

# Reporting Harm of Children and Young People

## **Procedure**



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## 1 Purpose

The purpose of the Procedure for Reporting Harm of Children or Young People is to ensure a clear and consistent approach for responding to allegations or concerns of harm, or risk of harm, against a child or young person across Catholic Education SA.

This procedure provides guidance and best practice principles for safeguarding children and young people.

Mandatory reporting requirements for education staff exist under the SA Government's [Children and Young People \(Safety\) Act 2017](#). Notifications need to be made for children and young people (and unborn children) who are at risk of harm or have experienced harm. The legislation provides recognition of the risk factors that children may experience, including persistent absence from education and the cumulative impact of their care.

It should be noted that much of what is outlined in these procedures aligns directly with the material contained within [The Department for Child Protection of the Government of South Australia](#) website. That resource is one of the main reference points for any person seeking information on how to respond to an allegation or concern of harm, or risk of harm, against a child or young person.

## 2 Scope

This procedure applies to all personnel in schools and offices in Catholic Education SA.

## 3 Related Documents

The [Children and Young People \(Safety\) Act 2017](#) replaces the [Children's Protection Act 1993](#). The new legislation maintains the safety of children as paramount, increases the voice of children in decision making and builds a more collaborative approach to child protection.

The [Catholic Archdiocese of Adelaide Safeguarding Children and Young People Policy](#) describes the principles and responsibilities surrounding the safeguarding of children which apply across the Catholic Church agencies, parishes and communities.

The [Catholic Diocese of Port Pirie Safeguarding Children Policy](#) (and Procedures) which indicate that respectful relationships that support the dignity of each person including children and young people are central to the life and teachings of the Catholic Church.

The [Catholic Archdiocese of Adelaide Commitment Statement](#) (Safeguarding Our Children and Young People) and the [Catholic Diocese of Port Pirie Commitment Statement](#) outline the commitment made to the care, wellbeing and protection of our children and young people.

## 4 Definitions

**Child:** A child means a person under 18 years of age.

**Harm:** Will be taken to be a reference to physical harm or psychological harm (whether caused by an act or omission) and, includes such harm caused by sexual, physical, mental or emotional abuse or neglect.

**Physical Harm:** The child has suffered or is at significant risk of suffering serious physical trauma or inflicted injury due to the actions of his/her caregiver.

**Emotional Harm:** The child's social emotional, or cognitive development is impaired or seriously at risk as a direct result of persistent caregiver behaviour or attitude towards the child, whereby the child's self-esteem and social competence are undermined or eroded over time.

**Neglect:** Neglect is characterised by serious, ongoing failure to provide for children's basic needs to the extent that the child is not receiving the care and supervision necessary to protect him/her from harm, has suffered serious physical injury or illness, or there is risk of serious harm to the child's well-being and development.

**Sexual Harm:** Any sexual activity or behaviour a child is subjected to. Sexual abuse occurs when someone in a position of power over children uses that power to involve the child/ren in sexual activity.

## 5 Responsibilities

### 5.1 Mandated Reporters and their role

Employees and volunteers of CESA are mandated reporters under the [Children and Young People \(Safety\) Act 2017](#).

All mandated reporters must make a notification to the Child Abuse Report Line when they suspect a child or young person has been harmed or is at risk of harm. Mandated reporters can use the online reporting system to report suspected harm or risk of harm. However, the online system must not be used if it is serious or about a child in care.

All serious concerns must be reported by **phone** (131 478) — not via the online reporting system.

Serious concerns are when you suspect a child or young person has experienced or is at immediate risk of:

- serious harm
- serious injury
- chronic neglect.

To make a report online you must register and log in to the Department of Child Protection [online child protection reporting system](#) as outlined in the [making an on-line CARL report](#).

The legal obligation to make a notification applies in the course of the official duties of employees and volunteers.

Staff should also consider it their ethical duty to report experiences outside of their professional context.

### 5.2 Suspicion of harm on reasonable grounds

Mandated reporters must report harm, or risk of harm, when they have a suspicion on reasonable grounds. Proof that the harm actually happened is not required. The resource [Indicators of Child Abuse or Neglect](#) may be useful in this discernment.

Examples of suspicion on reasonable grounds include:

- A child tells you they were harmed.
- What you observe or know about a particular child's behaviour makes you suspect they have been harmed or are at risk of harm.
- A child tells you they know someone who was harmed.
- Someone reliable tells you about harm to a child. A reliable person might be a relative, friend, neighbour or sibling.

Mandated notifiers who fail to report their suspicions of child abuse or neglect can be penalised as outlined in [section 31 of the Act](#).

To better understand what can be considered harmful to a child, the following indicator lists should be used as a guide only to help determine if your suspicions of harm are well-founded and should be reported.

Staff should keep a record of any observations by using the [concerns checklist](#) and use the [notification checklist](#). Information recorded from the checklist greatly enhances the quality of any subsequent reports to the child abuse report line.

### **Physical harm indicators**

The following indicators might be evidence that physical harm has happened:

- bruises in unlikely places (face, back, ears, hands, buttocks, upper thighs and soft parts of the body)
- inconsistent or absent explanation of bruises
- any bruising on a baby
- pressure marks from fingers on the face, chest or back
- weal, ligature or bite marks
- skull fracture, subdural bleeding, multiple fractures of different ages
- suspicious burns
- poisoning or significant over medicating.

### **Emotional harm indicators**

The following indicators might be evidence that emotional abuse has happened:

- avoiding home (particularly if the abuser is in the family home)
- running away or continually staying at friend's houses
- fear of the dark, not wanting to go to bed, bedwetting or nightmares
- lying or stealing
- lack of trust in adults
- poor self-image/self-esteem, poor academic performance, poor peer relationships
- secretive, demanding or disruptive behaviour.

### **Sexual harm indicators**

The following indicators might be evidence that sexual abuse has happened:

- genital injuries
- bite marks
- sexually transmitted diseases
- persistent soiling and/or bedwetting
- sleep disturbance
- inappropriate sexual behaviour based on the child's age
- promiscuous affection seeking behaviour
- excessive masturbation which does not respond to boundaries or discipline
- obsessive and compulsive washing
- wariness of physical contact with others
- unusually fearful of having their nappy changed.

- Staff should also refer to [responding to problem sexual behaviour](#) for more information.

### **Neglect indicators**

The following indicators might be evidence that neglect has happened:

- failure to thrive
- developmental delay
- prone to illness
- sallow or sickly appearance
- abnormally high appetite, stealing or hoarding food
- smelly or dirty appearance
- untreated medical conditions.

## **5.3 Responding to a Child or Young Person**

The Department of Child Protection offers useful advice on how to respond to a child when talking about abuse or neglect via this [resource](#). The resource outlines how best to show care and concern for a child and how to clarify information through open questioning. Leading questions should be avoided.

More information about how to best to relate to children and young people in these situations can be found via this more detailed [guidance advice](#).

## **5.4 What not to Report as Child Abuse or Neglect**

The Department of Child Protection offers useful advice on [what not to report](#) as child abuse or neglect via this [resource](#). For example:

### **5.4.1 The parents use drugs or alcohol recreationally**

If there is no known impact on the children, they engage in the activities when the children are not present or it does not affect their capacity to parent, it should not be reported to the child abuse report line.

### **5.4.2 The parents engage in criminal activity**

Where children are not involved, aware or affected, these are not child protection matters. Criminal activities including theft, prostitution or drug cultivation or production are issues that should be taken up with SAPOL (131 444)

## **6 Making a Mandatory Notification**

Considerations for notification:

6.1 Notifications must be documented using the Mandatory Notification Record Form. The template form can be accessed here: [Mandatory Notification Record](#)

If the mandatory notification relates to the Principal, the notifier should, in addition to making a report to CARL, contact the Director at the Catholic Education Office on 08 8301 6600 or Director Catholic Education Port Pirie Diocese on 08 8632 0501 for schools in the Port Pirie Diocese. For Congregational Schools, contact the Principal's employer first and also inform the Director or Deputy Director to ensure that the usual support processes of the CEO can be offered.

6.2 Where the Principal is not part of the notification, school staff should complete the notification documents in collaboration with the Principal. Volunteers will be supported by the school based nominated person, who will then complete the notification documents with the Principal. Catholic Education Office staff should complete the notification documents in collaboration with their Team Leader/Line Manager. The Principal has the responsibility TO SIGN AND STORE THE RECORD ONCE IT IS COMPLETED IN A SECURE CONFIDENTIAL FILE. The importance of the Principal's oversight of mandatory reports is that it:

- allows the Principal to contribute other relevant information about the child which may enhance the quality of the report provided to the Child Abuse Report Line (CARL);
- ensures the [notification checklist](#) is fully considered and allows the Principal to consider what information can be appropriately shared regarding the child or young person's details. The Principal must consider whether it is prudent and appropriate for them to make an independent notification to CARL;
- assists the Principal to keep an overview about the student's welfare;
- allows the best supports to be put in place and any further actions to be considered which may include police involvement, discussions with the student's family and/or referrals to health and allied agencies;
- assists the school to meet their duty of care to children and young people and to other members of the school community;
- assists the school to coordinate their information to Department of Child Protection.

6.3 Discussion with the Principal does not replace making a notification to CARL. The responsibility for making a mandatory notification remains with the individual, not the Principal or Team Leader/Line Manager.

6.4 To make a report:

Prepare for making a report using the [preparing to report child abuse resource](#) and  
Either

ring the Child Abuse Report Line (CARL) 13 14 78 and follow the phone prompts to the service for Education and Care Settings or Yaitya Tirramangkotti if the notification concerns an Aboriginal or Torres Strait Islander child or young person.

Or

if the matter is not serious, mandated reporters can use the [online child protection reporting system](#) to report suspected harm or risk of harm.

6.5 Complete the mandatory notification record form. Print out the information and provide it to the Principal. Delete the mandatory notification record form from the electronic file and DO **NOT** PLACE it in the student file.

6.6 Limit details in the mandatory notification record form to factual information as far as possible and be aware that this document may be produced under subpoena in court.

If a school receives a request for information in response to a Freedom of Information request or subpoena about mandatory notification documentation, the identity of the notifier is exempt from access and their details are removed. There are two exceptions to this:

- the notifier gives consent for their identity to remain in the document

- it is required by the Chief Executive of the Department for Child Protection.

This also applies to subpoenas unless the court grants permission for the information to be presented at the proceedings. In this case the court must be satisfied that the evidence is of critical importance in the proceedings.

Principals should seek advice from the People, Leadership and Culture section of the CEO when any requests for information concerning Mandatory Notification documentation are received.

- 6.7 Any actions recommended by the Department for Child Protection must be recorded on the mandatory notification record form and reported to the Principal, as the Principal has the duty of care responsibility in directing further actions to support the child or young person.
- 6.8 Following a notification, the Principal will store the mandatory notification record form in a secure, confidential file and may wish to discuss the report with the staff member to determine further actions or support for the child or young person. The actions may include the Principal contacting the child's family, referral to counselling or support services and/or a refocus on classroom child protection curriculum.
- 6.9 Following the notification, the staff member may wish to discuss the report with the Principal or CEO Team Leader and/or may wish to contact ACCESS on 1300 66 77 00 for personal debriefing, support or counselling. Volunteers may wish to debrief with their nominated person at the school.

## 7 Sourcing Further Information

- 7.1 Further information regarding requirements for reporting harm or suspected harm can be obtained from:
- the Principal (or for CEO personnel, the relevant line manager)
  - the CESA Schools Performance Leader for your school or region
  - CESA Manager of Learning and Wellbeing or the CESA Manager System Safeguarding and Development
  - an intake worker at the Child Abuse Report Line on 13 14 78
  - SAPOL
- 7.2 Contacting another person for further information and advice regarding mandatory notification procedures does not release a person from her/his obligation to report suspicions of harm.
- 7.3 In relation to these areas, the following resources provide further advice and procedures;
- [Mandated notifiers and their role](#)
  - [Indicators of child abuse or neglect](#)
  - [Information sharing guidelines](#)
  - [Responding to Abuse and Neglect - education and care training](#)
  - [ACCESS Programs - RAN-EC Training](#)
  - [RAN-EC Information for Schools - FAQ](#)
  - [Protecting children and young people with a disability](#)
  - [Children and Young People \(Safety\) Act 2017](#)
  - [Responding to Problem Sexual Behaviour](#)
  - [Protective Practices for staff in their interaction with children and young people](#)



## 8 References

[The Department for Child Protection of the Government of South Australia](#)

[Catholic Archdiocese of Adelaide Safeguarding Children and Young People Policy](#)

[Catholic Diocese of Port Pirie Safeguarding Children Policy](#)

[Catholic Archdiocese of Adelaide Commitment Statement](#)

[Catholic Diocese of Port Pirie Commitment Statement](#)

[Children and Young People \(Safety\) Act 2017](#)

## 9 Revision Record

<b>Document Title</b>	Reporting Harm of Children and Young People
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