Mandatory Reporting Policy & Procedure

Treetops Montessori School requires all its teaching staff to attend Mandatory Reporting workshops and to be aware of their responsibilities under the Children and Community Services Amendment (Reporting of Sexual Abuse of Children) Act 2008. This amendment forms part of the Children and Community Services Act 2004.

Mandatory reporting legislation requires teachers to report concerns of child abuse to the Department of Child Protection. The legislation focused on sexual abuse and requires reporters to report suspected sexual abuse based on reasonable grounds.
What is sexual abuse?
Sexual abuse is defined by the Act in section 124A as:

‘Sexual abuse’ in relation to a child, includes sexual behaviour in circumstances where:
- The child is the subject of bribery, coercion, a threat, exploitation or violence; or
- The child has less power than another person involved in the behaviour; or
- There is significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.

Sexual abuse occurs when a child has been exposed or subjected to sexual behaviours that are exploitative and/or inappropriate to his/her age and developmental level. Examples include sexual penetration, inappropriate touching and exposure to sexual acts or pornographic material. Further examples and physical/behavioural indicators are documented in the Child Protection Policy.

What are ‘reasonable grounds’ for suspicion?
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 the concerns about child sexual abuse. Information on the indicators is covered in the Child Protection Policy.

Teachers may wish to consider the following questions to assist them in deciding if their belief is based on reasonable grounds:
- Can you describe the reasons why you believe a child has been, or is being sexually abused?
- What has the child said or done to suggest they are being sexually abused?
- Have you observed or been told about, the presence of any of the ‘possible indicators’ of sexual abuse?
- Did the child disclose sexual abuse? What did they say happened? Who did they disclose to and when?
- 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?

If the teacher concerned wishes, the Principal and other relevant staff may be involved in discussions with the teacher in relation to a specific child, prior to the teacher forming a belief based on reasonable grounds. It remains the responsibility of that teacher, however, to report directly to the Mandatory Reporting Service once they have formed reasonable belief that sexual abuse has occurred, or is occurring. The Principal and other relevant staff are there to provide support/consultation if required, but the teacher is under no obligation to advise these individuals of a report.

Failure to make report can incur a penalty of up to $6000.

Parents will be made aware of the mandatory requirements for teachers to report via the newsletter.

How does a mandatory reporter make a report?
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.

There are two ways to make a report - verbal or written.
A verbal report is preferred in the first instance, particular if the child is at ongoing risk. It must be followed up by a written report as soon as practicable, usually within 24 hours. The Mandatory Reporting Service can be reached on 1800 708 704.

Failure to follow up a verbal report with a written report may result in a fine of $3000. A written report form can be downloaded from the mandatory reporting website www.mandatoryreporting.dcp.wa.gov.au.

Once you have completed your written report, it can be returned using any of the following methods;
- Email to: mrs@wa.gov.au
- Fax to: 1800 610 614
- Post to: PO Box 8146, Perth BC WA 6849

What happens next?
The Mandatory Reporting Service will
- Acknowledge receipt of the report with a standardised letter. This letter is proof that you made a report so it is important that you keep it.
- Assess immediate risk to the child and determine the need for further child protection assessment and investigation.
- Send a copy of the report to the WA police.
- Send feedback to the mandatory reporter advising them of the DCP District Office it has been referred to, or whether no further action was recommended by the Mandatory Reporting Service.
MANDATORY REPORTING PROCEDURE

Student Discloses

Teacher Forms belief based on reasonable grounds

Feedback Including Receipt No.

Indicators or other Information

MANDATORY REPORTING SERVICE
(Department for Child Protection)