

MANDATORY REPORTING LEGISLATION

Definition and Explanation

Mandatory reporting is the term used to describe the legal requirement to report suspected cases of significant child abuse and neglect to government child protection authorities.

All Australian States and Territories have mandatory reporting legislation which vary.

THE LAWS FOR MANDATORY REPORTING IN EACH STATE:

- Define the age of a child.
- Define who is mandated to report (the report is made as a legal requirement rather than voluntarily).
- Identify what level of suspicions or beliefs must be reported.
- Define the types of abuse and neglect that must be reported (e.g. sexual, physical, emotional, exposure to family violence).
- Define the extent of abuse or neglect that requires a report.
- Define whether reports are about current abuse, past abuse and/or abuse that has not occurred yet but is thought likely to occur.
- Give penalties for failure to report.
- Provide a reporter confidentiality regarding their identity.
- Provide a reporter with immunity from liability arising from a report made in good faith.
- State when and how the report must be made.
- State to whom the report must be made.
- State what details a report should contain.
- Allow any other person to report in good faith, even if not legislated to do so, and grant confidentiality and legal immunity to these persons.



TSA Support

For support in relation to child safety concerns, including allegations of abuse, personnel will contact their line manager or a senior member of the Salvation Army personnel, a Safeguarding Consultant or the Safeguarding Operations Team.

Safeguarding Operations Team

☎ 03 8878 4500

📧 professionalstandards@salvationarmy.org.au

State Specific Information

There is a factsheet available for state specific information.

If you are a teacher, doctor, nurse, midwife, psychologist, early childhood educator, lawyer, or other mandated professional, your professional body or registration board will usually provide you with information and training about mandatory reporting.

All adults have a responsibility to report to the appropriate authorities if they believe or suspect a child or young person may be at risk of abuse or neglect.

YOU MUST DOCUMENT

*What happened?
When it happened?
Who was involved?
Who was consulted?
What action was taken?*



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When making a notification you need to be able to provide enough detail to identify the child or young person and give context to your report, including:

- Child's name, age, date of birth, address.
- Details of the school, kindergarten or child care centre that the child attends.
- Name of parents or caregivers and relevant contact numbers.
- Description of injury, abuse and/or neglect (current and previous).
- Child's current situation.
- Location of the child, parent or caregiver and alleged perpetrator.
- When and how did you find out about the abuse.

You may be asked questions about the allegations that may include:

- What has the child disclosed: what did he or she say and what was his or her emotional presentation?
- Who saw or heard what and when?
- Size and/or location of any injuries; bruising (colour / appearance).
- Has the child been seen by a doctor? (name and contact details).
- Has the matter been reported to the police?
- Who else is aware of the concerns?
- Are the caregivers protective?
- Describe any caregiver behaviour that is of concern, including how often and how severe.
- Describe any behaviour by the child that is of concern, including how often it occurs.
- Details of when the next expected contact with the alleged perpetrator will occur.
- Alleged perpetrator's name, age, address, relationships to the child or children, current whereabouts.

- Most states have online tools that you can use to make a report or record the information required to make a report. These are very useful in helping you decide what to do and what information you need.
- You must NOT carry out an investigation.
- Advise, inform or consult with your line manager or state based Safeguarding Consultant to help you gather the information you need to make a report.
- Record when you have made a report: Note down the day, time and how the report was made. If you speak to a person write down their name and position.
- The child and their family may still need support after the report is made. A good way to do this is to refer them to a specialised agency.



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