



Mandatory Reporting Policy

web version

Relevant Legislation / Related information	• Registered and Accredited Individual Non-government Schools (NSW) Manual - September 2023 - B8 • Children and Young Persons (Care and Protection) Act 1998 (NSW) • Children and Young Persons (Care and Protection) Regulation 2012 (NSW) • A Mandatory Reporter's Guide To Selecting A Decision Tree (NSW) • Mandatory Reporter Guide NSW
Related documents (Including but not limited to)	• Code of Conduct – Personnel • Child Safe Policy and Procedure • Work Health and Safety Policy • Reportable Conduct Policy and Procedure • Complaints policies • Continuous Improvement Procedure – Incident hazard and Feedback reporting
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Feedback	Feedback on this procedure can be emailed to the Principal

Purpose

This document outlines how the College ensures the safety of students in its care by means of mandatory reporting. It sets out staff responsibilities for child protection and processes that staff must follow in relation to mandatory reporting matters.

Scope

This is an organisation wide policy and applies to all staff members, which includes employees and contractors. Volunteers are not mandatory reporters under the Act unless they fall into a listed employment category. The College requires all volunteers to report child wellbeing concerns to the Principal and/or complete a voluntary report to DCJ.

Definitions

child - a person under the age of 16 years

young person - a person aged 16 years or above but who is under the age of 18

significant harm - when circumstances that are causing concern for the safety, welfare or well-being of the child or young person are present to a significant extent. What is meant by 'significant' in the phrase 'to a significant extent' is that which is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent. What is significant may reasonably be expected to produce a substantial

and demonstrably adverse impact on the child or young person's safety, welfare or well-being. The significance can result from a single act or omission or an accumulation of these. *See also procedural information.*

Policy

Sapphire Coast Anglican College (SCAC) is committed to providing a safe, supportive and protective environment for all students in line with the Child Safe Standards and the College's NESA registration requirements. In accordance with the *Children and Young Persons (Care and Protection) Act 1998 (NSW)* and its *Regulations* (the Act), all personnel are required, as a condition of their employment, to report any reasonable suspicion that a child or young person may be at risk of harm.

The Act establishes mandatory reporting responsibilities for children and young people who are at risk of significant harm. Consistent with these legislative requirements and the College's commitment to child safety, all staff must report any concerns relating to the safety, welfare or wellbeing of a child or young person.

Where appropriate, according to the level of suspicion, the employee completes the Mandatory report. Employees must report internally to the Principal, documenting their report using the incident form. The Principal (or delegated officer) makes the external report to Department of Communities and Justice (DCJ) and, where required, the Police.

The responsibility for ensuring the safety, protection and welfare of students rests with every staff member. This responsibility includes:

- a **duty of care** to take reasonable steps to prevent foreseeable harm to students
- compliance with all **child protection legislation** and reporting obligations.

Any concern regarding the safety, welfare or wellbeing of a student must be reported **as soon as possible**.

Definitions of Child Abuse and Neglect

There are different forms of child abuse and may operate in combination / create cumulative harm. These include neglect, sexual, physical and emotional abuse.

- **Neglect** is the continued failure by a parent or caregiver to provide a child with the basic things needed for his or her proper growth and development, such as food, clothing, shelter, medical and dental care and adequate supervision.
- **Sexual abuse** is when someone involves a child or young person in a sexual activity by using their power over them or taking advantage of their trust. Often children are bribed or threatened physically and psychologically to make them participate in the activity. Child sexual abuse is a crime.
- **Physical abuse** is a non-accidental injury or pattern of injuries to a child caused by a parent, caregiver or any other person. It includes but is not limited to injuries which are caused by excessive discipline, severe beatings or shakings, cigarette burns, attempted strangulation and female genital mutilation. Injuries include bruising, lacerations or welts, burns, fractures or dislocation of joints. Hitting a child around the head or neck and/or using a stick, belt or other object to discipline or punishing a child (in a non-trivial way) is a crime.
- **Emotional abuse** can result in serious psychological harm, where the behaviour of their parent or caregiver damages the confidence and self-esteem of the child or young person, resulting in serious emotional deprivation or trauma. Although it is possible for 'one-off' incidents to cause serious harm, in general it is the frequency, persistence and duration of the parental or carer behaviour that is instrumental in defining the consequences for the child. This can include a range of behaviours such as excessive criticism, withholding affection, exposure to domestic violence, intimidation or threatening behaviour.

Child wellbeing concerns

Child wellbeing concerns are safety, welfare or wellbeing concerns for a child or young person that do not meet the mandatory reporting threshold, risk of significant harm. These concerns are reported internally and may require support, monitoring, or referral.

Who is a mandatory reporter?

Under the Act persons who:

- in the course of their employment, deliver services including health care; welfare, **education**, children's services and residential services, to children; or
- **hold a management position in an organisation**, the duties of which include direct responsibility for, or direct supervision of, the provision of services including health care, welfare, **education**, children's services and residential services, to children, are mandatory reporters.

All employees at the College are mandatory reporters including teaching and non-teaching staff including; peripatetic (music) staff, tutors and coaches. If an employee of the College has any concerns or question, they should consult with the Principal without delay.

Compliance

Non-compliance with this policy may result in disciplinary action up to and including dismissal.