

1. Summary

- 1.1 This policy sets out the obligations and procedures for Catholic Education Archdiocese of Canberra and Goulburn (CECG) workers to report abuse and injury of children and young people under ACT laws¹. It applies to all CECG workers, in all CECG work places in the ACT.
- 1.2 Failure to comply with mandatory reporting obligations is an offence for certain workers (see below) and may result in legal action against CECG and the person who did not report. In the interest of protecting children, CECG requires voluntary reporting of abuse and injury to children in line with the procedures below.

2. Mandatory and Voluntary Reporting Policy ACT

- 2.1 Child protection and safety is the paramount concern of CECG and our workers. All CECG workers in the ACT must report abuse, injury and neglect of children and young people in line with this policy – whether the law considers them mandatory reporters or voluntary reporters.

If any CECG worker has reason to believe a child is in immediate danger or in a life threatening situation, telephone Police or Emergency Services on '000' immediately. If police attend and say they will report under Mandatory Reporting laws, workers should record the names, rank and station of the police for the CECG Mandatory Reporting

3. Key Messages

- 3.1 Many CECG workers must make a report if they believe a child is at risk including:
- Principals and teachers
 - Workers in early learning centres
 - Managers in the Catholic Education Office, including Service Area Leaders, and
 - Ministers of religion and members of the clergy
- 3.2 All other CECG workers should make a voluntary report if they discover information that a child is at risk of reportable harm in the course of their work (see below for what must be reported).
- 3.3 The worker who suspects reportable conduct should make the report directly – not their manager.

4. Who is a Mandated Reporter

- 4.1 Mandated Reporters in the ACT includes all CECG:
- Workers who deliver education or children's services, including Principals, teachers, and workers in early learning centres.
 - Managers in the Catholic Education Office, including Service Area Leaders, and
 - Ministers of religion, religious leaders and members of the clergy or religious denominations.
- 4.2 They must report any relevant information they discover in the course of their work (see What Must Be Reported below).

¹ [Children and Young People Act 2008 \(ACT\)](#)

4.3 Mandated Reporters are not required to investigate. They are required to collect relevant information in a factual and objective way and to report it in line with the reporting procedure below.

5. Voluntary reporting

5.1 CECG workers who are not Mandated Reporters may still have reason to believe children are suffering abuse or injury. Legislation permits, and this policy requires, any CECG worker to report abuse and injury of children, in line with the procedures below. There is no legal penalty for failing to provide a voluntary report but CECG considers all workers have an obligation to protect children and failure to voluntarily report relevant abuse or injury may be grounds for disciplinary action.

6. What Must Be reported?

6.1 Mandated Reporters (and other workers) must report any information of abuse or harm to children and young people that is discovered in the course of their work.

6.2 In the ACT, Mandated Reporters must report if they believe a child or young person under the age of 18 years is suffering:

- Sexual Abuse.
- Non accidental Injury.

6.3 A worker may also make a voluntary report if they suspect a child or young person under the age of 18 years:

- is being abused; or
- is being neglected; or
- is at risk of abuse or neglect

6.4 Voluntary reports can include physical or psychological harm.

7. Reporting sexual offences against children in the ACT

7.1 In September 2019, the Australian Capital Territory introduced a new law that requires all adults to report to police if they have reason to believe a sexual offence has been committed against a child (section 66AA of the Crimes Act 1900).

7.2 To avoid confusion and duplication, CECG policy is that workers should report sexual offences against children to Child and Youth Protection Services in line with this policy, not directly to police as stated under section 66AA. This is allowed under section 66AA.

8. Belief vs Suspicion

8.1 In the ACT a report is mandatory if a person believes a child has suffered harm. Workers may make a voluntary report if they suspect a child has suffered harm or is at risk.

Belief

Belief is not knowledge beyond a reasonable doubt. Belief is that a reasonable person with the same information would come to the view that the incident occurred. Generally the information would be corroborated, or witness by the person forming the 'belief'.

Suspicion

Suspicion is where information is provided but does not prove the offence itself. A reasonable person with the same information would suspect the incident occurred. Suspicion includes 'Hearsay' or information that comes from a third source (but is not corroborated).

8.2 To protect children and young people, workers in the ACT should make a Voluntary Report if they suspect a child or young person is abused, neglected, or at risk. They need not wait to satisfy 'belief'.

9. What does not need to be reported?

9.1 Not all distressing or disruptive incidents qualify for mandatory reporting. Examples of what need not be reported includes:

- Normal sexualised child play.
- Children fighting in playgrounds.
- Children upset after break up with girlfriend boyfriend – or verbal fight with friend or parent.
- Children upset because parents separating or getting divorce.
- Children who exhibit occasional risk taking attitude.
- Low level attendance or disruption in classroom.
- Type of food provided in school lunch by parents.

10. Self-harm

10.1 Self-harm is a complex matter. It happens when a child deliberately hurts their body and is often done in secret as their way of coping with difficult emotions or stressful events. Types of self-harm include cutting, burning or punching the body, or picking skin or sores.

10.2 Self-harm by itself does not qualify for mandatory reporting but can be voluntarily reported in certain circumstances. Workers who think a child is self-harming should discuss it with their school Principal, ELC Director, school-aged care director or Service Area Leader. Care should be taken

before escalating the actions of vulnerable children to an official voluntary or mandatory reporting process.

10.3 Mandatory Reporting might be required where self-harm is combined with a parent refusing to provide or allow access to mental health care that a child or young person requires². This could be a form of reportable neglect. Again, care should be taken and sufficient information obtained before escalating to an official voluntary or mandatory reporting process.

10.4 The ACT Child and Youth Protection Services provides a Guideline to assist schools and ELCS³. It states:

Self-harm is a complex matter. It happens when a child deliberately hurts their body and is often done in secret as their way of coping with difficult emotions or stressful events. Types of self-harm include cutting, burning or punching the body, or picking skin or sores. Self-harm can be reported to CYPS on a voluntary basis if the child is a danger to themselves or others and there is no parent willing and able to protect the child from harm. In these situations, CYPS may respond by working with community partners to provide a support service to the child and family, rather than conduct an appraisal. The aim is to uncover why the child is self-harming and to help them change their behaviour.

11. Reporting Process

11.1 The main stages of the reporting process are outlined below, including obligations for all workers and particular CECG officers. The table can be printed to distribute to workers.

Do not 'investigate' the matter. Workers must report information they receive or witness and reasonable supporting information like photographs or school records. They are not required to investigate the circumstances and it may not always be safe to the child or worker to do so.

If authorities ask workers for additional information as part of their investigation, refer them to the Principal, ECL Director or the CECG School and Family Services Team.

² http://www.community.nsw.gov.au/_data/assets/pdf_file/0009/336357/reporting_section.pdf

³ <https://www.communityservices.act.gov.au/ocyfs/keeping-children-and-young-people-safe>

Mandatory and Voluntary Reporting Process

	Stage of Process	Description
One	Incident	A Mandated Reporter or other CECG worker sees something or receives information that makes them believe or suspect a child has suffered a non-accidental injury, is abused, or at risk. The worker should make notes of what was said and seen as soon as possible after any necessary immediate action (see Appendices for supporting resources).
Two	Immediate Action	The worker must call 000 if it involves an emergency or life-threatening situation and should ensure the child is safe, if possible. Request an Ambulance for serious injuries and fire brigade if there is an ongoing risk such as chemical spills or fire. Request police if the incident involves criminal offence or crowd control. If police assistance is needed but it is not an emergency, call 131444.
Three	Consult and Risk Management	The worker should report the incident or information they received to school Principal, ELC Director, school-aged care director or Service Area Leader. Workers can call the CECG Child Protection team with any questions or concerns they may have. The worker should assess the risks to child and take action to manage the risk that is consistent with (but not beyond) their duty of care.
Four	Report to authorities – by phone or online	The worker who first saw or received information about the incident must report the information through the ACT Mandatory Reporting Portal ⁴ . They should follow any instructions when completing the report, or any instructions from the authorities. It does not matter if someone else tells the Mandated Reporter not to report – if a Mandated Reporter suspects or believes a child has suffered a non-accidental injury, is abused, or at risk, they must report it. The legal obligation cannot be avoided unless the Mandated Reporter knows someone else has already submitted a report about the same incident or information. Complete the report as soon as practicable , do not delay in the hope for more information. Report what is available at the time.
Five	Forward the report to CECG	The person who made the report must forward it to mandatory.reporting@cg.catholic.edu.au using the CECG Mandatory Reporting ACT cover letter . The Child Protection team will review the report and contact the Principal of the school to ask if the school requires any assistance. If no response is received from the Principal within two working days, the Child Protection Team will conclude the school is managing the matter and it will be closed.

⁴ <https://form.act.gov.au/smartforms/landing.htm?formCode=1136>

11.2 If the incident involves a CECG worker, it also may be Reportable Conduct. This is a separate process for reporting workplace misconduct to the NSW Office of the Children’s Guardian or ACT Ombudsman. Full details can be found in the Reportable Conduct Policy (ACT).

11.3 If a worker thinks an incident may require both Mandatory Reporting and Reportable Conduct procedures, they can let the School and Family Services Team know when forwarding the report and CECG cover letter (step 5 in the reporting process).

12. Contact Details for Reporting to Authorities

12.1 Reports can be made by telephone, email or online portals:

Telephone 1300 556 728

Email childprotection@act.gov.au

Online <https://form.act.gov.au/smartforms/landing.htm?formCode=1136>

12.2 The relevant authorities can advise you if parents should be notified or not. Frequently parents and guardians will not be notified of the mandatory report, unless it is determined appropriate in the circumstances.

13. Welfare considerations

13.1 Where a child or young person discloses abuse or where a worker is involved in the process of mandatory or voluntary reporting this can create, trigger or heighten emotional responses.

13.2 The child or young person should be offered support that is reasonably within the schools power to give, until welfare authorities or law enforcement undertake their investigations. This may include checking in with the child or young person during the school day, and assessing risks to the child and how they are managed.

13.3 Support for workers is also available through the CECG Employee Assistance Program, Catholic Care, or by contacting CECG People and Culture

14. Frequently asked questions

Q. What if I report an incident and it is found to be unfounded by the child welfare agency?

A. Any report made in good faith is protected against disciplinary and legal action. Laws require that you act honestly when making a report and that you are not being reckless. Knowingly making a false report an offence in both NSW and the ACT. This is why consultation with your Principal or Director is important.

Q. Do I tell the parents what has happened?

A. If providing a mandatory report then allow the authorities receiving the report to contact the parents of the child or young person. If unsure contact School and Family Services for advice.

Q. Is my identity disclosed?

A. Your identity is protected under law from disclosure to another person except in exceptional circumstances. If you have concerns speak with the CECG School and Family Services team. Voluntary

reports can be made anonymously but Mandatory Reporting must include contact details of the Mandated Reporter.

Q. How much information do I obtain?

A. It is important to collect sufficient information to make a report (see ‘What do I need to include in the online reporting form’ above). Use open questions designed to let people tell the story, instead of leading questions that assume the answer – especially with children and young people. Record the information they give as soon as possible. Remember to:

- Listen carefully.
- Control your own emotions especially verbal and facial expressions.
- Let them know you believe them.
- Reassure them they are doing the right thing in telling you.
- Acknowledge that this is a difficult thing to talk about.
- Reassure them they are not to blame.
- Let them know what you are doing next – that it will be reported – but they will receive help.
- If you can’t answer a question tell them you will find the right person to answer their question.
- Let them know you are there for them and they can trust you.
- Make written notes about what was said. Ensure the notes are as close to the words used by the child/young person as possible.

Q. How do I talk with the child or young person?

A. Remain calm and let the child talk about what happened. A good question to use when a person stops talking is ‘What happened next’. At the beginning you may ask, ‘is there anything bothering you’ or simply, ‘how are you going’. Do not question the content of what is told to you, this is the role of child welfare investigators or the police.

Q. Are the things I shouldn’t do?

A. While it may be difficult, you must not:

- Express anger about the alleged abuser.
- Confront the alleged abuser.
- Make promises you cannot keep – such as promising you will not tell anyone.
- Pressure the child for more information or quiz them for further details.

Q. Where do I find more information about what to report?

A. ACT authorities provide fact sheets outlining the types of injury that should be reported and also advice to Mandatory Reporters in general. Visit www.accesscanberra.act.gov.au for further information.

15. Definitions

Child - a child is a person up to the age of 16 years

Young person - a person who has attained the age of 16 years but is under 18 years old

16. Related Documents and Legislation

Related CECG Documents:

Child Safety and Wellbeing Policy

Complaints Policy

Mandatory and Voluntary Reporting Policy NSW

Legislation:

[Children and Young People Act 2008 \(ACT\)](#)

[Crimes Act 1900 \(ACT\)](#)

Online Resources:

NSW - <https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters>

ACT - https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/213/~reporting-child-abuse-and-neglect

17. Contact

For support or further questions, contact the CECG School and Family Services team.

Appendix 1: Preliminary Assessment Checklist

Preliminary Assessment Checklist	
Do I have reason to believe or suspect a child is being, or has been, or is at significant risk of being abused or neglected?	Y / N
On what basis have I formed this belief or suspicion?	
Is my definition of abuse or neglect consistent with the definition provided in this guide?	Y / N
Am I reacting to a behaviour (for example sexualised behaviour) which may have many causes, or a pattern of behaviours which point to abuse or neglect?	Y / N
Is the abuse or neglect occurring within the family?	Y / N
Has this particular abuse or neglect already been reported to CYPS by someone else?	Y / N
What is known about the child's behaviour inside and outside of their home?	
What is known about the child's siblings?	
What is known about the child's parents or carers?	