



Mandatory Reporting Policy

Lambert School follows all mandatory reporting requirements by both State and Federal Law. All staff members receive training in the area of mandatory reporting. Reports of concern by staff at Lambert School must be made to the [Strong Families Safe Kids](#) advice and referral line or to the Tasmanian Police. For the purpose of this policy, staff refers to all employees (teaching and non-teaching) and volunteers working at Lambert School.

Purpose

This policy details each staff member's individual responsibility to contact authorities, and the process for doing so (including circumstances that might lead to concerns for a child or young person), how to support the child or young person to whom the concern relates, and the legislation that underpins this responsibility. This procedure is consistent with statutory requirements for mandatory reporting under the [Children, Young Persons and Their Families Act 1997 \(Act\)](#), the [Child and Youth Safe Organisations Act 2023](#) and the [Criminal Code Act 1924 \(Criminal Code\)](#). All staff at Lambert School are mandatory reporters.

Reportable Conduct Scheme

The Office of the Independent Regulator oversees Tasmanian organisations required to comply with the Child and Youth Safe Organisations Framework.

When concerns about a child or young person being harmed by an adult worker or volunteer engaged with Lambert School are raised, a report will be made to the Office of the Independent regulator.

The Reportable Conduct Scheme (the Scheme) requires leaders of organisations to:

- notify the Independent Regulator upon becoming aware of conduct related to child abuse involving an adult worker (this is called reportable conduct), and
- conduct investigations (they may engage an investigator).

At Lambert School the leaders responsible for making the report to the OIR are the Principal, or Deputy Principal. Individuals raising the concern may also make a report directly to the OIR however it is the responsibility of the Schools Leader to make a report regardless of additional reporting.

The Lambert School will follow the below requirements when making report to the OIR:

- Within three business days: Principal or Deputy Principal must report reportable conduct to the Independent Regulator in writing and provide basic details such as the worker's name. This will be completed via the Report a Concern Link at the Office of the Independent regulator.
- Details of the report will be recorded in a confidential Register Managed by the School Principal.
- As soon as possible, the Principal or Deputy Principal must start an investigation.
- Within 30 days: Principal or Deputy Principal must provide an update including information about the allegation or conviction, whether any actions have been taken (for example, placing a limit on a worker's contact with children) and any written submissions.
- At the end of the investigation: Principal or Deputy Principal must provide findings of the investigation, reasons for the findings and details of any actions that have been taken as a result.

As a staff member who works with children and a mandatory reporter:

As persons who work with children in an educational setting that receives Commonwealth funding, all staff of Lambert School are Mandatory Reporters. As such, they are required to make a report as soon as practicable if they believe, or suspect, on reasonable grounds, that a child or young person has been abused or neglected or there is a reasonable likelihood of this occurring.

In 2009 the Act was amended to enable notifications to be recorded about unborn children, so that issues such as a mother's substance use, or the impact of family violence, can now be acted upon to link a mother in with voluntary support. Another amendment to the Act was to enable community members and professionals to fulfil their obligations to notify of concerns by contacting [Strong Families Safe Kids](#).

The Child and Youth Safe Organisations Framework provides additional information, resources and services.

(<https://www.justice.tas.gov.au/carcru/child-and-youth-safe-organisations-framework>). Further information on reportable conduct may be found at the web site for the [Office of the Independent Regulator](#). If a child or young person is at immediate risk and requires urgent police or medical assistance, phone 000.

The Children, Young Persons and Their Families Act 1997 defines “abuse and neglect” as:

- Sexual abuse
- Physical or emotional injury or other abuse to the extent that
 - the injured, abused or neglected person has suffered, or is likely to suffer, physical or psychological harm detrimental to the person’s well-being; or
 - the injured, abused or neglected person’s physical or psychological development is in jeopardy.

The Children, Young Persons and Their Families Act 1997 considers a child or young person ‘at risk’ if:

- The child has been, is being, or is likely to be, abused or neglected
- A threat to kill, abuse, or neglect the child has been made by a person in frequent contact with the child
- Their safety, psychological wellbeing or interests are affected or likely to be affected by family violence (an “affected child” within the meaning of the Family Violence Act 2004)
- The child’s guardians are unable or unwilling to maintain the child; unable or unwilling to exercise adequate supervision and control over the child; dead, have abandoned the child; or unable or unwilling to prevent the child from suffering abuse or neglect

A report must be made on the grounds of:

- For an unborn child, if the child (once born) is likely to suffer abuse or neglect; or is likely to require medical treatment or other intervention as a result of the behaviour of the mother, or another person with whom the mother resides or is likely to reside.
- Non-accidental injury to a child/young person
- Physical abuse, which may result in a range of injuries:
- Cuts, bruises, burns

- Soft tissue injuries
- Dislocations, fractures
- Head injuries.
- Injuries can be caused by acts such as:
- Excessive discipline
- Severe beatings or shaking
- Inappropriate administration of drugs/alcohol or other poisonings
- Attempted suffocation/strangulation
- Deliberate denial of basic needs such as food, shelter or supervision (not to be confused with neglect).
- Neglect

Neglect

Neglect occurs when a caregiver fails to provide for a child's physical and emotional needs to the severe and persistent extent that the child's health is at risk and their development impaired.

A child's basic needs can include:

- Food, clothing and shelter
- Medical attention
- Supervision

Neglect mainly refers to harm occurring from acts of omission. The deliberate denial of a child's needs is considered within the context of physical and emotional abuse.

Sexual Abuse

Child sexual abuse refers to any sexual behaviour between a child and an adult or an older, bigger or more powerful person for that person's sexual gratification.

The range of sexual behaviours that are considered harmful to children is very broad. It includes:

- Any form of sexual touching (fondling genitals, buttocks, breasts, abdomen, thighs; any oral/genital contact, penile or digital penetration)
- Any form of sexual suggestion to children, including the showing of pornographic videos
- The use of children in the production of pornographic videos or films
- Exhibitionism
- Child prostitution
- Sexual Grooming

Sexual Grooming

Sexual grooming is the process whereby a predator will gradually gain the trust of a child and the child's family, gradually isolate the child, and desensitise the child to physical contact so that sexually abusive behaviour can occur.

A mandatory reporter may become aware of signs that a child is being groomed. The evidence of this can be subtle, gradual, and is rarely notified to [Strong Families Safe Kids](#). If a staff member notices anything, then it provides the opportunity to minimise harm or even prevent sexual abuse from occurring. Reporting concerns can result in matching information to other previous or current victimised children, building enough evidence to justify an intervention.

Sexual grooming is a process:

- Offenders can be respected community members in positions of authority.
- Offenders may visit or work in places where children are likely to go (school, shopping centres, playground, parks etc).
- Some offenders will strive to gain the trust of families and communities in order to gain access to children.
- Some offenders seek out the children of single mothers for the purpose of victimisation, and represent themselves as 'helpful'.
- Offenders may provide superficial care and attention to children who may be lacking this at home. Predators often target children with obvious vulnerabilities. A child who feels unloved and unpopular will soak up adult attention like a sponge. Children with family problems, who spend time alone and unsupervised, who lack confidence and self-esteem, and who are isolated from their peers are all likely targets. (These are vulnerabilities that may be noticed by staff in the course of their job.)

- Grooming behaviours begin with seemingly appropriate acts towards children, such as showing interest in their hobbies.
- Grooming behaviours may evolve to include actions that lead the child to feel obligated to the adult, from minor acts such as purchasing toys through to using his or her influence to help the child do things like wag school, avoid punishments, or access alcohol/drugs (usually for older children).
- Some offenders seduce children through the introduction of secrecy in order to bind the victim and offender together, which can then lead to persuasion, intimidation and finally threats to gain compliance.
- Grooming will involve the adult gradually spending time alone with the child, and then introducing physical contact.
- Grooming may also include illegal behaviours, such as showing pornography to the child to persuade the child that sexual activity between adults and children is normal.
- Grooming can occur on the internet; offenders may pose as children in online platforms while learning details about potential victims and attempting to gain their trust. Sex offenders' ultimate goals typically include online sexual activity (via direct messaging, or the sharing of images and videos for instance) or meeting the child in person to engage in sexual activity.

Signs a child is being groomed:

- The child mentions the presence of a helpful adult
- The child has new toys/lollies/mentions new activities that have been provided by this adult
- The child may describe having a very close and overly friendly relationship and close bond with this adult
- The child may indicate having secrets with this adult
- The child may be spending time alone with the adult
- The child may start describing activities where the adult is blurring physical boundaries, or activities that are obviously sexually abusive
- The child may show ambivalence and signs of anxiety about their relationship with the adult, as the adult moves on to subtle/overt intimidation and threats in order to maintain the child's compliance with the abuse

Emotional Abuse

Emotional abuse involves chronic attitudes or behaviours directed at a child or young person, or the creation of an emotional environment, which is seriously detrimental to or impairs the child's social, emotional, cognitive, intellectual, psychological, behavioural and/or physical development resulting from behaviours of family members or other caregivers such as:

- Persistent hostility - caregivers may criticise the child, and usually refer to the child in negative terms.
- Rejection – the child may be excluded from the family, with other children clearly favoured over the child (child excluded from receiving a 'treat' when all other children are given one, child may have to live in a separate part of the house, child may be dressed differently or given different quality food)
- Scapegoating – blaming a child for everything that goes wrong over a period of time. This may be caregivers themselves making the child a scapegoat, or encouraging other family members to do so.

To Make a notification

If a staff member has concerns that a child or young person is being, or has been, abused or neglected, they must make a notification to [Strong Families Safe Kids](#) on 1800000123. For [Strong Families Safe Kids](#) to respond effectively to a notification, there is a range of information that is required. The more information provided the better, and [Strong Families Safe Kids](#) will be able to make a decision about how best to help the child and family. However, if the staff member does not have all of this information, this should not prevent the notification being made.

The kind of information that is useful (and some of it is necessary) when making a notification includes:

- Correct name of child, DOB, address, contact details, and household composition of the family.
- Source of harm: what type of abuse is suspected and why?

Also consider the following:

- Where is the child right now?
- Special/ developmental needs
- Aboriginal or Torres Strait Islander status/ Culturally and Linguistically Diverse families
- Language needs

- Attendance and punctuality
- Educational history
- Physical presentation of the child
- Social skills
- Marked behavioural changes
- Complicating needs of the parents such as mental health issues/ substance misuse/ learning difficulties
- Strengths and safety factors and any services involved with the family

When you make a notification to [Strong Families Safe Kids](#), it can be expected that:

- The notification will be recorded
- An assessment of the information will be made
- Concerns will be discussed and taken seriously
- Confidentiality will be assured
- The notifier will be told who to call for further information or update if required
- If relevant, it will be discussed how the notifier can be involved in assuring the child's safety
- The [Strong Families Safe Kids](#) will determine how best to assist the child or young person.

A number of factors are critical aspects of whether a particular incident or pattern of parenting can be considered abusive and whether it reaches the threshold at which intervention is necessary:

- The context in which the behaviour occurs
- Its frequency and duration
- The harm which has occurred or may occur
- The severity of its impact upon the child or young person
- The degree of further risk to the child
- The ability or willingness of the parent to protect the child.

Proof of Abuse or Neglect

Proof is not required that abuse has occurred or is likely to occur. A belief is sufficient. It is the role of [Strong Families Safe Kids](#) to determine whether that belief should be investigated.

Staff members are aware that it is mandated that if they form a belief about a child they are mandated to report to [Strong Families Safe Kids](#). Staff members are mandated to report a belief even if the Principal or Leadership Team disagree with the belief.

Policy Implementation

Staff will be informed annually of their legal obligations and responsibilities to report child abuse and neglect to [Strong Families Safe Kids](#) and will be provided with information on how to recognize and respond to child abuse.

If a staff member suspects that a child is in need of protection from physical and/or sexual abuse it is essential that they document any concerns and observations in the confidential online register. In all cases, staff must make a report to [Strong Families Safe Kids](#) as soon as practicable. It is the responsibility of the individual staff member to ensure that this notification has occurred and that all reasonable grounds supporting the belief have been reported.

- The staff member may continue to suspect that a child is in need of protection. In this case the staff member should continue to monitor and support the child.
- Those involved in any process of consultation around mandatory reporting must maintain confidentiality regarding the child, the family, the notifier, and any alleged perpetrator.
- The staff member does not have to seek permission from parents or caregivers to notify. In most cases it is not advisable to do this owing to the nature of some disclosures. If a parent asks for the identity of the notifier, confidentiality must be maintained and the staff member is not obliged to tell the parent or guardian.

When Officers of [Strong Families Safe Kids](#) or the Police seek an interview with a child, the Principal should cooperate with the authorised agency.

Legal and ethical issues

All notifiers to [Strong Families Safe Kids](#) are protected under the Children, Young Persons and Their Families Act 1997. This protection includes:

- Your identity. This remains confidential, and you therefore cannot be identified as the source of information. The Right to Information Act 2009 does not apply to the identity of a notifier. If files are ever subpoenaed, then notifier details are removed from the record that is then provided to the relevant court.
- You are protected from being sued. Concerns about a child's safety overrides confidentiality and privacy laws. You are reporting your suspicions and you are mandated to do so. You are obliged to notify of your concerns, and may be held accountable if you fail to do so.

Other considerations:

You can call and be anonymous if you wish, but it is beneficial if we record your contact details so that we can call you again if further information is required.

If you do make a notification, you may decide that you want to inform the family that you are making a notification. When notifications are made, families usually make a guess as to who would have notified. Their guess may actually be correct, but neither [Strong Families Safe Kids](#) will confirm the family's guess. They may also guess incorrectly, and therefore wrongly accuse someone. You may find it helpful to discuss with a colleague as to whether telling the family that you are making a notification is likely to damage or maintain your relationship with the family.

In court the identity and any evidence identifying a notifier is confidential and generally withheld from proceedings. However, if the evidence is critical to proceedings and needs to be provided for the proper administration of justice, the court may grant leave to hear the evidence. You can also consent to evidence, or your identity being revealed in court proceedings.

Where to report to:

Below is a list of places that can be reported to. A form for making reports can also be accessed at the [Report a concern](#) page.

Tasmania:

- For information about child wellbeing and safety, contact [Strong Families, Safe Kids Advice and Referral Line](#):
 - o Phone: 1800 000 123
- For free and confidential support for people who have been affected by sexual violence, contact the Tasmanian Sexual Assault Support Line (24 hour response state-wide):
 - o Phone: 1800 697 877

This line is run by the Sexual Assault Support Service in the South, and Laurel House in the North West.

- For information and support for children, young people and adults affected by family violence, contact [Family Violence Counselling and Support Service](#):
 - o Phone: 1800 608 122
- For free and confidential support for people impacted by crime, contact [Victims of Crime Service](#):
 - o Phone: 1300 300 238
- For support for relationships and to live positive lives, contact [Relationships Australia Tasmania](#):
 - o Phone: 1300 364 277

National:

- For domestic, family, and sexual violence counselling and support, contact [1800RESPECT](#):
 - o Phone: 1800 737 732
- For short-term support if you are feeling overwhelmed or having difficulty coping or staying safe, contact [Lifeline](#):
 - o Phone: 13 11 14
- For free professional phone and online counselling for anyone affected by suicide living in Australia, contact [Suicide Call Back Service](#):
 - o Phone: 1300 659 467
- For information and support for anxiety, depression and suicide prevention for everyone in Australia, contact [Beyond Blue](#):
 - o Phone: 1300 224 636
- For information and support for anyone who is affected by complex trauma, contact [Blue Knot Foundation](#):
 - o Phone: 1300 657 380
- For counselling and support for Australian men, contact [MensLine Australia](#):

- o Phone: 1300 789 978
- For advice for men about family violence, contact [Men's Referral Service](#):
 - o Phone: 1300 766 491

For free 24/7, confidential and private counselling service specifically for children and young people aged 5 to 25 years, contact [Kids Helpline](#):

- o Phone: 1800 55 1800

Sources / Relevant legislation

[Office of the Independent Regulator](#)

[Strong Families Safe Kids](#)

[National-principles-child-safe-organisations](#)

[Child-and-youth-safe-organisations-framework](#)

[Aboriginal-Cultural-Safety-Short-Guide](#)

[Child and Youth Organisations Act 2023](#)

[Children, Young Persons and Their Families Act 1997](#)

[Criminal Code Act 1924](#)

[Family Violence Act 2004](#)

[Right to Information Act 2009](#)