Reporting Child Abuse and Neglect

Do Schools need to comply?

Yes.

Conditions of compliance:

Schools have obligations in relation to reporting child abuse.

If you have to comply, what do you have to do?

1. **Child abuse and neglect (mandatory reporting)**
   
   1.1. **Mandatory reporting**
   
   Under the Children’s Protection Act 1993 (SA) a teacher or any person who is an employee of, or volunteer in a non-government agency that provides education, child care or residential services for children and who is engaged in the actual delivery of those services or who holds a management position and whose duties include direct responsibility for or direct supervision of the providers of those services to children and who suspects on reasonable grounds that a child has been or is being abused or neglected, and that decision is formed in the course of that person’s work (whether paid or voluntary) or of carrying out official duties then the person must notify the Child Abuse Report Line as soon as practicable after he or she forms the suspicion.

   In addition under the Teachers Registration and Standards Act 2004 (SA) teachers are required to undertake mandatory notification training before they can be registered or re-registered.

   1.2. **The basis for notification**
   
   1.2.1. **Definition of a child**
   
   A child is defined in the Act as a person under eighteen (18) years of age.

   1.2.2. **Forming a belief**
   
   As has been stated in 1.1 above, all that is required is that a person suspects that a child has been or is likely to be abused or neglected. Proof is not required that abuse has occurred or is likely to occur. A suspicion is sufficient. It is the role of the Child Abuse Report Line to determine whether that belief should be investigated.

   Abuse or neglect is defined in the Act as sexual, physical or emotional abuse of a child, or neglect to the extent that the child has suffered, or is likely to suffer, physical or psychological injury detrimental to the child’s wellbeing; or the child’s physical or psychological development is in jeopardy.

   1.2.3. **Reasonable Grounds**
   
   Reasonable grounds can be thought of as the mechanism used for forming a suspicion. These include situations where:
Reporting Child Abuse and Neglect

- a child tells the teacher they have been abused
- someone else tells the teacher (perhaps a relative, friend, neighbour or sibling of the child) that a child has been abused or is at risk of abuse
- a child tells the teacher that they know someone who has been abused (often a child is referring to him or herself)
- The teacher's own observation of a particular child's behaviour/injuries or their knowledge of children generally leads them to suspect that abuse is occurring.

1.3. Keeping notes

Teachers and principals should keep working notes of any concerns they may have about a child or children. These concerns should be clearly documented, but should be as objective and factual as possible, representing a chronology of events including actions taken and further considerations. A teacher’s working notes can be used to provide information to Child Protection officers or police investigating an allegation and may be used as evidence in subsequent court proceedings.

1.4. Making a mandatory report

Once a teacher or principal has formed a belief or a disclosure has been made, a report must be made to the Child Protection Report Line as soon as practicable.

What are the consequences if you don’t comply?

You may be in breach of the Children’s Protection Act 1993 (SA).

Useful links:

Children’s Protection Act 1993 (SA)

Child Abuse Report Line phone: 13 14 78

Families SA - Protecting Children