Mandatory Reporting Policy and Procedure

Website version

Relevant Legislation / Related information	• Registered and Accredited Individual Non-government Schools (NSW) Manual - September 2023 - B8 • Children and Young Persons (Care and Protection) Act 1998 (NSW) • Children and Young Persons (Care and Protection) Regulation 2012 (NSW) • A Mandatory Reporter's Guide To Selecting A Decision Tree (NSW) • Mandatory Reporter Guide NSW
Related documents (Including but not limited to)	• Code of Conduct – Personnel • Child Safe Policy and Procedure • Work Health and Safety Policy • Reportable Conduct Policy and Procedure • Complaints policies • Continuous Improvement Procedure – Incident hazard and Feedback reporting
Date of issue/last revision	unknown / May 2026
Authorisation Implementation	Principal
Date of Approval	4 June 2026
Review Cycle	Biennial
Feedback	Feedback on this procedure can be emailed to the Principal
Accessible	Board ☐ Staff ☒ Website ☒ Parent ☐

Purpose

This document outlines how the School ensures the safety of students in its care by means of mandatory reporting. It sets out staff responsibilities for child protection and processes that staff must follow in relation to mandatory reporting matters.

Scope

This is an organisation wide policy and applies to all staff members, which includes employees and contractors. Volunteers are not mandatory reporters under the Act unless they fall into a listed employment category. The School requires all volunteers to report child wellbeing concerns to the Principal and/or complete a voluntary report to DCJ.

Definitions

child - a person under the age of 16 years
young person - a person aged 16 years or above but who is under the age of 18
significant harm - when circumstances that are causing concern for the safety, welfare or well- being of the child or young person are present to a significant extent. What is meant by 'significant' in the phrase 'to a significant extent' is that which is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent. What is significant may reasonably be expected to produce a substantial and demonstrably adverse impact on the child or young person's safety, welfare or well-being. The significance can result from a single act or omission or an accumulation of these. *See also procedural information.*

Policy

The Anglican School Googong (TASG) is committed to providing a safe, supportive and protective environment for all students in line with the Child Safe Standards and the School's NESA registration requirements. In accordance with the *Children and Young Persons (Care and Protection) Act 1998 (NSW)* and its *Regulations* (the Act), all personnel are required, as a condition of their employment, to report any reasonable suspicion that a child or young person may be at risk of harm.

The Act establishes mandatory reporting responsibilities for children and young people who are at risk of significant harm. Consistent with these legislative requirements and the School's commitment to child safety, all staff must report any concerns relating to the safety, welfare or wellbeing of a child or young person.

Where appropriate, according to the level of suspicion, the employee completes the Mandatory report. Employees must report internally to the Principal, documenting their report using the incident form. The Principal (or delegated officer) makes the external report to Department of Communities and Justice (DCJ) and, where required, the Police.

The responsibility for ensuring the safety, protection and welfare of students rests with every staff member. This responsibility includes:

- a **duty of care** to take reasonable steps to prevent foreseeable harm to students
- compliance with all **child protection legislation** and reporting obligations.

Any concern regarding the safety, welfare or wellbeing of a student must be reported **as soon as possible**.

Definitions of Child Abuse and Neglect

There are different forms of child abuse and may operate in combination / create cumulative harm. These include neglect, sexual, physical and emotional abuse.

- **Neglect** is the continued failure by a parent or caregiver to provide a child with the basic things needed for his or her proper growth and development, such as food, clothing, shelter, medical and dental care and adequate supervision.

- **Sexual abuse** is when someone involves a child or young person in a sexual activity by using their power over them or taking advantage of their trust. Often children are bribed or threatened physically and psychologically to make them participate in the activity. Child sexual abuse is a crime.
- **Physical abuse** is a non-accidental injury or pattern of injuries to a child caused by a parent, caregiver or any other person. It includes but is not limited to injuries which are caused by excessive discipline, severe beatings or shakings, cigarette burns, attempted strangulation and female genital mutilation. Injuries include bruising, lacerations or welts, burns, fractures or dislocation of joints. Hitting a child around the head or neck and/or using a stick, belt or other object to discipline or punishing a child (in a non-trivial way) is a crime.
- **Emotional abuse** can result in serious psychological harm, where the behaviour of their parent or caregiver damages the confidence and self-esteem of the child or young person, resulting in serious emotional deprivation or trauma. Although it is possible for 'one-off' incidents to cause serious harm, in general it is the frequency, persistence and duration of the parental or carer behaviour that is instrumental in defining the consequences for the child. This can include a range of behaviours such as excessive criticism, withholding affection, exposure to domestic violence, intimidation or threatening behaviour.

Child wellbeing concerns

Child wellbeing concerns are safety, welfare or wellbeing concerns for a child or young person that do not meet the mandatory reporting threshold, risk of significant harm. These concerns are reported internally and may require support, monitoring, or referral.

Who is a mandatory reporter?

Under the Act persons who:

- in the course of their employment, deliver services including health care; welfare, **education**, children's services and residential services, to children; or
- **hold a management position in an organisation**, the duties of which include direct responsibility for, or direct supervision of, the provision of services including health care, welfare, **education**, children's services and residential services, to children, are mandatory reporters.

All employees at the School are mandatory reporters including teaching and non-teaching staff including; peripatetic (music) staff, tutors and coaches. If an employee of the School has any concerns or question, they should consult with the Principal without delay.

Training

On induction and annually at the commencement of the year, the Principal will ensure staff receive training in their obligations as mandatory reporters. On each of those training occasions, a register of attendance will be taken and kept, and the Principal will follow-up with individuals who did not attend the training. The Executive Assistant to the Principal will maintain all records of training and attendance of all employees at the School.

Procedure

Training

At the start of each year and during induction, all staff participate in a mandatory education session on the following:

- Code of Conduct - Personnel
- Child Protection training (attendance recorded via training register)
- The Executive Assistant will notify the Principal of individuals who have not completed Child Protection training and the Principal will ensure staff are compliant
- Every year, staff will also complete formal training in Child Protection provided by the Principal or their delegate. Sign on sheets are stored with the Director of Teaching and Learning.

Reasonable grounds

'Reasonable grounds' refers to the need to have an objective basis for suspecting that a child or young person may be at risk of significant harm, based on:

a) firsthand observations of the child, young person or family
b) what the child, young person, parent or another person has disclosed
c) what can reasonably be inferred based on professional training and / or experience.

'Reasonable grounds' does not mean that a staff member is required to confirm their suspicions, or investigate, or have clear proof before making a report. The principle of mandatory reporting is information is reported and external agencies investigate the report.

Mandatory Reporting Requirements – All Personnel

Any staff member who has a concern that a child or young person may be at risk of significant harm must complete a mandatory report. The staff member may seek guidance from the Principal to discuss:

- whether the concern meets the threshold of "risk of significant harm"
- complete an incident form

A mandatory reporter meets their legal obligation by reporting their concerns. Discussing with the Principal assists the Principal to:

- have oversight of relevant information
- the School can identify patterns or cumulative harm
- reporting is consistent, timely, and compliant with legislation

The reporter and/or Principal (or delegate) will review and/or complete:

- *A Mandatory Reporter's Guide to Selecting a Decision Tree*
- the NSW Mandatory Reporter Guide (MRG)
- where necessary, contact Police

The report will include:

- the name or a clear description of the child, and
- the grounds for suspecting that the child is at risk of significant harm.

Staff members must not **inform the parents or caregivers** that a report to the DCJ has been made. Unless exceptional circumstances apply which have been discussed with the Principal prior to any disclosure.

Confidentially must be maintained with disclosure only to the persons referred to in this procedure. Failure to maintain confidentiality will breach of this policy and procedure.

Although not mandated by legislation, the School requires that a report is made to Community Services where there are reasonable grounds to suspect that a young person (16 or 17 years of age) is at risk of significant harm and there are current concerns for their safety, welfare, or wellbeing.

Immediate Danger

If a child or young person is in immediate danger the staff member must:

- contact the Police and/or the Child Protection Helpline (132 111) directly
- notify the Principal or next most senior staff member as soon as possible afterward
- complete an incident form
- **not investigate** or 'interview' the child or young person

Significant harm

A child or young person is '*at risk of significant harm*' if current concerns exist for the safety, welfare or well-being of the child or young person because of the presence, to a significant extent, of any one or more of the following circumstances:

a) the child's or young person's basic physical or psychological needs are not being met or are at risk of not being met
b) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care
c) in the case of a child or young person who is required to attend school in accordance with the Education Act 1990 - the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education in accordance with that Act
d) the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated
e) the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm
f) a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm
g) the child was the subject of a pre-natal report under section 25 of the Care and Protection Act and the birth mother of the child did not engage successfully with support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report.

Information needed to make a report

When making a report to the Child Protection Helpline, the quality and detail of the information provided is critical to the decision-making that follows. Reporters should provide all relevant information available.

Before making a report, gather as much information as possible. However, a report must still be made even when only limited information is known, provided there are reasonable grounds to suspect risk of significant harm. At a minimum, DCJ must be able to identify and locate the child or young person.

Useful information includes:

- details indicating risk of significant harm
- information about the child or young person
- information about the family
- information about the reporter
- the context or circumstances leading to the concern

Reporters should also provide any information about cultural, linguistic, refugee, migration or settlement factors that may be relevant, as this can assist DCJ in assessing and responding to the case.

For further guidance, see *Information needed to make a report* – Mandatory reporters: What to report and when – Family & Community Services NSW.

Informing the family of a report

It is good practice to discuss concerns with the parent / carer and to advise them of the legal obligation to report your concerns to DCJ.

The decision to inform the family of a report should be guided by professional judgement and the principles of working in partnership with families and involving children and young people in decisions that affect them. Reporting to the family should be by exception and in discussion with the Principal.

Where a report has been made, and the family not advised, the School is not to confirm or deny that a report has been made and advise the family that as part of its child protection obligations the School is required to make reports when it has concerns for the safety of a child. Further, the School does not provide advice on whether a report has or has not been made.

Focus on the child's safety

The Act recognises that the safety, welfare and wellbeing of a child or young person are the paramount consideration for a reporter. Consequently, while being aware of cultural sensitivities, the reporter's focus must remain on ensuring the safety of the child or young person. For further information see: *If the child or family is Aboriginal - Family & Community Services NSW*.

If behaviours are occurring that could cause risk of significant harm to a child or young person they should not be minimised or dismissed on cultural grounds.

Storage of a Mandatory Report Information

After each report, all records are to be stored the following ways:

a) On the particular file any child named in the report
b) On particular file of any staff member named in the report
c) As the incident report with all correspondence attached

All mandatory report related record keeping is the responsibility of the Principal.

Compliance

Non-compliance with this policy and its procedure may result in disciplinary action up to and including dismissal.