

APPENDIX B. PROTECTION AND SUPPORT FOR EMPLOYEES WHO REPORT CHILD ABUSE

All staff and third-party providers, engaged through a formal service agreement with the Department of Education, are protected from civil, criminal and disciplinary liability by providing information to the Department of Communities, WA Police or the Department's Standards and Integrity Directorate (SID) for the purpose of investigating child abuse.

If acting in good faith, staff are deemed not to have breached a duty of confidentiality, professional ethics or standards; or to have engaged in unprofessional conduct by providing information under s129 of the *Children and Community Services Act 2004*.

Under s129 of the *Children and Community Services Act 2004*, if reports are made in good faith and with the best interests of the child in mind, the Act protects the reporter from:

- civil or criminal liability in respect of the disclosure;
- a breach of any duty of confidentiality or secrecy imposed by law; and
- a breach of professional ethics or any principles of conduct applicable to the person's employment, or
- a breach of professional conduct.

When there is concern for the safety of the reporter, it is important that the school has a risk management plan in place. The principal advises the Department of Communities and/or the WA Police and contacts the Regional Education Office for further advice. Third party providers should consult with their employer.

Staff are entitled to seek counselling through the Employee Assistance Program (staff only).

An employee or third-party provider, engaged through a formal service agreement with the Department of Education, who attempts to threaten, intimidate, coerce or take reprisal against an employee who has disclosed or intends to disclose unethical or unlawful behaviour may face disciplinary action (refer to the *Staff Conduct and Discipline* policy).