

# Underage Students – Mandatory Reporting Procedure

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<b>Version:</b>	3.0	<b>Effective Date:</b>	18 March 2015
<b>Procedure Code:</b>	PR-035	<b>Related Policy Code:</b>	Not Applicable
<b>Related Policy Name:</b>	Not Applicable		

## Purpose:

This procedure has been designed to provide guidance to College staff on what to do if there is suspicion on reasonable grounds, that an underage student enrolled at the College is at risk of being neglected or physically, sexually or emotionally abused. State and Territory law in Australia requires persons in certain occupations (including teachers) to report suspected instances of child abuse or neglect (defined in this policy as ‘harm’) – this process is defined as mandatory reporting.

## Scope:

- All campuses
- All staff
- All students under the age of 18

## Procedure Process:

### What to Report

There are differences in the types of harm which must be reported in each Australian jurisdiction. In some jurisdictions it is mandatory to report suspicions of each of the four classical types of harm (i.e. physical abuse, sexual abuse, emotional abuse and neglect). In other jurisdictions it is mandatory to report only some harm types (e.g. VIC, WA). [Click here](#) to see the requirements for each jurisdiction.

It is important to note that the legislation generally specifies that except for sexual abuse (where all suspicions must be reported), it is only cases of *significant* abuse and neglect that must be reported.

## Responsibilities for Reporting

Each person working at the College has a responsibility to report harm if they know or reasonably suspect that harm is occurring, has occurred or is likely to occur to an underage student.

In all jurisdictions, the legislation protects the reporter's identity from disclosure. In addition, the legislation provides that as long as the report is made in good faith, the reporter cannot be liable in any civil, criminal or administrative proceeding.

## The Reporting Process

1. A person working for the College (the 'first person') is alerted to the need to take action where they know or reasonably suspect that an underage student has been harmed or is at risk of harm.
2. The 'first person' will report their concern immediately to the Director, Student Services who will ensure the person reporting the matter is supported.
3. Under no circumstances will the College conduct an interview with the underage student as this could jeopardise any police investigation.
4. The 'first person' will then immediately contact the relevant [State Authority](#) via telephone to either:
  - a) report the instance of harm if they are absolutely certain that abuse or neglect of a child has occurred; or
  - b) discuss their suspicion and seek advice for further action.
5. The 'first person' does not discuss the matter with anyone other than the Director, Student Services. It is at the discretion of the Director, Student Services as to whether the CEO or other relevant personnel at the College need to be advised.
6. Any person implicated in the matter is not to be informed by any person at the College.
7. If the allegation took the form of a disclosure by an underage student, the underage student should be asked not to discuss the matter with any other staff or students and it should be suggested that he/she discuss the matter only with his/her parents (unless the parents are implicated) and/or the appropriate authorities.
8. The underage student will be given pastoral support throughout the process. It is the responsibility of the State Authority to arrange for a referral to an appropriate agency in such instances.

**Definitions:** **Underage Student** – a student under the age of 18 years

**Harm** – any non-accidental behaviour by parents, caregivers, other adults or older adolescents that is outside the norms of conduct and entails a substantial risk of causing physical or emotional harm to an underage student. Such behaviours may be intentional or unintentional and can include acts of omission (i.e. neglect) and commission (i.e. abuse).

**Student** – is an individual person who is formally enrolled to study at the College. The individual person is that who appears on the College's documents such as enrolment, admission and payment documents, and who is assigned an individual student ID.

## Further Information:

**Related Policies:** [Working with Children Checks Policy](#)

**Related Procedures:** Not Applicable

**Related Documents:** [Australian Institute of Family Studies Fact Sheet](#)

**Legislation:** All Australian states and territories have enacted mandatory reporting legislation of some description. However, the laws are not the same across all jurisdictions. Refer [here](#) for a list of State Authorities and related legislation.

**Guidelines:** Not Applicable

<b>Procedure Author:</b>	Quality and Compliance Coordinator
<b>Procedure Owner:</b>	Director, Student Services
<b>Contact:</b>	Director, Student Services jennifer.obsborne@endeavour.edu.au
<b>Procedure Status:</b>	Revised
<b>Responsibilities for Implementation:</b>	Director, Student Services Director of Education Director of Aesthetic Education Director, Fitness National VET Manager All Staff
<b>Key Stakeholders:</b>	Director, Student Services All Staff Students under the age of 18

<b>Version Summary</b>			
<b>Version</b>	<b>Date</b>	<b>Author</b>	<b>Details</b>
0.1			Original Document
0.2	15Nov10	N Chaperon	Creation of procedures document from policy.
1.0S	14Feb11	N Chaperon	Updated with approval from CEO.
1.0	20Sept13	C Smalbil	College changed to new version control system within Sharepoint (refer to The Source for further version history).