

GEELONG GRAMMAR SCHOOL

Mandatory Reporting Policy

1. Purpose and Scope

- 1.1 Mandatory Reporting refers to the legal requirement (under section 184 of the CYF Act) for certain professional groups (here called Mandatory Reporters) to report a reasonable belief of child physical or sexual abuse to child protection authorities. Section 184 of the CYF Act is set out in full in Appendix 3 of this Policy. This Policy sets out the legal obligations of all Mandatory Reporters and any non-mandated reporters who witness or form a reasonable belief about abuse to a Child.
- 1.2 This Policy has been endorsed by the School Council.
- 1.3 This Policy is underpinned by the School's Student Safeguarding Policy.
- 1.4 This Policy applies to all adults, including Students who are aged 18 years or over.

2. Principles

- 2.1 The School is committed to the safety of Children and has a zero tolerance of Child Abuse.
- 2.2 The School has a responsibility and duty of care to protect Children from harm through abuse or neglect.
- 2.3 The School is committed to implementing clear policies and procedures for reporting all suspected Child Abuse or child safety concerns.

3. Mandatory Reporters

- 3.1 If a Mandatory Reporter forms a reasonable belief that a Child is in need of protection, as a result of a physical injury, sexual abuse or emotional or psychological harm, and the Child's parents are unable or unwilling to protect the child from that abuse, the Mandatory Reporter must make a report to Child Protection. A Mandatory Reporter must make a report in these circumstances, even where the School Principal (or any other person) does not share their belief.
- 3.2 Mandatory Reporters include:
 - 3.2.1 registered Principals and teachers (including pre-service and visiting teachers);
 - 3.2.2 registered medical practitioners and psychiatrists;
 - 3.2.3 registered nurses including school nurses;
 - 3.2.4 members of the Police;
 - 3.2.5 registered psychologists;
 - 3.2.6 people in religious ministry; and
 - 3.2.7 School Employees who provide direct support to Children for mental, emotional or psychological wellbeing, including (but not limited to) School health and wellbeing employees, primary welfare officers, student wellbeing coordinators, mental health practitioners, chaplains, and Student Support Services staff.
- 3.3 Any **non-mandated** School Employee, Third Party Contractor or Volunteer may also make a report to Child Protection if they are concerned for a Child's welfare even if they are not required to do so as a Mandatory Reporter. Any person making a voluntary (non-mandated) report is also protected regarding confidentiality and immunity from legal liability.

4. Forming a Belief

- 4.1 A reasonable belief that a Child is in need of protection is likely to be formed in circumstances where:
 - 4.1.1 a Child discloses that they have suffered or are suffering non-accidental physical injury or sexual abuse;
 - 4.1.2 a relative, friend or acquaintance states that a Child has been sexually abused or non-accidentally injured;
 - 4.1.3 professional observations of the Child's physical condition or behaviours lead to a reasonable belief that the Child has suffered or is suffering non-accidental physical injury or sexual abuse;
 - 4.1.4 physical signs of injury or sexual abuse are apparent on the Child; or
 - 4.1.5 physical signs or behaviours indicative of neglect are apparent on the Child.
- 4.2 A 'reasonable belief' for the purposes of this Policy is a belief on reasonable grounds if a reasonable person practising the profession or carrying out the duties of the position or employment, would have formed the belief on those grounds.
- 4.3 When a Mandatory Reporter forms a reasonable belief that a Child is in need of protection from physical injury or sexual abuse, they have a legal obligation to make a report to Child Protection, Orange Door or Victoria Police as soon as practicable after forming the belief, subject to clause 5.1.

5. Reporting a Belief

- 5.1 A Mandatory Reporter must inform the appropriate Head of Campus, Vice Principal, Principal or Chair of the Council prior to a reasonable belief being reported to Child Protection, Orange Door or Victoria Police. As identified in clause 3.1, a Mandatory Reporter must still make a report in circumstances where they have formed a reasonable belief, even where the School Principal (or any other person) does not share their belief.
- 5.2 The Head of Campus or Vice Principal must immediately inform the Principal when a Mandatory Reporter intends to make a report to Child Protection, Orange Door or Victoria Police.

- 5.3 The Principal and other School Employees in a position of authority may have other legal responsibilities to report the information (see Obligation to Protect Policy, Obligation to Disclose Policy and Reportable Conduct Policy).
- 5.4 A Mandatory Reporter's responsibility for reporting extends to each occasion they become aware of any further reasonable grounds for a belief that a Child is in need of protection.
- 5.5 If a Mandatory Reporter suspects that a Child needs protection, they must contemporaneously document all concerns and observations in a Mandatory Report Record (**Appendix 2**) and provide the Record to the Head of Campus, Vice Principal, Principal or Chair of the Council.
- 5.6 Information about Child Abuse must remain confidential, and the Mandatory Reporter must not discuss this information with anyone other than the Chair of Council, Principal, Vice Principal or respective Head of Campus, Executive Director | Safeguarding and Legal Services, Student Safeguarding and Risk Officer, Child Protection, Orange Door and Victoria Police.
- 5.7 If two or more Mandatory Reporters form a reasonable belief after discussion together, it is their responsibility to ensure that at least one of them (or both) submits a report.
- 5.8 The appropriate Head of Campus, Vice Principal, Principal and Mandatory Reporters can share information and make a referral to Orange Door when they have significant concerns for a Child's wellbeing, but do not believe that the Child needs immediate protection.
- 5.9 The Mandatory Reporter does not have to be able to prove that the Child has been abused before notifying Child Protection or making a referral to Orange Door.
- 5.10 The fulfilling of the role and responsibilities in this Policy by any person does not displace or discharge any other obligations that may arise if that person reasonably believes that a child is at risk of child abuse.

6. After a Report Has Been Made

- 6.1 After a report has been made to Child Protection, Child Protection will decide, based on information provided to them, whether or not the Child's situation should be formally investigated.
- 6.2 If a report is accepted for investigation, Child Protection will undertake an assessment of the Child and their family (if applicable), with the aim of ensuring that the Child is safe.
- 6.3 Victoria Police may become involved if it appears an offence may have been committed.
- 6.4 If the report is not investigated, Child Protection will notify the School that no further action will be taken at that time.
- 6.5 If Child Protection believes the Child is not at risk of immediate and/or significant harm but the Child or their family may benefit from support services, they may refer the matter to Orange Door.

7. Protection For Mandatory Reporters

- 7.1 A Mandatory Reporter who acts in good faith will not incur civil or criminal liability by making a report to Child Protection, Orange Door or Victoria Police.
- 7.2 A report made in good faith will not constitute unprofessional conduct or a breach of professional ethics or a contravention of the section 141 of the *Health Services Act 1988* (Vic) and Division 7 of the *Mental Health and Wellbeing Act 2022* (Vic).

8. Safeguarding for a Child

- 8.1 The School will take appropriate actions to protect any Child (being a School Student) connected to the complaint or concern relating to Child Abuse until the complaint or concern is resolved. Actions taken by the School in these circumstances may include but are not limited to the following:
 - 8.1.1 Provide information regarding pathways of support so that the Child has a variety of support options available to them (both internal and external to the School);
 - 8.1.2 Provide a safe place on their campus that the Child may attend should they feel threatened or at risk;
 - 8.1.3 Provide a nominated School liaison for the Child and their family;
 - 8.1.4 Vary (by agreement or otherwise as advised by external professionals, such as medical practitioners) the Child's participation in academic, co-curricular and boarding programmes in their best interests;
 - 8.1.5 Take any reasonable actions as necessary to ensure the Child does not come into contact with the subject of the complaint while on School property; and
 - 8.1.6 Do anything else or any other actions as reasonably determined by the School, professionals involved in the matter, the Student and their family.

9. Confidentiality

- 9.1 Any reports made to Child Protection, Orange Door or Victoria Police are confidential. The CYF Act prevents disclosure of the name or any information likely to lead to the identification of a person who has made a report, unless:
 - 9.1.1 the Mandatory Reporter chooses to inform the Child and/or the Child's family of the report;
 - 9.1.2 the Mandatory Reporter consents in writing to their identity being disclosed;
 - 9.1.3 a Court or tribunal decides that it is necessary for the identity of the Mandatory Reporter to be disclosed to ensure the safety and wellbeing of the Child;
 - 9.1.4 a Court or tribunal decides that, in the interest of justice, the Mandatory Reporter is required to attend Court to provide evidence; or

- 9.1.5 information provided during a protective investigation may be used in a Court report, if the risks to the Child require the case to proceed to Court. In these circumstances, the source of the information may be required to provide evidence to the Court.
- 9.2 In addition, Child Protection and Orange Door can consult Mandatory Reporters when they are deciding how best to respond to a referral or a report they have received. Mandatory Reporters are legally able to share relevant information with those agencies about a vulnerable Child, without needing to be concerned about legal or professional consequences, provided they do so in good faith.
- 9.3 Mandatory Reporters can only share information directly related to their own concerns for the Child, based on matters of which a Mandatory Reporter has become aware, and any opinions based on those matters.

10. Contact information

- 10.1 Mandatory Reporters must report concerns that are life threatening to a Child to Victoria Police on 000.
- 10.2 Mandatory reporters must report concerns regarding a Child that is at risk of significant harm as a result of abuse or neglect to Child Protection on:
- 10.2.1 For Corio and Bostock House Campus - 1800 075 599;
 - 10.2.2 For Timbertop Campus - 1300 360 391; and
 - 10.2.3 For Toorak Campus – 1300 664 977.
- 10.3 Mandatory Reporters can also report concerns about the immediate safety of a Child after hours to the After-Hours Child Protection Emergency Service on 13 12 78.

11. Breach

The School expects that any School Employees who become aware of a breach of this Policy by a Mandatory Reporter, will advise the appropriate Head of Campus, Vice Principal or Principal immediately.

12. Communication of this Policy

- 12.1 This Policy and associated documents are made publicly available on the School's website and Intranet.
- 12.2 New Mandatory Reporters employed by the School are required to complete child safety training and read and acknowledge this Policy, the School's Student Safeguarding Policy and Code of Conduct and other applicable Policies.
- 12.3 Mandatory Reporters can use the flowchart in **Appendix 1** for an overview of their requirements.

13. Definitions

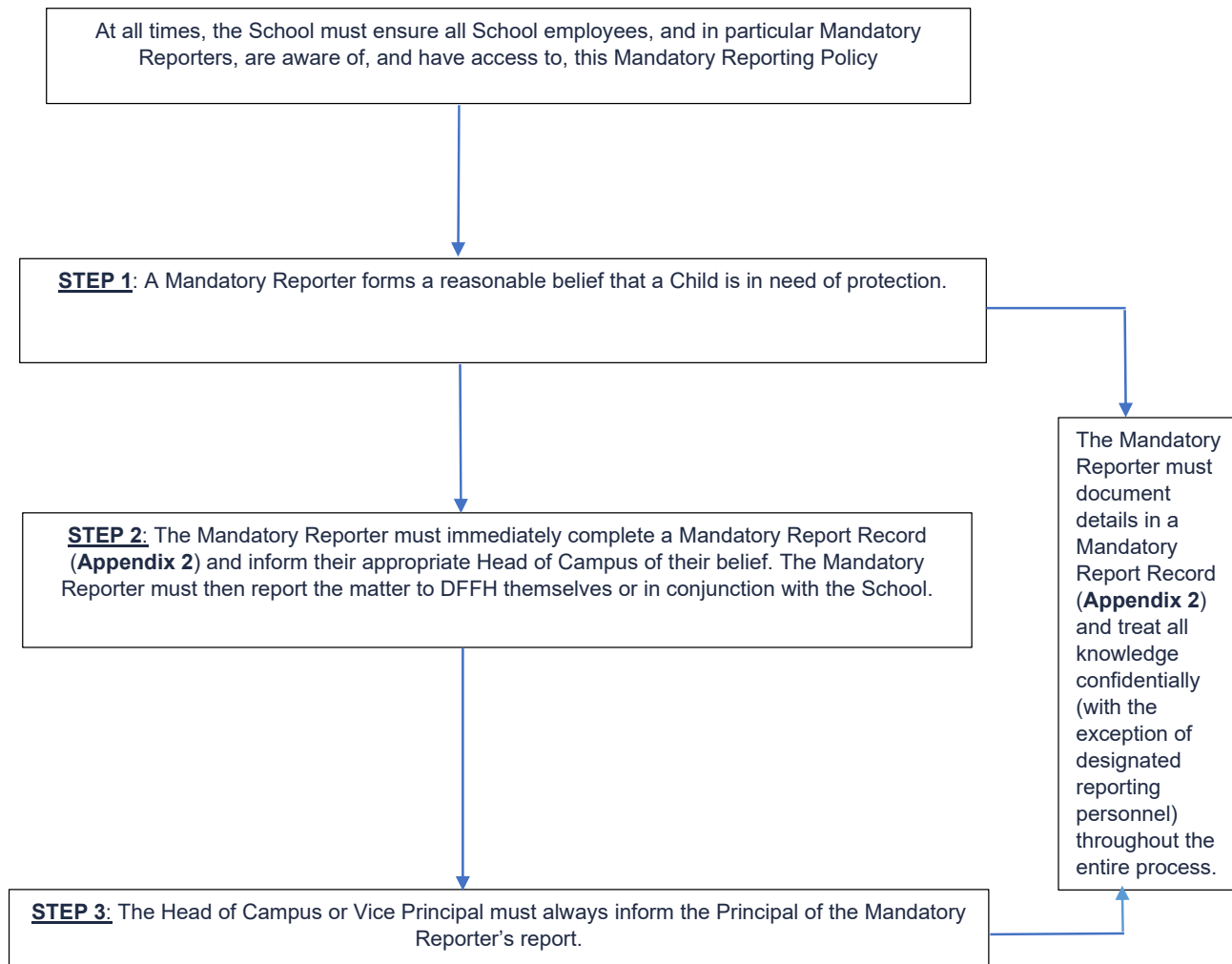
Child or Children	for the purpose of mandatory reporting obligations only, means a person under the age of 17 years old
Child Abuse	can involve (but is not limited to) any act committed against a child involving: 1. physical abuse which is non-accidental injury or serious harm inflicted on a child by any person; 2. sexual abuse which involves a person using their power or authority over a Child to engage in sexual activity. Sexual activity may include fondling genitals, masturbation, oral sex, vaginal or anal penetration by finger, penis or any other object, voyeurism and exhibitionism. It can also include exploitation through pornography or prostitution; 3. emotional or psychological abuse occurs when a Child is repeatedly rejected, isolated or frightened by threats. It can also include hostility, derogatory name calling, or persistent rejection to the extent where the behaviour and emotional development is at serious risk of being harmed; 4. neglect which occurs when a parent or caregiver fails to provide the Child with the basic necessities of life, food, clothing, shelter, medical attention or supervision, to the extent that the child's health and development is, or is likely to be, significantly harmed; or 5. grooming which occurs where an adult communicates, by words or conduct, with a Child (under the age of 16 years) or with a person who has care, supervision or authority of the Child (e.g. the Child's Parents) with the intention of facilitating the Child's involvement in sexual conduct, either with the groomer or another adult).
Child Protection	means the statutory child protection service provided by the DFFH, which can intervene to protect children and young people at risk of significant harm
CYF Act	means <i>Children, Youth and Families Act 2005</i> (Vic)
DFFH	means the Department of Families, Fairness and Housing
Health Services Act	means the <i>Health Services Act 1988</i>
Mandatory Reporter	means: 1. Registered Principals and teachers (including pre-service and visiting teachers); 2. Registered medical practitioners and psychiatrists; 3. Registered nurses including school nurses; 4. Members of the police force;

	5. Registered psychologists; 6. People in religious ministry; and 7. School Employees who provide direct support to students for mental, emotional or psychological wellbeing, including (but not limited to) school health and wellbeing staff, primary welfare officers, student wellbeing coordinators, mental health practitioners, chaplains, and Student Support Services staff
Mandatory Reporting	means the requirement of a Mandatory Reporter pursuant to section 184 of the CYF Act to report to government authorities in the event that a Mandatory Reporter becomes aware that a Child has suffered, or is likely to suffer, significant harm as a result of physical or sexual abuse
Mental Health and Wellbeing Act 2022	means <i>Mental Health Act</i> and <i>Wellbeing Act 2022</i>
Orange Door	means a Victorian government initiative providing free service for adults, children and young people to assist with family violence and/or child safety. This service is available to contact if there is no immediate threat to a Child
the School	means Geelong Grammar School including its registered boarding premises
School Employees	means all members of the Executive and Leadership team and all other campus and boarding premises employees, whether employed on a full, part time or casual basis and for the purposes of this Policy includes all members of School Council.
Third Party Contractors	means a third party service provider engaged by the School to provide a service to the School and or its students.
VIT	means Victorian Institute of Teaching
Volunteers	means people who assist the School in some capacity, whether directly or indirectly, with School activities, who will have access to students (including virtual/online) or student places of study (i.e. campus, School camp or sporting event, hosting accommodation) including but not limited to: • a volunteer or a contracted service provider engaged in School activities (whether or not a body corporate or any other person is an intermediary); and • homestay providers

14. Review and Circulation

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Appendix 1 – Mandatory Reporting Flowchart



Appendix 2 – Mandatory Report Record

 GEELONG GRAMMAR SCHOOL® EXCEPTIONAL EDUCATION MANDATORY REPORT RECORD	
<i>Note: The Mandatory Reporter who forms a reasonable belief that a Child has been the victim of an offence must complete this record. Once a Mandatory Report has been made, it must be stored in a secure, confidential file in the office of the Executive Director Safeguarding and Legal Services.</i>	
Name of victim:	
Age (date of birth if known) and gender of victim:	
Campus, Year Level and House of alleged victim:	
Contact details for alleged victim:	
Name of parents of alleged victim:	
Contact details for parents of alleged victim:	
Date/time reasonable belief formed:	
Name of alleged perpetrator:	
Age of alleged perpetrator (if known including date of birth):	
Role of alleged perpetrator:	
Reported to Head of Campus, Vice Principal or Principal (mandatory): Y / N	
Date and time reported to Head of Campus, Vice Principal or Principal:	
Date reported to relevant authority (Child Protection, Victoria Police, Orange Door):	
Name of contact at relevant authority:	
Contact details for relevant authority (including any reference allocated to the notification)	
Details: <i>(insert as much information as possible)</i> 	
Name: (Mandatory Reporter):	
Signature:	Date:

APPENDIX 3: SECTION 184 OF THE CYF ACT (AS AT 18 DECEMBER 2024)

Mandatory reporting

(1) A mandatory reporter who, in the course of practising his or her profession or carrying out the duties of his or her office, position or employment as set out in section 182, forms the belief on reasonable grounds that a child is in need of protection on a ground referred to in section 162(1)(c) or 162(1)(d) must report to the Secretary that belief and the reasonable grounds for it as soon as practicable—

(a) after forming the belief; and

(b) after each occasion on which he or she becomes aware of any further reasonable grounds for the belief.

Penalty: 10 penalty units.

(2) It is a defence to a charge under subsection (1) for the person charged to prove that he or she honestly and reasonably believed that all of the reasonable grounds for his or her belief had been the subject of a report to the Secretary made by another person.

(2A) To avoid doubt, a person is not exempt from the requirement to report under subsection (1) merely because the information would be privileged under section 127 of the **Evidence Act 2008**.

(3) The requirement imposed by subsection (1)(b) applies to a mandatory reporter referred to in paragraph (f) to (l) of section 182(1) even if his or her belief was first formed before the relevant date under section 182(1) for that paragraph.

(3A) The requirement imposed by subsection (1) applies to a person in religious ministry, even if the person's belief was first formed before the commencement of section 9 of the **Children Legislation Amendment Act 2019**, provided the person continues to hold that belief on or after that commencement.

(4) For the purposes of this section, a belief is a belief on reasonable grounds if a reasonable person practising the profession or carrying out the duties of the office, position or employment, as the case requires, would have formed the belief on those grounds.