

CONDUCT

MANDATORY REPORTING

4.10

Policy Rationale

All children and adults attending CCAE have a right to feel safe and be safe. CCAE staff have a legal and moral duty to respond to serious incidences involving abuse and neglect of children [**17 years of age and less**] with whom they have contact, and to report instances that are believed to involve physical abuse, sexual abuse or neglect.

Policy Aims

- To ensure that children's' rights to feel safe and to be safe are maintained and that each child is protected against physical abuse, sexual abuse and neglect.
- This policy needs to be read in conjunction with the Anti-Harassment and Anti-Bullying policy rationale.

Definitions

- Physical abuse/harassment is the exertion of power by one person over another and involves verbal, physical or sexual conduct and/or comments that are unwelcome, unreciprocated, uninvited, offensive and often repeated. It involves discrimination where behaviour is based upon the assumption that one person or group is superior to another and includes behaviour involving: deprivation of freedom; actual bodily harm; stand over tactics; threats of exclusion, intimidation and violence involving pushing, shoving and punching; all intended to embarrass, offend, upset, devalue, degrade, frustrate or anger a person.
- Sexual abuse/harassment is any physical, verbal, written or pictorial conduct, action, statement or image of a sexual nature that is uninvited, unreciprocated, unwelcome and/or repeated. It is against the law for any individual to sexually abuse/harass another. It is identified by any of the following consequences:
 - ✦ Submission to such conduct is implicitly or explicitly a term or condition of an individual's employment, or a condition for decisions that might affect promotion, salary or any job conditions.
 - ✦ Such behaviour creates an intimidating, hostile or offensive work environment for any employee.
 - ✦ People are defined in terms of their gender or sexual preference, and their individual contribution and worth are denigrated or ignored as a result.
- Neglect involves failure of duty of care by Parents/Guardians of the child. This may be evidenced by: a child regularly attending in unkempt state; no food or drink; failure to regularly collect a child when required; truancy.

Procedure

- **CCAЕ Staff are mandated by law to report signs of physical abuse and/or sexual abuse, and/or neglect.**
- New staff will be informed of mandatory reporting responsibilities and procedures as part of their induction.
- Staff will be reminded of mandatory responsibilities annually.
- Concerns must be reported immediately to the **Manager**, or in his/her absence, the **Office Administrator**.
- The Manager will keep a confidential record of all discussions about a student with whom there is a concern.
- If a belief is formed by a staff member that sexual or physical abuse has taken place a "Mandatory Reporting Information Sheet" available from the Manager must be completed and filed in the Manager's office. By doing this the staff member has performed their legal obligation and the matter is now the Manager's responsibility.
- The Manager and/or Office Manager will contact the Department of Human Services [DHS] by telephone as soon as possible to make an official notification on: **(03) 9479 6222 or after CCAE hours crisis line 131278**
- Members of DHS, or support/intervention services that visit CCAE following a notification, will interview staff and children only in the presence of the Manager and/or the Office Manager.
- **Mandatory Reporting Information Sheets** and discussions remain confidential and filed in the Manager's office.
- All incidents to be monitored, and any subsequent signs or indications of abuse are also to be reported.
- CCAE staff are also encouraged to report incidents of emotional abuse or neglect to the Manager.
- Students who disclose to staff a desire to harm themselves or others, must be reported by staff to the Manager.

Evaluation

- This policy will be reviewed bi-annually.