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1. POLICY:

This is the All Saints' College Policy on Student Protection. It recognises that the College has a responsibility to ensure that its students have a right to be safeguarded. The Policy promotes the care and protection of its students.

1.1 Policy Statement:

The College recognises that it is responsible for the care and protection of its students. As such, it is committed to ensuring that the safety, health, welfare and wellbeing of its students are maintained at all times when they are in the care of the College, its teachers, staff and volunteers.

This Policy aims to:

a) promote a safe learning environment for students;

b) provide information and direction for teachers, staff, volunteers and others to recognise abuse and neglect;

c) assist staff, volunteers and others to follow appropriate notification procedures when reporting alleged abuse and neglect.

1.2 Purpose:

The College recognises that:

a) all students have a right to be protected from harm or injury;

b) it has a special responsibility to protect its students when they are on College premises and at all times when they are under the care of the College, teachers, staff and volunteers;

c) it has a responsibility to intervene when, on reasonable grounds, it believes that the welfare of a student may be at risk outside the College.

This Policy puts in place procedures to assist staff and volunteers to:

a) spot/identify suspected physical or emotional neglect or abuse;

b) assess risks likely to occur as a result of suspected physical or emotional neglect or abuse;

c) manage the suspected physical or emotional neglect or abuse and the associated risks.

1.3 Underlying Principles:

The College:

a) acknowledges that protecting students from harm and injury is fundamental to maximising their personal and academic potential;

b) recognises that the safety and protection of its students is paramount and has priority over all other interests;

c) expects its students to show respect to teachers, staff and volunteers at the College and to comply with safe practices they implement;

d) requires its teachers, staff and volunteers to ensure that, at all times, their behaviour towards, and relationships with, students reflect proper standards of care and do not breach the College's policies or employment requirements, or the law;

e) values the dignity and rights of individuals;
f) acknowledges that students have a right to feel safe and secure while at the
College and at all times when participating in College activities (both on and off
campus);
g) will address the various forms of neglect or abuse of its students through
   • curriculum;
   • complementary policies and procedures;
   • work practices;
   • its work with its community and the community at large;
   • co-operation with public authorities in resolving reported instances of the
     various forms of alleged neglect or abuse.

1.4 Statement of Responsibilities:

The College Principal, all College employees, contractors and volunteers have a
duty of care to the College's students. This relates primarily to maintaining the
student's dignity and safeguarding the student physically and emotionally while the
student is at the College or involved in College related activities.

Moreover the College, as a socially responsible and values driven agency of the
Anglican Church and member of the wider community, also has a duty of care to its
students at other times when it becomes aware of or suspects a student's abuse or
neglect.

At all times, the College will act to safeguard the wellbeing of its students.

1.5 Volunteers:

For the purpose of this policy, volunteers must comply with all requirements set for
College staff members.

2. BACKGROUND:

2.1 General:

All Saints’ College is committed to the well-being of its students including their
intellectual, physical, social and emotional development.

The College recognises the fundamental right of students to be protected from
neglect and from physical, emotional or sexual maltreatment whether at home, at
the College or in the wider community.

Everyone working at the College needs to be able to recognise the indicators of
abuse and neglect in order to take appropriate action. Given students’ extensive
time commitment when studying and participating in other activities run by the
College, its staff are particularly well placed to observe these indicators. It is widely
accepted that the presence of one type of abuse or neglect within an environment
may be a strong indicator of other types of abuse or neglect within the same
environment.

The Western Australian community expects schools to provide a safe, secure and
friendly environment for learning. It also expects Principals to take every available
course of action to ensure that students are protected from abuse and neglect.

At All Saints’ College, the staff are trained/equipped to have the knowledge and
skills to provide high standards of care and protection for students. As part of this,
the staff encourage and support students to develop a range of life skills including
protective behaviors to respond appropriately to neglect or abuse.

The College’s curriculum materials provide students with the opportunity to develop
the essential knowledge, attitudes, and skills that will enable them to manage their
personal safety. The knowledge, attitudes and skills that students acquire assist them to take responsible action to avoid and deal effectively with abuse and violence and are taught as an integrated part of comprehensive, ongoing College programs and committed pastoral care.

The College staff are in a position of special trust with respect to the students in their care. Legislation recognises this position of authority and trust, and accordingly the law provides greater penalties for those who abuse their special position and harm those who depend on them.

This policy document explains the action to be taken by staff to protect its students in circumstances where abuse or neglect is suspected; or when allegations of maltreatment, bullying or assault are made against employees, students or other people in the College community.

2.2 Student Disclosures of Abuse and Neglect:

It is not always easy for students to recognise or disclose abuse and neglect. They will usually only do so with great hesitation. They may have been coerced, bribed or threatened into secrecy or they may feel that they are to blame for what is occurring. They may be very fearful of being blamed, of other people’s reactions and of the consequences disclosure will have for everyone involved. Students are likely to feel guilt because the abuse or neglect occurred, because they told another person before telling a parent/caregiver or because of issues over 'dobbing in' the parent/caregiver or friend. Conversely, students may feel relieved and hopeful that the abuse or neglect will stop.

A disclosure may be accidental or intentional.

If intentional, students will have made a decision to tell someone about the abuse or neglect and may be better prepared; however, this will not ease the burden of feelings and trauma associated with disclosure. They may hint or tell only part of the story to gauge the staff member’s reaction before disclosing more fully. If accidental, students will not be prepared. Such a disclosure could occur in a class or in a group with other students. In this case the staff member will use the strategy of 'protective interruption' (See Guideline 3).

2.3 Related Documents:

This policy is related to, is informed by, and is to be read in conjunction with the

- Staff Appointment Process
- Sexual Harassment and Sexual Discrimination Policy
- Duty of Care - Arts Learning Area
- Drug Policy
- Behaviour Management Process
- Friendly Schools Policy
- Grievance Procedures
- Supervision in Change Rooms and Toilets
- Guidelines for Computer Users 2009
- Staff Internet and Network Use
- ICT Guidelines
- Privacy Policy
- Critical Incident Policy and Action Plan
2.4 Definition of Child Maltreatment:

Child Abuse and Neglect:

This is maltreatment of a person under the age of 18 years. It is the result of action or inaction on the part of a person who has responsibility to care for a child resulting in harm or injury to the child. The harm may include delayed physical and/or intellectual development. The maltreatment experienced is normally described in five categories. Each category of maltreatment is described by a range of indicators.

- Physical
- Sexual
- Emotional
- Psychological
- Neglect

Descriptions of these indicators have been taken from the Department for Child Protection document “Identifying and responding to child abuse and neglect – A Guide for Professionals”.

Physical abuse:

Physical abuse occurs when a child has experienced severe and/or persistent ill-treatment. It can include, but is not limited by injuries such as cuts, bruises, burns and fractures caused by a range or acts including beating, shaking, illicit administration of alcohol and other drugs, attempted suffocation, excessive discipline or physical punishment.

Sexual abuse:

Sexual abuse covers a wide range of behaviour or activities that expose or subject a child to sexual activity that is exploitative and/or inappropriate to his/her age and developmental level. These behaviours include observation or involvement with inappropriate fondling of a child’s body, making a child touch an adult’s genitalia, showing pornographic material or sexual acts to a child, and sexual penetration of the child. Harm from sexual abuse may include significant emotional trauma, physical injury, infections and impaired emotional and psychological development.

Emotional abuse:

Emotional abuse is a sustained, repetitive, inappropriate, ill treatment of a child or young person through behaviours including threatening, belittling, teasing, humiliating, bullying, confusing, ignoring and inappropriate encouragement. Children who have been emotionally abused are likely to have a reduced capacity to experience a range of emotions, to express emotion appropriately and to modulate their emotional experience. Children who have been emotionally abused are likely to be fearful, withdrawn and/or resentful, distressed and despairing.
*Psychological abuse:*

Psychological abuse is the sustained, repetitive, inappropriate, ill treatment of a child or young person through behaviours including threatening, isolating, neglecting, discrediting, misleading, disregarding, ignoring and inappropriate encouragement. This abuse damages a child’s intellectual faculties and processes, including intelligence, memory, recognition, perception, attention, imagination and moral development. Children are likely to feel worthless, flawed, unloved, unwanted, endangered or only of value in meeting another’s needs.

*Neglect:*

Neglect is the failure of a parent/caregiver to provide a child with the basic necessities of life. These include adequate supervision, adequate food or shelter, suitable clothing, effective medical, therapeutic or remedial care and emotional security. Neglect can be acute, chronic or episodic, and can result in detrimental effects on the child or young person’s social psychological, educational or physical development and/or physical injury. Neglect should be considered in the context of physical, emotional or psychological abuse.

**Note:** Child abuse and neglect, through the Department for Child Protection, is defined as maltreatment done by a person who has responsibility to care for a child and this document concentrates specifically on that relationship.

The definitions of child maltreatment can be used to explain some of the behaviour that may occur in the College by one child to another. The treatment of such behaviour may be dealt with through the College Anti-Bullying Policy and Behaviour Management Process. These events are treated seriously by the College with the aim to help all parties.

A child who is ‘bullying’ may be doing so because they have been subjected to the same inappropriate behaviour and may require assistance through the College’s Child Protection policy.

**Note:** Students aged 18 and over may attend the College but are legally considered adults and as such DCP does not have a child protection mandate for them. However, they can be considered potentially vulnerable and in need of specialist services and the College owes a duty of care towards these students. There are many youth-specific agencies available to assist these students. Details of these are listed in section 6 of this document.

The College will contact the Police if they are aware of any assault or crime against a young adult.

2.5 **Indicators of Child Abuse and Neglect:**

The following list of indicators is not exhaustive but contains those that will be of most use to staff. This list has been taken from the Department for Child Protection document “Identifying and responding to child abuse and neglect – A Guide for Professionals”.

Students frequently show indicators from more than one category; and the examples listed are not necessarily exclusive to a single category of abuse. Any of these indicators may suggest that a student is being abused, neglected or at risk of harm; however, indicators should be considered in the context of the student’s age, medical and
developmental history, and capabilities. In addition, mental illness, substance abuse and domestic violence within families must also be considered.

**Physical abuse:**

- broken bones or unexplained bruises, burns, or welts in various stages of healing
- the child or young person is unable to explain an injury, or explanations given are inconsistent, vague or bizarre
- direct admissions from the parents that they are concerned that they might harm their child
- family history of violence
- marked delay between injury and obtaining medical assistance
- parent who shows little concern about the welfare of their child or the treatment and care of the injury
- repeated presentations of the child to health services with injuries, ingestions or minor complaints (this could also be an indicator of Factitious Disorder by proxy, a rare expression of physical and emotional abuse)
- the child or young person is unusually frightened of a parent or carer, or is afraid to go home
- the child or young person reports intentional injury by their parent or carer
- arms and legs are kept covered by inappropriate clothing in warm conditions
- ingestion of poisonous substances including alcohol or drugs
- avoidance of physical contact by the child (particularly with a parent or carer)

**Sexual abuse:**

- sexualised behaviours inappropriate to their age (including sexually touching other children and themselves)
- knowledge of sexual behaviour inappropriate to their years
- disclosure of abuse either directly or indirectly through drawings, play or writing that describes abuse
- pain or bleeding in the anal or genital area with redness or swelling
- fear of being alone with a particular person
- child or young person implies that he/she is required to keep secrets
- presence of sexually transmitted disease
- sudden unexplained fears
- enuresis and/or encopresis (bed-wetting and bed soiling)

**Emotional or Psychological abuse:**

- the parent or carer constantly criticises, threatens, belittles, insults, or rejects the child or young person with no evidence of love, support, or guidance
- the child or young person exhibits extremes in behaviour from overly aggressive to overly passive
- delayed physical, emotional, or intellectual development
- compulsive lying and stealing
- high levels of anxiety
- lack of trust in people
- feelings of worthlessness about life and themselves
- eating hungrily or hardly at all
- uncharacteristic seeking of attention or affection
- reluctance to go home
- rocking, sucking thumbs or self-harming behaviour
- fearfulness when approached by a person known to them
**Neglect:**

- signs of malnutrition, begging, stealing or hoarding food
- poor hygiene: matted hair, dirty skin or severe body odour
- unattended physical or medical problems
- the child or young person states that no one is home to provide care (inadequate supervision, failure to ensure safety)
- child or young person appears constantly tired
- frequent lateness to the College or absence from the College
- inappropriate clothing, especially inadequate clothing in winter
- alcohol and/or drug abuse present in the household
- frequent illness, low grade infections or sores
- hunger

**Myths about Child Abuse and its Prevalence:**

An accurate understanding of the dynamics underlying child abuse is important because the impact of any form of abuse on the victim can be life changing. Common outcomes associated with abuse include drug abuse, suicide, eating disorders, low self-esteem, psychosomatic illness and self-mutilation.

There are many myths about sexual abuse. Some of the common ones are:

- sex between children and adults is not damaging if it is in the context of a loving relationship;
- it is not the abuse which causes the problem but the effects of the intervention by others;
- those abused turn into abusers;
- children frequently lie about sexual abuse;
- sexual abuse is more common in lower socio-economic areas and families;
- only men sexually abuse children;
- sexual abusers are readily identified by 'normal' people.

The following myths pertaining to sexual and other forms of abuse relate particularly to schools:

- there will not be a problem here because all the volunteers/employees are female;
- there will not be a problem here because the young people come from privileged backgrounds and will complain if there is an issue of abuse;
- if we get the selection procedures right we will eliminate the possibility of abuse;
- we use Police Clearances and Working with Children Checks here so we are covered;
- it is one of the other children’s parents/brothers/sisters to whom I am entrusting the child/ren, so it will be OK;
- we did not need to screen Mr Smith because he is a friend of the teacher, president etc;
- my workers, volunteers and casuals are youth themselves so there is no risk;
- we are pretty good at identifying people here who are a bit ‘odd’.
The Facts about Child Abuse

Children or young people are more often abused by a parent or carer. Adults who were abused as children are at greater risk of developing psychological and emotional problems later in life, and repeating the pattern of abuse with their own children.

A child abuser can be a member of the family (father, step-father, mother etc.) or someone close to the family or the child (church member, teacher, community group leader). A child abuser usually spends a lot of time grooming the child with the child being made to feel that they are in some way complicit in the acts, thus making disclosure a difficult process.

On the whole, abusers are the least obvious people in our community. Many child sex abusers, for example, hold positions of trust within the community with easy access to children and their families. Occupations that some convicted child sex offenders have held include bus driver, entertainer, teacher, scout leader, librarian, principal, church leader, judge.

In Australia, a case of child abuse is reported every 2.5 minutes.

Sexual abuse is more common among girls, other types of abuse are slightly more common among boys (Child Protection, Australia (2010 – 11), Australian Institute of Health and Welfare).

Two-thirds of substantiations for abuse or neglect are for children aged 9 years old and under (Child Protection, Australia (2010 – 11), Australian Institute of Health and Welfare).

3. MANDATORY REPORTING OF CHILD SEXUAL ABUSE:

3.1 The legislation:

Since 1\(^{\text{st}}\) January 2009, the Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008 has been in effect and covers mandatory reporting of child sexual abuse in Western Australia. This amendment forms part of the Children and Community Services Act 2004.

In Western Australia, the mandatory reporters of child sexual abuse are the following professions in both the government and non-government sectors:

- doctors
- nurses
- midwives
- teachers
- police officers.

3.2 Definitions:

Definition of a teacher:

The definition of teacher in section 124A of the Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008 has been changed to read:

a. person who is registered under the Teacher Registration Act 2012, or
Teacher assistants, College chaplains and College psychologists are examples of people who work with children in schools that are not mandated reporters. However, all people working with children, whether mandatory reporters or not, should continue to report reasonable beliefs about all forms of abuse. These people who work with children also have a great knowledge of the children in their care and can be included in the consultative process with the teacher in the case of sexual abuse.

Please note that at All Saints’ College, once a teacher has formed a belief based on reasonable grounds, they are required to make the report to DCP through the Mandatory Reporting Service, not to the College Principal. Prior to forming a belief, a teacher may, if they wish, consult with colleagues with specialist knowledge, for example, the Principal or College psychologists.

**Definition of sexual abuse:**

Sexual abuse is defined by the Act in section 124A as:

‘Sexual abuse’ in relation to a child, includes sexual behaviour in circumstances where:

(a) The child is the subject of bribery, coercion, a threat, exploitation or violence; or

(b) The child has less power than another person involved in the behaviour; or

(c) There is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.

This legislation is not intended to capture all sexual activity involving children and young people. Reference should be made to consent laws in Western Australia.

**Definition of child:**

The definition of ‘child’ is defined in section 3 of the Act as a person who is under the age of 18 years. In the absence of positive evidence as to age, a child is a person who is apparently under 18 years of age. Young people aged 18 and over are considered to be adults and are not covered by this legislation. However, schools still owe a duty of care to all students at the school. In these instances, police should be informed of any assault or crime against the young person.

**3.3 When does a mandatory reporter make a report?**

Mandatory reporters must report a belief, based on reasonable grounds in the course of their work, paid or unpaid, that child sexual abuse has occurred or is occurring. This means that teachers working outside of the College grounds are also required to report when working in either a paid or unpaid capacity. For example, tutoring, volunteer teacher at youth centre, working as a Sunday school teacher.

Failure to make a report can incur a penalty of up to $6,000-00.

A mandatory reporter can form the necessary belief, based on reasonable grounds, by noting the presence of indicators, disclosures, injuries, signs, symptoms and behaviours that heighten concerns about child sexual abuse. Information on the indicators of sexual abuse is covered in section 3 of this document.

Teachers may wish to consider the following questions to assist them in deciding if their belief is based on reasonable grounds:
- Can you describe the reasons why you believe a child has been, or is being sexually abused?
- What has the child said or done to suggest they are being sexual abused?
- Have you observed, or been told about, the presence of any of the ‘possible indicators’ of sexual abuse?
- Did the child disclose sexual abuse? What did they say happened? Who did they disclose to and when?
- What other behaviours have you observed and/or interactions with the child are of concern to you? What is the frequency and severity of the behaviour? How long has it been occurring?

3.4 How does a mandatory reporter make a report?

A centralised Mandatory Reporting Service has been established to receive all reports of child sexual abuse in Western Australia. This service is operational 24 hours a day, 7 days a week.

There are two ways to make a report - verbal or written.

A verbal report is preferred in the first instance, particularly if the teacher has formed a belief that the child is still at risk of being abused, as it allows the Mandatory Reporting Service to respond quickly, ask clarifying questions and gather as much information as possible. However, it must be followed by a written report as soon as is practicable, usually within 24 hours. To make a verbal report, the Mandatory Reporting Service can be reached on 1800 708 704.

Failure to follow up a verbal report with a written report as soon as is practicable may result in a fine of $3,000-00. A written report form can be downloaded from the mandatory reporting website www.mandatoryreporting.dcp.wa.gov.au.

If you do not have access to a computer, the form can also be mailed out to you. Once you have completed your written report, it can be returned using any of the following methods:

- Email to: mrs@dcp.wa.gov.au
- Fax to: 1800 610 614
- Post to: PO Box 8146
  Perth BC WA 6849

Once you have lodged a report, you will receive a standardized letter. This letter is proof that you have made a report so it is important that you keep it.

Once the report has been lodged, the Mandatory Reporting Service will assess the immediate risk to the child, and determine the need for further child protection assessment and investigation. A copy of the report is sent to the WA Police. The police determine if they need to be involved on a case by case basis.

The mandatory reporter will receive a feedback letter advising them of the DCP District Office it has been referred to, or whether no further action was recommended by the Mandatory Reporting Service.

3.5 Confidentiality and Legal Protection:

The identity of the reporter is required to be kept confidential, except in limited circumstances. Section 124F (2) protects a reporter’s identity from being disclosed.
Disclosure of a reporter’s identity carries a maximum fine of $24,000-00 and 2 years imprisonment.

There are exceptions where a reporter’s identity is permitted. Even where disclosure is allowed, consideration will be given to ensuring the reporter’s safety has been taken into account. Examples of when a reporter’s identity may be revealed include:

- The Mandatory Reporting Service must send a copy of every written report to the WA Police;
- The WA Police may need to reveal a reporter’s identity in order to investigate or prosecute a suspected offence;
- A Department for Child Protection officer may need to reveal the reporter’s identity when certain child protection, family law or adoption proceedings are taking place;
- The reporter may have provided written permission for their identity to be disclosed.

A mandated reporter who is normally governed by a code of confidentiality or secrecy, professional ethics, standards or principles of conduct (eg. Doctor/patient) is protected from a breach to this code if they are making a report in good faith. The legislative requirements of the Act override internal school policies, professional codes or confidentiality requirements.

A mandated reporter is also protected from liability. If a report is made in good faith, they will not incur any civil or criminal liability by making a report.

Once a teacher has formed a belief based on reasonable grounds, they are required to make the report to DCP.
The flowchart above only shows what the teacher must do once they have formed a belief. It does not include any consultation process with other College staff. However a consultation process with key College staff may occur prior to the teacher forming a belief (e.g. Principal, psychologists, Dean of Student Wellbeing and/or Dean of Junior School). If the teacher concerned wishes, the Principal and other relevant staff may be involved in discussions with the teacher in relation to a specific child, prior to the teacher forming a belief based on reasonable grounds. It is the teacher’s responsibility to make the report directly to the Mandatory Reporting Service when the teacher forms a reasonable belief that sexual abuse has occurred, or is occurring.

The Principal and other relevant staff are there to provide support if required but the College policy is that a teacher may advise the Principal of the report, but there is no obligation on the teacher to do so.

3.6 Where to go for information and assistance:

The Department for Child Protection is the agency responsible for the new legislation regarding the mandatory reporting of child sexual abuse. The Mandatory Reporting Service has been established by the Department to receive and investigate reports of sexual abuse.

The Department for Child Protection has established a website www.mandatoryreporting.dcp.wa.gov.au. Information on this website includes frequently asked questions and a copy of the report to download.

The Mandatory Reporting Service can also be contacted through the following ways:
Telephone: 1800 708 704
Email: mrs@dcp.wa.gov.au
Fax: 1800 610 614
Post: PO Box 8146, Perth BC, WA 6849

3.7 Cyber Predators:

Although the main perpetrators of child abuse and neglect are people that the child knows the continuing popularity of the internet has given credence once more to the term ‘Stranger Danger’.

The internet is one of the main sources of communication for young people today. The popularity of chat rooms, discussion groups and interactive games makes them a very attractive place for predators to go as they can remain virtually anonymous whilst participating in a range of paedophilic activity.

These quotes come from the Net Alert website,

“…paedophiles can socialise together, trawl for inappropriate content (such as child pornography) and easily make collections of this and distribute to others.

They can pretend to be people other than themselves and they find a sense of security by operating from the confines of their own homes.

Grooming children online with the intention to meet them in real life is an activity many undertake.

They often set up bogus email accounts and handles (a nickname for a person who uses the Internet) which protect their identity online.
Children need to think carefully about a handle they choose. Handles such as *Angel-Babe*, *Sweet-Sixteen* and *Sexy Kid* appear harmless on the outset, however can attract the wrong attention. Paedophiles are often attracted to people with these types of names.

Paedophiles can also erase the history of what they have done online from their personal computers, making it a lengthy and difficult task for authorities to charge them with an offence.

Paedophiles conduct numerous activities online, including:

- Swapping child pornographic pictures in chat rooms or through email or P2P networks;
- Swapping children’s personal information;
- Participating in online communities with the intention to groom children for personal sexual gratification or to meet them in person;
- Forming networks with other paedophiles;
- Trading techniques on how to avoid the authorities."

The WA Police, in conjunction with AISWA, the Department of Education and the Catholic Education Office have formed the Internet Safety Working Party. The aim of the working party is to implement strategies through schools and community networks to educate children and parents on safe internet behaviours.

The *Criminal Code Amendment (Cyber Predators) Act 2006* is the legislation in Western Australia that protects children under the age of 16, or that the offender believes is under the age of 16, from an adult who uses electronic communications with the intent to procure the child to engage in sexual activity; or to expose the child to any indecent matter.

3.8 Grounds for belief that the child has been sexually abused:

Mandatory reporters must specify the grounds on which they formed the belief that a child has been, or is being, sexually abused. It is important to provide as much detailed information as possible, including:

- what the child has said or done to suggest they are being sexually abused
- if the child has disclosed abuse, what they said happened and who they disclosed to and when
- a description of any behaviours/interactions with the child that are of concern, including frequency and severity of behaviours
- whether the child has any injury, or medical needs.
- Information that must be provided, if known:
  - The child’s date of birth.
  - The child’s current address.
  - The names of the child’s parents or other responsible persons.

3.9 Responding to a disclosure:

It is critical that a mandatory reporter is sensitive to a child or young person who makes a disclosure of child sexual abuse.
Mandatory reporters will:

- Listen to the child and let them tell their story.
- Believe him/her and reassure the child that telling an adult was the right thing to do.
- Comfort the child if he/she is distressed, without making any promises.
- Avoid making the child repeat their story/disclosure to another person in their organisation.
- Write down what the child says and any relevant observations.
- Not confront the person alleged by the child to be responsible for the abuse.
- Not ask leading questions.
- Not interview or investigate the allegation, as this is the role of trained professionals.
- Make a report to the Mandatory Reporting Service as soon as practicable.

3.10 Reciprocal Child Protection Procedures and the Interagency Collaborative Framework for Protecting Children:

The Interagency Collaborative Framework for Protecting Children and the Reciprocal Child Protection Procedures have been developed to strengthen collaboration and partnerships between communities, agencies and government departments to protect children from harm. These arrangements are supported by legislative provisions that protect people who make reports to help strengthen information sharing.

The roles and responsibilities of the following agencies are documented in the Framework.

- Department for Community Development (now the Department for Child Protection and Department for Communities)
- Department of Education and Training (now the Department of Education)
- Department of Education Services
- Department of Health, including Office of Aboriginal Health
- Department of Justice
- Disability Services Commission
- WA Police Service
- Community Services
- Ethnic Communities Council of WA

The Reciprocal Child Reporting Procedures agreement between government agencies (covering Health and hospitals, Education and Training - including Education Services, Police, Department for Child Protection etc) requires DES, if made aware of any incidents of child abuse, (eg by parents or teachers at non-government schools) to report it to DCP or Police as appropriate. This does not mean that schools should not exercise their own responsibility to report to DCP or Police; but if the Minister for Education or DES is included in any part of the information flow, they would report it as well. See for more information.


The role of the Department for Child Protection and WA Police:

Teachers are required by law to make reports when they have a reasonable belief that sexual abuse is occurring or has occurred. For other forms of child abuse mandatory reporting is not a requirement, however, schools have a duty of care and a moral obligation to follow the recommended procedures in cases of suspected child abuse.

The Department for Child Protection (DCP) [formerly the Department for Community Development] is the government department with the statutory authority to investigate concerns in Western Australia. It is not the school’s role to investigate child maltreatment
issues, including concerns of sexual abuse. That is the DCP’s responsibility. All disclosures or strong concerns of abuse or neglect should be reported to DCP by the Principal or teacher. DCP will then decide on how to proceed. See sections 6 and 11 of this document for detailed information on reporting procedures.

The Western Australian Police also have a role in responding to allegations of child abuse and neglect. The WA Police Service Child Abuse Investigation Unit (CAIT) intervene in instances where it is believed that a criminal offence has occurred which may lead to criminal charges being laid. In the case of a report of child sexual abuse, DCP will forward all reports to the WA Police.

Where abuse and neglect has occurred within a family and there is the possibility of criminal charges being laid, the police and the DCP may undertake a joint investigation to reduce the trauma of the interviewing process to the child or young person.

Under section 129 of the Children’s and Community Services Act 2004, people who give information, in good faith, to the Department for Child Protection are protected from incurring any civil or criminal liability, from having breached any confidentiality imposed by law, or from having breached any professional ethics or standards.

Department of Child Protection (DCP)

In cases of child sexual abuse the teacher will provide a written report to the Mandatory Reporting Service of DCP. The Mandatory Reporting Service will provide a standardised letter to the reporter outlining which DCP local office is involved, and what action has been taken. The Mandatory Reporting Service is required to forward all reports on to the WA Police.

For other forms of abuse, the Principal should report all disclosures or strong concerns to the DCP of abuse or neglect arising from the actions or inactions of parents/caregivers and maintain a written record of this communication and subsequent actions. The DCP will then decide how to proceed. The decision to progress the matter further is the responsibility of the DCP.

The DCP is required to provide feedback to people making reports on child abuse. The Principal should seek undertakings from the DCP that they will be kept informed within the bounds of confidentiality. The Principal’s initial contact with the DCP will be through the Duty Officer at the Local District Office closest to where the child lives (all offices are listed in the White Pages). All calls from school concerning students are taken very seriously and it may be appropriate if the emergency occurs after hours to explain to the switchboard operator that it is an emergency so they can speak to the Duty Officer promptly. When reporting to the Duty Officer, note his/her name and position.

**Note:** The Mandatory Reporting Service and the Duty Officer at the local DCP office can also be used initially in a consultative role if either the Principal or the teacher is unsure of what action to take.

The school should be aware that the powers of the DCP under the Children and Community Services Act 2004 includes:

**Apprehension of children in need of care and protection (without warrant)**

**Interviewing the child:** DCP has the authority to interview the child at school before contact is made with the parent/caregiver. Before doing so, the principal or ‘person in charge’ at the school must be notified. The child should have the option of having support at the interview from a staff member of their choosing.

**Removal of children from the school:** DCP officers may remove a child from the school if they have the permission of the parent/caregiver or if they have apprehended the child. The
Principal should satisfy themselves that all conditions have been met before this occurs and document all conversations.

**Medical examination:** DCP may require that a medical examination occur as soon as possible so that bruising, marking and other symptoms can be recorded for future reference. This would normally take place at either PMH or the Community Child Health Services Centres. This examination can only take place if permission has been obtained from the parent/caregiver or the child has been apprehended (when parent/carer permission is not obtained).

**Parents/Caregivers**

To avoid interfering with any investigative process initiated by DCP or the Police, the Principal and teacher must seek advice from DCP or Police prior to informing the parent/carer of a concern of abuse or neglect.

### 4. PROCEDURE FOR REPORTING ALLEGED PHYSICAL AND/OR EMOTIONAL ABUSE OR NEGLECT:

#### 4.1 Summary of Procedure:

**Underlying Principles:**

a) The Principal has ultimate authority and responsibility for both enacting and ensuring that there is strict adherence to this Policy.

b) It is not the role of the teacher to investigate child abuse or neglect matters. Teachers must report concerns to the Principal, or the College Board Chair if it is not appropriate to discuss with the Principal.

c) The Teacher and the Principal, may wish to consult with the College Psychologists, College Nurse, Dean of Student Wellbeing and/or the Dean of Junior School. Confidentiality is paramount and disclosure of information should only be disclosed in the College with those that need to know.

**Procedures for alleged physical and/or emotional abuse or neglect:**

**Note:** If a student’s welfare would likely be compromised as a result of the following procedures, the procedures may be varied, as is appropriate.

Staff will report, **verbally or in writing**, to the Principal:

a) student disclosure of alleged physical and/or emotional abuse or neglect from someone with a responsibility to care for the student;

b) a student showing signs of potential physical and/or emotional abuse or neglect from someone with a responsibility to care for the student;

Upon receipt of such a report, the Principal will chose to consult with the College Psychologists, Nurse, Dean of Student Wellbeing and/or Dean of Junior School (and then initiate appropriate action, possibly including:

- contacting the parents;
- implementing behaviour management strategies;
- establishing a case management process;
- reporting to the Department of Child Protection;
- reporting to the police; and
- reporting to the Chair of the College Board.

In certain circumstances, it may be more appropriate for the Principal to initiate actions prior to consultation with other staff at the College. In those circumstances, the necessary staff will be notified after action has been initiated.
The Principal will undertake further action in consultation with parents/caregivers, appropriate personnel and/or agencies.

Privacy and confidentiality are paramount to maintain the integrity of the process and to allow all stakeholders to maintain their dignity while working through the issues. **However, a student's request for no action to be taken, even when the student has disclosed allegations of physical and/or emotional abuse or neglect, cannot be acceded to. A staff member advised of such allegations is duty bound to take action.**

Instances involving allegations against the Principal will be reported, **verbally or in writing**, directly to the Chair of the Board.

### 4.2 Responsibilities of the Principal:

**General:**

The Principal will ensure that:

- procedures are in place to ensure that all employees and people working at the College gain awareness of their responsibility with respect to the College’s procedures for reporting and recording incidents or issues of student protection;
- procedures are in place for the recognition, notification and support of students who are at risk or are victims of physical and/or emotional neglect or abuse. These procedures address the range of situations described in this policy document including where College staff are alleged to have maltreated or assaulted students;
- staff are aware that they cannot accede to a student's demands for confidentiality or requests that parents, police or other agencies not be informed when the welfare or safety of the student or other students may be threatened.
- all concerns, based on reasonable grounds, for the welfare of students believed to be maltreated will be discussed with the Department of Child Protection or the police;
- all staff at the College will have appropriate Working with Children Check WWC, police clearances and teaching staff are registered with the Teacher Registration Board (TRB);
- the College staff provides a curriculum that teaches all students appropriate protective behaviours; and
- victims of physical and/or emotional abuse and neglect are supported within the College through an appropriate management plan.

**Reporting:**

**Department of Child Protection:**

The Principal will report immediately to the Department of Child Protection (DCP) disclosures or concerns based on reasonable grounds of suspected physical and/or emotional abuse and neglect. The Principal will maintain a written record of this communication and subsequent actions in a separate file kept securely in the Principal’s office. The Principal will work with DCP to ensure the best outcome for the student from the investigation of the concerns, and plan for the student's continuing needs in the College environment.

DCP guidelines require that people making reports of student maltreatment are given feedback on the actions taken or to be taken. The Principal will seek an undertaking from the DCP that he/she will be kept informed, within the bounds of confidentiality.

DCP has the following authority and powers, under the *Children and Community Services Act (2004)*
Police:
The Principal may, in addition to or in lieu of contacting the DCP, advise police of concerns based on reasonable grounds and disclosures of alleged abuse.

Parents/Caregivers:
The Principal will usually report all strong concerns and disclosures of alleged abuse and neglect to parents/caregivers subject to the legal provisions.

4.3 Responsibilities of College Staff:
All Saints' College staff have a responsibility to act if concerned, or armed with knowledge, that abuse or neglect may be occurring. These concerns must not be the subject of general staffroom discussion or gossip of any kind. Inappropriate disclosures will subject those involved to disciplinary action as part of their contractual relationship with the College and expose them to (among other things) defamation proceedings.

The staff member who has contact with students with disabilities must be sensitive to the particular vulnerability of these students, and be acutely aware of indicators of student abuse and neglect and of a student's attempts to disclose abuse. (See Student Protection Guidelines document).

An assessment of a student's behaviour will be made in the context of a College staff member's overall knowledge of the student, rather than in isolation.

Female Genital Mutilation (FGM) is an illegal procedure in Western Australia irrespective of religious or cultural beliefs. In cases where students have experienced FGM or are identified as at risk of FGM, then action will be taken.

Concerns based on Reasonable Grounds or Indications or Disclosure:
If a staff member has strong concerns of abuse or neglect, or if a student discloses abuse or neglect directly to a College staff member or indirectly through a friend, the staff member will immediately inform the Principal. Staff must be aware of the immediate needs of students making disclosures and will respond accordingly (See Student Protection Guidelines document).

For legal reasons, staff must ensure that anecdotal records and any written or verbal information regarding concerns or disclosures are documented and stored and regarded as strictly confidential and used in a professional manner consistent with this Policy. These will be lodged in the Principal's file. Access to this will be limited to the Principal, the Dean of Student Wellbeing and the Dean of Junior School.

The staff member will not personally or in any way investigate or attempt to determine whether physical and/or emotional abuse or neglect has occurred. This is the role of the DCP and/or the police.

Concern but no Disclosure:
The staff member who is concerned that physical and/or emotional abuse or neglect may be occurring will keep brief, written and dated records of their observations and concerns. These will be lodged in the Principal's file. Access to this will be limited to the Principal, the Dean of Student Wellbeing and the Dean of Junior School. The staff member will consult with the Dean of Student Wellbeing, Dean of Junior School and the College Counsellors. The Principal will be informed of these concerns by either of the aforementioned members of staff.

The Principal will ensure the processes developed for use by non-teaching staff are used to report concerns.
Care and Support:

The College will use its best endeavours to support students who have disclosed, or about whom there is a concern. DCP staff are available to assist in designing the most appropriate school support program where necessary.

Response to disclosure of abuse or neglect:

If a student makes a disclosure of abuse or neglect staff should be aware of the immediate needs of the student and know what to do in these circumstances.

- Use ‘protective interrupting’ if students begin to disclose in class or in a public area to protect them from sharing the information with too many other people;
- Acknowledge that you have heard them and stop them from disclosing any further;
- Be supportive and gently indicate that they might tell you about it in a more private situation; and
- Quietly arrange to see them as soon as possible, in a situation away from other students.
- Establish clear limits on confidentiality by telling the child that a report will be made to a person who will be able to provide help and protection and that you will help them throughout the process;
- Put your own feelings aside and listen as if the information is not sensational;
- Provide reassurance that you believe them, that it is right to tell and do not think that they are to blame or make judgements about what has happened:
- Listen to students in a private location within the College;
- Be supportive and understanding;
- Be empathetic to student feelings;
- Acknowledge that it is difficult to talk about such things;
- Try to identify students’ fears;
- Let students tell the event in their own words;
- If you are unable to answer all the questions of the child, it is OK to let them know;
- Once you have established that they have been harmed or are at risk of being harmed, do not pursue the conversation any further. This is important to ensure that questions cannot be raised later about possible manipulation of the disclosure;
- Allow students the option of support during any agency interview and reassure them of the availability of continuing support;
- Document the conversation that you have had remembering as accurately as you can, the words and phrases used by the child to describe what has happened to them;
- Document the disclosure and subsequent discussion and actions;
- Explain what will happen next; and
- Try and stay with the student after the disclosure to provide a sense of security until necessary steps have been taken to ensure the safety and support.

Staff must be careful that they:

- Don’t push for details or conduct an investigation. Other agencies have this responsibility;
- Don’t express judgment of the student, perpetrator or family;
- Don’t get angry, upset or show shock;
• Don’t ask questions that may make the child feel guilty or inadequate;
• Don’t ask leading questions, for instance ‘Did Daddy hit you?’
• Don’t put words in students’ mouths or interrogate as this could jeopardise the interviewing process of DCP and Police;
• Don’t promise not to tell when there are clear limits on confidentiality;
• Never make false promises;
• Don’t give a lecture about right and wrong;
• Don’t say ‘forget it’, ‘you’ll get over it’ or other such minimalizing statements;
• Don’t give excessive pity;
• Respect the confidentiality of the disclosure and do not share the information with anyone other than the Principal and either the Department for Child Protection or the Police. This includes not engaging in general staffroom discussion about the disclosure.

Staff must be aware that a disclosure can arouse in them strong feelings of shock, anger and helplessness. It is important to try and control these feelings and work through them after the disclosure.

5. SELF-HARM:

A College staff member who is concerned that a student may be at risk of self-harm or suicide must act decisively to reduce this risk. The staff member must immediately inform the Principal. The Principal will consult with a College Counsellor and with the Dean of Student Wellbeing and/or Dean of Junior School who will provide further support in implementing an action plan. The College will follow the Deliberate Self Harm guidelines.

If College personnel, using a risk assessment process, suspect potential risk they will consult with the College Counsellor who will communicate with the Child and Mental Health Services (CAMHS), Youth link or Princess Margaret Hospital or other appropriate agency and take the recommended action.

Contact with parents will occur as soon as possible, unless the above agencies expressly advise against it or it is considered not to be in the best interests of the student at that time. The Principal will consider carefully reasons not to inform parents/caregivers and document these reasons.

In situations where the suspected self-harm is triggered by physical and/or emotional abuse/sexual abuse from parents/caregivers, the Principal will follow Reporting Procedures as outlined in Sections 4 and 5.

The Principal will not determine whether students should receive specialist assessment. The role of the Principal is only to advise parents/caregivers and students that it is in their best interests to seek specialist assessment or support. The Principal cannot compel parents/caregivers to take this advice.

6. RELEVANT LEGISLATION AND AUTHORITY:

The following Acts can be viewed at www.slp.wa.gov.au

• Children and Community Services Act 2004
• Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008
• Criminal Code Act (1913)
• Criminal Code Amendment (Cyber Predators) Act 2006
Student Protection Policy

All Saints’ College 2013

- (changes to s204B of The Criminal Code)
- Working with Children (Criminal Record Checking) Act 2004

The Criminal Code Amendment (Cyber Predators) Act 2006 is the legislation in Western Australia that protects children under the age of 16, or that the offender believes is under the age of 16, from an adult who uses electronic communications with the intent to procure the child to engage in sexual activity; or to expose the child to any indecent matter.

Where to go for further information:

The Department for Child Protection is the state government department responsible for issues specifically related to the protection of children, including the handling of abuse and neglect cases. This website contains some excellent material for professionals, and parents and friends. Of particular interest is the information on 'Identifying and responding to child abuse and neglect – a guide for professionals'.


The sexual abuse reports, the Mandatory Reporting Service must be contacted through one of the following means:
Telephone: 1800 708 704
Email: mrs@dcp.wa.gov.au
Fax: 1800 610 614
Post: PO Box 8146
Perth BC WA 6849
This unit is available 24 hours a day, 7 days a week for make a report or to raise concerns.
Details regarding mandatory reporting can be obtained through
www.mandatoryreporting.dcp.wa.gov.au

To contact DCP for assistance with a specific case that does not involve sexual abuse, the school will need to speak to the Duty Officer at the local office, available during office hours. All offices are listed in the White Pages or on the website.

After hours
Child Abuse Services WA
9223 1111/1800 199 008

Crisis Care
9223 1111/1800 199 008 (a 24 hour telephone service for people in crisis and needing urgent help)

WA Police Service Child Abuse Investigation Unit:
If the matter is urgent and the safety of a child is at risk, call 000. If you are a victim of child abuse or paedophilia, or if you have information about someone else being abused, you should contact police on 131 444. You can also report child abuse to the Child Protection Squad on 9492 5444 or email them on Child.Abuse.Investigation@police.wa.gov.au, or you can ring Crime Stoppers on 1800 333 000 or go to your local police station.

WA Police Cyber Predator Team can be contacted on 9492 5444 or complaints can be lodged on the WA Police Website www.police.wa.gov.au

The websites below contain information on cyber predators that for both parents, teachers and students may find informative.

www.acma.gov.au
www.constablecare.org.au  
www.cybersmartkids.com.au  
www.virtualglobaltaskforce.com  
www.netalert.net.au

The National Association of the Prevention of Child Abuse and Neglect (NAPCAN)  
NAPCAN is an Australian organisation that seeks to resource and network child welfare professionals and practitioners working to prevent child abuse and neglect from happening before it starts, through the provision of parenting brochures, training, support networks and information. www.napcan.org.au

Protective Behaviours WA (Inc) is a preventative life skills program that assists people of all ages to develop the skills to help them deal with difficult or hostile situations. The program has a voluntary committee made up of representatives from government and non-government agencies as well as interested members of the community. AISWA is a group member of Protective Behaviours and is able to purchase resources at a discount for interested schools.

Protective Behaviours can be contacted on (08) 9356 0514 or email: pbwainc@hotmail.com

The following support service is available for staff at schools who may experience personal issues resulting from making a report:

Prime Corporate Psychology Services:  
Offers an employee assistance program including counselling, management and referrals.  
9492 8900/1800 674 188

Each school may already have an assistance program available to their staff to provide help in overcoming problems that may cause difficulties in their work or personal lives.

The following services and organisations can provide help, advice and support to the school, parents or children who are affected by the effects of abuse and to prevent abuse from recurring:

Department for Child Protection:

Parenting Line:  
9272 1466/1800 654 432

Family Helpline is a free confidential telephone counselling and information service for families with relationship difficulties.  
9223 1100/1800 643 000

Men’s Domestic Violence Helpline provides a free telephone, referral and counselling service for men to help them change their violent behaviour toward female partners.  
9223 1199/1800 000 599

Women’s Domestic Violence Helpline provides a free 24 hour telephone support and counselling service for women experiencing family and domestic violence.  
9223 1188/1800 007 339

Child Health and Community Health Services  
Refer to the White Pages for contact details of local Child Health Centres
**Child and Adolescent Mental Health Services**
1800 220 400 – 24 hour mental health advice line

**Princess Margaret Hospital for Children**
9340 8222

**State Child Development Centre**
9481 2203

**Disability Services Commission**
9426 9200/1800 998 214

**Kids Helpline** is a free and confidential telephone counselling service for 5 to 25 year olds in Australia available 24 hours a day, 7 days a week.
1800 551 800

**Sexual Assault Resource Centre Counselling Line** offers a free, 24 hour emergency service for people aged 13 or over who have been sexually assaulted or sexually abused recently (within the last two weeks).
9340 1828/1800 199 888

**Lifeline Australia** offers a service 24 hours a day, 7 days a week and can provide information about other support services, if required. 13 11 14

Figure 1 summarises the College’s student protection notification steps outlined in this document.

7. **GUIDELINES:**

A set of guidelines for staff accompanies this policy. All College staff will be apprised of both the policy and guidelines annually. Newly appointed staff will receive the policy and guidelines at the time of their induction/commencement. The guidelines comprise:

- Indicators of Student Abuse and Neglect
- Students with Disabilities
- Response to Disclosures of Abuse or Neglect
- Mandatory Reporting of Child Sexual Abuse
- Domestic and Family Violence
- Paedophilia
- Legal Considerations
- Deliberate Self Harm guidelines

8. **PROFESSIONAL DEVELOPMENT:**

In order that the College staff is able to manage issues related to student protection, All Saints’ College will provide ongoing professional development for College staff.
9. EFFECTIVE DATE SEPTEMBER 2013

10. REVIEW DATE SEPTEMBER 2015

The policy will be reviewed bi-annually by a review group representing the All Saints’ College counselling service, the senior pastoral staff in the College Junior and Senior Schools, and the College Principal.

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<td>Policy Custodian:</td>
<td>Dean of Student Wellbeing</td>
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<td>(Contact for queries about this policy)</td>
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Figure 1: Student Protection Notification Steps Flow Chart

STUDENT

- Disclosure of alleged abuse or neglect from someone with a responsibility to care for the student.
- Allegation of sexual contact by staff.
- Indication of abuse or neglect
- Staff discovery or student disclosure of sexual contact by another student

To a teacher or other staff member

Notify Principal

Notify Chair of the College Board if Principal is subject of allegation

Notify Dean of Student Wellbeing or Dean of Junior School and/or the College Counsellors

The Principal (in conjunction with the relevant staff) or the Chair of the College Board will decide on the appropriate action for all cases excluding sexual abuse cases (immediate mandatory reporting procedures to be followed). Some actions may include, but are not limited to, the following:
1. Contacting parents.
2. Implementing behaviour management strategy.
3. Establishing case management process.
4. Reporting to DCP.
5. Reporting to police.
6. Report to Chair of Board of Management

Principal in conjunction with the Dean of Student Wellbeing or Dean of Junior School will provide ongoing support for student.

If matters relate to child sexual abuse, a verbal and written report must be made by the teacher to Department for Child Protect (DCP) via the Mandatory Reporting Service.
Internet: www.mandatoryreporting.dcp.wa.gov.au
Email: mrs@dcp.wa.gov.au
Fax: 1800 610 614
Post: Mandatory Reporting Service
PO Box 8146
PERTH BC WA 6859

The teacher may advise the Principal of the report, but there is no obligation on the teacher to do so.