
MANDATORY REPORTING POLICY

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1. SCOPE

Studio Schools of Australia is committed to providing a child safe environment.

This policy applies to all members of the school community including employees, students, governing body members, regular volunteers, boarding staff, parents, contractors and visitors to the school or school events.

The Principal, all school employees and volunteers have a duty of care to children and young people and the right for children to feel safe at school and in the wider community.

Child Protection is a part of the child safeguarding process. It focuses on protecting students identified as suffering or likely to suffer significant harm. This includes child protection procedures which detail how to respond to concerns about a child.

All staff, including Board members, are required to complete the AISWA Child Abuse Reporting including Mandatory Reporting annually as part of their employment requirements.

It can be very difficult to identify those who would abuse children. Children may be abused at home, at school, out of home and school activities. They may be abused by children (peers) or adults, both known and unknown. Several child sex offenders select occupations that allow them access to children. Schools or community groups are likely places for potential abusers to target. It is important to remember that the school community not only includes the students and the teachers, but also the groundsman, bus drivers, canteen staff, parents volunteering their services, contractors, third parties invited in to run an excursion/incursion.

2. LEGISLATION

[Children and Community Services Act 2004](#)

This Act includes legislation protecting children and young people from abuse and details mandatory reporting of sexual abuse, the identification of mandatory reporters and the definition of sexual abuse.

[Criminal Code Act 1913](#)

Includes child exploitations and sexual offences.

[The Criminal Code Amendment \(Cyber Predators\) Act 2006](#)

This Western Australian legislation 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.

[Parliamentary Commissioner Amendment \(Reportable Conduct\) Act 2022](#)

This is the act that establishes the Reportable Conduct Scheme. The Reportable Conduct Scheme (overseen by the Ombudsman of Western Australia) supports people to speak up about concerning behaviours, helps prevent child abuse and improve systems and processes of organisations for preventing and dealing with complaints and reports of abuse about their staff.

School Education Act 1999

The registration standards are in accordance with s.159(1) of the School Education Act and includes s.159(1)

(l) the arrangements for preventing child abuse at schools and for responding to any such abuse which may occur.

Teacher Registration Act 2012

Section 42

Employers must give notice when teachers cease teaching in cases of serious incompetence or misconduct. This includes when an employer at an educational institution has reasonable grounds to suspect that a teacher at the institution may have engaged in serious misconduct or may have taught with serious incompetence; and/or the teacher is dismissed or suspended from teaching at the institution by the employer; or has resigned or ceases teaching at the institution.

Working with Children (Screening) Act 2004

Working with Children (Screening) Regulations 2005

Definitions

Child

Child means a person who is under 18 years of age, and in the absence of positive evidence as to age, means a person who is apparently under 18 years of age. Children and Community Services (CCS) Act 2004.

Complainant

A person who makes a complaint. This could be for example but not limited to a teacher, staff member, student, former student, parent, guardian.

Duty of care

A school authority has a duty to ensure that reasonable care is taken of its students while they are on the school premises, during the hours when the school is opened and during school related offsite activities. Schools and teachers have duty to take or exercise 'reasonable care' to protect all students, including those aged 18 and over, from risks of harm that are 'reasonably foreseeable' whilst they are involved in school activities or are present in the purpose of a school activity. Child protection is a key obligation in regard to a school's duty of care.

Grooming

The use of a variety of manipulative and controlling techniques with a vulnerable subject in order to establish trust or normalise sexual harmful behaviour with the overall aim of facilitating exploitation and/or avoiding exposure. [Guide to the registration standards and other requirements for non-government schools.](#)

Harm

In relation to a child, includes harm to the child's physical, and emotional or psychological development. (CCS Act 2004)

Regular Volunteer

A regular volunteer is one who attends the school or school-related activity at regular periodic intervals during a school year or one who is frequently called upon to assist in diverse capabilities. [Guide to the registration standards and other requirements for non-government schools](#). Page 50

3. MANDATORY REPORTING OF CHILD SEXUAL ABUSE

Introduction

"The belief behind mandatory reporting legislation is that children have the right to be safe. This right can only be ensured if adults take responsibility for children's safety. Mandatory reporting gives a clear message to the community that child abuse is a crime and that it will not be tolerated or accommodated by the professional community." From an exhibit of the Royal Commission into Institutional Responses to Child Sexual Abuse (2017) titled 'Mandatory Reporting'.

The following principles underpin the mandatory reporting of child sexual abuse in WA:

- The best interests of the child must be the paramount consideration.
- Every child has a right to be heard, believed and protected from sexual abuse.
- Keeping children safe from abuse is the responsibility of individuals, families, communities, and the society as a whole. This is best achieved through a collaborative approach.
- If anyone has a concern regarding the safety of a child, it is their responsibility to notify the relevant authorities.
- Child sexual abuse affects everyone. Early detection is critical to reducing child sexual abuse in our community.
- Child sexual abuse is not condoned by any culture or religion. Cultural practices or traditions cannot be used as an excuse for sexual abuse or sexual exploitation.

Mandatory reporting laws require designated groups of people to report child abuse to government authorities and draws on the capacity of professionals who typically deal with children in the course of their work to report serious concerns of child abuse to help agencies with the primary aim to protect children from significant harm.

Mandatory reporting legislation varies across Australian states and territories so it is important that individuals make sure they seek out the correct information for their state or territory.

In Western Australia (WA), the Children and Community Services Act 2004 is the legislation that governs the majority of mandatory reporting in WA. Since 1 January 2009, doctors, nurses, midwives, teachers, and police officers have been mandated to report child sexual abuse. Boarding supervisors were included as mandatory reporters of child sexual abuse on 1 January 2016 with further mandatory reporter groups being added between 1 November 2022 and 1 May 2025.

Mandatory Reporting in Western Australia Legislation

Section 124B of the Children and Community Services Act 2004 requires a specified person in WA to make a mandatory report if the person:

- a) believes on reasonable grounds that a child –

- (i) has been the subject of sexual abuse that occurred on or after the commencement day; or
- (ii) is the subject of ongoing sexual abuse;

and

- b) forms the belief –
 - (i) in the course of the person's work (whether paid or unpaid) as a specified person; and
 - (ii) on or after commencement day,

must report the belief as soon as practicable after forming the belief.

Commencement day means the day on which the person became a mandatory reporter under the law. Commencement day varies for different mandatory reporter groups.

Currently under section 124B of the Children and Community Services Act 2004, the following people are mandatory reporters:

- assessors who visit residential care and secure care services
- boarding supervisors
- departmental officers of the Department of Communities
- doctors
- ministers of religion
- nurses and midwives
- out-of-home care workers
- police officers
- teachers
- school counsellor (1st May 2024)
- psychologist (1st May 2024)
- early childhood worker (1st November 2024)
- youth justice worker (1st May 2025)

The following information is from the [Mandatory Reporting Guide: Western Australia](#)

Under the Children and Community Services Act 2004, a mandatory report must be made as soon as practicable after the reporter forms their belief. This is important as the earlier a report is received, the earlier steps can be taken to protect a child, where this is necessary.

A mandatory report can be made in writing or orally. If an oral report is made, it must be followed by a written report as soon as practicable after making the oral report (ideally within 24 hours).

Reasonable grounds

A mandatory reporter does not have to be able to prove that harm has occurred. Professional judgement and objective observation help to identify warning signs or possible indicators of child sexual abuse and contribute to a reporter forming a belief on reasonable grounds. Knowledge of child development and consultation with colleagues or other professionals can also contribute to reasonable grounds.

Reasonable grounds may include:

- your own observations of a child's behaviour
- your own observations of the behaviour of an adult interacting with the child
- when a child tells you they, or another child, has been harmed
- when you hear about it from someone who is in a position to provide reliable information, perhaps a relative or friend, neighbour or sibling of a child who is at risk.

Mandatory reporters must specify the grounds on which they formed the belief that a child has been, or is being, sexually abused. If you are a mandatory reporter and you have not formed a belief that a child has been or is being sexually abused but are sufficiently concerned, it is recommended that you consult with your internal support areas, such as Child Protection Consultants within your organisation. Alternatively, you can contact Communities' Central Intake Team on 1800 273 889.

Sexual abuse under the Act

The Children and Community Services Act 2004 defines a child as 'under 18 years of age, and in the absence of positive evidence of age, means a person 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.

Under section 124A of the Children and Community Services Act 2004, 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.

These behaviours can include grooming, exposure to pornographic material, sexual penetration, inappropriate touching, exposure to other sexual acts and soliciting children for sexual exploitation. Sexual abuse occurs when a child has been exposed or subjected to sexual behaviours that are exploitative and/or inappropriate to his/her age and developmental level. In most cases, coercion and fear is common in child sexual abuse.

Coercion involves a power imbalance between the alleged abuser and the child which may relate to:

- age and developmental level
- intellectual ability
- knowledge
- experience, and
- gender.

Fear inducing behaviour may include:

- threats of negative consequences or blackmail
- threats of harm to the child, family members or pets if they don't comply
- confusing the child into feeling responsible, and
- blaming the child.

Please be mindful that something can be a criminal offence in WA but not meet the threshold for making a mandatory report. It is not the intention of mandatory reporting legislation to capture instances of informed consensual sexual activity so long as the activity is age and developmentally appropriate. The individual circumstances of each case must be considered and if the reporter forms a reasonable belief that sexual abuse has occurred, or is occurring, a report must be made.

Please consider in your decision-making process information about indicators of sexual abuse and the possibility that children, as part of the disclosure process, tend to minimise their sexual abuse. Sometimes children may indicate the sexual activity occurred with a child of a similar age instead of the adult perpetrator for many reasons and will not disclose the full extent of the sexual abuse until many years later.

Please call the Mandatory Reporting Service on 1800 708 704 if you are unsure.

How do I know if I need to make a mandatory report?

Before making a report, mandatory reporters should consult the [Mandatory Reporting Guide: Western Australia](#) to assess whether they believe that a child has been or is being sexually abused. If you are unsure about what has been disclosed, clarify details in a calm and curious way so that you can make an informed decision. This can seem a daunting task; however, children are generally forthcoming when you are not judgemental and use a curious approach to clarify details. Asking for clarification to determine if you need to make a mandatory report can be done easily, without asking leading questions and without asking unnecessary details about the abuse. Always use the words the child used and don't make assumptions.

Please refer to the information on disclosures within the [Mandatory Reporting Guide: Western Australia](#) and the [Information Sheet 'Responding to Disclosures'](#) for further details.

How do I submit a mandatory report?

If you believe a child is in immediate danger or in a life-threatening situation, call WA Police Force on 000.

Once a mandatory reporter forms a belief, on reasonable grounds, that a child has been or is being sexually abused, they must make a report to Communities [Mandatory Reporting Service](#). The service can be contacted 24 hours a day, 7 days a week by phone on 1800 708 704 to discuss the report or provide advice to the reporter.

The preferred reporting method is online via the [MR Web Portal](#). When making a mandatory report via the MR Web Portal, the user will be guided through the system to assist with providing the required information to the Mandatory Reporting Service.

A blank mandatory reporting form can be requested from the Mandatory Reporting Service to be sent via email if you cannot access the MR Web Portal. Completed forms can be emailed to mrs@communities.wa.gov.au.

An oral report can be made if you believe that the child is at immediate risk, but this must be followed by a written report as soon as practicable (preferably within 24 hours) after the oral report is made in accordance with section 124C (1) Children and Community Services Act 2004. Failure to submit the written report is an offence with a \$3,000 fine. Failure to make a report when a belief has been formed is an offence with a \$6,000 fine.

By contacting the 24/7 **Mandatory Reporting Service on 1800 708 704** you can:

- report immediate concerns for the safety of a child
- discuss with a specialist in child protection any grounds on which you have formed a belief that a child has been or is currently being sexually abused
- seek advice on reporting procedures.

What information do I need to include in a mandatory report?

For the Mandatory Reporting Service to assess the child's safety and determine the most appropriate response, it is important that the mandatory reporter provides as much information as possible.

As a mandatory reporter, you are responsible for providing good quality information in order for Communities and WA Police Force to conduct assessments and investigations in a timely manner.

However, the Mandatory Reporting Service is aware that mandatory reporters may not know all the information they are asked to provide. It is important not to interview the child to obtain information, as this is the task of Communities and the WA Police Force.

The Mandatory Reporting Service may ask a reporter clarifying information and may request the reporter to follow up with the child and/or parent or others involved to ensure all necessary actions have been taken to assist with the assessment. Some of the questions they are asked may not seem relevant to the reporter but may greatly assist in determining the child's safety and circumstances.

If there has been a disclosure of abuse, it is useful to include the context of the disclosure when making the report. For example, if the disclosure occurred within the context of a protective behaviours or abuse prevention program class, this should be noted in the report.

Information that must be included

Under section 124C of the Children and Community Services Act 2004, a mandatory report must contain the following information:

- the reporter's name and contact details
- the name of the child, or, if this cannot be obtained after reasonable inquiries, a description of the child, and

- the grounds on which the reporter believes that the child has been the subject of sexual abuse or is the subject of ongoing sexual abuse.

The following information must also be provided to the extent that it is known:

- the child's date of birth
- where the child lives
- the names of the child's parents or other appropriate persons (e.g., adult relative or person who the child usually lives with), and
- the name of the person alleged responsible, their contact details and their relationship to the child.

Other important information

When a report is made, the following may be useful for Communities and WA Police Force in undertaking an assessment and/or investigation; therefore, please provide as much detail as possible in the following areas:

- the child's current whereabouts
- all telephone numbers linked to the child, caregivers and/or the child's current address
- the child's school, day care centre or kindergarten
- the child's cultural background
- whether the child has a disability or additional needs
- whether the child or family needs an interpreter
- the child's family arrangements, such as siblings and carers
- whether the person alleged to be responsible for the sexual abuse has threatened to further harm the child
- whether the child and the child's family/carers are aware of the report
- the context of the disclosure
- 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.

Processing of the Report

After receiving a mandatory report, the Mandatory Reporting Service sends a copy of the report to the Western Australia Police. The Mandatory Reporting Service then conducts an initial assessment to decide on the next steps in relation to the child, including determining if any immediate action is required to protect the child's safety. You may be contacted by WA Police and/or the Department of Communities (Communities) for further information after submitting a mandatory report.

After a report is lodged, the sender will receive a receipt number. This number is proof that a report has been made, so it is important that the response is retained and securely stored.

Sample Procedures and Notification Steps for reporting child sexual abuse

Child sexual abuse – mandatory reporting:

- In cases where the mandated reporter believes on reasonable grounds that a child has been or is the subject of sexual abuse and they form a belief in the course of their work paid or unpaid on or after their commencement day, they must report the belief as soon as is practicable after forming the belief to Communities through the Mandatory Reporting Service.
- If the mandatory reporter wishes, they may include the principal and other relevant staff in discussions with them in relation to a specific child/ren prior to the mandatory reporter forming a belief based on reasonable grounds. If either of those parties are mandated reporters and then personally form a belief, they are then obliged to make a report to the MRS unless agreed that they do the report together.
- It is the mandatory reporter's responsibility to make the report directly to the Mandatory Reporting Service when they form a belief on reasonable grounds that sexual abuse has occurred or is occurring. The principal and other relevant staff are there to provide support if required but the school policy should state that the teacher may advise the principal of the report, but there should be no obligation on the teacher to do so.
- All staff must understand where all notes and documentation regarding child protection are to be stored, who has access to them, their confidentiality and security.
- Following a disclosure, it is recommended mandatory reporters consult with the principal or senior staff member to seek guidance in relation to who needs to be informed, where to file the documentation of the report and next steps to support the child and/or minimise the likelihood of the abuse continuing.

Decisions will need to be made about communicating with parents. Non-offending parents will likely need to be informed of the disclosure. You should consult with Communities and/or WA Police Force prior to making any notifications to ensure you are not jeopardising any investigation. It must be clearly communicated to children that their parents will need to be informed; however, the timing of informing parents and the decision of who informs the parents needs to be made in consultation with Communities and/or WA Police Force.

- If, following a report, a family approaches the school to receive support for their child or the school in their duty of care of the child wishes to meet with the parents/carers, or has been recommended to do so by Communities, it is recommended that any meeting be conducted with a minimum of two school members present (e.g. The principal and one other) to provide support.
- The school may consider support from the school psychologist, school counsellor etc or outside agencies such as AISWA psychologist or appropriate services the child may already be utilising.

Note: It is important to remember that the focus of any meeting in this instance should be the welfare of the child.

- The principal should arrange ongoing support for the teacher, the student and anyone else affected. The need for ongoing support is often necessary as the teacher will continue

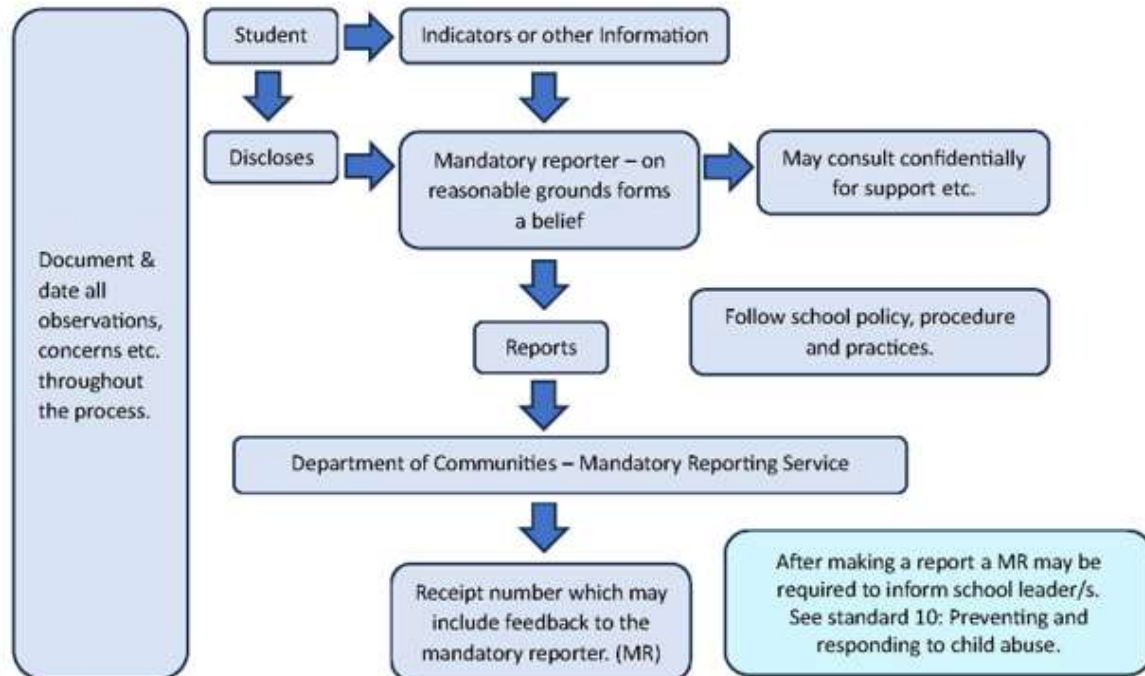
in their role with the student and the Communities' role may continue for an extended period of time.

- Being in a situation that requires you to make a mandatory report can be stressful and upsetting. Remember to look after yourself and be mindful of any impacts reporting may have on your own health, wellbeing and safety.

Very important! To avoid interfering with any investigative process initiated by Communities or the Police, the principal or teacher must seek advice from these agencies prior to informing the parent/carer of a concern of abuse or neglect.

Schools are advised that they may, should they wish to do so, require teachers and other mandatory reporters to inform the governing body chair, principal or a designated senior staff member when they have made a mandatory report and to provide the report number, date and relevant information in confidence for the principal (or designated staff member) to appropriately manage risk at the school. The recipient of that information must not reveal the identity of the mandatory reporter. [Guide to the registration standards and other requirements for Non-Government Schools Standard 10.](#)

Procedure for mandatory reporters to consider when making a mandatory report of child sexual abuse.



Confidentiality and Legal Protection

The identity of the reporter is required to be kept confidential, except in limited and very specific circumstances. Section 124F(2) protects a reporter's identity from being disclosed. This includes information where a reporter's identity could be deduced. (s124A) Disclosure of a reporter's identity carries a maximum fine of \$24,000 and 2 years' imprisonment.

There are exceptions where disclosure of a reporter's identity is permitted. In such cases, consideration will be given to ensuring the reporter's safety has been considered. For more information, please refer to the [Children and Community Services Act 2004](#) Part 4 Division 9A s. 124F

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.

4. RESPONSE TO DISCLOSURES

If a student makes a disclosure of abuse or neglect, staff should be aware of how to appropriately respond ensuring that safety and privacy is upheld. Staff need to understand the immediate needs of the student and know what to do in these circumstances.

The reaction of the person to whom a disclosure is made may affect whether the victim makes further disclosures in the future and may also affect the severity of psychological symptoms experienced by the victim. A negative response to disclosure can affect a victim's willingness to disclose again, exacerbate the impacts of the abuse, and allow it to continue.

If a child indicates a possible disclosure in a public setting or in front of a peer you may need to interrupt them to protect their privacy. Protective interrupting is a strategy to prevent a child disclosing in front of other children or people who should not be privy to their information.

According to the Australian Institute of Family Studies (2015) and Briggs (2012), the following is important when a child is disclosing:

- Give the child your full attention
- Maintain a calm appearance
- Believe the child
- Don't be afraid of saying the 'wrong' thing
- Reassure the child that they have done the right thing in telling you
- Accept the child will disclose only what they are comfortable with and acknowledge their bravery/strength in doing so
- Let the child take their time
- Let the child use his or her own words
- Don't make promises you can't keep
- Tell the child what you plan to do next
- Never criticise the offending parent/s or carers
- Check the child's emotional state and immediate safety
- Do not confront the alleged perpetrator
- Document the disclosure verbatim

This information and further information on the above dot points including what not to do when a child is disclosing can be found at [Mandatory reporting information sheet 5: responding to disclosures](#).

Staff must be aware that a disclosure can arouse within themselves strong feelings of shock, anger and helplessness or evoke past personal experiences. It is important to ask for help and assistance and also try and control these feelings and work through them after the disclosure. Even a hint of disbelief could cause a child to stop disclosing.

5. GROOMING BEHAVIOUR

Grooming refers to 'actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child, to lower the child's inhibitions in preparation for sexual activity with the child' (Royal Commission into Institutional Responses to Child Sexual Abuse, 2017, p. 9).

Grooming:

- Grooming is a gradual and escalating process building trust with a child and those around them, including both children and adults.
- The primary goal of grooming is the sexual gratification of the perpetrator, often involving engaging in sexual activity with the child.
- Grooming is deliberate and purposeful, occurring both before and after the abuse.

- Abusers may groom children and supporting adults over extended periods, spending weeks, months, or even years before any sexual abuse occurs.
- Grooming can take place in person or online.

By virtue of their role, teachers have access to children at school, and sometimes in other locations. Therefore, it is important that teachers maintain professional boundaries and refrain from conduct which may be identified as grooming. It is also important that teachers are able to identify unacceptable conduct in others, identify warning signs and report it to appropriate authorities if they observe it.

For general examples of grooming, please refer to the [Mandatory Reporting Guide: Western Australia](#).

For specific behaviours that may indicate a teacher may be grooming a student, please refer to [Teacher-Student Professional Boundaries - TRBWA](#)

6. ONLINE GROOMING - E-SAFETY

[Online grooming](#) is when an older person tricks someone under 18 into thinking they're in a close relationship so they can sexually abuse them, which includes [child sexual abuse online](#). This is illegal and should be reported to the police and the online platform or service where contact was made.

E-safety commissioner research shows one in four young people have been contacted by someone they don't know online. Usually, this contact is harmless but at times it can be inappropriate, unwanted or unsafe. This can happen even if they initially welcomed the contact.

At worst, the contact can involve grooming a child to sexually abuse them. This abuse can happen in a physical meeting, but it increasingly occurs online when young people are tricked or persuaded into sexual activity on webcams or into sending or posting sexual images.

[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.

The [e-safety Commissioner](#) is an excellent resource for schools in providing online safety resources, factsheets and training for teachers, schools and communities. There is also resources and information on cyberbullying, inappropriate content and responding to online incidents. [Reporting abuse or online harm](#).

[ThinkUKnow](#) is an evidence-based education program led by the Australian Federal Police (AFP), delivered nationally in partnership with police and industry partners to prevent online child sexual exploitation. [Reporting abuse](#).

[Australian Centre to Counter Child Exploitation](#) works with AFP and other authorities around the work to counter online child sexual exploitation. [Reporting abuse](#).

How to Report

If you think a child is in immediate danger, call Triple Zero (000).

Reporting can be done through various agencies which work together. See above links for reporting abuse or online harm.

7. REQUIREMENTS FOR AISWA SCHOOLS RELATING TO CHILD PROTECTION OBLIGATIONS

Training

In line with the [Guide to the registration standards and other requirements for Non-Government Schools](#) (The Guide) Standard 10: Preventing and responding to child abuse, 10.5 states:

All staff, governing body members and regular volunteers participate in learning opportunities at least annually about the law with respect to mandatory reporting of child sexual abuse and the school's policies, procedures and practices that aim to ensure students' safety and wellbeing at school and during school-related activities, including the creation and maintenance of child-safe physical and online environments.

Reportable Incidents

In line with the [Guide to the registration standards and other requirements for Non-Government Schools](#) (The Guide) Standard 7, it is recognised that governing bodies and school leadership have the responsibility for managing all critical and emergency incidents in the best interests of students.

There are six reportable incident categories two of which directly relate to child protection/abuse.

- The receipt of a complaint or allegation of child abuse, including but not limited to sexual abuse, committed against a student by:
 - (a) a staff member or another student; or
 - (b) another person on the school premises or during a school-related activity; whether the abuse is alleged to have occurred recently or in the past.
- Issuing a formal warning, a suspension or ceasing the employment of a staff member for a breach of the school's Code of Conduct involving suspected grooming behaviour.

In the case of a mandatory reporting, the identities of those involved, including the mandatory reporter, **must not be disclosed**. [Reportable incident notification form](#).

Reportable Conduct Scheme

From January 2023, a reportable conduct scheme was established in WA. It requires that certain matters be reported to the Ombudsman WA and investigated by the reporting organisation (e.g. school).

Conduct covered by the scheme is:

- sexual offences;
- sexual misconduct;

- physical assault; and
- other prescribed offences.
- significant neglect of a child; and
- any behaviour that causes significant emotional or psychological harm to a child.

The heads of organisations (including schools) covered by the Scheme will be required to:

- notify the Ombudsman of allegations of, or convictions for, child abuse by their employees;
- investigate the allegation; and
- provide a report to the Ombudsman on the outcome of the investigation.

Organisations will also be required to have systems in place to enable them to better protect against, and respond to, reportable conduct.

It is anticipated that most, if not all, matters which a non-government school would need to report to the Ombudsman would also constitute a reportable incident for the purposes of this standard. Schools are reminded that the submission of a report to the Ombudsman does not meet the concurrent requirement to notify the Director General of a reportable incident, and vice versa.

Further information about the reportable conduct scheme is available from the [Ombudsman WA](#). There is also information available on the [AISWA website](#) (please log in)

Section 42 – Notification to the Board (TRBWA)

Notifications to the Board

Section 42 of the [Teacher Registration Act 2012 \(Act\)](#) requires employers of registered teachers to notify the Board, where the employer has reasonable grounds to suspect that a teacher has engaged in serious misconduct or may have taught with serious incompetence, that results in a teacher:

- being dismissed or suspended from teaching at the educational institution; or
- resigning or ceasing to teach at the educational institution

Notifications must be given within 7 days after the day on which the later of the two circumstances occurs. Failure to comply may incur a penalty of \$5000.

Notifications are to contain the following information:

- the teacher's full name
- the teacher's registration category
- the teacher's registration number
- the reasons for forming a suspicion as well as the reasons for dismissal or suspension

Note that, regulation 26(5) of the [Teacher Registration \(General\) Regulations 2012](#) protects employers from any civil liability as a result of providing this information to the Board.

Storage and retention of child protection related documents

Standard 10.9 of the [Guide to the registration standards and other requirements for Non-Government Schools](#) (The Guide) states:

- a) contain as much detail as possible;
- b) are stored securely; and
- c) are not destroyed without the approval of the Director General or, where their retention becomes impracticable or unduly onerous, are forwarded to the Director General with her permission for retention in accordance with the State Records Act 2000.