

Mandatory Reporting Policy and Procedure

Purpose

In general, Huon Valley PCYC staff are not considered to be mandatory reporters. However, from time to time, the Huon Valley PCYC may employ a person who is a mandatory reporter. The professions considered to be mandatory reporters are outlined in this policy.

At the Huon Valley PCYC, we are committed to upholding the safety and wellbeing of all children and young people who attend our facility and programs. We are guided by and follow the National Principles for Child Safe Organisations.

National Principle 6 outlines that Processes to respond to complaints and concerns are child focused.

6.4 The organisation has policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and co-operates with law enforcement.

6.5 Reporting, privacy, and employment law obligations are met.

This policy is designed to provide guidance on the processes and procedures regarding external reporting and mandatory reporting requirements in relation to breaches or potential breaches of children's safety and wellbeing across all areas of the Huon Valley PCYC's functions and undertakings.

Scope

Who this policy applies to "mandatory reporters":

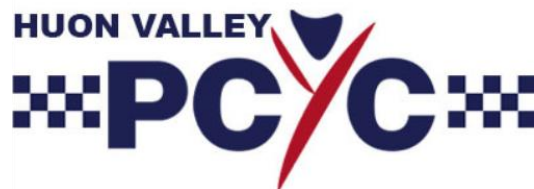
- Any Huon Valley PCYC Staff, Volunteers, Committee Members, Internal and External Liaisons, Facility Users, Members, Contractors, Trainees, and Consultants – who are defined as mandatory reporters by their profession as below.

What this policy applies to:

- All activities in the organisation which involve, result in or relate to contact with children or young people.

Responsibilities

All people attending the Huon Valley PCYC in a private or professional capacity (including employees and the general public) and all those interacting or collaborating with the Huon Valley PCYC have a duty of care to support and protect the children and young people with



whom they are professionally involved. This duty is determined through common law, Criminal Code Act 1924 (Tas), Civil Liability Act 2002 (Tas), Wrongs Act 1954 (Tas), and other circumstance-specific legislation.

When workers form a reasonable suspicion that a child or young person has been harmed or is at risk of harm, they are ethically bound to protect the safety and wellbeing of that child or young person. This also applies if a reasonable suspicion is formed outside of work. Failing to report suspected abuse, neglect, or other conduct reportable under legislation is a criminal offence and workers may be prosecuted.

Mandatory Reporting

The Children, Young Persons and Their Families Act 1997 (Tas) outlines the requirements of mandatory reporters in relation to children and young people. Section 14 establishes that the following professions are required to make a mandatory report:

- medical practitioner
- registered nurse or enrolled nurse
- midwife
- dentist, dental therapist, dental hygienist, and oral health therapist
- psychologist
- police officer
- probation officer appointed or employed under section 5 of the Corrections Act 1997
- principal and a teacher in any educational institution (including a kindergarten)
- a person who provides childcare, or a childcare service
- a person involved in the management of an approved education and care service or a childcare service
- a member of the clergy of any church or religious denomination
- a member of the Parliament
- an employee or volunteer of a Government Agency or funded organisation that provides, health, welfare, education, childcare, or residential services wholly or partly for children, and
- any other person of a class determined by the Minister

A mandatory reporter must make the notification as soon as practicable after forming a suspicion. Failing to report suspected abuse, neglect, or other conduct reportable under legislation is a criminal offence and workers may be prosecuted.

What is reportable?

The Children, Young Persons and Their Families Act 1997. Tasmania, outlines that reports should be made: "If a prescribed person, in carrying out official duties or in the course of his or her work (whether paid or voluntary), believes, or suspects, on reasonable grounds, or knows –

- (a) that a child has been or is being abused or neglected or is an affected child within the meaning of the Family Violence Act 2004 ; or
- (b) that there is a reasonable likelihood of a child being killed or abused or neglected by a person with whom the child resides; or
- (c) while a woman is pregnant, that there is a reasonable likelihood that after the birth of the child –
 - (i) the child will suffer abuse or neglect, or may be killed by a person with whom the child is likely to reside; or
 - (ii) the child will require medical treatment or other intervention as a result of the behaviour of the woman, or another person with whom the woman resides or is likely to reside, before the birth of the child.

Procedure

If you have concerns for the safety or welfare of a child:

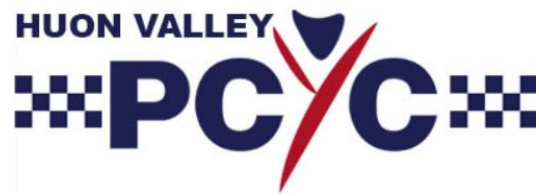
- Contact Strong Families, Safe Kids - Advice and Referral Line on 1800 000 123. A staff member will be available to talk through your concerns and explore what can be done to help.
- As well as notifying ARL, you must notify Tasmania Police on the Police Assistance Line on 131 444 if you are concerned that a crime has been committed (such as the physical or sexual abuse of a child).
- If a child is at immediate risk and Police or medical assistance is required, dial 000.
- Maintain confidentiality.

Employees are encouraged to contact the HVPCYC EAP line on 1800 064 039 for further support and counselling if required.

Confidentiality

The Children, Young Persons and Their Families Act 1997. Tasmania, outlines that mandated reports have a duty to maintain confidentiality.

- (1) A person engaged in the administration of this Act who, in the course of that administration, obtains personal information relating to –
- (a) a child; or
 - (b) a guardian of a child; or
 - (c) a family member of a child; or
 - (d) any person alleged to have abused, neglected or threatened a child –
- must not divulge that information.



Definitions

Child/Children/Young Person: Person under the age of 18 years.

Relevant Legislations and Standards

- The United Nations Convention on the Rights of the Child.
- Children, Young Persons and Their Families Act 1997. Tasmania.
- Family Violence Act 2004.
- Safe and Supported: The National Framework for Protecting Australia’s Children 2021-2031
- Tasmanian Government CBOS Working with Vulnerable People Requirements.
- The National Principles for Child Safe Organisations.
- The National Standards for Out-of-Home Care.
- Charter of Rights for Tasmanian Children & Young People in Out-of-Home Care
- CCYP Strategic Framework 2022 & 2023

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