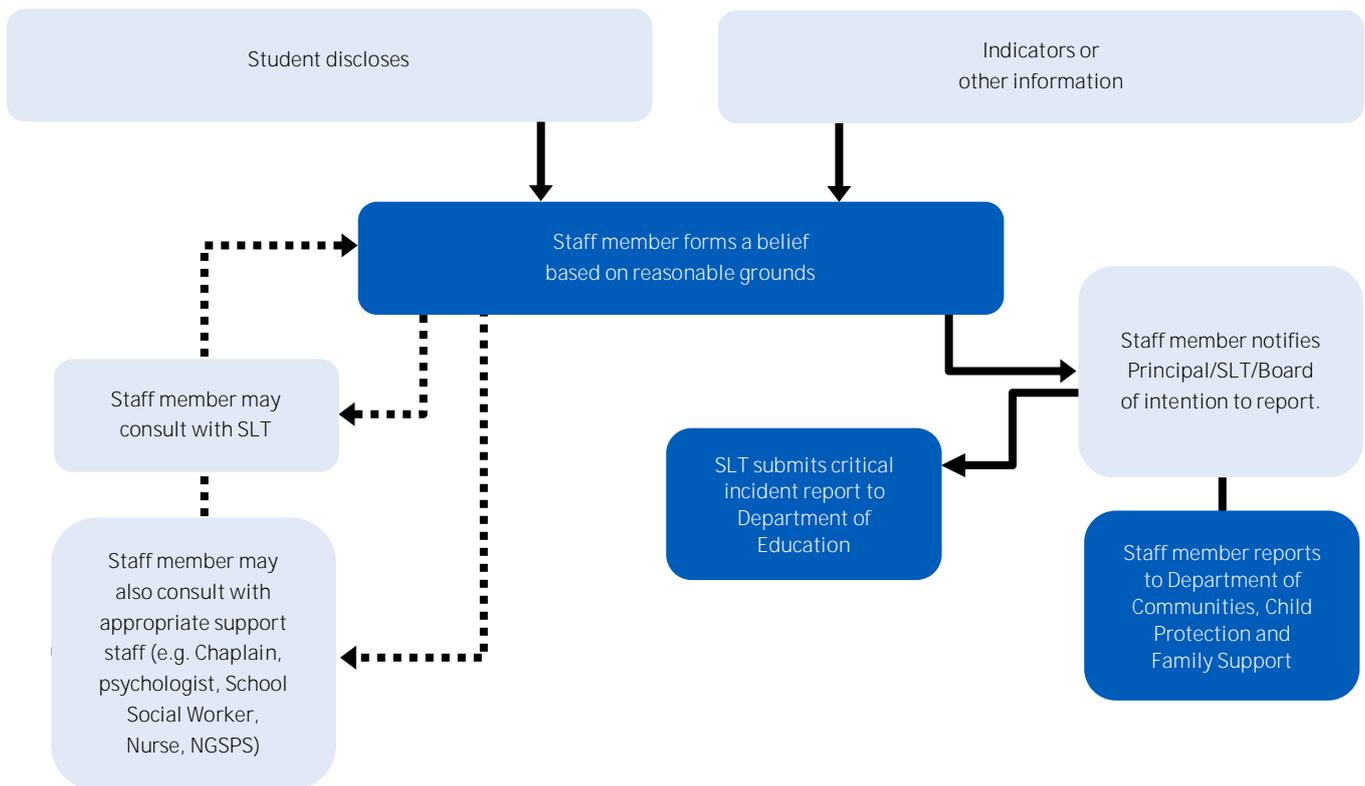
c) Rehoboth teachers are required to undertake training as part of their induction upon commencement, and refresher training annually. Non-teaching staff are required to undertake training every two years.

d) The Mandatory Reporting Service can also be contacted through the following ways:

- By phone** 1800 708 704
- By email** mrs@dcp.wa.gov.au
- By fax** 1800 610 614
- By post** PO Box 8146  
Perth BC WA 6849

## 10. NON-MANDATORY REPORTING OF CHILD ABUSE

### 10.1 Non-Mandatory Reporting of Child Abuse and Neglect Flowchart





## 10.2 Notification Steps

### a) Step 1:

- i. The individual teacher makes observations and keeps note of concerns that exist that have led them to the belief that a report may be necessary; or
- ii. A student discloses abuse or neglect of the types listed below:
  - disclosure of abuse or neglect from someone with a responsibility to care for the student;
  - show indication of abuse or neglect;
- iii. **Note:** It may assist teachers to think in terms of reporting a behaviour or a series of behaviours and concern/s rather than reporting an individual family.

### b) Step 2:

- i. The teacher's observations or the child's disclosure should be discussed, in the first instance, with the Principal or the CEO, if it is not appropriate to discuss it with the Principal.
- ii. It is not the role of the teacher to investigate child abuse or neglect matters. They must report concerns to the Principal.
- iii. The teacher and Principal may wish to consult with the Non-Government Schools Psychology Service, and/or the Chaplain.
- iv. **Note:** It is vital to remember that confidentiality is paramount and that disclosure of this information should only be discussed with those in the school who are required to know.

### c) Step 3:

- i. The Principal (or Deputy) may be the appropriate person who will then decide the appropriate actions to take and who should be contacted.
- ii. **Very important:** To avoid interfering with any investigative process initiated by the CPFS or the Police, the Principal or teacher must seek advice from the CPFS or Police prior to informing the parent/carer of a concern of abuse or neglect.
- iii. The Principal should report all disclosures or strong concerns to the CPFS of abuse or neglect arising from the actions or inactions of parents/caregivers and maintain a written record of this communication and subsequent actions. The CPFS will then decide how to proceed. The decision to progress the matter further is the responsibility of the CPFS.
- iv. The CPFS is required to provide feedback to people making reports on child abuse. The Principal should seek undertakings from the CPFS that they will be kept informed within the bounds of confidentiality. The Principal's initial contact with the CPFS will be through the Duty Officer at the Local District Office closest to where the child lives (all offices are listed in the White Pages). All calls from schools concerning students are taken very seriously and it may be appropriate if the emergency occurs after hours to explain to the switchboard operator that it is an emergency so they can speak to the Duty Officer promptly. When reporting to the Duty Officer, note his/her name and position.



- v. **Note:** The Mandatory Reporting Service and the Duty Officer at the local CPFS office can also be used initially in a consultative role if either the Principal or the teacher is unsure of what action to take.
- d) **Step 4:** A Non-Mandatory Report qualifies as a Critical Incident (see definitions of a Reportable Incident in the College's Emergency Management Plan). Once the SLT or Board have been notified that a Non-Mandatory Report has been made, or that a teacher intends to submit a Non-Mandatory Report, they are required to submit a Critical Incident Report using the appropriate Departmental form.
- e) College staff should be aware that the powers of the CPFS under the *Children and Community Services Act 2004* include:
- i. apprehension of children in need of care and protection (without warrant);
  - ii. **interviewing the child:** The CPFS has the authority to interview the child at school before contact is made with the parent/caregiver. Before doing so, the Principal or "person in charge" at the school must be notified. The child should have the option of having support at the interview from a staff member of their choosing.
  - iii. **removal of children from the school:** CPFS officers may remove a child from the school if they have the permission of the parent/caregiver or if they have apprehended the child. The Principal should satisfy themselves that all conditions have been met before this occurs and document all conversations.
  - iv. **medical examination:** The CPFS may require that a medical examination occur as soon as possible so that bruising, marking and other symptoms can be recorded for future reference. This would normally take place at either PCH or the Community Child Health Services Centres. This examination can only take place if permission has been obtained from the parent/caregiver or the child has been apprehended (when parent/carer permission is not obtained).
  - v. **Police:** Strong concerns and disclosures of abuse and neglect from a person who is not the parent/caregiver should be advised to the police. Principals should also notify the CPFS as they can offer support to the student and family, and risk assess other children in the community.
  - vi. **Parents/Caregivers:** To avoid interfering with any investigative process initiated by the CPFS or the Police, the Principal and teacher must seek advice from the CPFS or Police prior to informing the parent/carer of a concern of abuse or neglect.
- f) **Step 5:**
- i. If following a report, a family approaches the College, it is recommended that any interview be conducted with a minimum of 2 College members present (e.g. The Principal and one other) to provide support.
  - ii. **Note:** It is important to remember that the focus of the meeting should be the welfare of the child.
- g) **Step 6:**



- i. The Principal should undertake ongoing support for the teacher, the student and anyone else affected. The need for ongoing support could be necessary as the teacher continues in their role with the student and the CPFS's role may continue for a while.

## 11. THE ROLE OF THE CPFS AND WA POLICE

- a) Mandatory reporting is now a requirement in Western Australia for certain occupations including teachers to make reports when they have a reasonable belief that sexual abuse is occurring or has occurred. For other forms of child abuse mandatory reporting is not yet a requirement, however, schools have a duty of care and a moral obligation to follow the recommended procedures in cases of suspected child abuse.
- b) The CPFS is the State Government Department with the statutory authority to investigate concerns in Western Australia. It is not the College's role to investigate child abuse issues, including concerns of sexual abuse. That is the CPFS's responsibility. All disclosures or strong concerns of abuse or neglect should be reported to the CPFS by the teacher. The CPFS will then decide on how to proceed.
- c) Note that the reporting requirements for sexual abuse differ to those for other forms of suspected child abuse.
- d) The Western Australian Police also have a role in responding to allegations of child abuse and neglect. The WA Police Service Child Abuse Investigation Unit intervene in instances where it is believed that a criminal offence has occurred which may lead to criminal charges being laid. In the case of a report of child sexual abuse, the CPFS will forward all reports to the WA Police.
- e) Where abuse and neglect has occurred within a family and there is the possibility of criminal charges being laid, the police and the CPFS may undertake a joint investigation to reduce the trauma of the interviewing process to the child or young person.
- f) Under section 129 of the *Children's and Community Services Act 2004*, people who give information, in good faith, to the CPFS of Child Protection are protected from incurring any civil or criminal liability, from having breached any confidentiality imposed by law, or from having breached any professional ethics or standards.

## 12. WHERE TO GO FOR FURTHER INFORMATION



- a) The CPFS for Child Protection is the State Government CPFS responsible for issues specifically related to the protection of children, including the handling of abuse and neglect cases. Its [website](#) contains some excellent material for professionals, and parents and friends.
- b) For sexual abuse reports, the Mandatory Reporting Service must be contacted through one of the following means:

**By phone** 1800 708 704  
**By email** [mrs@dcp.wa.gov.au](mailto:mrs@dcp.wa.gov.au)  
**By fax** 1800 610 614  
**By post** PO Box 8146  
PERTH BUSINESS CENTRE WA 6849

This unit is available 24 hours a day, 7 days a week for make a report or to raise concerns. Details regarding mandatory reporting can be obtained through the mandatory reporting website.

To contact the CPFS for assistance with a specific case that does not involve sexual abuse, the school will need to speak to the Duty Officer at the local office, available during office hours. All offices are listed in the White Pages or on the website.

- c) After hours:

#### **Child Abuse Services WA**

**By phone** 9223 1111 / 1800 199 008

**Crisis Care** (24 hour phone service for people in crisis and needing urgent help)

**By phone** 9223 1111 / 1800 199 008

#### **WA Police Service Child Abuse Investigation Unit**

**For urgent matters** 000

**If you are a victim** 131 444

**Reporting child abuse to the** 9492 5444

#### **Child Protection Squad**

[child.abuse.investigation@police.wa.gov.au](mailto:child.abuse.investigation@police.wa.gov.au)

**Crime Stoppers** 1800 333 000

Or visit your local Police Station

#### **WA Police Cyber Predator Team**

**By phone** 9492 5444

**To lodge complaints** [www.police.wa.gov.au](http://www.police.wa.gov.au)

- d) Other sources of information:



[www.acma.gov.au](http://www.acma.gov.au)

[www.constablecare.org.au](http://www.constablecare.org.au)

[www.cybersmartkids.com.au](http://www.cybersmartkids.com.au)

[www.netalert.net.au](http://www.netalert.net.au)

[www.virtualglobaltaskforce.com](http://www.virtualglobaltaskforce.com)

These websites contain information on cyber predators for parents, teachers, and students to use.

e) **The National Association of the Prevention of Child Abuse and Neglect (NAPCAN)**

NAPCAN is an Australian organisation that seeks to resource and network child welfare professionals and practitioners working to prevent child abuse and neglect from happening before it starts, through the provision of parenting brochures, training, support networks and information. [www.napcan.org.au](http://www.napcan.org.au)

f) **Protective Behaviours WA Inc.**

This is a preventative life skills program that assists people of all ages to develop the skills to help them deal with difficult or hostile situations. The program has a voluntary committee made up of representatives from government and non-government agencies as well as interested members of the community. AISWA is a group member of Protective Behaviours and is able to purchase resources at a discount for interested schools.

**By phone** 9356 0514

**By email** [pbwainc@hotmail.com](mailto:pbwainc@hotmail.com)

g) **Prime Corporate Psychology Services**

This is a support service available for staff at schools who may experience personal issues resulting from making a report. They offer an employee assistance program including counselling, management and referrals.

**By phone** 9492 8900 / 1800 674 188

h) The following services and organisations can provide help, advice, and support to the College, parents, or children who are affected by abuse and to prevent abuse from recurring:

**CPFS for Child Protection** (see above for contact information)

**Parenting Line**

**By phone** 9272 1466 / 1800 654 432

**Family Helpline**



This is a free confidential telephone counselling and information service for families with relationship difficulties.

**By phone** 9223 1100 / 1800 643 000

### **Men's Domestic Violence Helpline**

This service provides free telephone, referral, and counselling for men to help them change their violent behaviour toward female partners.

**By phone** 9223 1199 / 1800 000 599

### **Women's Domestic Violence Helpline**

This service provides free 24 hour telephone support and counselling for women experiencing family and domestic violence.

**By phone** 9223 1188 / 1800 007 339

### **Child Health and Community Health Services**

Refer to the White Pages for contact details of local Child Health Centres

### **Child and Adolescent Mental Health Services**

24 hour mental health advice line

**By phone** 1800 220 400

### **Perth Children's Hospital**

**By phone** 6456 2222

State Child Development Centre

**By phone** 9481 2203

### **Disability Services Commission**

**By phone** 9426 9200 / 1800 998 214

### **Kids Helpline**

This is a free and confidential telephone counselling service for 5 to 25 year olds in Australia available 24 hours a day, 7 days a week.

**By phone** 1800 551 800

### **Sexual Assault Resource Centre Counselling Line**

This service offers free, 24 hour emergency services for people aged 13 or over who have been sexually assaulted or sexually abused recently (within the last two weeks).

### **Lifeline Australia**



This service operates 24 hours a day, 7 days a week and can provide information about other support services, if required.

**By phone** 13 11 14

- i) The following sites can provide a wide range of background information on child abuse for schools that are interested:

<http://www.aifs.gov.au/nch/afsapubs.html>

This site lists recent publications relating to information on child abuse that have been updated on the web site of the National Child Protection Clearinghouse.

<http://www.aic.gov.au/publications>

This is the Australian Institute of Criminology site and has links to the criminal aspect of child abuse.