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## CHILD SAFETY RESPONDING AND REPORTING OBLIGATIONS POLICY AND PROCEDURES

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### 1. Purpose

1.1 The purpose of this policy is to:

- ensure that all staff and members of our school community understand the various legal and other reporting obligations related to child safety that apply to St Catherine's School; and
- provide procedures for responding to complaints or concerns relating to child abuse.

1.2 This policy describes the roles and responsibilities of staff, contractors, volunteers, and visitors in protecting the safety and wellbeing of students at St Catherine's School, and to enable staff to:

- identify indicators that a child or young person may need protection;
- describe the process to make a report about a child or young person who may need protection; and
- comply with reporting obligations under child protection law and criminal law and fulfil their duty of care.

1.3 This policy also sets out what constitutes child abuse, who is mandated to make a notification, and the process of making a report to a relevant agency including (but not limited) to Child FIRST (now known as The Orange Door), Department of Families, Fairness and Housing (DFFH) Child Protection, the Commission for Children and Young People (CCYP) and/or Victoria Police.

### 2. Scope

This policy applies to all School staff, volunteers and school community members. It also applies to all staff and students engaged in any school and school council-run events, activities and services, such as school camps and excursions.

### 3. Policy Statement

3.1 All children and young people have the right to be protected against all forms of child abuse.

3.2 St Catherine's School understands the important role our school plays in protecting children from abuse including:

- physical abuse
- sexual abuse (including sexual exploitation)
- family violence
- emotional abuse
- neglect (including medical neglect)
- grooming



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The staff at St Catherine's School are required by law to comply with various child safety reporting obligations. For detailed information about each obligation, please refer to Identifying and Responding to All Forms of Abuse in Victorian Schools.

### 4. Mandatory Reporting

4.1 Mandatory reporters in Victoria include the following persons:

- Registered medical practitioners.
- Nurses.
- Registered teachers or early childhood teachers or those granted permission to teach under the Education and Training Reform Act 2006.
- School principals.
- Police officers.
- A person in religious ministry.
- The proprietor/nominee of a children's service and post-secondary qualified employees of such services.
- The approved provider/nominated supervisor of an education and care service and post-secondary qualified employees of such services.
- Certain youth, social or welfare worker who work in the health, education or community or welfare services fields.
- A person employed under Part 3 of the Public Administration Act 2004 to perform the duties of a youth and child welfare worker.
- Registered psychologists.
- School counsellors
- Youth Justice Officers.
- Youth Parole Officers.
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4.2 Mandatory reporting arises from the requirements of the Children, Youth and Families Act 2005 (Vic).

4.3 This policy complements guidelines provided by the Department of Families, Fairness and Housing (DFFH), Department of Justice and Regulation, and Department of Education and Training.

4.4 All mandatory reporters must make a report to the Department of Families, Fairness and Housing (DFFH) Child Protection as soon as practicable if, during the course of carrying out their professional roles or carrying out the duties of their employment, they form a belief on reasonable grounds that:

- a child has suffered, or is likely to suffer, significant harm as a result of physical injury / or sexual abuse; or
- a child has suffered, or is likely to suffer, emotional or psychological harm of such a kind that the child's emotional or intellectual development is, or is likely to be, significantly damaged, and



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- in each case above, the child's parents have not protected, or are unlikely to protect the child from harms of that type;
- a child's physical development or health has been, or is likely to be, significantly harmed and the child's parents have not provided, arranged or allowed the provision of, or are unlikely to provide, arrange or allow the provision of, basic care or effective medical, surgical or other remedial care.

4.5 A mandatory reporter who fails to comply with this legal obligation may be committing a criminal offence. It is important for staff at St Catherine's School to know whether or not they are a mandated reporter and when they are legally obliged to make a mandatory report. Further, if a mandatory reporter considers that a report must be made, they must do so even if the Principal does not share their belief that a report is necessary.

4.6 At our school, all School staff must undertake the *Protecting Children: Mandatory Reporting and other Obligations eLearning Module* annually.

### 5. Child in Need of Protection

5.1 Any person can make a report to DFFH Child Protection (131 278 — 24-hour service) if they believe on reasonable grounds that a child is in need of protection.

5.2 **All staff** who form a reasonable belief that a child is in need of protection are encouraged to discuss their concerns with the School leadership team so that they may obtain assistance and advice in relation to reporting their concerns to DFFH or Victoria Police.

5.3 For more information about making a report to DFFH Child Protection, see the *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse in the Child Safe Standards tile on the Portal*.

5.4 At St Catherine's School we also encourage all staff to make a referral to The Orange Door when they have significant concern for a child's wellbeing.

5.5 Any staff member can also make a report to DFFH Child Protection if they believe on reasonable grounds that a child who is 10 years of age or over, but under 18 years of age, needs therapeutic treatment because he or she has exhibited sexually abusive behaviours.

### 6. Reportable Conduct

6.1 The Principal must notify the Commission for Children and Young People (CCYP) of any reportable conduct allegations involving any current 'employee' of the School, which includes teachers, general and support staff, individuals who are contractors, volunteers (including volunteer parents), and School Council employees.

6.2 There is an allegation of reportable conduct where a person has formed a reasonable belief that there has been:



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- a sexual offence (whether or not a criminal proceeding in relation to the offence has been commenced or concluded), sexual misconduct or physical violence committed against, with or in the presence of a child;
- behaviour causing significant emotional or physical harm to a child;
- significant neglect of a child; or
- misconduct involving any of the above.

6.3 If School staff become aware of reportable conduct by any 'employee' of the School in any of the above positions, they should notify the Principal immediately. If the allegation relates to the Principal, they should notify one of the Child Safety Champions or the Chair of the School Council.

6.4 For more information about Reportable Conduct and how the School manages allegations of reportable conduct, please refer to the *Reportable Conduct Scheme Policy*.

### 7. Failure to Disclose Offence

7.1 Reporting child sexual abuse is a community-wide responsibility. Under the *Crimes Amendment (Protection of Children) Act 2014*, any adult (i.e. persons aged 18 years and over), not just professionals who work with children, have a legal obligation to report to Victoria Police, as soon as practicable, any information that leads them to form a 'reasonable belief' that a sexual offence has been committed by another adult against a child under the age of 16.

7.2 Failure to disclose the information to Victoria Police as soon as practicable may amount to a criminal offence unless a person has a 'reasonable excuse' or exemption from doing so.

7.3 'Reasonable belief' is not the same as having proof. A 'reasonable belief' is a belief based on facts that would lead a reasonable person to think that a sexual offence has been committed - it requires something more than suspicion. For example, a 'reasonable belief' might be formed when:

- a child states that they have been sexually abused;
- a child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves);
- someone who knows a child states that the child has been sexually abused;
- professional observations of the child's behaviour or development leads a mandated professional to form a belief that the child has been sexually abused or;
- signs of sexual abuse leads to a belief that the child has been sexually abused.

7.4 The circumstances in which an adult will have a "reasonable excuse" for not reporting the information to the police includes:

- where the adult may reasonably fear for their safety, or the safety of the child or another person (other than the alleged offender), if the offender was to find out



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that the offence had been disclosed to the police and the failure to disclose the information was a reasonable response in the circumstances;

- where the adult believes on reasonable grounds that the information has already been disclosed to the police and the adult has no further information to add;
- the victim, now being over 16 years of age, requests that the information not be disclosed to the police (unless the victim has an intellectual disability and does not have the capacity to make an informed decision).

7.5 If any staff member has information that leads them to form a reasonable belief that a sexual offence has been committed by an adult against a child (aged under 16 years), they should follow the internal process outlined below, to ensure that accurate records are kept, and key personnel are aware of the report to Victoria Police.

For more information about this reporting obligation, see: Failure to disclose offence | Department of Justice and Community Safety Victoria.

### 8. Failure to Protect Offence

8.1 The Failure to Protect offence provides that a person who:

- By reason of the position he or she occupies within a relevant organisation (such as St Catherine's School), has the power or responsibility to reduce or remove a substantial risk that a child under his or her care, supervision or authority, will become the victim of a sexual offence committed by a person of or over the age of 18 years who is associated with the organisation; and
- Knows that there is a substantial risk that the person associated with the organisation will commit a sexual offence against a child; must not negligently fail to reduce or remove that risk.

#### Identification of Substantial Risk

8.2 The offence requires a person in authority to reduce or remove a known 'substantial' risk that an adult associated with the organisation may commit a sexual offence against a relevant child.

8.3 This may include removing the adult (i.e. persons aged 18 years and over) from working with children pending an investigation and reporting your concerns to Victoria Police.

8.4 If a School staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence.

8.5 It does not make it a criminal offence to fail to address every possible risk that a sexual offence may be committed against a child. There are a number of factors that may assist in determining whether a risk is a substantial risk. These include:



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- the likelihood or probability that the child will become the victim of a sexual offence;
- the nature of the relationship between a child and the adult who may pose a risk to the child;
- the background of the adult who may pose a risk to the child, including any past or alleged misconduct;
- any vulnerabilities particular to a child which may increase the likelihood that they may become the victim of a sexual offence; and
- any other relevant fact which may indicate a substantial risk of a sexual offence being committed against a child.

8.6 When determining whether a risk is substantial, the courts will consider a variety of factors, which may include those listed above. The courts will consider all the facts and circumstances of the case objectively, and will consider whether a reasonable person would have judged the risk of a sexual offence being committed against the child abuse as substantial. It is not necessary to prove that a sexual offence, such as indecent assault or rape, was committed.

8.7 Staff must report to police if a child is in immediate risk of being sexually abused by calling Triple Zero (000). Alternatively, staff can contact the closest local police station to the School, Prahran Police Station on telephone: (03) 9520 5200, or find their local police station using the following web link [Find my local police station](#).

### **Negligent failure to reduce or remove a substantial risk**

8.8 Under the offence, a person is taken to have negligently failed to reduce or remove a substantial risk if that failure involves a great falling short of the standard of care that a reasonable person would exercise in the same circumstances. The offence does not require a person in authority to eliminate all possible risks of child sexual abuse.

To read more information about the 'Failure to Protect Offence', see: [Failure to protect: a new criminal offence to protect children from sexual abuse | Department of Justice and Community Safety Victoria](#).

## **9. Grooming**

9.1 Grooming is a criminal offence under the *Crimes Act 1958* (Vic). This offence targets predatory conduct undertaken by an adult to prepare a child, under the age of 16, to engage in sexual activity at a later time. Grooming can include communicating and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer.

9.2 The offence applies where an adult communicates, by words or conduct, with a child under the age of 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 conduct, either with the groomer or another adult. Communication includes electronic communication within the meaning of the *Electronic Transactions (Victoria) Act 2000*.



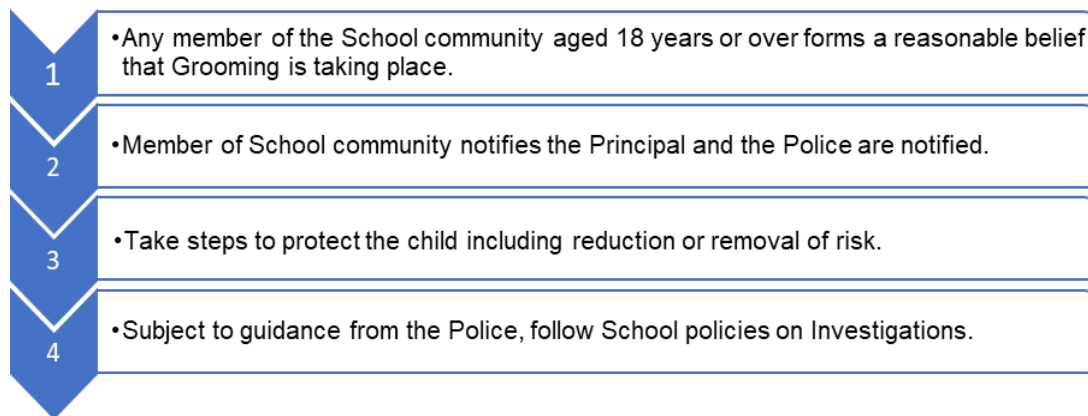


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- 9.3 Grooming does not necessarily involve any sexual activity or even discussion of sexual activity – for example, it may only involve establishing a relationship with the child, parent or carer for the purpose of facilitating sexual activity at a later time.
- 9.4 The sexual conduct must constitute an indictable sexual offence. This includes offences such as sexual penetration of a child, indecent assault and indecent act in the presence of a child. It does not include summary offences, such as up-skirting and indecent behaviour in public.



For more information about this offence and reporting obligations see: [Child Sexual Exploitation and Grooming \(education.vic.gov.au\)](https://www.education.vic.gov.au/Child-Sexual-Exploitation-and-Grooming).

### 10. Types of Child Abuse

- 10.1 Child abuse can take many forms. The perpetrator may be a parent, carer, School 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. Therefore, the legal obligations for reporting allegations of child abuse can vary depending on the circumstances of the incident.
- 10.2 Child abuse is defined in the *Child Wellbeing and Safety Act 2005* (Vic.) to include:
- (b) any act committed against a child involving:
    - (i) a sexual offence; or
    - (ii) grooming (an offence under section 498(2) of the *Crimes Act 1958*); and
  - (c) the infliction, on a child, of:
    - (i) physical violence; or
    - (ii) serious emotional or psychological harm; and
  - (d) serious neglect of a child.



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### 11. Signs or Indicators of Harm

- 11.1 Physical signs of abuse or neglect may include, but are not limited to, bruises, burns, sprains, bites, cuts, fractures, frequent hunger, malnutrition, poor hygiene, and inappropriate clothing.
- 11.2 Behavioural signs of abuse (physical, sexual and emotional) or neglect may include, but are not limited to, wariness or distrust of adults, fear of parents/guardians and of going home, fear when other children cry/shout, excessive friendliness to strangers, being very passive and/or compliant, having/claiming to have headaches and/or stomach pains, displaying sexual behaviour that is unusual for the child's age, frequent rocking, sucking and biting, having difficulty sleeping, being withdrawn, aggressive and/or demanding, being highly anxious, having delayed speech, acting like a much younger child, and often being tired and falling asleep.
- 11.3 Disclosures may be made by the child concerned, or by other parties.
- 11.4 Refer to [Identify child abuse \(education.vic.gov.au\)](https://www.education.vic.gov.au/identify-child-abuse) for further detailed information regarding the signs and indicators of abuse.

### 12. Reporting Procedures

Staff play a vital role in protecting children from harm and are well placed to observe signs or behaviours that may indicate risks of child abuse. Staff must act, by following the Four Critical Actions, as soon as they witness an incident, receive a disclosure or form a reasonable belief that a child has, or is at risk of being abused. (Refer to Appendix A and [FourCriticalActions\\_ChildAbuse.pdf \(education.vic.gov.au\)](#) and also clause 16 of this Policy).

### 13. Becoming aware of a Child Protection Incident

There are three main ways in which a School staff member may become aware that a child or young person is experiencing, or is at risk of experiencing, abuse:

#### 1. Witnessing an incident

If you witness an incident where you believe a child or young person has been subjected to, or may be at risk of, abuse, including exposure to family violence, you must first take immediate action to protect their safety and then refer to Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse. [FourCriticalActions\\_ChildAbuse.pdf \(education.vic.gov.au\)](#) – also see clause 16 of this Policy.

#### 2. Forming a suspicion or reasonable belief

If you witness, suspect, or receive a disclosure of child abuse including exposure to family violence, you will need to consider whether you have formed a





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'reasonable belief' that a child has been or is being abused or is at risk of being abused.

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; and
- 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 or young person stating that they have been abused;
- any person telling you they believe that a child or young person has been abused (sometimes the child or young person 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 or young person has been abused (refer to [Identify child abuse \(education.vic.gov.au\)](https://www.education.vic.gov.au/identify-child-abuse));
- behavioural indicators of abuse lead you to believe that the child or young person has been abused (refer to [Identify child abuse \(education.vic.gov.au\)](https://www.education.vic.gov.au/identify-child-abuse)); or
- other signs such as family violence, parental substance misuse, psychiatric illness or intellectual disability that is impacting on the child's or young person's safety, stability or development.

All suspicions that a child or young person has been, is being, or is at risk of being, abused must be taken seriously, including suspicions that the abuse is taking or may take place outside school grounds or areas. If your suspicion develops into a reasonable belief, you must act and refer to Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse. [FourCriticalActions\\_ChildAbuse.pdf \(education.vic.gov.au\)](https://www.education.vic.gov.au/four-critical-actions-child-abuse) – also see [clause 16 of this Policy](#).

### 3. Receiving a disclosure about or from a student

All disclosures must be treated seriously. You should immediately refer to Appendix A and [FourCriticalActions\\_ChildAbuse.pdf \(education.vic.gov.au\)](https://www.education.vic.gov.au/four-critical-actions-child-abuse) or [clause 16 of this Policy](#):

- Information regarding child abuse and who to report concerns to is included in the School Diary.
- All students should feel safe to speak to any staff member to raise any concerns about their safety or any other concerns that they have.



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- PROTECT posters are displayed throughout the school, explaining in child-friendly language, steps for students if they feel unsafe or have a concern. Refer to Appendix C: ChildSafeStandards\_Poster.pdf (education.vic.gov.au)

### 14. Notes and records

- 14.1 Staff should make detailed notes of the incident or disclosure using the [Responding to Suspected Child Abuse: Template](#) (Refer to Appendix B) and ensure that written notes are kept and stored securely in a secure, locked office filing cabinet and the completed template must be uploaded to the School Portal Student Comms notes under the Child Protection tab, with visibility set to the Principal only.
- 14.2 Even if a School staff member decides not to make a report, they must still accurately document their notes relating to the incident, disclosure or allegation of child abuse using the [Responding to Suspected Child Abuse: Template](#) and recorded confidentially on the Student Comms Child Protection tab.
- 14.3 Notes and records must be kept securely on school grounds and must not be destroyed as they may be needed at a later time.

### 15. Managing disclosures made by students

- 15.1 It is the role of School staff members to reassure and support a child or young person who makes a disclosure of abuse. However, School staff members should never promise to keep any disclosures confidential as all disclosures of abuse must be reported.
- 15.2 The role of School staff remains the same if disclosures are made by a parent/ carer or a sibling, or if disclosures involve family violence.
- 15.3 For strategies on how to manage a disclosure, refer to the information contained in Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools.
- 15.4 When managing a disclosure staff should:
- Listen to the student and allow them to speak.
  - Stay calm and use a neutral tone with no urgency and where possible use the student's language and vocabulary (you do not want to frighten the student or interrupt the student)
  - Be gentle, patient, and non-judgmental throughout.
  - Highlight to the student that it was important for them to tell you about what has happened.
  - Assure them that they are not to blame for what has occurred.
  - Do not ask leading questions, for example gently ask, "What happened next?" rather than "Why?"
  - Be patient and allow the student to talk at their own pace and in their own words.



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- Do not pressure the student into telling you more than they want to, they will be asked a lot of questions by other professionals, and it is important not to force them to retell what has occurred multiple times.
- Reassure the student that you believe them and that disclosing the matter was important for them to do.
- Use verbal facilitators such as, "I see", restate the student's previous statement, and use nonsuggestive words of encouragement, designed to keep the student talking in an open-ended way ("what happened next?").
- Tell the student in age-appropriate language you are required to report to the relevant authority to help stop the abuse and explain the role of these authorities if appropriate (for a young child this may be as simple as saying "I will need to talk to people to work out what to do next to help you").

### 15.5 When managing a disclosure staff should AVOID:

- Displaying expressions of panic or shock.
- Asking questions that are investigative and potentially invasive (this may make the student feel uncomfortable and may cause the student to withdraw).
- Going over the information repeatedly (you are only gathering information to help you form a belief on reasonable grounds that you need to make a report to the relevant authority).
- Making any comments that would lead the student to believe that what has happened is their fault.
- Making promises to the student about what will occur next or that things will be different given the process can be unpredictable and different for each student depending on their circumstances (instead reassure them that you and others will do your best to help).

## 16. Reporting suspicions, disclosures, or incidents of child abuse

16.1 If a staff member reasonably suspects or witnesses an incident of child abuse or receives a disclosure of child abuse, they must follow the Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse (Four Critical Actions), (refer to Appendix A and [FourCriticalActions\\_ChildAbuse.pdf](#) (education.vic.gov.au)), when responding to an incident, disclosure or suspicion of child abuse.

16.2 The Four Critical Actions include:

- Critical Action 1: Responding to an Emergency.
- Critical Action 2: Reporting to Authorities.
- Critical Action 3: Contacting Parents/Carers.
- Critical Action 4: Providing Ongoing Support.

### Critical Action 1: Responding to an emergency

16.3 If there is no risk of immediate harm, go to Critical Action 2.



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16.4 If a child or young person is at immediate risk of harm, School staff must ensure their safety by:

- Separating the alleged victim and others involved, ensuring that if the parties involved are all present at the school, they are supervised separately by a School staff member;
- Arranging and providing urgent medical assistance where necessary, including administering first aid or calling 000 for an ambulance;
- 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; and
- Identifying a contact person at the school for future liaison with police.

Staff may also need to maintain the integrity of the potential crime scene and preserve evidence.

### Critical Action 2: Reporting to authorities

16.5 As soon as immediate health and safety concerns are addressed, School staff are to report all incidents, suspicions and disclosures of child abuse as soon as practicable. Failure to report physical and sexual child abuse may amount to a criminal offence (refer to section 3.5 Failure to Disclose offence).

16.6 There are different reporting procedures depending on:

- Whether the source of the suspected or alleged abuse comes from within the school or within the family or community of the child or young person; and
- The type of abuse.

16.7 In all cases, School staff members must report internally to the Principal. If the Principal is unavailable then the report should be made to one of the four Child Safety Champions:

- Deputy Principal Student Wellbeing
- Head of ELC
- Head of Junior School
- School Psychologist

16.8 All staff who believe that a child or young person needs protection, even if it does not meet the threshold required for mandatory reporting or the staff member is not a mandatory reporter, should in the first instance, speak to a Child Safety Champion or the Principal, or should make the required reports to DFFH Child Protection and/or Victoria Police, as necessary.

16.9 Nothing in this procedure prevents a staff member or any other person from reporting to the relevant authorities if they form a reasonable belief that a child or young person is at risk of abuse.



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16.10 If the source of suspected abuse comes from within the School:

- Staff must report all instances of suspected child abuse involving a School staff member, contractor or volunteer to Victoria Police (call 000 or call Prahran Police Station on telephone: (03) 9520 5200).
- School staff must also report all instances of suspected sexual abuse (including grooming) to Victoria Police (call 000 or call Prahran Police Station on telephone: (03) 9520 5200).
- Staff must also report the matter internally to the Principal and/or a Child Safety Champion
- All allegations of 'reportable conduct' must be reported as soon as possible to the Principal, who will manage such reports in accordance with the *Reportable Conduct Scheme Policy*.

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

- School staff must report to Child Protection if a child or young person 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 or young person's safety, stability or development and the parents have not protected or are unlikely to protect the child or young person;
- School staff must also report all instances of suspected sexual abuse (including grooming) to Victoria Police (call 000 or Prahran Police Station on telephone: (03) 9520 5200);
- School staff must also report internally to the Principal or a Child Safety Champion.

16.12 Making a Mandatory Report

The table below describes the information to include when making a mandatory report by staff members, who are mandatory reporters, about child abuse or child protection concerns. If a child is at immediate risk of harm, contact Victoria Police immediately on 000.

Making a Mandatory Report	
Step	Description
1. Keep notes	<p>Keep comprehensive notes that are dated, using the <a href="#">Responding to Suspected Child Abuse: Template</a> (Refer to Appendix B) and include the following information:</p> <ul style="list-style-type: none"> <li>• A description of the concerns (e.g. physical injuries, student behaviour).</li> <li>• The source of those concerns (e.g. observation, report from</li> </ul>



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	<p>child, young person or another person).</p> <ul style="list-style-type: none"> <li>The actions taken as a result of the concerns (e.g. consultation with the Principal, report to DFFH Child Protection, etc.).</li> </ul>
2. Discuss concerns	<ul style="list-style-type: none"> <li>Due to the complexity of child abuse incidents, disclosures and suspicions, it is recommended that concerns and observations regarding suspected physical or sexual abuse of a child or young person are first discussed with the Principal or a Child Safety Champion</li> <li>This is not a legal requirement; however, it will help to ensure support is provided to all involved in matters of this nature. The confidentiality of these discussions must be maintained.</li> <li>You should then make your own assessment about whether you are required to make a report about the child or young person and to whom the report should be made. It is important to remember that the duty to report abuse or suspicions of abuse exists even if the Principal, or a member of the Leadership Team, do not have the same reasonable belief as you in relation to the alleged abuse.</li> <li>If the staff member is a mandatory reporter and reasonably believes that a student (who is under 17 years) has, or is likely to suffer, significant harm as a result of physical injury and/or sexual abuse and/or emotional or psychological harm of such a kind that the student's emotional or intellectual development is, or is likely to be, significantly damaged from which the student's parents have not protected, or are unlikely to protect, the student from such harm, they must make a report to DFFH Child Protection. They can do so with the support of a member of the Leadership Team or a Child Safety Champion.</li> <li>In circumstances where a member of the Leadership Team disagrees that a report needs to be made, but the staff member (being a mandatory reporter) still considers that they have formed a 'reasonable belief' that the child needs protection as noted above, the staff member must still contact DFFH Child Protection and/or Victoria Police to make the report.</li> <li>Note that permission is not required from parents/guardians of a student where abuse is suspected, and parents/guardians do not need to be notified that a report has been made.</li> </ul>
3. Gather and document information	<p>Gather the relevant information necessary to make the report. This should include the following:</p> <ul style="list-style-type: none"> <li>Full name, date of birth and residential address of the child or young person.</li> <li>Details of the concerns and the reasons for those concerns.</li> </ul>





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	<ul style="list-style-type: none"> <li>Your involvement with the child or young person.</li> <li>Details of any other agencies which may be involved with the child or young person.</li> </ul> <p>This information should be collected and documented using <a href="#">Responding to Suspected Child Abuse: Template</a>. The template is to be used to record as much information as possible to provide when you make your report to either Victoria Police or DFFH Child Protection. It is critical that completing the template does not impact on reporting times – if a child or young person is in immediate danger, School staff need to report the matter to Victoria Police immediately.</p>
<p>4. Make the report</p>	<p>To report concerns which are life-threatening, phone 000. You can also contact the local police station (Prahran Police Station on telephone: (03) 9520 5200).</p> <p>Where the source of the abuse is alleged to come from within the school, that is, the suspected or alleged abuse involves a School staff member, volunteer, allied health practitioner, officer/office holder, contractor or visitor at the school:</p> <ul style="list-style-type: none"> <li>Contact Victoria Police, who will contact DFFH Child Protection when appropriate.</li> <li>Report internally to: the Principal, and/or the Deputy Principal: Student Wellbeing.</li> <li>If unavailable a report should be made to the Deputy Principal: School Operations or Deputy Principal: Strategy &amp; Culture.</li> </ul> <p>Where the source of the suspected or alleged abuse comes from within the child's or young person's family or community, you must:</p> <ul style="list-style-type: none"> <li>Report sexual abuse and grooming to Victoria Police.</li> <li>Report the matter to DFFH Child Protection if you consider the child to be in need of protection due to child abuse, or that they have been, are being or are at risk of being harmed due to any form of abuse, including family violence.</li> <li>If after hours, call the Child Protection Emergency Service on 13 12 78.</li> <li>Report internally to the Principal and/or the Deputy Principal: Student Wellbeing.</li> </ul> <p>If unavailable a report should be made to the Deputy Principal: School Operations or Deputy Principal: Strategy &amp; Culture.</p>
<p>5. Document written records of</p>	<p>Make a written record of the report, including the following information:</p> <ul style="list-style-type: none"> <li>The date and time of the report and a summary of what was</li> </ul>



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report	<p>reported.</p> <ul style="list-style-type: none"> <li>The name and position of the person who made the report and the person who received the report.</li> </ul> <p>The information initially recorded in <a href="#">Responding to Suspected Child Abuse: Template</a> (Refer to Appendix B) and any additional information provided to either Victoria Police or DFFH Child Protection are to be stored securely and maintained indefinitely by the School to ensure that records are accessible upon request by external authorities investigating the matter.</p>
6. Additional steps for overseas students	<p>Where a child protection incident, disclosure or suspicion involves an international student at the school and the School has issued a Confirmation of Appropriate Accommodation and Welfare (CAAW) letter for that student (thereby assuming responsibility for the child's accommodation, support and general welfare), the School will also need to contact the Victorian Registration and Qualifications Authority (VRQA).</p>

<b>How to report allegations of Reportable Conduct</b>	
Step	Description
1. Keep notes	<p>Keep comprehensive notes that are dated and include the following information:</p> <ul style="list-style-type: none"> <li>A description of the concerns (e.g. physical injuries, student behaviour).</li> <li>The source of those concerns (e.g. observation, report from child, young person or another person).</li> <li>Any actions taken as a result of the concerns (e.g. consultation with the Principal, report to DFFH Child Protection, etc.).</li> </ul>
2. Make the report	<p>As soon as you form a reasonable belief that an 'employee' (persons engaged by the School such as volunteers, contractors, office holders, School Council members and School staff) at the school has engaged in reportable conduct or misconduct that may involve reportable conduct, you must report this allegation to the School's Principal or, if the Principal is involved in the allegation, to the Chair of Council or Deputy Principal(s) who will then follow the <i>Reportable Conduct Scheme Policy</i>.</p>

### 16.13 Child in need of therapeutic treatment



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Any person who believes on reasonable grounds that a child over 10 but under 18 years of age has been exhibiting sexually abusive behaviours and may be in need of therapeutic treatment may make a report to [Child Protection](#).

School staff must also report student sexual offending to the Victoria Police, subject to prior consultation with the Principal.

### 16.14 Significant concerns for the wellbeing of a child or young person

All concerns about the wellbeing of a child (or unborn child) or young person should be taken seriously and acted upon.

Any adult can make a referral to [The Orange Door](#) if they:

- have a significant concern for a child's or young person's wellbeing;
- the issue of concern has a low-to-moderate impact on the child or young person;
- the child's or young person's immediate safety is not compromised; and
- believe that the child, young person and/or family will act on the referral and be supportive of it.

School staff must contact Victoria Police if:

- there is any concern for a child's or young person's immediate safety; and/or
- a child or young person is partaking in any risk-taking activity that is illegal and extreme in nature or poses a high risk to the child, young person or any other person.

School staff can contact Child Protection if:

- after consideration of all available information you form a view that the child or young person is in need of protection; and
- you believe that the child's or young person's parents/carers will not be open to support from family services to address their child's wellbeing.

### 16.15 Other concerns

If a staff member believes that a child or young person is not subject to abuse, but they still hold significant concerns for the child's or young person's wellbeing the School staff member must still act.

This may include making a referral or seeking advice from:

- [The Orange Door](#) (in circumstances where the School staff member believes the family is open to receiving support);
- [The Lookout](#) has a service directory, information, and guidance to help you respond to family violence;



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- family violence victims/survivors can be referred to 1800 Respect for counselling, information and a referral service: [1800 737 732](tel:1800737732);
- [Child Protection](#); or
- Victoria Police — call [000](tel:000) or Prahran Police Station on telephone: (03) 9520 5200).

### Critical Action 3: Contacting Parents/Guardians

16.16 The Principal or the Child Safety Champion must consult with Child Protection or Victoria Police (call [000](tel:000) or your local police station) to determine what information can be shared with parents/carers. They may advise:

- not to contact the parents/carers (for example, in circumstances where the parents are alleged to have engaged in the abuse, or the child or young person 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); or
- how to communicate with all relevant parties with consideration for their safety.

### Critical Action 4: Providing Ongoing Support

16.17 The School must provide support for children and young people impacted by abuse. This can include the development of a student support plan in consultation with wellbeing professionals. This is an essential part of the School's duty of care requirements.

16.18 Strategies may include development of a safety plan, direct support and referral to wellbeing professionals and support services.

## 17. Making Additional Reports

School staff must follow the Four Critical Actions every time they become aware of a further instance or risk of abuse. ([FourCriticalActions\\_ChildAbuse.pdf](#) ([education.vic.gov.au](http://education.vic.gov.au))). This includes reporting new information to authorities.

Mandatory reporters must make a report each time they become aware of any further reasonable grounds for their belief. Additional reports should use the same procedures outlines above in Critical Action 2.

## 18. Role of Principal and/or Deputy Principal: Student Wellbeing

18.1 The Principal and/or Child Safety Champion is responsible for promptly managing the School's response to an incident, suspicion, or disclosure of child abuse, and ensuring that the incident, suspicion, or disclosure is taken seriously. The Principal and/or Child Safety Champion is also responsible for responding appropriately to a child or young person who makes or is affected by an allegation of child abuse.



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- 18.2 If the Principal and/or Child Safety Champion receives a report from a School staff member or member of the school community of a suspicion, disclosure, or incident of child abuse, they must:
- Follow the [Four Critical Actions](#) as soon as possible, including:
    - Responding to an emergency;
    - Reporting to authorities/referring to services;
    - Contacting parents/carers; and
    - Providing ongoing support.
  - Ensure that any staff member who reported the incident, disclosure, or suspicion to them makes detailed notes of the incident or disclosure, including actions taken using the [Responding to Suspected Child Abuse: Template](#) (Refer to Appendix B) and ensure that those notes are kept and stored securely in a locked office filing cabinet in the Principal's office.
- 18.3 The Principal and/or Deputy Principal: Student Wellbeing will be responsible for ensuring that there is a prompt response to the disclosure and that the child or young person is appropriately supported.
- 18.4 In the event that the Principal is unavailable and/or is the subject of an allegation, the Deputy Principal: Student Wellbeing should be alternatively contacted.
- 18.5 In the event that the Deputy Principal: Student Wellbeing is unavailable and/or is the subject of an allegation, the Principal should be alternatively contacted.
- 18.6 In the event that the Deputy Principal: Student Wellbeing and the Principal is unavailable and/or are the subject of an allegation, the Deputy Principal: School Operations should be alternatively contacted and follow the response procedures outlined above.
- 19. Duty of Care and Ongoing Support of Students**
- 19.1 Staff have a duty of care to protect the safety, health and wellbeing of children and young people in their care. If a staff member has concerns about the safety, health and wellbeing of children or young people in their care they should take immediate action. All staff have a duty of care to take reasonable steps to prevent reasonably foreseeable harm to students.
- 19.2 Fulfilling the requirements in this procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child or young person is at risk of abuse. All staff must ensure the Principal and/or Deputy Principal: Student Wellbeing, are aware of any incidents, suspicions, or disclosures of child abuse as soon as possible after they occur. This will allow appropriate supports to be put in place for the student affected.



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### 20. Visitor, Volunteer and School Community Member Reports

- 20.1 All community members aged 18 years or over should be aware of their legal obligations – see Failure to disclose offence above, in this Policy. Any person can make a report to DFFH Child Protection if they believe on reasonable grounds that a child or young person needs protection. For contact details refer to [FourCriticalActions\\_ChildAbuse.pdf \(education.vic.gov.au\)](https://www.education.vic.gov.au/FourCriticalActions/ChildAbuse.pdf)
- 20.2 There is no requirement for community members to inform the School if they are making a disclosure to DFFH Child Protection or the Victoria Police. However, where a community member is concerned about the safety of a child or children or young person at the School, and where disclosure of that concern will not compromise any potential police investigation, the community member should report this concern to the Deputy Principal: Student Wellbeing or the Principal so that appropriate steps to support the student can be taken.

### 21. Staff Training in Mandatory Reporting Requirements

All School Staff are to be briefed upon induction and annually regarding mandatory reporting requirements through staff briefings and completion of online training through MARAM (Multi Agency Risk Assessment and Management Framework) *Protecting Children: Mandatory Reporting and Other Obligations* e-module.

### 22. Information Sharing Scheme

- 22.1 The Child Information Sharing Scheme (CISS) and the Family Violence Information Sharing Scheme (FISS) provide authorised organisations, including Victorian schools, with an expanded ability to share confidential information with other authorised services to promote the wellbeing or safety of children and young people or to assess or manage family violence risk.
- 22.2 As St Catherine's School is an Information Sharing Entity (ISE), there may be times when it is appropriate to use the Information Sharing Schemes to request and share confidential information with authorised services. For example, where the School determines that insufficient information is available to effectively support a student's wellbeing or safety, the schemes allow the School to request and proactively share information with authorised services.
- 22.3 The School will continue to share information as appropriate in accordance with other laws and Department policies, such as when making a mandatory report or when sharing information with external services under existing arrangements and mechanisms. The Information Sharing Schemes does not impact on these existing permissions and obligations.
- 22.4 The School has nominated the Principal and the four Child Safety Champions, as the nominated sharers, however, other staff may be required to share information in an emergency situation, whenever the Scheme's threshold is met, and they can request and proactively share information under the Scheme.





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- 22.5 When sharing information to promote child wellbeing and safety or to identify and respond to family violence, staff must consider that some groups experience increased vulnerability to family violence as a result of their age, cultural background, location or socio-economic status. Staff should consult the following link before sharing information: [Considerations when sharing information about diverse and at-risk communities](#)
- 22.6 When sharing information about Aboriginal people, the Schools should consider:
- that for Aboriginal people the concept of family is much broader as it encompasses kinship relationships and the broader Aboriginal and Torres Strait Islander community;
  - how to promote a child's and young person's cultural safety;
  - how to recognise the cultural rights, familial and community connections of children and young people who are Aboriginal, Torres Strait Islander or both;
  - the need for additional support for Aboriginal and Torres Strait Islander students through the Department's regions.
- 22.7 The [Child Information Sharing Scheme Ministerial Guidelines](#) detail the legal obligations of prescribed Information Sharing Entities (ISEs). Ministerial guidelines and additional resources are available at [info@sharing.vic.gov.au](mailto:info@sharing.vic.gov.au)

### 23. Policy Review

This Policy has been endorsed by the School Council.

This policy will be reviewed for effectiveness:

- as part of St Catherine's School policy review schedule (every 2 years);
- as required, with changes to current legislation, research, policy and best practice;
- following issues raised through the Complaints and Grievances Policy;
- after any significant child safety incident; and
- upon receipt of staff and parent/guardian feedback.

### 24. Definitions

**Child and Young Person:** All references to a child or young person is to those persons who are under the age of 18 year. For the purpose of the relevant parts of the *Children, Youth and Families Act 2005* (Vic), a child is any person 17 years of age or younger.

**Child Protection:** The Victorian Government agency, provided by DFFH, that protects children at risk of significant harm. Child Protection has statutory powers and can use these to protect children.

**The Orange Door** (formally known as Child FIRST): The Family Information Referral Support Team run by a registered community service in a local area that can receive



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confidential referrals about a child or young person of concern. It does not have any statutory powers to protect a child or young person, but can refer matters to family services.

### 25. References

- Children, Youth and Families Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic)
- Crimes Act 1958
- Crimes Amendment (Protection of Children) Act 2014
- Education and Training Reform Act 2006
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Family Law Act 1975 (Cth)
- [Identifying and Responding to All Forms of Abuse in Victorian Schools.](#)
- [Child Protection – Making a Report and Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse.](#)
- [Responding to Suspected Child Abuse: Template](#)
- [Failure to disclose offence | Department of Justice and Community Safety Victoria.](#)
- [Failure to protect: a new criminal offence to protect children from sexual abuse | Department of Justice and Community Safety Victoria.](#)
- [Child Sexual Exploitation and Grooming \(education.vic.gov.au\).](#)
- [Information Sharing and Family Violence Reforms Toolkit](#)

### 26. Related Policies and Procedures

- *Child Safety Code of Conduct*
- *Child Safety and Wellbeing Policy*
- *Reportable Conduct Scheme Policy*
- *Complaints and Grievances Policy*
- *Records Retention and Disposal Policy*
- *Privacy Policy*
- *Diversity, Inclusion and Equity Policy*
- *Student Wellbeing and Engagement Policy*
- *Visitors Policy*
- *Volunteers Policy*