



Child Protection Reporting

Acknowledgment: *This Policy has been adapted from documentation provided by the Department of Education.*

PURPOSE OF THIS POLICY

To protect children and young people from abuse and neglect by ensuring all school staff:

1. Understand their legal reporting responsibilities and duty of care obligations to protect children and young people from child abuse including physical and sexual abuse
2. Know when to make a report to the Victorian Police or the Department of Health and Human Services (DHHS) Child Protection when they have formed a belief on reasonable grounds that a child or young person is at risk of significant harm
3. Know how to document their actions via the Child Protection Reporting Template
4. Are able to identify and be aware of the indicators of abuse.

LEGAL OBLIGATIONS AND DUTY OF CARE

All school staff members have a moral and legal obligation and a Duty of Care to protect any child under their care from foreseeable harm (not just staff who are classified as mandatory reporters)

As a school staff member, you must respond to any reasonable suspicion that a child has been, or is at risk of being abused by following the [The Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse](#)

Recent changes to Victorian legislation create additional legal obligations in relation to reporting suspected **sexual** child abuse. Failing to meet these obligations can constitute a criminal offence, including a:

- [Failure to Disclose Information](#)
- [Failure to Protect Information](#) (where it is known that a person associated with their organisation poses a substantial risk of sexually abusing children)

Your duty of care also extends to students who are:

- aged 17 years and over
In circumstances where you suspect that a student over the age of 17 is subject to abuse, you should still follow the Four Critical Actions. Although DHHS Child Protection work with children under 17, they can still be contacted with concerns relating to students 17 years and over for referral and advice.
- involved in student sexual offending
You have a duty of care towards all students involved in student sexual offending, including the alleged victim, assailant and any other students in the school who may have witnessed and/or been affected by the abusive behaviour. Please see the chaplain immediately about the wellbeing of students in these circumstances

School staff should discuss any concerns about the safety and wellbeing of students with the school principal, chaplain or member of the School Management Team (SMT), especially if they have a suspicion of possible abuse but have not formed a belief at that time. If the principal or member of the school leadership team does not believe that a report is warranted, this does not discharge the individual of their obligation to do so if they themselves have formed a reasonable belief that a child has been or is at risk of being abused. Even after consultation with a member of the school leadership, that person is still legally obliged to make a report of their concerns.

If you believe that a child is not subject to child abuse, but you still hold “significant concerns” for their wellbeing, you may still need to contact DHSS Child Protection and/or Victoria Police and/or make a referral to Child FIRST (See p41 of the [Child Protection Schools Guide](#) for more detail)

You must follow [The Four Critical Actions for Schools](#) every time you become aware of further instances or risk of abuse. This includes reporting of new information to authorities.

If you form a belief that is not associated with the same child on the same information, regardless of whether you are aware of a previous report, you should make a further report. Your obligation to report is separate from the obligations or actions of other people.

CONCURRENT LEGAL RESPONSIBILITIES

All VIT registered teachers, staff who have been given Permission to Teach status and registered Doctors and Nurses are also Mandatory Reporters. While failure to disclose only covers child sexual abuse, all adults should report other forms of child abuse to authorities. Failure to disclose does not change mandatory reporting responsibilities. Mandatory Reporters must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse. Please see [Mandatory Reporting Policy \(Teachers and Nurses\)](#).

TYPES OF CHILD ABUSE

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 they are and the more serious the consequences are likely to be.

As a school staff member:

- it is critical to be able to recognise the physical or behavioural signs of child abuse (in many circumstances they may be the only indication that a child is subject to abuse)
- you may be the best-placed or only adult in a position to identify and respond to suspected abuse.

If indicators lead you to form a **reasonable belief** that a child is being abused, you must follow [The Four Critical Actions for Schools](#). These actions will support you to immediately report your suspicion to DHHS Child Protection, and/or to Victoria Police.

Types of child abuse include:

- Physical Abuse
- Sexual Abuse
- Grooming
- Emotional or Psychological Harm
- Neglect
- Family Violence

Note: For full definitions for all of the types of child abuse listed see: [Identifying Signs of Child Abuse](#) (pages 9-20)

YOU MUST ACT (Use [The Four Critical Actions for Schools](#))

- As a school staff member, you **must act** as soon as you witness an incident or form a reasonable belief that a child has been, or is at risk of being abused.
- You **must act** if you form a suspicion/ reasonable belief, even if you are unsure and have not directly observed child abuse (e.g. if the victim or another person tells you about the abuse).
- You should make sufficient enquiries to form a reasonable belief and to determine a child's immediate needs. However, once a reasonable belief has been formed, **it is not your role to investigate**. This is the role of DHHS Child Protection or Victoria Police.
- Child abuse includes any instance of physical or sexual abuse (including grooming), emotional or psychological harm, serious neglect and family violence involving a child.
- If you hold significant concerns for a child's wellbeing which do not appear to be a result of child abuse you must still act (see [Child Protection Schools Guide](#) (page 41)).

FORMING A BELIEF

All suspicions that a child has been, or may be in danger of being abused must be taken seriously. This includes abuse that is suspected to have occurred outside of school grounds and hours.

A reasonable belief is a deliberately low threshold:

- so that people are encouraged to report suspected abuse to the relevant authorities and agencies, enabling authorities to investigate the allegations and take further action to prevent or stop any further abuse
- which does not require proof, but does require something more than a mere rumour or speculation
- is met if a reasonable person in the same position would have formed the belief on the same grounds.

Forming a belief on reasonable grounds may include:

- a child stating that they have been abused
- any person telling you they believe someone has been abused (sometimes the child may be talking about themselves)
- physical indicators of abuse such as non-accidental or unexplained injuries; persistent neglect, or inadequate care and supervision lead you to believe that the child has been abused (see [Identifying Signs of Child Abuse](#) (pages 9-20))
- behavioural indicators of abuse lead you to believe that the child has been abused (see [Identifying Signs of Child Abuse](#) (pages 9-20))
- other signs such as family violence, parental substance misuse, psychiatric illness or intellectual disability that is impacting on the child's safety, stability or development.

RESPONDING TO AN EMERGENCY

If a child has just been abused, or is at immediate risk of harm you must take reasonable steps to protect them. These include:

- separating the alleged victim and others involves,
- ensuring both parties are supervised by a school staff member
- arranging and providing urgent medical assistance where necessary by:
 - administering first aid assistance
 - calling **000** for an ambulance and following any instructions from emergency service officers/paramedics.
- Calling **000** for urgent police assistance if the person who is alleged to have engaged in the abuse poses an immediate risk to the health and safety of any person (you should also identify a contact person at the school for future liaison with police).

Take reasonable steps to preserve the environment, the clothing, other items, and potential witnesses until the police or other relevant authorities arrive on the premises.

DISCLOSURE OF ABUSE

If a child discloses that they have been, are being, or are in danger of being abused, you must treat the disclosure seriously and take immediate action.

If another child or adult, discloses that they believe another child has been, is being, or is at risk of being abused, you must also treat these disclosures seriously and take immediate action. For further guidance on managing the disclosure see [Strategies for Managing Child Abuse Disclosure](#)

If you receive a disclosure from a former student of your school about historical abuse you must act. If the former student is currently of school age and attending a Victorian school you must follow [The Four Critical Actions for Schools](#)

If the former student is no longer of school age or attending a Victorian school you must also still act. Please visit: <http://www.education.vic.gov.au/about/contact/Pages/reportingabuse.aspx>. You should also contact your Head of School/Bursar.

REPORTING TO AUTHORITIES

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.

Source within the school

If the source of suspected abuse comes from **within the school** (this includes any forms of suspected child abuse involving a school staff member, contractor or volunteer) you must:

- contact **Victoria Police** (via your local police station) ALSO report internally to:
- **Head of School/Bursar** (if suspected abuse involves one of these members then report to the next authority or if it involves the Principal then report to the Chaplain)

Source within the family or community

If the source of suspected abuse comes from within the family or community you must:

- report to DHHS Child Protection (**1300 360 391**) if a child is considered to be:
 - in need of protection due to 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.
- **ALSO** report suspected **sexual** abuse (including grooming) to **Victoria Police**
- **ALSO** report internally to the **Head of School/Bursar** (if suspected abuse involves one of these members then report to the next authority or if it involves the Principal then report to the Chaplain)

You should consider reporting to Child FIRST if you have other reasonable concerns for the wellbeing of a child, such as concerns due to conflict within a family, parenting difficulties, isolation of a family or a lack of apparent support.

Your Head of School/Bursar will discuss with you regarding future liaison with Victoria Police and/or DHHS Child Protection and will seek advice about contacting parents/carers.

DOCUMENTING YOUR ACTIONS

As a school staff member, you must keep clear and comprehensive notes relating to incidents, disclosures and allegations of child abuse using the [Child Protection Reporting Template](#). When completed, these notes will be securely stored in the College's student database.

Your aim should be to provide as much information within the template as possible. These records will be helpful in making a report of the abuse to the relevant authorities. This information 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 their decisions (see Complying with Subpoenas or Court Attendance on pg. 40 of the [Child Protection Schools Guide](#) for further information).

CONTACTING PARENTS/CARERS

In many cases where it is suspected that a child has been, or is at risk of being abused, it is extremely important that parents/carers are notified as soon as practicable.

However, before contacting parents, your Head of School will seek advice from DHHS Child Protection or Victoria Police (depending on who the report was made to). This is critical to ensure the safety of the child as well as to avoid any compromise to the investigations being conducted by the relevant authorities or agencies.

Where advised to be appropriate, they or the relevant Chaplain will make sensitive and professional contact with parents as soon as possible on the day of the incident, disclosure or suspicion.

PROVIDING ONGOING SUPPORT

In addition to reporting suspected abuse, as a school staff member you have a critical role in supporting students impacted by abuse and have a Duty of Care to ensure that the student(s) feels safe and supported at school.

The relevant Chaplain, in consultation with the Head of School, will develop a Student Support Plan for affected students and will also provide on-going support to staff members who have also been involved in making a report, particularly if they have directly witnessed any abuse. Staff members may be required to respond to subpoenas to attend court.

The relevant Chaplain and Head of School/Bursar will also ensure students and staff are supported during interviews conducted by Victoria Police or DHHS Child Protection.

For more information on support please refer to **Action 4** on page 34 of the [Child Protection Schools Guide](#)

PRIVACY AND INFORMATION SHARING

As a school staff member you are permitted to share certain information about a child who has been impacted (or is suspected to have been impacted) by abuse with:

- other staff members in order to enable staff to best support and protect that child. (However, the sharing of any information with other staff must be consistent with the Student Support Plan and in consultation with the College Chaplain)
- an officer from DHHS Child Protection, if the information requested may be of assistance to DHHS Child Protection in their investigation of protective concerns
- Victoria Police if the information may assist in the investigation of potential criminal offences, or may aid in the immediate protection and safety of the child.

FURTHER INFORMATION

If you have any queries, concerns or feedback on this policy or in relation to any other matter associated with the Child Safe Standards, please discuss these with your Head of School/Bursar or the Deputy Principal

SMT Member to Review	Principal	Date Reviewed	Aug-16	Next Review Date	Aug-18
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