



LAMBERT SCHOOL

# Child Protection Policy

The Lambert School Child Protection Policy is in place to provide written processes about the appropriate conduct of staff and students at Lambert School that are bound to both Federal and State child protection legislation and principles established through common law. In Tasmania, the protection of children and young people are covered by the Children, Young Persons and their Families Act 1997. In August 2009, amendments were made to the Act. The policy applies to all staff and students at the School.

It is mandated that if a teacher or Professional who during the course of carrying out duties forms the belief on reasonable grounds that a child is in need of protection, that person must report to Child Protection as soon as practicable after forming the belief and after each occasion on which they become aware of any further grounds for the belief.

## Aims

To protect children and young people from abuse and neglect by ensuring school staff:

- Understand their mandatory reporting responsibilities and duty of care obligations to protect children and young people from child abuse including physical and sexual abuse.
- Know how to make a mandatory report to Child Protection when they have formed a belief on reasonable grounds that a child or young person is at risk of significant harm.
- Are able to identify and be aware of the indicators of abuse.
- Make teachers and support staff aware of their legal obligations regarding reporting of abusive, negligent and inappropriate behaviour towards students in their care. Teachers and Principals must understand and acknowledge their duty of care toward all children in the school.

## Mandatory Reporting

In meeting the requirements of Ministerial Orders schools must be inclusive of the needs of all children, particularly students who are vulnerable due to age, family circumstances, abilities, or indigenous, cultural or linguistic background.

There are certain classes of professionals who are classified as “mandatory reporters”.

### **Mandatory reporters include:**

- All registered teachers (including principals)
- Staff who have been granted permission to teach by LAT
- Registered doctors and nurses

All mandatory reporters must make a report to Police and/or Child Protection as soon as practicable if, during the course of carrying out their professional roles and responsibilities, they form a belief on reasonable grounds that:

- a child has suffered, or is likely to suffer, significant harm as a result of physical abuse and/ or sexual abuse, and
- the child’s parents have not protected, or are unlikely to protect, the child from harm of that type.

It is a criminal offence not to report in these circumstances.

### **Proof is not required that abuse has occurred or is likely to occur.**

A belief is sufficient. It is the role of Child Protection Services to determine whether that belief should be investigated.

### **If a belief is formed:**

- Teachers and Principals are aware that it is mandated that if they form a belief about a child they are mandated to report to Child Protection.
- Teachers are mandated to report a belief even if the Principal or Leadership Team disagree with the belief or the teachers concerns continue after discussions with the Principal or Leadership Team.
- Non-mandated staff (Support Staff) who believe there is reasonable grounds for forming a belief are encouraged to speak to the Principal regarding their concerns.
- To ensure school staff are aware that they may report a case due to their involvement with children in the community and forming a belief that a student may be in an unsafe situation

To outline teacher's duty of care at all times and that teachers are obliged to protect children from harm that is reasonably foreseeable. A breach of this duty of care may lead to legal action being taken against the individual teacher or teachers concerned. A breach of this duty of care will be established if a teacher or Principal failed to take immediate and positive steps after having acquired actual knowledge of or formed a belief that there is a risk

### **Implementation**

Teachers will be informed annually of their legal obligations and responsibilities to report child abuse and neglect to Child Protection Services and will be provided with information on how to recognize and respond to child abuse.

If a teacher suspects that a child is in need of protection from physical and/or sexual abuse it is essential that he/she document any concerns and observations in a confidential file. In all cases, teachers are advised to inform the Principal of his/her concerns as early as possible. Teachers may in time form a belief the child is being abused or neglected and therefore there are reasonable grounds on which to lodge a report to Child Protection.

Following a discussion with the Principal about their concerns and observations:

- The teacher may form the belief that it is necessary to make a report. In this case the teacher must make a report to Child Protection Services as soon as practicable. It is the responsibility of the individual teacher to ensure that this notification has occurred and that all reasonable grounds supporting the belief have been reported.
- The teacher may continue to suspect that a child is in need of protection. In this case the teacher 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 teacher 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 teacher is not obliged to tell the parent or guardian.
- It may be necessary for Child Protection Services to interview a child at school when a notification of abuse has been made. Such requests may be directed to the Principal.
- It is important to advise children or young people of their right to have a supportive adult present at such an interview. This may be the Principal or a teacher.
- When Officers of Child Protection or the Police seek an interview with a child, the Principal should cooperate with the authorised agency.

### **The Principal Should:**

- Arrange for the child to choose a supportive adult to be present.
- Follow the recommended procedures.
- Ensure that arrangements are in order for any interview which is to take place at the school.
- Seek or offer appropriate support for the reporting staff member.
- Observe confidentiality at all times in the management of a mandatory reporting case.
- Obtain legal assistance if required.

Effective From: 12/02/2020



Endorsed by School Board: \_\_\_\_\_

13/02/2020