



# MANDATORY REPORTING POLICY & PROCEDURES

## 1. POLICY OBJECTIVE

St Kevin's College is a Catholic school for boys in the Edmund Rice tradition, established in 1918. St Kevin's College is committed to providing a caring, supportive and safe environment where every student has a place, a voice and their story is known. Edmund Rice Education Australia is committed to providing safe and supportive environments where all children and young people entrusted to our care are affirmed in their dignity and worth as a person.

### 1.1 Statement of Commitment to Child Safety

St Kevin's College is committed to providing a safe and child-friendly environment, where children and young people are safe and feel safe, and can actively participate in decisions that affect their lives. At St Kevin's College, we have zero tolerance for child abuse and are committed to acting in our students best interests and keeping them safe from harm. The College regards its child protection responsibilities with the utmost importance and as such, is committed to providing the necessary resources to ensure compliance with all relevant child protection laws and regulations and maintain a child-safe culture.

### 1.2 Purpose of this policy and procedure

- To identify the indicators of a child or young person who may be in need of protection.
- To ensure that everyone within the College community is alert to signs and evidence of abuse and neglect, understand that it is not acceptable and be aware of their reporting responsibilities.
- To ensure that action is taken to protect students from risks and immediate action is taken to ensure the safety of students.
- To ensure that all mandatory reporters are trained with respect to what must be reported and relevant procedures, with refresher training to be completed annually.
- To ensure all reports on reasonable grounds are reported to the relevant authorities.
- To ensure that ongoing support and assistance is provided to students who have been abused and their confidentiality respected with case details and the identity of the student only discussed with those managing the situation.

- To ensure that staff are provided with clear expectation for appropriate behavior.
- To ensure that the College is compliant with all laws, regulations and standards relevant to child safety and protection in Victoria, most importantly adhering to Ministerial Order 870.

### 1.3 Scope

This policy applies to all St Kevin's College staff, volunteers, contractors and school council advisory members.

This policy applies to all College activities during and outside of school hours. This includes College activities that are occurring on school campus, offsite, online, extracurricular, sport activities and programs, excursions, camps, interstate and overseas travel.

They are bound by this policy and required to report concerns about, or incidents of child abuse or neglect.

Fulfilling the roles and responsibilities contained in this policy and procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.

## 2. CHILD ABUSE

Child abuse can take many forms. The perpetrator may be a parent, carer, College staff member, volunteer, another adult or even another child. The nature of child abuse is complex. The abuse may occur over time and potential risk indicators are often difficult to detect. Child abuse is defined in the Child Wellbeing and Safety Act 2005 (Vic.) to include:

- sexual offences
- grooming
- physical violence
- serious emotional or psychological harm
- serious neglect

Grooming is defined as behaviours that manipulate and control a child with the intent of gaining access to the child, obtaining the child's compliance, maintain the child's silence and avoiding discovery of the sexual abuse. Grooming by an adult for sexual conduct with a child under the age of 16 is crime under section 49M of the Crimes Act 1958 (Vic).

Family violence is defined under the Family Violence Protection Act 2008 (Vic.) to include behaviour that causes a child to hear, witness, or be exposed to the effects of family violence such as abusive, threatening, controlling or coercive behaviour. While family violence does not form part of the official definition of 'child abuse' in the Child Wellbeing and Safety Act, the impact of family violence on a child can be a form of child abuse; for example, where it causes serious emotional or psychological harm to a child.

Child abuse can have a significant effect on a child's physical or emotional health, development and wellbeing. The younger a child is, the more vulnerable he/she is to abuse and the more serious the consequences are likely to be. There can be physical or behavioural indicators of child abuse and neglect, or a combination of both. While the presence of a single indicator, or even several indicators, does not necessarily prove that abuse or neglect has occurred, the repeated occurrence of either a physical or behavioural indicator, or the occurrence of several indicators together, should alert College staff to the possibility of child abuse or neglect.

Child sexual abuse is more commonly perpetrated by someone who is known to and trusted by the child, and is often someone highly trusted within their families, communities, schools and/or other institutions.

### 3. INDICATORS OF HARM

There are numerous indications of possible child abuse and harm. They include:

#### 3.1 Physical abuse

Physical indicators could include bruises, burns, fractures (broken bones), cuts and grazes to the face, and multiple injuries including internal injuries. Behavioural indicators could include disclosure of an injury inflicted by someone else, wearing unusual clothes to hide injuries, wariness or fear of a parent, reluctance to go home, habitual absences from school without explanation, regressive behaviour, and alcohol or drug misuse.

#### 3.2 Sexual abuse

Physical indicators could include injury to the genital area, discomfort in toileting, the presence of sexually transmitted diseases, pregnancy, bruising to breasts, buttocks and thighs, and anxiety related illnesses (anorexia/bulimia). Behavioural indicators could include disclosure of sexual abuse, age-inappropriate sexual activity or behaviour, drawings that are sexually explicit, writing stories that are sexually explicit, regressive behaviour, truancy, depression, delinquent or aggressive behaviour, and sudden decline in academic performance.

#### 3.3 Emotional abuse

Physical indicators could include speech disorders, delays in physical development and failure to thrive. Behavioural indicators could include being overly

compliant, passive and undemanding behaviour, attention-seeking behaviour, poor self-image, age inappropriate behaviour, fear of failure, setting overly high standards, excessive neatness, and depression.

#### 3.4 Serious neglect and medical neglect

Physical indicators could include consistently being unwashed, inappropriate dressing for weather conditions, consistent hunger and tiredness, and unattended health problems. Behavioural indicators could include begging or stealing food, gorging food, alienation from peers, withdrawal, aggressive behaviour, appearing miserable and irritable, and poor attendance at school.

## 4. WHAT CONCERNS SHOULD BE REPORTED?

Concerns about the safety and wellbeing of children can range from an uncomfortable feeling through to a direct observation of abuse. Staff, volunteers, students and families are encouraged to speak to someone if they have concerns and to be proactive.

Examples of child safety concerns include:

- inappropriate or special relationships developing between staff or volunteers and students
- inadequate staff-student supervision ratios
- breaches of the Code of Conduct, particularly if they are persistent
- feelings of discomfort about interactions between a staff member or volunteer and a student
- suspicions or beliefs that students are at risk of harm
- observations of concerning changes in behaviour
- observations or concerns on grooming behaviours
- concerns about a physical environment that may pose a risk to a student (this includes health and hygiene issues)
- student's disclosures of abuse or harm, which must be reported to the police, DHHS, the Commission and, where appropriate, any other regulator.

## 5. DUTY OF CARE

All College staff and volunteers must understand their role to keep children safe. Staff and volunteers have an obligation to avoid acts or omissions (failures) that could be reasonably foreseen to injure or harm students.

Suspected child abuse must be reported to relevant authorities, the Principal and the Director of Child Safeguarding.

## 6. LEGISLATIVE AND REGULATORY REQUIREMENTS

## 6.1 Criminal Offences

The Crimes Act 1958 (Vic) includes the following as criminal offenses reportable to the Police:

- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report this information to the police.
- **Failure to protect:** People in authority at the College will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- **Mandatory Reporting:** All staff who are mandatory reporters (teachers, the principal, nurses and school counsellors) must comply with their duties, as outlined in this policy and procedures.
- **Offence of Grooming:** It is an offence in the State of Victoria to groom a child under the age of 16 for sexual conduct. The offence applies where an adult communicates, by words or conduct, with a child (under 16 years) or with a person who has care, supervision or authority for the child, with the intention of facilitating the child's involvement in sexual activity at a later time. Grooming does not necessarily involve any sexual activity or even discussion of sexual activity.

## 7. RELEVANT AUTHORITIES

### 7.1 Department of Health and Human Services (DHHS) Child Protection

The DFFH has a responsibility to provide child protection services for all children and young people under the age of 17 years, or where a protection order is in place, for children under the age of 18.

The main functions of DFFH Child Protection are to:

- receive reports from people who believe that a child is in need of protection or have significant concerns about the wellbeing of a child
- provide consultation and advice to people making reports
- investigate matters where it is believed that a child is at risk of significant harm
- refer children and families to services that assist in providing for the ongoing safety and wellbeing of children.

### 7.2 Child FIRST

Child and Family Information, Referral and Support Teams (Child FIRST) were introduced to give families an opportunity to obtain family services earlier at their own request or following a referral from others, including school staff.

Child FIRST ensures that vulnerable children, young people and their families are linked effectively to relevant services.

Child FIRST is staffed by family services practitioners who are experienced in assessing the needs of vulnerable children and their families. Child FIRST teams work closely with community-based DFFH Child Protection workers.

The role of Child FIRST includes:

- providing a point of entry to a local network of family services
- receiving reports about vulnerable children where there are significant concerns about their wellbeing
- undertaking an initial identification and assessment of the risks to the child and the child's needs in consultation with DFFH Child Protection and other services
- identifying appropriate service responses for families.

### 7.3 Victoria Police

Both DFFH and Victoria Police have statutory responsibilities under the CYFA in relation to the protection of children. DFFH Child Protection is the lead agency responsible for the care and protection of children, while Victoria Police is responsible for criminal investigations into alleged child abuse.

Protocols between DFFH Child Protection and Victoria Police require that all reports received by DFFH Child Protection relating to physical abuse, sexual abuse or serious neglect must be reported to Victoria Police, as these reports may also constitute reports of criminal offences.

All allegations of sexual offences or child abuse should be reported to DFFH Child Protection or Victoria Police for investigation. Under no circumstances should school staff investigate an allegation themselves. School staff should only enquire sufficiently to form a reasonable belief that a child may be in need of protection.

### 7.4 Commission for Children and Young People (CCYP)

CCYP is an independent statutory body that promotes improvement in policies and practices affecting the safety and wellbeing of Victorian children and young people.

CCYP is responsible for administering the Reportable Conduct Scheme, which includes:

- supporting and guiding organisations that receive allegations in order to promote fair, effective, timely and appropriate responses
- independently overseeing, monitoring and, where appropriate, making recommendations to improve the responses of those organisations.

### 7.5 Victorian Institute of Teaching (VIT)

The Victorian Institute of Teaching (VIT) is an independent statutory authority for the teaching profession, whose primary function is to regulate members of the teaching profession.

The College must immediately notify the VIT if it becomes aware that a teacher:

Has been charged with, or convicted or found guilty of, certain criminal offences that accord with those relevant to Working with Children Checks (WWCC) or

Has been given a negative notice in relation to the WWCC.

## MANDATORY REPORTING

The Children, Youth and Families Act 2005 (Vic) (CYFA) (section 184) requires Mandatory Reporters to make a report to Department of Health and Human Services (DHHS) Child Protection when they believe that a child (aged under 17) is in need of protection from significant harm from physical injury or sexual abuse.

### 7.6 Who are Mandatory Reporters?

Mandatory reporters are defined by the CYFA and include:

- Teachers
- The Principal
- Nurses
- School Counsellors
- Persons in religious ministry; and
- Medical practitioners

All College staff who have concerns that a student may be in need of protection or may have been the victim of a sexual offence, should notify a College Child Safety Officer or Director of Child Safeguarding as soon as possible to discuss their concerns.

A Mandatory Reporter must make a report even if the Child Safety Officer does not share their belief that a report must be made.

### 7.7 What constitutes a Mandatory Report?

A mandatory report must be made when you form a belief on reasonable grounds that a child is in need of protection where the child has suffered, or is likely to suffer, significant harm as a result of:

- physical injury; or
- sexual abuse; and
- the child's parents have not protected, or are unlikely to protect, the child from harm of that type.

### 7.8 What is Reasonable Grounds?

The concept of 'reasonable grounds' requires you to consider whether another person, when faced with similar information, would also draw the same conclusion. It does not mean reporters are required to be certain, but rather reporters should ensure their concerns are well founded and based on information from a reliable source.

The following may be reasonable grounds for forming such a belief if:

- A student states they have been physically or sexually abused
- A student states that they know someone who has been physically or sexually abused
- someone who knows the student states that the student has been physically or sexually abused
- A student shows signs of being physically or sexually abused
- The staff member is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on a student's safety, stability or development
- The staff member observes signs of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision; or
- A student's actions or behaviour may place them at risk of significant harm and the child's parents are unwilling or unable to protect the student.

### 7.9 Making a Mandatory Report

All College staff and volunteers must adhere to:

- Four Critical Actions for Schools Responding to incidents, disclosures a suspicions of child abuse;
- Schools Catholic Education Melbourne (CEM) Policy 2.19 Child Protection Reporting obligations; and
- School Guidelines CEM 2.19a Policy and DFFH interview protocols.

## 8. REPORTABLE CONDUCT SCHEME

The Victorian Reportable Conduct Scheme seeks to improve organisations' responses to allegations of child abuse and neglect by their workers and volunteers. The scheme is established by the Child Wellbeing and Safety Act 2005 (the Act).

The Executive Director of EREA is the Head of Entity for the College under the Scheme. The Head of Entity is responsible for fulfilling all legal obligations under the Scheme and is ultimately responsible for EREA Victorian schools' compliance with the Scheme. The Executive Director of EREA authorises the College Principal to assist them in meeting their obligations under the Scheme.

The Principal is authorised to:

- notify and update the Commission of reportable allegations concerning the school's 'employees' as
- defined under the Scheme, which includes staff members, volunteers, contractors, office holders and ministers of religion;

- ensure investigations are undertaken into all reportable allegations made against ‘employees’; and
- comply with all obligations of the head of organisation under the Scheme.

The Reportable Conduct Scheme imposes obligations on the College’s Principal and Director of Child Safeguarding. This includes requirements to:

- have in place systems to prevent child abuse and, if child abuse is alleged, to ensure allegations can be brought to the attention of appropriate persons for investigation and response
- ensure that the Commission is notified and given updates on the organisation’s response to an allegation.

The College Principal and Director of Child Safeguarding need to adhere the following requirements:

- Notify the Commission within 3 business days of becoming aware of a reportable allegation.
- Investigate an allegation – subject to police clearance on criminal matters or matters involving family violence. You must advise the Commission who is undertaking the investigation. You must manage the risks to children.
- Within 30 calendar days must provide the Commission detailed information about the reportable allegation and any action you have taken.
- Notify the Commission of the investigation findings and any disciplinary action the head of entity has taken (or the reasons no action was taken).

## 9. ALTERNATIVE PATHWAYS

Where allegations involve the Principal, Deputy Principal or Business Manager the concerns must be immediately escalated to the EREA Executive Director as the head of entity.

## 10. ROLES AND RESPONSIBILITIES

Child protection is everyone’s responsibility. At St Kevin’s College, the College Board, staff and volunteers, have a shared responsibility for contributing to the safety and protection of children.

Specific roles and responsibilities relating to protection and reporting include:

### 10.1 Edmund Rice Education Australia Board (EREA)

The EREA Board is St Kevin’s College governing authority. The EREA Board is responsible for endorsing this policy, ensuring this policy is reviewed and updated as needed and reviewing the College’s compliance with this policy and child safety obligations..

### 10.2 Melbourne Archdiocese Catholic Schools (MACS)

Mandatory Reporting must be provided to MACS where the source of abuse comes from within the College or within the child’s family or community by contacting the Catholic Education Melbourne’s student wellbeing information line (03 9267 0228).

### School Advisory Council

The School Advisory Council is responsible for confirming this policy is consistent with EREA guidelines.

### 10.3 The Principal

The Principal is responsible for the College’s compliance with this policy.

### 10.4 Director of Child Safeguarding

The Director of Child Safeguarding is responsible for:

- being a first point of contact for all child protection concerns or queries for the wider community
- ensuring that other Child Safety Officers understand and comply with their key responsibilities
- ensuring that all Child Safety Officers undergo appropriate annual training in the College’s child protection policies and procedures, their legal responsibilities, and how to appropriately respond to child protection concerns and incidents
- coordinating the College’s response to child protection incidents in consultation with the Principal and the EREA Regional Director
- developing an alternative procedure for responding to an allegation or disclosure of child abuse if a Child Safety Officer is not able to perform the role, for example if they are absent from the College or have a conflict of interest
- ensuring that the College’s child protection policies and procedures are effectively implemented and communicated to all relevant stakeholders.

### 10.5 Child Safety Officers

The College has appointed 10 Child Safety Officers across all of our campuses. They are provided annually with specialised training on child protection issues, mandatory reporting and their legal obligations. In working with all college staff and volunteers, they are known within our College as Child Safety Champions to raise the importance, profile and facilitate the embedding of a culture of child safety. Our Child Safety Officers are often the first point of contact for all staff, students, parents and carers to raise child safety or child abuse concerns. They work collaboratively with the Director of Child Safeguarding to ensure all concerns of child safety and child abuse are escalated, reported and responded.

Our Child Safety Officers can be contacted at any time to discuss your concerns and their name and contact details are provided regularly in our communications.

### WATERFORD CHILD SAFETY OFFICERS

Sarah Glenister, Secondary Teacher	glenisters@stkevins.vic.edu.au
Paul Roberts, Assistant Dean of Faith and Mission	robertsp@stkevins.vic.edu.au
Lucy Fairhall, Secondary Teacher	fairhall@stkevins.vic.edu.au

### GLENDALOUGH CHILD SAFETY OFFICERS

Michael Lake, Primary Teacher	lamem@stkevins.vic.edu.au
Bernadine Brennan, School Nurse	brennanb@stkevins.vic.edu.au
Sophie Nicoll, Learning Support Officer	nicolls@stkevins.vic.edu.au

### HEYINGTON CHILD SAFETY OFFICERS

Stephen Foster, Dean of Middle School	fosters@stkevins.vic.edu.au
Kacey Pelle, Secondary Teacher	pellek@stkevins.vic.edu.au
Bob Windle, Head of Purton	windler@stkevins.vic.edu.au
Alain Van Gurp, Dean of Wellbeing	vangurpa@stkevins.vic.edu.au

## 10.6 Staff, School Advisory Council members, External Education Providers, Contractors and Volunteers

Staff includes teaching, non-teaching, casual and emergency relief teaches, sporting coaches, tutors and instrumental music teachers. All staff, school advisory council members, external education providers, contractors and volunteers are required to be familiar with the content of this Child Protection Mandatory Reporting Policy & Procedures and their legal obligations with respect to the reporting of child abuse. It is each individual's responsibility to be aware of key risk indicators of child abuse, to be observant, and to raise any concerns they may have relating to child abuse with one of the Child Safety Officers.

## 11. SUPPORTING OUR COLLEGE COMMUNITY

Key principles that we must apply in the design of policy, procedure, interventions, support and reporting in our child protection program are to ensure we:

- promote the cultural safety of Aboriginal children and young people
- promote the cultural safety of children from culturally and linguistically diverse backgrounds
- promote the safety of children with any form of disability

## 12. STUDENT AWARENESS

The College is committed to the protection of all children from all forms of child abuse. It is important all our students are educated on how to raise any concerns and we raise their awareness of child safety concerns and concerning behaviours to report. We have designed and are implementing a comprehensive child safety program curriculum with age appropriate education and awareness programs. This curriculum further supported by our actions and processes empower our students to have a voice and to take action for their own care.

## 13. POLICY BREACH

A breach of this policy or procedure may lead to disciplinary action.

All breaches, near misses and risks related to this policy should be reported to incidents@stkevins.vic.edu.au

Compliance with this policy will be monitored by the Principal and Director of Governance and this may include independent audits and reviews.

## 14. FURTHER INFORMATION

Staff, students, parents and carers, external education providers, contractors, volunteers or other community members who have concerns that a child may be subject to abuse are asked to contact the College Director of Child Safeguarding, Liz Weir, by calling (03) 9822 0911 or by emailing weire@stkevins.vic.edu.au.

## 15. SUPPORT FOR AFFECTED STUDENTS

Ensuring a student feels safe and supported following an incident is of critical importance to our College. The College will work closely with the student, parents, carers, and our wellbeing team to provide all additional support services that are available. Each matter will be a case-by-case basis and an individual may be supported with:

- Referral to our College counselling team.
- Referral to external specialist agencies.
- Family counselling.
- Academic support

## 16. REVIEW OF THIS POLICY AND PROCEDURES

This policy is to be reviewed, approved and endorsed at a minimum annually or when there is a change in circumstances.

Last Review Dec 2020

Review is to be undertaken prior to Dec 2021

## RELEVANT POLICY AND REFERENCES

This policy provides the overarching foundation for our Child Protection Program.

Key relevant policies to support our program include:

- St Kevin’s College Child Safety Code of Conduct

This policy should be read in conjunction with:

- Key definitions and legislation landscape for our Child Protection Program

### 16.1 EREA policy linkage

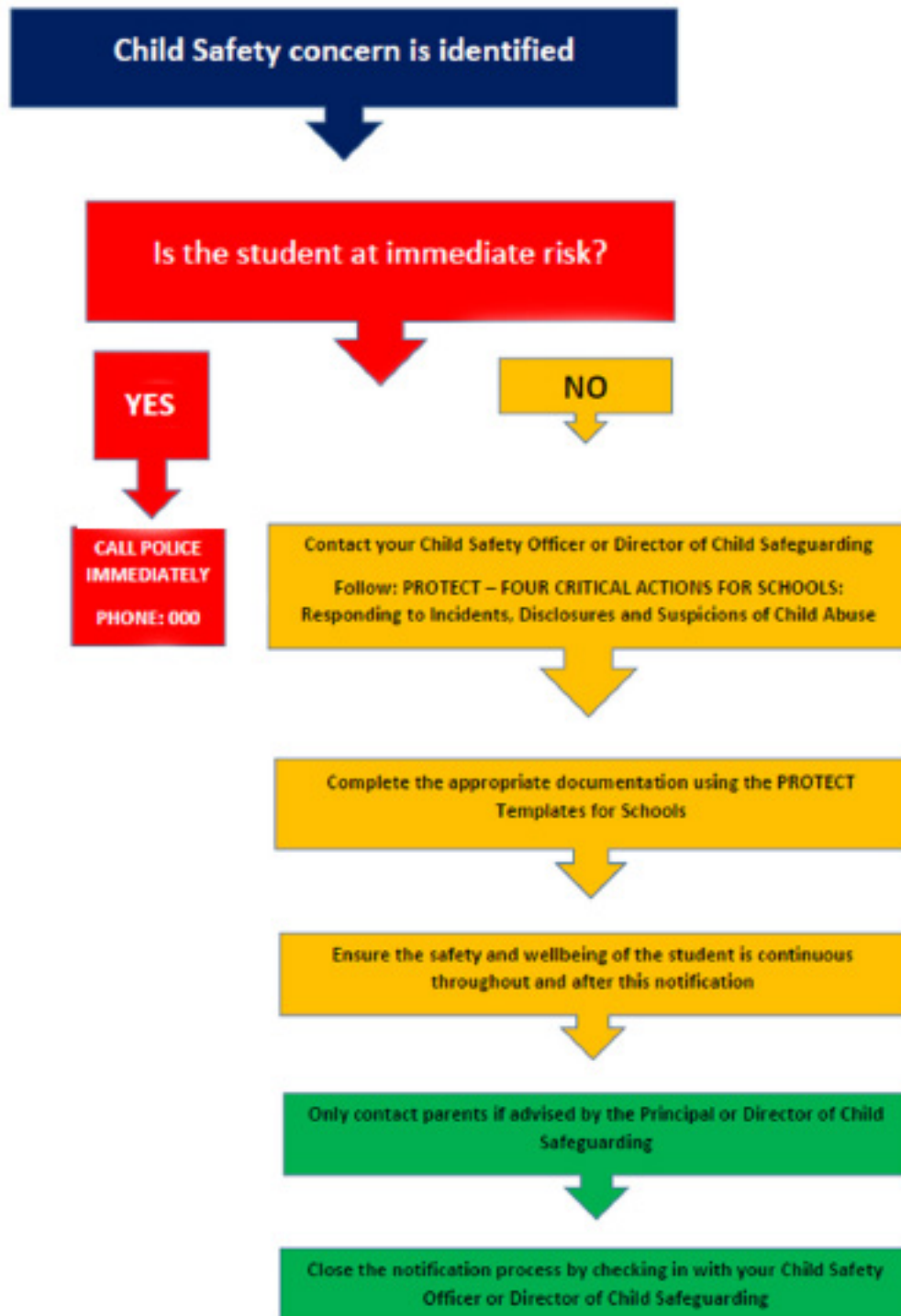
This policy should be read in conjunction with the following related documents:

- EREA Commitment Statement to Child Safety
- EREA Code of Conduct
- EREA Child Safety Code of Conduct

### 16.2 Related legislative instruments

The following legislation, standards and regulations apply and this policy aligns with these mandated requirements:

- Ministerial Order 870;
- Education and Training Reform Act 2006 (Vic);
- Child Wellbeing and Safety Act 2005 (Vic);



## THE FOLLOWING PROCEDURES ARE PROVIDED TO SUPPORT THE IMPLEMENTATION OF THIS POLICY

### 17. HOW TO MAKE A REPORT?

All staff must adhere to and follow:

- FOUR CRITICAL ACTIONS FOR SCHOOLS: Responding to Incidents, Disclosures and Suspicions of Child Abuse (Appendix 1) Responding to Suspected Child Abuse template (Appendix 2)
- PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools CEM Policy 2.19
- Child Protection Reporting Obligations School Guidelines 2.19a

Whenever there are concerns that a child is in immediate danger, the Police should be called on 000.

St Kevin's College has appointed Child Safety Officers as a point of immediate contact for all staff in the College. Each Child Safety Officer is available to answer any questions with respect to our Child Protection and Child Safety Policy.

Child Safety Officers are selected based on a number of considerations, namely:

- their personal attitudes, experiences and beliefs, for example, a person who is non-judgmental, calm, resilient and demonstrates a high degree of integrity and respect for confidentiality
- their role within the College, experience working with complex student and family issues at the College and someone who is readily accessible and available to all members of the College community

Child Safety Officers or the Director of Child Safeguarding can be the first point of contact for reporting child protection issues within the College.

If you have any concern that a child may be experiencing any form of abuse, whether or not you have formed a belief on reasonable grounds that the abuse has occurred, you should immediately raise your concerns with the Principal or Director of Child Safeguarding, or one of the Child Safety Officers. If the concern relates to the Principal or Director of Child Safeguarding, report to the EREA Regional Director via the EREA National Office at (03) 9426 3200.

Please be aware that consulting with a Child Safety Officer does not change any obligation you have under legislation to report to an external authority.

The College has a duty of care to support any community member who is involved in any child protection matter. This includes extra considerations

required for vulnerable or at risk students and staff. Support may consist of counselling, extra training, documents translated, documents and training made age appropriate or in the case of reporting allowing a support person to attend any interviews. No community member will be disadvantaged in being able to report a child protection matter.

### 18. COMMUNITY AWARENESS

To ensure that the College Community is aware of our position on child protection and reporting:

- This Child Protection: Mandatory Reporting Policy and Procedures for responding to and reporting allegations of suspected child abuse is published via:
  - College website
  - College Student and Parent Portal
  - College Policy portal (CompliSpace) and;
  - Available by request.
- Training will also be provided to staff on the commencement of their employment then annually or when there is a change in policy or procedures.
- All staff mandatory training Department of Education and Training –Protecting Children Mandatory Reporting and Other Obligations online module.
- Students Curriculum delivers age appropriate training to students on the PROTECT processes.
- Child Safety Officers are available to respond to questions or concerns.

### 19. DOCUMENTATION

Staff, volunteers, and community members must keep clear and comprehensive notes and use the PROTECT templates to report all information relating to incidents, disclosures and allegations of child abuse. This information may be sought at a later date if the matter is the subject of court proceedings. Your notes may also assist you later if you're required to provide evidence to support your decisions regarding the handling of child protection incidents.

When an incident of suspected child abuse occurs, consider all of the following:

- environment: do not clean up the area and preserve the sites where the alleged incident occurred
- clothing: take steps to ensure that the person who has allegedly committed the abuse and the child who has allegedly been abused remain in their clothing. If this is not possible, ensure the clothes are not washed, handled as little as possible and stored in a sealed bag.



- other physical items: ensure that items such as weapons, bedding and condoms are untouched
- potential witnesses: reasonable precautions must be taken to prevent discussion of the incident between those involved in the alleged incident

## 20. PRIVACY AND CONFIDENTIALITY

Anyone who has access to information regarding a case of suspected child abuse must keep such information confidential and secure and must only disclose or discuss this information with those involved in managing the situation.

Reports or referrals made to DFFH Child Protection or Child FIRST are confidential and the reporter's identity is generally protected by law. Exceptions include if:

- the reporter chooses to inform the child or family of the report
- the reporter consents in writing to their identity being disclosed
- a court or tribunal decides it is necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child
- a court or tribunal decides the reporter is required to attend court to provide evidence.

The identity of the person who makes a report to the Police, including reports under section 327 of the Crimes Act 1958 (Vic) (Obligation to Report a Sexual Offence), will remain confidential unless:

- the person themselves discloses their identity or they consent in writing to their identity being disclosed
- a court or tribunal decides that it is necessary in the interests of justice for the person's identity to be disclosed.

A person who makes a Mandatory Report in accordance with the Children, Youth and Families Act 2005 (Vic), or a report under the Child Wellbeing and Safety Act 2005 (Vic) (Reportable Conduct Scheme) will not be held liable for the eventual outcome of any investigation.

If a report is made in good faith, it does not constitute a breach of professional ethics on the part of the reporter and the reporter cannot be held legally liable in respect of the report.

Personal information is information, or an opinion, about an identified individual, or an individual who is reasonably identifiable:

- whether the information, or opinion, is true or not
- whether the information, or opinion, is recorded in a material form or not.

The Privacy Act 1988 (Cth) only applies to personal

information that is captured in a record.

The College securely stores documentation associated with an allegation of abuse or neglect of a student or young person by having:

- hard-copy documentation stored in a locked filing cabinet (or similar); and
- electronic documentation stored in a password-protected folder (or similar).

Effective child protection record keeping is one of the College's key strategies in the management of its child protection obligations, including the fulfilment of our duty of care.

It is through such record keeping that the College can ensure that, should there ever be a need for evidence of our child safe culture or precautions and preventative measures taken in response to the risk of child abuse, our experience is well documented and available.

**FOUR CRITICAL ACTIONS FOR SCHOOLS**

**Responding to Incidents, Disclosures and Suspicious of Child Abuse**

**1 RESPONDING TO AN EMERGENCY**

If there is no risk of immediate harm go to **Action 2**.

If a child is at immediate risk of harm you **must** ensure their safety by:

- separating alleged victims and others involved
- administering first aid
- calling **000 for urgent medical and/or police assistance** to respond to immediate health or safety concerns
- identifying a contact person at the school for future liaison with Police.

Where necessary you may also need to maintain the integrity of the potential crime scene and preserve evidence.

**2 REPORTING TO AUTHORITIES / REFERRING TO SERVICES**

As soon as immediate health and safety concerns are addressed you **must** report all incidents, suspicions and disclosures of child abuse as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.

Q: Where does the source of suspected abuse come from?

**WITHIN THE SCHOOL**

**VICTORIA POLICE**  
You **must** report all instances of suspected child abuse involving a school staff member, contractor, volunteer or visitor to Victoria Police.

You **must also** report **internally** to:

**GOVERNMENT SCHOOLS**

- School principal and/or leadership team
- Employee Conduct Branch
- DET Incident Support and Operations Centre.

**CATHOLIC SCHOOLS**

- School principal and/or leadership team
- Diocesan education office.

**INDEPENDENT SCHOOLS**

- School principal and/or school chairperson
- Commission for Children and Young People on **1300 782 978**.

All allegations of reportable conduct **must** be reported as soon as possible to:

- **GOVERNMENT SCHOOLS**  
Employee Conduct Branch
- **CATHOLIC SCHOOLS**  
Diocesan education office
- **INDEPENDENT SCHOOLS**  
Commission for Children and Young People on **1300 782 978**.

**WITHIN THE FAMILY OR COMMUNITY**

**DHHS CHILD PROTECTION**  
You **must** report to DHHS Child Protection if a child is considered to be:

- in need of protection from child abuse
- at risk of being harmed (or has been harmed) and the harm has had, or is likely to have, a serious impact on the child's safety, stability or development.

**VICTORIA POLICE**  
You **must also** report all instances of suspected sexual abuse (including grooming) to Victoria Police.

You **must also** report **internally** to:

**GOVERNMENT SCHOOLS**

- School principal and/or leadership team
- DET Incident Support and Operations Centre.

**CATHOLIC SCHOOLS**

- School principal and/or leadership team
- Diocesan education office.

**INDEPENDENT SCHOOLS**

- School principal and/or chairperson.

**3 CONTACTING PARENTS/CARERS**

For suspected student sexual assault, please follow the **Four Critical Actions: Student Sexual Offending**.

**OTHER CONCERNS**

If you believe that a child is not subject to abuse, but you still hold **significant concerns** for their wellbeing, you **must** still act. This may include making a referral or seeking advice from:

- Child FIRST/The Orange Door (in circumstances where the family are open to receiving support)
- DHHS Child Protection
- Victoria Police.

**4 PROVIDING ONGOING SUPPORT**

Your principal **must** consult with DHHS Child Protection or Victoria Police to determine what information can be shared with parents/carers. They may advise:

- **not to contact** the parents/carer (eg. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and does not wish for their parent/carer to be contacted)
- **to contact** the parents/carers and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion)
- **how to communicate** with all relevant parties with consideration for their safety.

**CONTACT**

**DHHS CHILD PROTECTION AREA**

North Division **1300 664 977**  
South Division **1300 655 795**  
East Division **1300 360 391**  
West Division (Rural) **1800 075 599**  
West Division (Metro) **1300 664 977**

**AFTER HOURS**  
After hours, weekends, public holidays **13 12 78**.

**CHILD FIRST**  
<https://services.dhhs.vic.gov.au/referral-and-support-teams>

**ORANGE DOOR**  
<https://www.vic.gov.au/familyviolence/the-orange-door.html>

**VICTORIA POLICE**  
**000** or your local police station

**DET INCIDENT SUPPORT AND OPERATIONS CENTRE**  
**1800 126 126**

**INCIDENT MANAGEMENT AND SUPPORT UNIT**  
**1800 126 126**

**EMPLOYEE CONDUCT BRANCH**  
**(03) 9637 2595**

**DIOCESAN OFFICE**  
Melbourne **(03) 9267 0228**  
Ballarat **(03) 5337 7135**  
Sale **(03) 5622 6600**  
Sandhurst **(03) 5443 2377**

**INDEPENDENT SCHOOLS VICTORIA**  
**(03) 9625 7200**

**THE LOOKOUT**  
The LOOKOUT has a service directory, information, and evidence based guidance to help you respond to family violence: <http://www.lookout.org.au>.

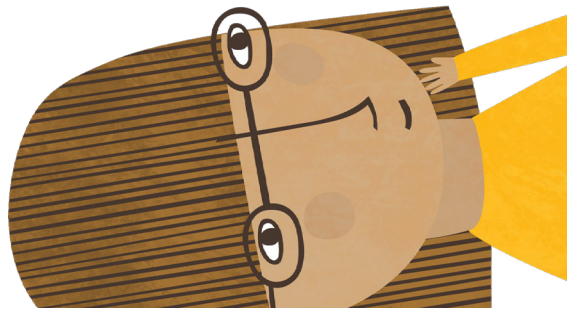
Family violence victims/survivors can be referred to **1800 Respect** for counselling, information and a referral service: **1800 737 732**.

**YOU MUST TAKE ACTION**

As a school staff member, you play a **critical role** in protecting children in your care.

- You **must** act, by following the Four Critical Actions, as soon as you witness an incident, receive a disclosure or form a reasonable belief\* that a child has, or is at risk of being abused.
- It is strongly recommended that you use the **Responding to Suspected Child Abuse template** to keep clear and comprehensive notes, even if you make a decision not to report.

\* A reasonable belief is a deliberately low threshold. This enables authorities to investigate and take action.



# PROTECT

## Recording your actions: Responding to suspected child abuse

### A TEMPLATE FOR VICTORIAN SCHOOLS

#### When to use this template

School staff should use this template to document any incident, disclosure or suspicion that a child has been, or is at risk of being abused, including exposure to family violence. This template should be used in conjunction with the following: **Four Critical Actions For Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse.**

Completing this template should not impact on reporting times. If a child is in immediate danger, school staff should report immediately to Victoria Police.

Whilst you may need to gather the information to make a report, remember it is not the role of school staff to investigate abuse, leave this to Victoria Police and/or DHHS Child Protection.

This template should also be used if you make a decision not to report, to record your rationale for this decision and any other related follow up actions you take to support the child.

#### Why record this information?

When completing this template your aim should be to provide as much information as possible. This information will be critical to any reports and may be sought at a later date if the matter is the subject of court proceedings. These notes may also later assist you if you are required to provide evidence to support any decisions.

It is a requirement under *Ministerial Order No. 870- Child Safe Standards- Managing the risk of child abuse in schools* for schools to keep clear and comprehensive notes on all observations, disclosures and other details that led them to suspect the abuse.

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## RESPONDING TO AN INCIDENT, DISCLOSURE OR SUSPICION OF CHILD ABUSE

*IF YOU ARE MAKING A REPORT TO DHHS CHILD PROTECTION OR VICTORIA POLICE YOU MUST SEEK ADVICE BEFORE CONTACTING PARENTS/CARERS SO AS NOT TO COMPROMISE ANY INVESTIGATION OR PLACE A CHILD AT FURTHER RISK – THIS IS PARTICULARLY CRITICAL IN INSTANCES OF FAMILY VIOLENCE.*

### STAFF MEMBER LEADING THE RESPONSE

NAME:	<input type="text"/>
OCCUPATION:	<input type="text"/>
LOCATION (SCHOOL ADDRESS):	<input type="text"/>
RELATIONSHIP TO CHILD:	<input type="text"/>

### CRITICAL ACTION 1: IMMEDIATE RESPONSE TO AN INCIDENT

**If anyone is in immediate danger school staff should report immediately to Victoria Police on 000.**

See Action 1 of [Four Critical Actions For Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#)

### RESPONDING TO AN EMERGENCY

DID THE CHILD REQUIRE FIRST AID? PROVIDE DETAILS IF 'YES'.	<input type="text"/>
WHO ADMINISTERED THIS? (NAME AND TITLE)	<input type="text"/>
DID THE CHILD REQUIRE FURTHER IMMEDIATE MEDICAL ASSISTANCE?	<input type="text"/>
CURRENT LOCATION AND SAFETY STATUS: <i>E.G. ARE ALL IMPACTED STUDENTS SAFE AND NOT IN ANY IMMEDIATE DANGER? IF A CHILD IS IN IMMEDIATE DANGER SCHOOL STAFF SHOULD REPORT IMMEDIATELY TO VICTORIA POLICE ON 000.</i>	<input type="text"/>

## CHILD'S INFORMATION

PERSONAL DETAILS	
NAME: <input type="text"/>	GENDER: <input type="text"/>
YEAR LEVEL/CLASS: <input type="text"/>	DATE OF BIRTH: <input type="text"/>
RESIDENTIAL ADDRESS: <input type="text"/>	
PARENT/CARER NAME/S: <input type="text"/>	
PARENT/CARER CONTACT: <input type="text"/>	
LANGUAGE(S) SPOKEN BY CHILD: <input type="text"/>	
DISABILITIES, MENTAL OR PHYSICAL HEALTH ISSUES: <input type="text"/>	

## CHILD'S BACKGROUND

### CULTURAL STATUS AND RELIGIOUS BACKGROUND

*IF THE CHILD IS OF ABORIGINAL OR TORRES STRAIT ISLANDER BACKGROUND, GOVERNMENT SCHOOLS MUST CONTACT THEIR KOORIE ENGAGEMENT SUPPORT OFFICER, AND CATHOLIC SCHOOLS MUST CONTACT THE DIOCESAN EDUCATION OFFICE TO ARRANGE CULTURALLY APPROPRIATE SUPPORT. IF THE CHILD IS AN INTERNATIONAL STUDENT YOU MUST NOTIFY THE INTERNATIONAL EDUCATION DIVISION ON (03) 9637 2990.*

ANY KNOWN PREVIOUS HISTORY OF SUSPECTED ABUSE (INCLUDING EXPOSURE TO FAMILY VIOLENCE) PRIOR TO THIS INCIDENT, DISCLOSURE OR SUSPICION, OR INVOLVEMENT WITH AGENCIES:

## FAMILY BACKGROUND

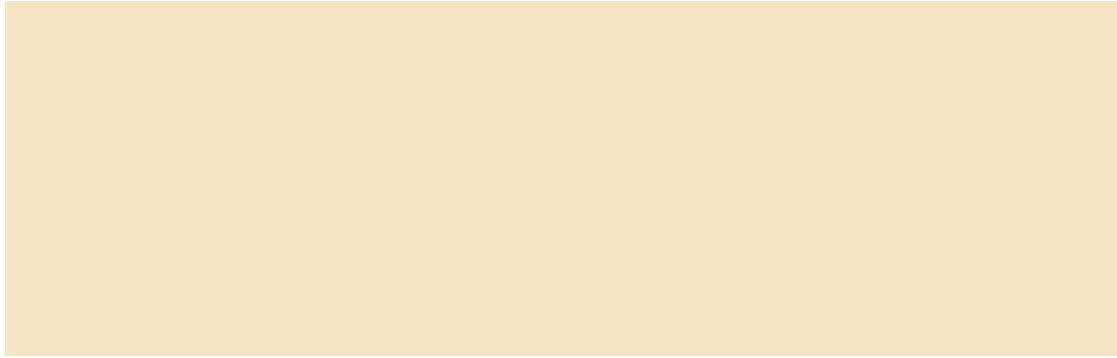
### FAMILY COMPOSITION (IF KNOWN):

*LIST PARENTING OR CARE ARRANGEMENTS AND SIBLING NAMES AND AGES*

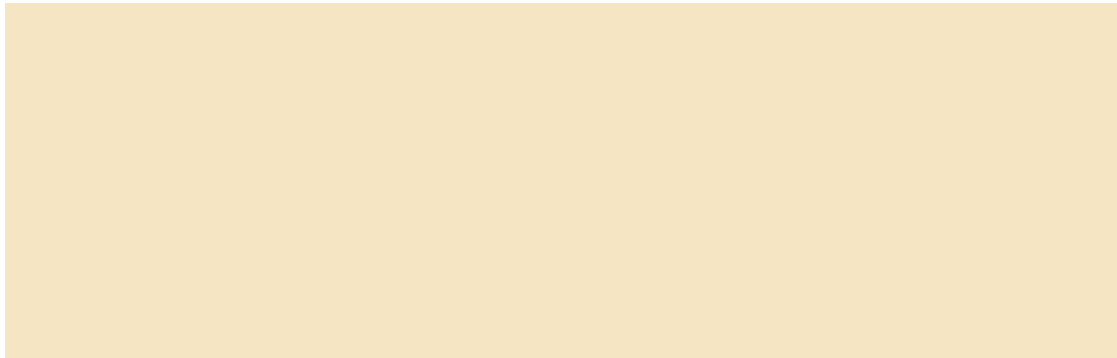
ANY OTHER PEOPLE LIVING WITH THE CHILD (IF KNOWN):

## FAMILY BACKGROUND

DISABILITY, MENTAL OR PHYSICAL HEALTH ISSUES IN FAMILY (IF KNOWN):



LIKELY REACTION TO A REPORT BEING MADE (IF KNOWN):

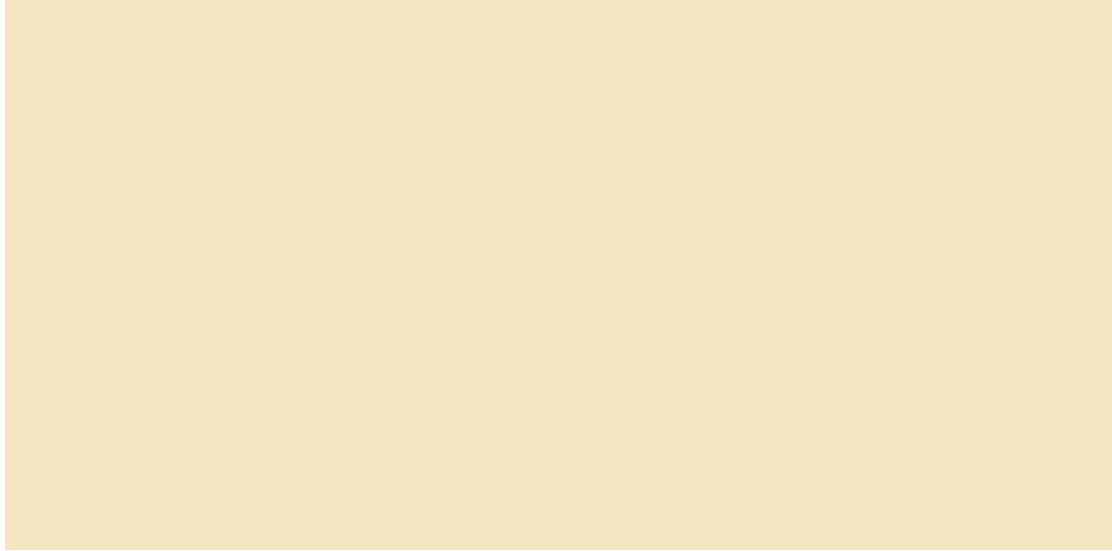


## DETAILS OF THE INCIDENT, DISCLOSURE OR SUSPICION

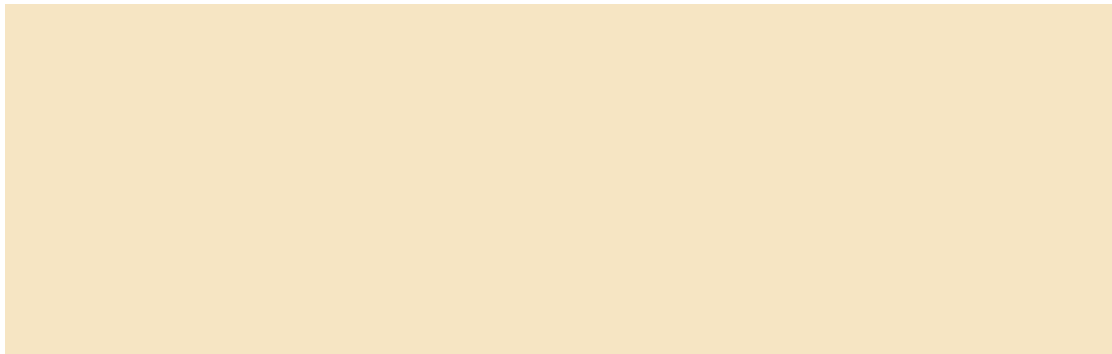
### GROUNDS FOR YOUR BELIEF THAT A CHILD HAS BEEN ABUSED, OR IS AT RISK OF ABUSE

INDICATORS OR INSTANCES WHICH LED YOU TO BELIEVE A CHILD/CHILDREN ARE SUBJECT TO CHILD ABUSE, OR AT RISK OF ABUSE INCLUDING EXPOSURE TO FAMILY VIOLENCE:

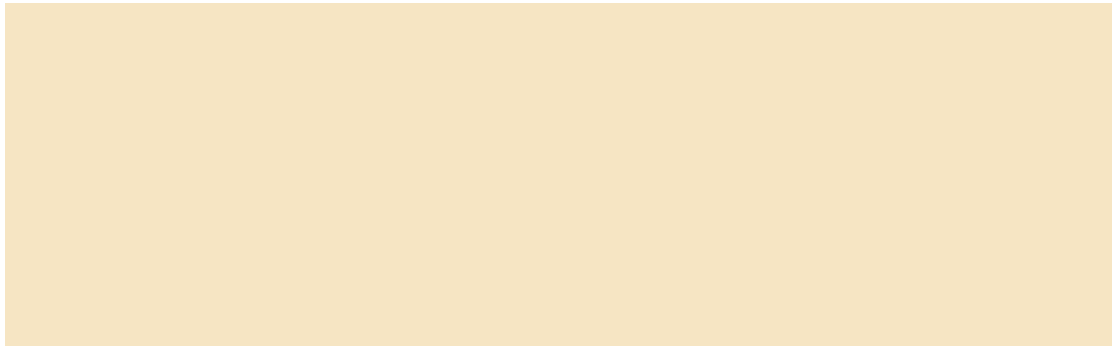
*DETAIL ANY DISCLOSURES OR INCIDENTS OR SUSPICIONS (INCLUDING NAMES, TIMES AND DATES DOCUMENTING A CHILD'S EXACT WORDS AS FAR AS POSSIBLE). INCLUDE SPECIFIC DETAIL HERE ON WHAT LED YOU TO FORM A REASONABLE BELIEF THAT A CHILD HAS BEEN, OR IS AT RISK OF BEING ABUSED*



ANY PHYSICAL INDICATORS OF ABUSE:



ANY BEHAVIOURAL INDICATORS OF ABUSE:





ANY PATTERNS OF BEHAVIOUR OR PRIOR CONCERNS LEADING UP TO AN INCIDENT,  
DISCLOSURE OR SUSPICION:

### DETAILS OF PERSONS ALLEGED TO HAVE COMMITTED THE ABUSE (IF KNOWN)

NAME:

GENDER:  DATE OF BIRTH:

RELATIONSHIP TO CHILD:

*NOTING IF THEY ARE WITHIN THE SCHOOL OR WITHIN THE FAMILY AND COMMUNITY (THIS WILL IMPACT WHO YOU REPORT TO)*

ADDRESS:

CONTACT DETAILS:

## CRITICAL ACTION 2: REPORTING

See Action 2 of **Four Critical Actions For Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse**

### REPORTING TO AUTHORITIES

TICK THE AUTHORITIES YOU HAVE REPORTED TO:

- VICTORIA POLICE
- DHHS CHILD PROTECTION
- CHILD FIRST
- DECISION NOT TO REPORT

IF YOU'VE DECIDED NOT TO REPORT, LIST YOUR REASONS HERE. ALSO INCLUDE ANY FOLLOW-UP ACTIONS UNDERTAKEN BY YOU BELOW:

**PROVIDE DETAILS OF YOUR DISCUSSIONS WITH ANY OF THE ABOVE AUTHORITIES:**

DATE:

TIME:

AUTHORITY:

OUTCOMES FROM THE REPORT:

## REPORTING INTERNALLY

*PROVIDE DETAILS OF YOUR DISCUSSION WITH SCHOOL LEADERSHIP:*

TIME:

DATE:

NAMES:

DISCUSSION OUTCOMES:

***PROVIDE DETAILS OF YOUR INTERNAL DISCUSSIONS TO EITHER OF THE FOLLOWING:***

***GOVERNMENT SCHOOL STAFF MUST REPORT TO SECURITY SERVICES UNIT AND ALSO TO THE EMPLOYEE CONDUCT BRANCH IF THE INCIDENT, DISCLOSURE OR SUSPICION INVOLVES A STAFF MEMBER, CONTRACTOR OR VOLUNTEER***

***CATHOLIC SCHOOL STAFF MUST REPORT TO THEIR CATHOLIC DIOCESAN EDUCATION OFFICE***

TIME:

DATE:

NAMES:

DISCUSSION OUTCOMES:

## CRITICAL ACTION 3: CONTACTING PARENTS/CARERS

See Action 3 of **Four Critical Actions For Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse**

### ACTIONS TAKEN

#### **PROVIDE DETAILS OF YOUR DISCUSSION WITH PARENTS/CARERS (IF APPROPRIATE):**

*SCHOOL STAFF MUST CONSULT WITH VICTORIA POLICE AND/OR DHHS CHILD PROTECTION TO DETERMINE IF IT IS APPROPRIATE TO CONTACT PARENTS, IF IT IS, PARENTS MUST BE CONTACTED AS SOON AS POSSIBLE (PREFERABLY ON THE SAME DAY OF THE INCIDENT, DISCLOSURE OR SUSPICION). THIS IS PARTICULARLY CRITICAL IN INSTANCES OF SUSPECTED FAMILY VIOLENCE.*

HAVE YOU SOUGHT ADVICE FROM DHHS CHILD PROTECTION OR VICTORIA POLICE?

- NO  
 YES

IS IT APPROPRIATE TO CONTACT PARENT/CARER?

- NO  
 YES

LIST REASONS IF IT IS NOT APPROPRIATE TO CONTACT PARENT/CARER:

#### **IF CONTACTING PARENT/CARER, PROVIDE THE FOLLOWING DETAILS:**

NAME OF STAFF MEMBER MAKING THE CALL:

NAME OF PARENT/CARER RECEIVING THE CALL:

DISCUSSION OUTCOMES:

## CRITICAL ACTION 4: PROVIDING ONGOING SUPPORT

See Action 4 of **Four Critical Actions For Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse**

### PLANNED ACTIONS

*INCLUDE DETAIL OF WHAT FOLLOW-UP ACTIONS HAVE OCCURRED TO SUPPORT THE STUDENT (FOR EXAMPLE REFERRAL TO WELLBEING PROFESSIONALS AND OTHER SPECIALISED SERVICES, THE CONVENING OF A STUDENT SUPPORT GROUP AND DEVELOPMENT OF SUPPORT PLANS):*

FOLLOW-UP ACTIONS:

SUPPORT:

REFERRAL(S):

## PROCESS OF REVIEW

COMPLETE THIS SECTION BETWEEN 4- 6 WEEKS AFTER AN INCIDENT, SUSPICION OR DISCLOSURE OF ABUSE IN CONJUNCTION WITH YOUR SCHOOL LEADERSHIP TEAM.

THIS WILL SUPPORT YOU AND YOUR SCHOOL TO CONTINUE TO PROTECT CHILDREN IN YOUR CARE AND TO REFLECT ON YOUR PROCESSES AND THE NEED FOR ANY FOLLOW-UP ACTIONS.

## SAFETY AND WELLBEING

### CURRENT SAFETY AND WELLBEING OF THE CHILD

IS THE CHILD SAFE FROM ABUSE AND HARM, INCLUDING EXPOSURE TO FAMILY VIOLENCE?

- NO  
 YES

IF NOT CONSIDER THE NEED TO MAKE A FURTHER REPORT.

DOES THE CHILD HAVE ANY WELLBEING ISSUES THAT ARE NOT CURRENTLY BEING ADDRESSED?

- NO  
 YES

IF SO, CONSIDER HOW THESE CAN BE ADDRESSED AND CAPTURED WITHIN A STUDENT SUPPORT PLAN.

### CURRENT WELLBEING OF OTHER CHILDREN WHO MAY BE IMPACTED BY THE ABUSE

ARE THERE ANY OTHER CHILDREN WHO MAY BE IMPACTED BY THE ABUSE?

- NO  
 YES

IF SO HAVE THEIR WELLBEING NEEDS BEEN MET?

- NO  
 YES

### CURRENT WELLBEING OF IMPACTED STAFF MEMBERS

DOES THE STAFF MEMBER WHO MADE THE REPORT/WITNESSED AN INCIDENT, FORMED A SUSPICION OR RECEIVED A DISCLOSURE REQUIRE ANY SUPPORT?

- NO  
 YES

IF SO HAS THIS BEEN RECEIVED?

- NO  
 YES

## REVIEW OF ACTIONS TAKEN

### HAVE SCHOOL STAFF FOLLOWED THE FOUR CRITICAL ACTIONS FOR SCHOOLS: RESPONDING TO INCIDENTS, DISCLOSURES OR SUSPICIONS OF CHILD ABUSE?

WAS AN APPROPRIATE DECISION MADE  
IN RELATION TO WHEN TO ACT?

- NO
- YES

COULD THE SUSPECTED ABUSE HAVE BEEN  
DETECTED EARLIER?

- NO
- YES

#### ACTION 1

DID THE SCHOOL TAKE APPROPRIATE ACTION  
IN AN EMERGENCY?

- NO
- YES

#### ACTION 2

WAS A REPORT MADE TO THE APPROPRIATE  
AUTHORITIES AND INTERNALLY?

- NO
- YES

WERE SUBSEQUENT REPORTS MADE IF  
NECESSARY?

- NO
- YES

#### ACTION 3

DID THE SCHOOL CONTACT THE  
PARENTS/CARERS ASAP?

- NO
- YES

HAVE THE PARENTS CONTINUED TO BE  
ENGAGED IF APPROPRIATE?

- NO
- YES

#### ACTION 4

HAS THE SCHOOL PROVIDED ADEQUATE  
SUPPORT FOR THE STUDENT?

- NO
- YES

HAS A STUDENT SUPPORT PLAN BEEN  
ESTABLISHED, IMPLEMENTED & REVIEWED?

- NO
- YES

HAS A STUDENT SUPPORT GROUP  
BEEN ESTABLISHED?

- NO
- YES

WAS THE STUDENT APPROPRIATELY  
SUPPORTED IN ANY INTERVIEWS?

- NO
- YES

HAVE ANY COMPLAINTS BEEN RECEIVED?

- NO
- YES

HAVE THE COMPLAINTS BEEN RESOLVED?

- NO
- YES

## OTHER LEARNINGS

