

CHILD PROTECTION AND REPORTING CHILD ABUSE AND NEGLECT PROCEDURE

This procedure must be read in conjunction with *Child Protection and Reporting Child Abuse and Neglect* Policy.

1. Overview
	1. These procedures expand on and clarify the responsibilities of the Education and Training Directorate and its staff and visitors in relation to child protection and suspected child abuse and neglect.
2. Rationale
	1. The procedures ensure staff are aware of their obligations to report and procedures for reporting.
3. Procedures

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

* 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).
	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.
	3. Mandated and required reporters are also required to report any reasonable belief of emotional abuse or neglect. Reports are to be made to Child and Youth Protection Services as soon as possible on 1300 556 728, or childprotection@act.gov.au or [www.communityservices.act.gov.au](http://www.communityservices.act.gov.au).
	4. Mandated and required reporters, volunteers 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.
	5. 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.
	6. 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.
	7. Information about concerns of neglect or abuse and reports made to Child and Youth Protection Services must 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.

Responsibilities of Principals in protecting children and young people from harm

* 1. 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 school safety policies
* ensuring appropriate pastoral care and protective behaviours programs are delivered.

Responsibilities of Directorate staff in protecting children and young people from harm

* 1. 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 Directorate in protecting children and young people from harm

* 1. 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.

Contact

* 1. The Director, Student Engagement is responsible for this procedure.
	2. For support contact Student Engagement Branch on (02) 6205 9078.
1. Complaints
	1. Any concerns about the application of this procedure or the procedure itself, should be raised with:
* the school principal in the first instance;
* contact the Directorate’s Liaison Unit on (02) 6205 5429;
* online at <http://www.det.act.gov.au/contact_us>;
* see also the Complaints Policy on the Directorate’s website.
1. References
	1. **Definitions**
* **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. Child Abuse includes physical abuse, sexual abuse and emotional abuse.
* **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.
* **Emotional Abuse:**is chronic and repetitive ill treatment of a child or young person which causes significant harm to their psychological, social, emotional or cognitive development. Constant yelling, belittling, ignoring and ridiculing are all examples of emotional abuse. Emotional abuse also refers to situations where children or young people are exposed to domestic violence by seeing or hearing the physical, sexual or psychological abuse between parents or caregivers; or where they are put at risk of exposure to domestic violence that would cause significant harm to their wellbeing or development.
* **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 Child and Youth Protection Services 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 Child and Youth Protection Services on 1300 556 728 or childprotection@act.gov.au for clarification.

* **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.
* **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.
* **Physical Abuse (also referred to as non-accidental physical injury):**is a non-accidental act resulting in an injury to a child or young person by a parent, caregiver or another person who has responsibility for the child or young person. Injury can be caused by a single episode or repeated episodes of physical abuse.
* **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.
* **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.
* **Required Reporter:** anyone who is employed or contracted by the Directorate and is not a mandated reporter.
* **Sexual Abuse:**is any sexual act or sexual threat imposed on a child or young person. This occurs when an adult or someone else who is bigger or older involves the child or young person in sexual activity by using their power over the child or young person and by taking advantage of their trust. Child sexual abuse covers a range of sexual behaviours that are considered harmful to children and young people which may include: any form of sexual touching, any form of sexual suggestion to children, including exposure to pornographic material, exhibitionism and voyeurism, and using the child for pornographic videos or prostitution.
* **Visitor:** people from the wider community who provide services directly to students or in support of students for financial gain through a sponsoring or employing organisation, or are self employed. (Refer to the Working with Children and Young People - Volunteers and Visitors (Interim) policy).
* **Voluntary Reporting:** section 354 of the *Children and Young People Act 2008* enables anyone to make a voluntary report to Child and Youth 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.
* **Volunteer:** a person who supports educational programs of schools either through direct contact with students or through school activities without financial gain or reward. They may volunteer either directly to a school as individuals or through the auspices of a community or other organisation.
	1. **Legislation**
* [*Children and Young People Act 2008*](http://www.legislation.act.gov.au/a/2008-19/default.asp) (ACT) provides for the protection and wellbeing of children and young people.
	1. **Related Policies and Documents**
* Child Protection Reporting Child Abuse and Neglect Policy
* Child Protection and Reporting Child Abuse and Neglect Guidelines for ACT Public Schools
* [Teachers’ Code of Professional Practice](http://www.det.act.gov.au/employment/professional_conduct)
* [Keeping Children and Young People Safe: A shared community responsibility - A guide to reporting child abuse and neglect in the ACT](http://www.communityservices.act.gov.au/ocyfs/publications/keeping-children-and-young-people-safe). Available from the Community Services Directorate website.