

# Seventh-day Adventist Schools (WA) Ltd.

## Mandatory Reporting Policy

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### *Roles, Responsibilities and Processes*

#### **1. Rationale**

Seventh-day Adventist Schools (WA) Ltd, trading as Adventist Christian Schools Western Australia (ACSWA) acknowledges that the education of a child or young person is a partnership between the child, the home with its parents, siblings and the wider family, and the School with its teachers, support staff and the wider school community. As Christian educational communities, ACSWA schools acknowledges the God given responsibility to ensure that students are able to reach their potential by providing the safe, caring environment needed for students to thrive, and by taking action when students are at risk of harm from individuals who have influence in their lives.

ACSWA acknowledges that the safety of students has the highest priority over all its other activities. ACSWA schools are committed to take action against persons who place students at risk of harm without fear or favour or regard for that person's position or standing in the community. Further ACSWA schools will do their utmost to develop a culture within the staff that acknowledges their responsibility to report concerns about the ongoing welfare of their students.

ACSWA schools acknowledge that students who are at risk have the right to confidentiality regarding their circumstances. Never the less, systems that are developed to assist the school with a decision to intervene when students are at risk of harm need accurate, up to date information. To effectively balance these imperatives, these guidelines will attempt to provide direction on record keeping and confidentiality to the staff and principal.

Children who have risks to wellbeing but who don't reach the threshold for reporting to the Department of Communities - Child Protection and Family Support are a concern and responsibility for the wider school community. For this reason, any concern regarding the safety, welfare or wellbeing of a student must be reported to the Principal.

These guidelines also address the imperatives set out in the Adventist School Australia (ASA) Child Protection Framework and Child Protection Policy.

Under the *Children and Community Services Act 2004* teachers and boarding supervisors who:

- a) in the course of their paid or unpaid work form a belief, based on reasonable grounds that a child (person under the age of 18 or apparently under the age of 18) was or is being sexually abused are required legally to report this to the Department of Communities - Child Protection and Family Support.

- b) in the course of their paid or unpaid work form a belief, based on reasonable grounds that a child (person under the age of 18 or apparently under the age of 18) was or is being exposed to other forms of abused (physical, emotional and neglect) are required under this policy to report this to the Department of Communities - Child Protection and Family Support.

## 2. Scope

This guideline applies to responding to risks around the safety, welfare and wellbeing of students enrolled at an ACSWA school as caused generally by adults not engaged in the school. While these procedures are also relevant when harm is alleged to be caused by persons engaged by the school, it should be noted that in addition to these guidelines the allegations into staff conduct must be handled by the Policy for Handling Complaints and Appeals.

## 3. Responsibility

To the Adventist Christian Schools Board of Directors.

## 4. Point of Contact

Director of Education or Principal.

## 5. Aims

This Guideline aims to:

1. ensure compliance of ACSWA and all its Schools to the *Children and Community Services Act 2004 (WA) (Children and Community Services Act)* and all pertinent regulations including *Children and Community Services Regulations 2006*.
2. ensure compliance of ACSWA and all its Schools to the Adventist Schools Australia National Framework for Creating Safe Communities for Children.
3. ensure the legal mandatory reporting of a belief of sexual abuse and the policy mandatory reporting of a belief of physical and emotional abuse and neglect of children to the Department of Communities - Child Protection and Family Support.
4. ensure that adequate child protection records (CP records) are maintained at each school and that these are kept confidential at all times.
5. ensure that staff are regularly trained on their responsibilities as it relates to mandatory reporting and concerns about student wellbeing.

## 6. Definitions

Term	Definition
AdSAFE Ltd	The child protection service for the Seventh-day Adventist Church in the South Pacific Division established to implement prevention strategies to mitigate against the risk of sexual and physical abuse against children and vulnerable persons within its churches and affiliated entities.
Adventist Christian Schools Western Australia (ACSWA)	The trading name for Seventh-day Adventist Schools (Western Australia) Ltd
Adventist Schools Australia (ASA)	The Education Department of the Australian Union Conference of the Seventh-day Adventists Church. This Department provides strategic direction and support to the Schools' Companies across Australia.
Child	A person under the age of 18 years
Child sexual abuse	'Sexual abuse', in relation to a child, includes sexual behaviour in circumstances where:  (a) the child is the subject of bribery, coercion, a threat, exploitation or violence; or  (b) the child has less power than another person involved in the behaviour; or  (c) there is a significant disparity in the developmental function or maturity of the child and person involved in the behaviour.
Emotional and psychological abuse	Emotional and psychological abuse is the sustained, repetitive, inappropriate, ill treatment of a child or young person through behaviours including threatening, belittling, teasing, humiliating, bullying, confusing, ignoring and inappropriate encouragement.
The Department	The Department of Communities - Child Protection and Family Support. The body to which mandatory reports are made in Western Australia.
Director	Executive Director or Associate Executive Director or delegate.
Mandatory Reporting Threshold	Any person who has a belief, formed on reasonable grounds that a child is being subjected to sexual abuse.
Mandatory Reporter	Within a school context, the <i>Children and Community Services Act 2004</i> defines a mandatory reporter as a Teacher or a Boarding supervisor.

<b>Term</b>	<b>Definition</b>
Neglect	Neglect is when a child is not provided with adequate food or shelter, effective medical, therapeutic or remedial treatment, and/or care, nurturance or supervision to a severe and/or persistent extent.
Physical abuse	Physical abuse occurs when a child or young person has experienced severe and/or persistent ill-treatment through behaviours such as beating, shaking, inappropriate administration of alcohol and drugs, attempted suffocation or excessive discipline or physical punishment.
Policy Reporting Threshold	Any staff member who has a belief, formed on reasonable grounds that a child is being subjected to any form of abuse or neglect which is not of a sexual nature.
Reasonable grounds	<p>Mandatory reporters must specify the grounds on which they formed the belief that a child has been, or is being, sexually abused. It is important to provide as much detailed information as possible, including:</p> <ul style="list-style-type: none"> <li>• what the child has said or done to suggest they are being sexually abused</li> <li>• if the child has disclosed abuse, what they said happened and who they disclosed to and when</li> <li>• a description of any behaviours/ interactions with the child that are of concern, including frequency and severity of behaviours</li> <li>• whether the child has any injury, or medical needs.</li> </ul>
Reporting body	<p>ACSWA as an employer of registered teachers are to notify the TRBWA of any investigation (even if not completed), where the employer is of the opinion that there was reason to believe that a teacher has engaged in serious misconduct or has been seriously incompetent, that results in a teacher:</p> <ul style="list-style-type: none"> <li>• being suspended at the educational venue; or</li> <li>• being dismissed from teaching at the educational venue; or</li> <li>• resigning from the educational venue; or</li> <li>• no longer teaching at, or being moved from the educational venue.</li> </ul>
School Staff	Anyone employed at a school and any volunteer, contractor, trainee teacher or chaplain who work with children at the school
School Curriculum and Standards Authority (SCSA)	<p>The School Curriculum and Standards Authority is responsible for</p> <ul style="list-style-type: none"> <li>• setting standards of student achievement and for the assessment and certification of student achievement</li> </ul>

Term	Definition
	<p>according to those standards</p> <ul style="list-style-type: none"> <li>• developing an outline of curriculum and assessment in schools that, taking account of the needs of students, sets out the knowledge, understanding, skills, values and attitudes that students are expected to acquire and guidelines for the assessment of student achievement</li> <li>• developing and accrediting courses for schools</li> <li>• maintaining a database of information relating to <ul style="list-style-type: none"> <li>• the participation by students during their school years in education, training or employment as provided by the <i>School Education Act 1999</i></li> <li>• the achievement of students during those years</li> <li>• records of assessment in respect to students.</li> </ul> </li> </ul>
South Pacific Division of the Seventh-day Adventist Church (SPD)	A division of the world wide Seventh-day Adventist Church that incorporates Australia, New Zealand, Papua New Guinea and the Islands in the South Pacific
Teacher	<p>The definition of a teacher for the purposes of mandatory reporting of child sexual abuse is as follows:</p> <ul style="list-style-type: none"> <li>• a person who, under the <i>Western Australian College of Teaching Act 2004</i>, is registered, provisionally registered or has a limited authority to teach; or</li> <li>• a person who is appointed under the <i>School Education Act 1999</i> section 236(2) as a member of the teaching staff of a community kindergarten; or</li> <li>• a person employed by the chief executive officer as defined in the <i>Young Offenders Act 1994</i> section 3 to teach detainees at a detention centre as defined in that section.</li> </ul>
Teacher Registration Board of Western Australia (TRBWA)	The TRBWA is the body responsible for the registration of teachers in Western Australia and registers all teachers, from early childhood to Year 12, who teach in a Western Australian educational venue. The TRBWA is also responsible for the accreditation of initial teacher education programmes in WA.

## **7. Responsibilities**

### **7.1. The Principal**

The Principal is required to:

1. Ensure that all staff are updated annually on their responsibility in regards to reporting allegations of criminal conduct, mandatory reporting and further, how staff are to report their concerns about the wellbeing of a child to the Principal.
2. Develop, implement and maintain a confidential system for the storage of Child Protection records that include guidelines on which staff are given access to the information.
3. Notify AdSAFE Ltd of all Mandatory Reports by sending a copy of the report made to the Department within 5 working days.
4. Seek advice from the AdSAFE Ltd, and where appropriate the School Counsellor, the Association of Independent Schools (WA), the Police and the Department on Child protection matters.
5. Report all allegations of criminal conduct to the police and seek advice on how to proceed.
6. Notify the Director General of the Department of Education as soon as practicable, and in any event within 48 hours of any incidence of child abuse or sexual abuse using the Critical and Emergency Incident Report form, available on the Department of Education Services, non-Government Schools website at [des.wa.gov.au](http://des.wa.gov.au). Further to this, Director of Education, and Chair of the Governing Body must be notified of any such incident report in writing, including a copy of the said report as soon as is practicable, and in any event within 48 hours of any incidence being reported.
7. Establish and maintain relationships with external support agencies that provide support to students with wellbeing concerns and their families.
8. Receive from mandatory reporters, information about mandatory reports made to the department relating to a belief that a child was or is being sexually abused.
9. Receive from school staff concerns relating to a belief that a child was or is being sexually, physically, emotionally or psychologically abused or neglected.
10. Must seek advice from AdSAFE Ltd relating to reports in 9 above and report these matters where appropriate to the Department.
11. Receive from school staff concerns regarding the safety, welfare or wellbeing of a student.
12. Routinely review the concerns received in 11 above and where appropriate refer the student and/or their family to the most appropriate internal or external support agency.

### **7.2. Mandatory Reporters**

The mandatory reporter is:

1. Responsible to report to the Department about any belief formed on reasonable grounds that a student was or is being sexually abused.
2. Able but not required to report to the Principal about any mandatory report made to the department.

3. Responsible to report to the Principal about any belief formed on reasonable grounds that a student was or is being physically, emotionally or psychologically abused or neglected.
4. Responsible to report to the Principal any concerns regarding the safety, welfare or wellbeing of a student.

### **7.3. All School Staff**

School Staff are responsible to:

1. Report to the Principal about any belief formed on reasonable grounds that a student was or is being sexually, physically, emotionally or psychologically abused or neglected.
2. Report to the Principal any concerns regarding the safety, welfare or wellbeing of a student.

## **8. Implementation**

### **8.1. Staff Training**

1. A new staff orientation program will be developed to include:
  - a) the importance of child safety, welfare and wellbeing in the School Community
  - b) an overview of the applicable staff member's obligations as a mandatory reporter
  - c) the importance of a school response to concerns about student's safety, welfare and wellbeing and the staff member's obligation to report this to the principal.
  - d) how to report concerns to the Principal.
  - e) what happens after you report?
2. The Director of Education in consultation with Principals will be responsible to develop and implement an annual child protection update for school staff. This must include:
  - a) The Reporting Threshold,
  - b) What are reasonable Grounds?
  - c) What are the signs and symptom of harm?
  - d) The Mandatory Reporting obligations
  - e) Why the obligation to report other concerns?
3. Ongoing child protection training for key School Administrators will be developed and delivered at least once every 3 years.

### **8.2. Record keeping**

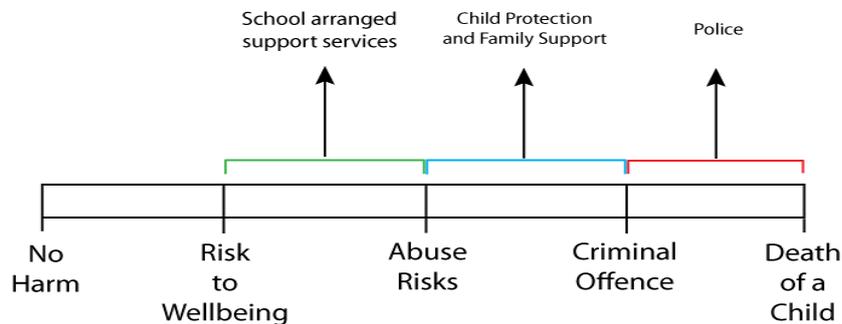
1. The Principal will develop a system to maintain the school's Child Protection records that:

- a) sets out that the purpose for keeping these records is to ensure the ongoing safety and wellbeing of child and to assist the school in making informed decisions to this purpose.
  - b) Student management records and general demographic and academic information are to be kept separate.
  - c) Under the school's privacy guidelines, the Child Protection records are sensitive and much care must be taken in deciding on what staff and what agencies should have access and for what purpose.
  - d) Ensure confidentiality. Generally, the School's Child Protection records should only be accessed by the Principal or delegate.
  - e) Is secure.
2. The Principal may choose to use the school's academic database to store its child protection records but this can only be done if the conditions in 8.2.1 above is met.
3. The Child Protection records must include:
- a) A register of Child Protection events showing Date, Student name, Type of event, Staff Name, Summary of event and action taken. Events may include but are not limited to concerns received from staff or parents, decisions to take action, advice from consultants. If supplied by the Mandatory reporter, a copy of online Mandatory Report records.
  - b) All file notes of the concerns received. This could be a copy of the email or a file note created by the Principal from a conversation. If physical records, these must be stored in individual student files
  - c) If a concern suggests a possible change in risk the Principal may use the information to assess whether to now report the matter to the Department. At the end of the process the Decision Report must be printed and filed.
  - d) Copies of reports sent to the Department
  - e) If a concern suggests possible risk of harm the Principal may choose to review the situation and refer the student or family to internal or external support services. A file note must be created to outline this decision and become part of the CP records.
  - f) File notes with advice from consultants and referral support agencies.
  - g) Risk of Harm Management Plans

### **8.3. Reporting Thresholds**

1. Concerns about the safety, welfare or wellbeing of a student arise because of certain behaviours by persons perpetrated on the student. These fit into a continuum with a number of predefined thresholds. Behaviours toward a child that may be a Criminal Offence are matters that must be immediately reported to the police. Behaviours that expose a student to abuse must be reported to the Department.
2. Behaviours that raise concerns about the risk to the wellbeing of the student are matters that may be addressed through School arranged support services. These

may include the school counsellor or outside agencies to which the student and the family can be referred.



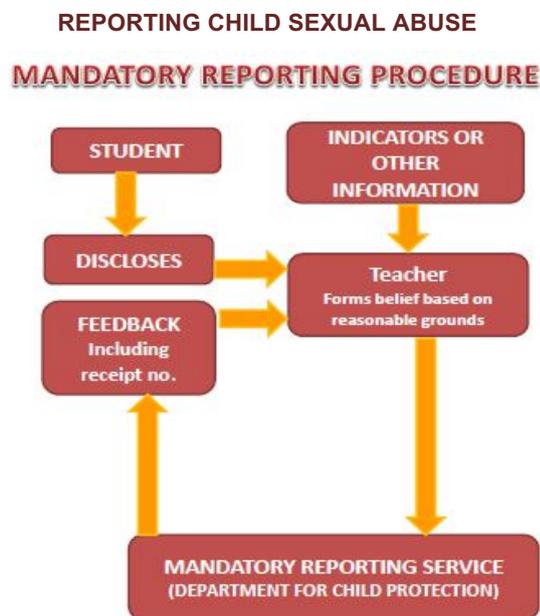
#### 8.4. *The Criminal Act Threshold*

1. As soon as staff become aware of a matter that concerns the safety, welfare or wellbeing of a student that might constitute criminal conduct the staff member must report the matter to the Principal immediately.
2. Upon receipt of such information, the Principal must notify AdSAFE Ltd and the Police of the report.
3. The Principal must follow any instructions provided by AdSAFE Ltd and/or the Police in respect of the report.

#### 8.5. *Mandatory Reports*

1. Mandatory Reporters, with immediate and urgent concerns and who have a belief on reasonable grounds that a student has or is being sexually abused must report the matter to the Department:
  - a) by calling on 1800 708 704.
2. If a report is phoned into the Department Mandatory Reporters must follow up by sending a written report by either:
  - a) using the Department's secure Mandatory Reporting Web System <https://mandatoryreporting.dcp.wa.gov.au/Pages/MakeaReport.aspx>
  - b) completing a pdf form accessible at [www.mandatoryreporting.dcp.wa.gov.au](http://www.mandatoryreporting.dcp.wa.gov.au) and sending the completed form via:
    - I. FAX: 1800 610 614
    - II. Post: PO Box 8146, Perth BC WA 6849 or
    - III. Email: [mrs@dcp.wa.gov.au](mailto:mrs@dcp.wa.gov.au)
3. Less urgent reports can be made using the written mechanisms in 2 above.
4. Mandatory Reporters can but are not required to inform the Principal of any mandatory reports made to the Department immediately via email including a copy of the report.
5. The Principal will notify AdSAFE Ltd of all Mandatory Reports received by sending a copy of the report made to the Department within 5 working days.

6. Failure to make a verbal report can incur a penalty. Failure to follow up a verbal report with a written report as soon as is practicable may result in a fine.
7. A mandated reporter who is normally governed by a code of confidentiality or secrecy, professional ethics, standards or principles of conduct (eg. Doctor/patient) is protected from a breach of 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.
8. 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. A consultation process may occur prior to the teacher forming a belief. Any such discussions or documentation must remain highly confidential protect the of the identity of the reporter. Throughout the process, the wellbeing of the child must be of paramount concern.
10. The following flow chart outlines the procedure for the mandatory reporting of child sexual abuse.



### 8.6. Staff Reporting Concerns

1. School Staff who have a belief on reasonable grounds that a student has or is being sexually, physically, emotionally or psychologically abused or neglected must report the matter to the Principal.
2. On the receipt of 1 above the Principal will seek advice from AdSAFE Ltd and if applicable report the matter to the Department using the mechanisms outlined above.
3. The Principal will notify AdSAFE Ltd of all Mandatory Reports received by sending a copy of the report made to the Department within 5 working days.
4. Staff with immediate and urgent concerns about the safety, welfare or wellbeing of a student must contact the Principal immediately. If the Principal is not available staff must report the matter to the next most senior member of staff. The Principal must be updated at the conclusion of the report.

5. Staff with less urgent concerns about the safety, welfare or wellbeing of a student must report these to the Principal using the school designated method within 24 hours.
6. Staff are reminded of the confidential nature of Child Protection concerns reported to the Principal. These must not be communicated to other school staff, members of the wider school community or the general public. The Principal will decide who amongst the staff must be made aware of the concern on a need to know basis only.
7. The Principal or his delegate will send a written confirmation of the receipt of the concern.

#### **8.7. Safety, Welfare and wellbeing risks**

1. The Principal will develop a list of external referral support services as outlined in the Student Wellbeing Guidelines.
2. The Principal will review the circumstances of all students who the school believes has some wellbeing risks and develop a risk of harm management plan.
3. The risk of harm management plan may involve:
  - a) a meeting between the Principal and concerned parties to discuss the wellbeing risks and the risk management plan.
  - b) the referral of the student and or parents to the School Counsellor.
  - c) the referral of the student and or parents to community support services.
  - d) the referral of the alleged potential harm perpetrator to early intervention and prevention support services.
4. The risk management plan must include a review date.
5. The review of a risk of harm management plan may involve:
  - a) the review of reports from the school counsellor, referral support agencies and referral intervention and prevention agencies.
  - b) a reassessment of the ongoing risk to the student with the possible escalation of the risk with an associated report to the Department or the downgrading of the risk assessment to below the risk of harm threshold with a conclusion of the risk management plan.

**Document Controls**

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