



Mandatory Reporting of Child Sexual Abuse Training Policy

1. Purpose

The *Mandatory Reporting of Child Sexual Abuse Training Policy* establishes the minimum requirements for Health Service Providers to support staff to meet their legislative reporting requirements as they relate to child sexual abuse.

The *Children and Community Services Act 2004* is the principal legislation governing the care and protection of children in Western Australia and section 124(b) confers a mandatory duty on prescribed health professionals to report concerns of child sexual abuse to Department of Communities.

The onus of meeting these obligations rests with individual employees. However, to meet this obligation, and to manage organisational risk, it is incumbent upon Health Service Providers to ensure that relevant staff complete appropriate education and training to fulfil their legislative requirements.

Further information on appropriately addressing child abuse concerns that staff identify through the provision of health services is located in the *Guidelines for Protecting Children 2020*, which should be read in conjunction with this Policy.

This Policy is a mandatory requirement under the *Clinical Services Planning and Programs Policy Framework* pursuant to section 26(2)(c) of the *Health Services Act 2016*.

This Policy supersedes OD 0606/14 *Guidelines for Protecting Children 2015*.

2. Applicability

This Policy is applicable to all Health Service Providers that provide clinical services and the NurseWest unit of Health Support Services.

To the extent that the requirements contained within this Policy are applicable to the services purchased from contracted health entities, Health Service Providers are responsible for ensuring these requirements are accurately reflected in the relevant contract and managed accordingly.

3. Policy requirements

Health Service Providers must ensure that all professionally registered doctors (including Contracted Medical Practitioners), nurses and midwives employed in the WA health system in their clinical capacity (whether casual, full time, part-time, permanent or

contracted basis, or providing consultancy or sessional services) complete the Mandatory Reporting of Child Sexual Abuse online training module - <http://mandatoryreporting.hdwa.health.wa.gov.au/User/Default.aspx>.

It is the minimum requirement that Health Service Providers ensure that these professionals complete the Mandatory Reporting of Child Sexual Abuse online training module within three months of commencing employment, and then every three years to maintain recency. Health Service Providers may require more frequent completion of this training where it is deemed appropriate.

4. Compliance monitoring

Health Service Providers are responsible for ensuring compliance with this Policy.

Compliance for Mandatory Reporting of Child Sexual Abuse training is measured through the preparation of an annual report for each financial year, to be approved by the Board and made available to the System Manager by email.

The System Manager, through the Clinical Excellence Division, will carry out compliance audits to ascertain the level of Health Service Provider compliance with this Policy and will provide updates to the Director General and other relevant persons regarding the findings of compliance monitoring activities.

5. Related documents

The following documents are mandatory pursuant to this Policy:

- Mandatory Reporting of Child Sexual Abuse online training module - <http://mandatoryreporting.hdwa.health.wa.gov.au/User/Default.aspx>.

6. Supporting information

The following information is not mandatory but informs and/or supports the implementation of this Policy:

- [Guidelines for Protecting Children 2020](#)
- [State-wide Protection of Children Coordination Unit \(SPOCC\) Training Calendar](#)
- Child and Adolescent Health Service (CAHS) Take 5 learning modules:
 - [What is Child Abuse](#)
 - [Recognising Child Abuse](#)
 - [Responding to Concerns of Child Abuse](#)
 - [Recording Concerns of Child Abuse](#)
 - [Reporting Concerns of Child Abuse](#)
- [State-wide Protection of Children Coordination Unit \(SPOCC\) Training website](#)

7. Definitions

The following definition(s) are relevant to this Policy.

Term	Definition
Child	Pursuant to s. 3 of the <i>Children and Community Services Act 2004</i> , 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.
Doctor	A person registered under the <i>Health Practitioner Regulation National Law (Western Australia)</i> in the medical profession.
Midwife	A person registered under the <i>Health Practitioner Regulation National Law (Western Australia)</i> in the midwifery profession.
Nurse	A person registered under the <i>Health Practitioner Regulation National Law (Western Australia)</i> in the nursing profession.
Sexual Abuse	Pursuant to s. 124A of the <i>Children and Community Services Act 2004</i> , 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.
Mandatory reporter	Pursuant to s. 124B of the <i>Children and Community Services Act 2004</i> , a mandatory reporter is a person who has a statutory duty to report sexual abuse of children. The Act identifies those persons as: A doctor, nurse, midwife, police officer, teacher or boarding supervisor; who (a) believes on reasonable grounds that a child — (i) has been the subject of sexual abuse that occurred on or after 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 doctor, nurse, midwife, police officer, teacher or boarding supervisor; and (ii) must report the belief as soon as practicable after forming the belief.

Contracted Medical Practitioners	A medical practitioner engaged under a Medical Services Agreement to provide medical services to public patients admitted to a public hospital.
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8. Policy contact

Enquiries relating to this Policy may be directed to:

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9. Document control

Version	Published date	Effective from	Review date	Effective to*	Amendment (s)
MP 0166/21	22 July 2021	22 July 2021	22 July 2022	Current	Original version

10. Approval

Approval by	Nicole O'Keefe, Assistant Director General, Strategy and Governance, Department of Health
Approval date	21 July 2021

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