

# **GLENROY PRIVATE**



## **Child Protection and Mandatory Reporting Policy**

**Reviewed March 2021**

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## Commitment to Child Safety

Victorian Organisations that provide services to children are required under the safety and Wellbeing Act to ensure that they implement compulsory Child Safe Standards to protect children from harm. This policy has been written using the Victorian State Standards.

Glenroy Private is committed to the care and safety of all our students' wellbeing. This Policy applies to staff, volunteers, visitors, students on placement and contractors. Glenroy Private has a legal and moral obligation to contact authorities if a child's safety is at risk and fully commits to the legislative responsibilities within the State of Victoria and **The Ministerial Order No. 870 – Child Safe Standards.**

Managing the risk of child abuse in schools requires organisation that provides services for children to have a code of conduct that establishes clear expectations for appropriate conduct of staff, volunteers and placement teachers when working with children. This code of conduct will assist staff in meeting their legislated responsibilities by clearly articulating appropriate behaviour of staff and volunteers to help protect children from abuse.

Glenroy Private is committed to providing a child safe environment by preventing child bullying and abuse, identifying risks early in order to remove or reduce these risks. Particular attention will be paid to the cultural safety of Aboriginal and Torres Strait Islander children and children from culturally and/or linguistically diverse backgrounds, as well as the safety of children with a disability.

**Glenroy Private has zero tolerance for child abuse** and is committed to openly and transparently share this commitment throughout the school community (students, parents and staff) as well as to monitor the school adherence to our Child Protection policy by:

- supporting , encouraging and enabling school staff, parents, and children to understand, identify, discuss and report child safety matters, and
- supporting or assisting children who disclose child abuse, or are otherwise linked to suspected child abuse, and
- to make the Child Protection policy publicly available on its website

Glenroy Private, in its planning, decision-making and operations is committed to:

1. take a preventative, proactive and participatory approach to child safety;
2. value and empower children to participate in decisions which affect their lives;
3. foster a culture of openness that supports all persons to safely disclose risks of harm to children;

4. respect diversity in cultures and child rearing practices while keeping child safety paramount;
5. provide written guidance on appropriate conduct and behaviour towards children;
6. engage only the most suitable people to work with children and have high quality staff and volunteer supervision and professional development;
7. ensure children know who to talk with if they are worried or are feeling unsafe, and that they are comfortable and encouraged to raise such issues;
8. report suspected abuse, neglect or mistreatment promptly to the appropriate authorities;
9. share information appropriately and lawfully with other relevant organisations where the safety and wellbeing of children is at risk; and
10. value the input of and communicate regularly with families and carers.

## **Rationale**

The purpose of this policy is :

- To work towards an organisational culture of child safety.
- To articulate the school's approach to the important issue of child protection
- To facilitate the prevention of child abuse occurring within the school.
- To ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs.
- To provide guidance to staff/volunteers/contractors as to action that should be taken where they suspect any abuse within or outside of the school.
- To provide a clear statement to staff/volunteers/contractors forbidding any such abuse.
- To provide assurance that any and all suspected abuse will be reported and fully investigated.
- To protect children and young people from abuse and neglect by ensuring school staff;
  1. Understand their mandatory reporting responsibilities and duty of care obligations to protect children and young people from child abuse including physical and sexual.
  2. Know how to make a mandatory report to 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. Are able to identify and be aware of the indicators of abuse.

This Policy is provided and explained to all staff members upon their appointment. Everyone working at the school is responsible for the care and protection of the children within our care and reporting information about suspected child abuse.

## **Roles and Responsibilities**

### **Governing Body**

Child protection is everyone's responsibility. At Glenroy Private, all members of the Board and staff, as well as direct and indirect volunteers, have a shared responsibility for contributing to the safety and protection of children. Each member of the Board is required to ensure that appropriate resources are made available to allow the College's Child Safety and Safety Policy and the Child Protection Program to be effectively implemented in the College and are responsible for holding the Principal and Executive team accountable for effective implementation.

### **School**

Should the School need to respond to allegations of this nature then the procedures followed by the school will be in accordance with all relevant legislation and will take into account other appropriate practices and guidelines aimed at the protection of children. This policy and associated detailed procedures will be amended from time to time to take into account amendments to legislation and regulations.

The school has responsibilities to several VIC Government agencies in meeting its legal obligations. These are the VIC Ombudsman, Department of Health and Human Services (DHHS) Child Protection and Commission for Children and Young People (CCYP). A summary of these responsibilities and the role each of these agencies plays is also contained in this policy. In dealing with child protection matters, the school's management will liaise with each of these authorities as well as seeking advice from the police, School Council's solicitors and the Association of Independent Schools (VIC) as necessary.

### **Principal**

The Principal of Glenroy Private is responsible for:

- Dealing with and investigating reports of child abuse;
- Ensuring that all staff, contractors, and volunteers are aware of relevant laws, school policies and procedures and the school's Child Protection Code of Conduct;
- Ensuring that all adults within the School community are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures;
- Ensuring that all staff, contractors and volunteers are aware of their obligation to observe the Child Protection Code of Conduct (particularly as it relates to child safety);
- Providing support for staff, contractors and volunteers in undertaking their child protection responsibilities.

- Promote child safety at all times;
- Assess the risk of child abuse within their area of control and eradicate / minimise any risk to the extent possible;
- Educate employees about the prevention and detection of child abuse; and
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

The Principal, as Head of Glenroy Private, is required to respond to all allegations against employees. Reportable allegations and convictions are to be notified to the Commission for Children and Young People within 3 days of the Principal becoming aware of such allegations or convictions.

The Principal will conduct investigations (which can include preliminary or other inquiries and assessments) into all allegations or convictions and take appropriate action as a result, including reporting to the Ombudsman's office, The Department of Health and Human Services (DHHS) as well as the Commission for Children and Young People, the outcome of the school's investigation into a reportable allegation or conviction within 30 days.

Should the Principal receive notice of allegations against any employees, his responsibility is to either respond to such allegations or arrange for a response from an appropriate senior staff member who will be appointed at the time.

The Principal will be mindful of the School's "*Code of Conduct*" refer to "Code of Conduct Policy" and outlines appropriate and inappropriate behaviour to assist staff and others to better understand the school's expectations in respect of its aim to eliminate any harm coming to children in its care.

The Principal is responsible for ensuring systems are in place for recording and responding to all allegations or convictions against an employee, including matters that may be required to be notified to the Ombudsman, the Commission for Children and Young People and Department of Health and Human Services (DHHS)

## Ombudsman

The Ombudsman's child protection role is to, inter alia:-

- scrutinise the School's child protection systems that seek to prevent and then respond to allegations and convictions of reportable conduct against employees;
- monitor the School's investigations into an allegation of reportable conduct against an employee, and if necessary undertake direct investigations into such allegations;

- respond to complaints about any inappropriate response by the school to an allegation or conviction of reportable conduct against an employee.

### **Commission for Children and Young People (CCYP) Working with Children's Check (WWCC)**

The CCYP is responsible for the employment screening for child related employment in accordance with the Child Protection (Working with Children) Act 2005. A Working with Children Check is a prerequisite for anyone in child-related work. It involves a national criminal history check and review of serious criminal charges, offences and professional conduct determinations related to the safety of children. The result of a check is either a clearance to work with children for five years or a bar against working with children. Cleared applicants are subject to ongoing monitoring by the CCYP and any relevant new records which appear against a cleared applicant's name may lead to the Check being revoked.

Please refer to the <http://www.workingwithchildren.vic.gov.au/home/about+the+check/> for further information on the new Working with Children Check that commenced on 15 June 2013.

In summary, all school staff must obtain a check before they can commence any work at Glenroy Private and ensure their check is up to date and valid throughout their employment.

The CCYP also receives notification of sustained findings of serious physical assault and sexual misconduct and convictions involving children against employees.

### **Department of Health and Human Services (DHHS)**

Department of Health and Human Services is a division of Family and Community Services and has a broad role to play in the protection of children within our society and significant investigative powers to enable it to discharge its responsibilities.

As mentioned elsewhere in this Policy document, the school's Principal has a clear obligation under the Children and Young Persons (Child Protection) Act 1998 to report to DHHS any child which is considered to be at risk of significant harm and to assist that agency with its investigations.

DHHS will acknowledge safe receipt of notifications to its Helpline (1300 650 172) and assign a case worker and reference number to the matter being reported.

Located at <http://www.dhs.vic.gov.au/for-individuals/children,-families-and-young-people/child-protection/about-child-abuse> is an online interactive “Mandatory Reporter Guide” that will assist the school to determine if a child should be reported as being at risk of significant harm to Community Services.

## **Staff Member**

All staff/volunteers/contractors share in the responsibility for the prevention and detection of child abuse, and must:

- Familiarise themselves with the relevant laws, the Child Protection Code of conduct and the school’s policy and procedures in relation to child protection and comply with all requirements;
- Report any reasonable belief that a child’s safety is at risk to the relevant authorities and fulfill their obligations as mandatory reporters (refer to Mandatory Reporting)
- Report any suspicion that a child’s safety may be at risk to the Principal
- Provide an environment that is supportive of all children’s emotional and physical safety.

As a member of staff of this school, your responsibility is to report to the Principal any situation where:-

- a) you are aware that there has been an allegation of reportable conduct; or
- b) you have formed a belief on reasonable grounds that a child is in danger of being subject to reportable conduct; or (c) a child is at risk of significant harm.

It is important to realise that failure to report allegations of reportable conduct or a suspicion of reportable conduct against a child who is under 16 years of age, based on reasonable grounds, is possibly an offence under Crimes Act.1958 (Vic).

Teaching staff need also to be aware that under the Victorian Crimes Act a teacher who has sexual intercourse with one of their pupils who is aged between 16 and 18 is liable to imprisonment.

As a member of the school’s staff, you are not to investigate allegations or suspicions of reportable conduct. Investigations must only be carried out by investigators specifically appointed for the purpose.

Your responsibility is to report any allegations or evidence of reportable conduct only to the Principal and discussion with others should be avoided or limited to persons in your privileged communication path when

necessary. **Failure to limit your communication in this way will not only be a breach of this policy, but may result in you not being protected under the law from potential civil proceedings for defamation.**

The Principal will report any matter that has been notified, as required by the relevant legislation and the Memorandum of Understanding mentioned in the Legislative Requirement section below. You will be advised of the action taken. If it is decided that there are not “reasonable grounds to suspect” a child is at risk of significant harm and consequently the matter is not going to be reported by the Principal, you, as the original notifier, will have an obligation under the legislation to report to DHHS (1330 650 172) if you believe that reasonable grounds exist. Fulfilling the roles and responsibilities contained in the 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.

If a student discloses reportable allegations to you, you are obliged to report the disclosure as stated above but you must **not** investigate the matter. You should refer to the “Mandatory Reporting Procedure” below and refer to “*Guide to making a Report to Child Protection or Child First*” Please see Attached.

### **Mandatory reporting of a child or young person at risk of significant harm**

Glenroy Private commits to Mandatory Reporting requirements of the **Children Youth and Families Act 2005 (Vic)** for the protection of children from harm due to physical abuse and sexual abuse. School personnel are mandated under this act who, in the course of carrying out their duties, form a reasonable belief that a child is in need of protection from abuse, school personnel must report that belief and the ground for it as soon as possible.

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

Please note:

- a. Mandated reporters make a report even if the principal does not share the belief.
- b. Mandated reporters ensure that a report has been made in instances where another mandated reporter has undertaken to make the report.

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 Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse.

(Appendix A - **‘Four Critical Actions for schools Responding to Incidents, Disclosures and Suspicions of Child Abuse’**) also see **School Mandatory Reporting Procedure (page 11)**.

Recent changes to the Victorian legislation produce additional legal obligations in relation to reporting suspected child abuse.

**Failing to meet these obligations can constitute a criminal offense, 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 behavior. Please see the Principal immediately about the wellbeing of students in these circumstances.

Mandatory Reporting arises from the requirements of the Children, Youth and Families Act 2005 (amended for 2104) Mandatory Reporting as follows:

(1) This section applies to:

- a) a person who, in the course of his or her professional work or other paid employment delivers health care, welfare, education, children’s services, residential services, or law enforcement, wholly or partly to children and

- b) a person who holds a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services, or law enforcement, wholly or partly to children.

(2) If:

- a) a person to whom this section applies has reasonable grounds to suspect that a child is at risk of significant harm, and
- b) those grounds arise during the course of or from the person's work, it is the duty of the person to report, as soon as practicable, to the Director-General the name, or a description, of the child and the grounds for suspecting that the child is at risk of significant harm."

("Department" means Department of Health and Human Services "Director-General" means the person for the time being holding office or acting as the Director-General of the Department (Helpline 1300 650 172)

## Making a Mandatory Report

Who	Details
Mandated staff <ul style="list-style-type: none"> <li>• Principals</li> <li>• Primary and Secondary Teachers</li> <li>• School nurses</li> </ul>	<b>Must:</b> <ul style="list-style-type: none"> <li>• Report to the Department of Health and Human Services (DHHS) Child Protection as soon as practicable after forming a belief on reasonable grounds that a child or young person is at risk of significant harm, and the child's parents are unable or unwilling to protect the child.</li> </ul>
Non-mandated school staff (section 183, CYFA 2005)	<ul style="list-style-type: none"> <li>• Any person who believes on reasonable grounds that a child is in need of protection may make a protective report regarding their concerns to DHHS Child Protection.</li> <li>• School staff who form a belief on reasonable grounds should inform the principal of any concerns.</li> </ul>
All school staff: Forming a belief on reasonable grounds.	A belief is formed when a person has: <ul style="list-style-type: none"> <li>• More than a suspicion</li> <li>• Is more likely to believe rather than disbelieve that a students is at risk.</li> </ul> <b>Note:</b> If a staff member has unresolved suspicions that do not lead them to form a belief they should initially consult with the principal, a member of the schools leadership team or DHHS Child Protection.

	<p>A referral to Child First may also be appropriate to engage support for the family.</p> <p>Reasonable grounds are established when:</p> <ul style="list-style-type: none"> <li>• A child or young person states that they have been physically or sexually abused</li> <li>• A child or young person states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves)</li> <li>• Someone who knows the child or young person states that the child or person has been physically or sexually abused.</li> <li>• A child shows signs of being physically or sexually abused</li> <li>• The staff member is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on the child and young person's safety, stability or development</li> <li>• The staff member observes signs or indicators of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision</li> <li>• A child's actions or behaviour may place them at risk of significant harm and the child's parents are unwilling or unable to protect the child</li> </ul>
School staff seeking consultation	<p>Consult with:</p> <ul style="list-style-type: none"> <li>• School Leadership (Principal, Head of School)</li> <li>• School Chaplain</li> <li>• DHHS Child Protection</li> </ul> <p>See: Flowchart: A step-by-step guide to making a report to CHILD FIRST</p>
Teacher & Principal actions	<p>Teachers should:</p> <ul style="list-style-type: none"> <li>• only gather enough information to form the belief</li> <li>• use open ended questions when talking to the student</li> </ul> <p>Teachers should not:</p> <ul style="list-style-type: none"> <li>• conduct their own investigation</li> <li>• ask leading questions that suggest the abuse took place</li> <li>• interview witnesses</li> <li>• take statements</li> <li>• collect evidence</li> <li>• conduct physical evidence</li> </ul>

	School staff should keep comprehensive, chronologically ordered notes that describe the source of their concerns, e.g. from obvious injuries, behaviours or comments made outlining related events, actions taken and further considerations determine the need for help. Notes should also reflect who the staff member has been in contact with.
Information required when making a report to Child Protection	<p>The following information is required to make the report:</p> <ul style="list-style-type: none"> <li>• name of family and children</li> <li>• addresses language spoken and student's date of birth</li> <li>• factual and specific reason for concern</li> <li>• the reporter's involvement with the family</li> <li>• any other people or agencies involved</li> <li>• concerns about a child's protection workers safety in visiting the family</li> <li>• best time to find parent/guardians at home</li> <li>• if the family knows the report is being made</li> </ul> <p><b>Note:</b> An inability to provide all of this information should delay the making of the report. Further information can be provided after the initial report is made.</p>
Professional Protection for Reporters	<p>Teachers and Principals making a mandatory report:</p> <ul style="list-style-type: none"> <li>• are protected against legal, professional and civil actions by the CYFA as long as they are acting: <ol style="list-style-type: none"> <li>1. in good faith</li> <li>2. for the best interest of the child</li> </ol> </li> <li>• Cannot be held to have acted unprofessional.</li> </ul>
Confidentiality of identity	Information about the identity of a person making a report to Child Protection must be kept confidential unless the reported consents to it being disclosed.
Information Sharing	Teachers and principals making reports or providing information to Child Protection, Child First and Victoria Police Sexual Offences and Child Abuse Investigation Team (SOCIT) are specifically protected against legal, professional and civil actions by the CYFA provided they are "acting in good faith" in the interest of the child.
Referral to Child First	A referral to Child First is the best way of connecting children, young people and their families to the services they need. School staff should make a referral to Child First where school staff have concerns about child's wellbeing but not believe the child is in need of protection.

	<p><b>Note:</b> Protecting the safety and wellbeing of children and young people provides full information for school staff about mandatory reporting, responsibilities of schools and school staff and the roles and responsibilities of other agencies.</p>
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## INVESTIGATION

This table describes the responsibilities during an investigation.

Who	Responsibility
Department of Human Services, Child Protection	<ul style="list-style-type: none"> <li>Determine if the circumstances;</li> <li>warrant an investigation</li> <li>should be referred to Child FIRST</li> </ul>
Police	<ul style="list-style-type: none"> <li>Investigate the circumstances</li> <li>May ask teachers or principals for a statement relating to: <ul style="list-style-type: none"> <li>a) Mandatory reports</li> <li>b) Allegations of student sexual assault</li> </ul> </li> </ul>

Investigation of allegations or evidence of reportable conduct must only be carried out by appointed investigators whose duties will include informing parents or caregivers that a notification has been made. You should not make any contact with parents or caregivers regarding the notification unless specifically authorised to do so.

You are required to confer with the Principal before responding to a request by DHHS or any other officers to attend an interview with a child (victim). You cannot be compelled by DHHS to attend such an interview and the advantages and disadvantages of attendance need to be carefully assessed before a decision is made.

You may be required to report in a detailed manner on any matter regarding reportable conduct about which you have notified or been notified. The confidentiality of such a report will be maintained unless otherwise required by a Court Order. Information relating to any matter of reportable conduct will need to be recorded in a signed statement.

## Definitions

The various pieces of relevant legislation, agency guidelines and other publications, contain definitions of a number of terms and those relevant for the School's purposes are summarised below. These definitions may alter and reference should always be made to the source document for the latest content.

## Allegation

An allegation against an employee might involve behaviour that is reportable conduct or behaviour that is exempt from notification to DHHS but is required to be investigated by the School.

## Apprehended Violence Order

An Apprehended Violence Order (other than an interim order) made by a Court under the Family Violence Protection Act 2008- Section 11, or an interstate restraint order (within the meaning of the Family Violence Protection Act 2008 Section 11) which is registered in Victoria, and made on the application of a police officer or other public official for the protection of a child (or a child and others).

## Behaviour that causes psychological harm

Behaviour that causes psychological harm is conduct that is obviously or very clearly unreasonable and results in significant emotional harm or trauma to a child. There needs to be a proven causal link between the inappropriate behaviour and the harm and the harm must be more than transient.

## Behaviour that does not constitute reportable conduct

Allegations against employees that are exempt from notification to DHHS and Victoria Police are:

- a) conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards; or
- b) the use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation recorded under workplace employment procedures.

Examples of conduct that would not constitute "reportable conduct" include:

- touching a child in order to attract a child's attention to guide a child or to comfort a distressed child
- a teacher raising his or her voice in order to attract attention or to restore order in the classroom
- conduct that is established to be accidental
- providing appropriate medical care to a child who is hurt
- not providing supervision where this was for good reason, and for a short period of time and where the risk of harm was reasonably perceived at the time to be low
- actions found to have been appropriate physical contact in classes such as sport, drama, dance etc.

## Child

Under the Child Wellbeing and Safety Act 2005 Vic, Family and Violence Protection Act 2008 Vic, Working with Children Act 2005 Vic, all children and young people up to the age of 18 years are defined as children. The Children and Youth & Families Act 2005 (Child Wellbeing and Safety Act 2005) includes children up to the age of 16 years.

## Child Abuse

### Includes:

- a) any act committed against a child involving
  - I. A sexual offence
  - II. An offence under section 49B (2) of the **Crimes Act 1958**
- b) The infliction, on a child, of:
  - I. Physical violence
  - II. Serious emotional or psychological harm
- c) Serious neglect of a child. (Ministerial Order No. 870)

## Conviction of Reportable Conduct

This means any conviction of a person in Victoria or elsewhere, of an offence involving reportable conduct and includes a finding by a court that a charge for such an offence is proven even though the court does not proceed to a conviction.

## Disqualified Person

The Children's Guardian must not grant a working with children check clearance to the following persons ("**disqualified persons**"):

- a) a person convicted before, on or after the commencement of relevant legislation of an offence, if the offence was committed as an adult,
- b) a person against whom proceedings for any such offence have been commenced, if the offence was committed as an adult, pending determination of the proceedings for the offence.

## Crime Amendment (Grooming Act) 2014

A grooming offence is committed if the offender communicates by words or conduct with a child under the age of 16 years or their carer or supervisor; and intends to commit a sexual offence involving the child.

We support and respect all children and are committed to providing a safe environment for all children of diverse background and children with a disability.

Behaviour should only be seen as 'grooming' where there is evidence of a pattern of conduct that is consistent with grooming the alleged victim for sexual activity, and that there is no other reasonable explanation for it. The types of behaviours that may lead to such a conclusion include (but are not limited to) the following:

- Persuading a child or group of children that they have a 'special' relationship, for example by:
  - spending inappropriate special time with a child
  - inappropriately giving gifts
  - inappropriately showing special favours to them but not other children
  - inappropriately allowing the child to overstep rules
  - asking the child to keep this relationship to themselves.

- Testing boundaries, for example by:
  - undressing in front of a child
  - encouraging inappropriate physical contact (even where it is not overtly sexual)
  - talking about sex
  - ‘accidental’ intimate touching.
- Inappropriately extending a relationship outside of work (except where it may be appropriate - for example where there was a pre-existing friendship with the child’s family or as part of normal social interactions in the community).
- Inappropriate personal communication (including emails, telephone calls, text messaging, social media and web forums) that explores sexual feelings or intimate personal feelings with a child.

An adult requesting that a child keep any aspect of their relationship secret or using tactics to keep any aspect of the relationship secret, would generally increase the likelihood that grooming is occurring.

For the purposes of notification to the DHHS Child protection, grooming behaviour constitutes a form of sexual misconduct and is notifiable.

The school is committed to regularly training and educating our staff and volunteers on child abuse. The training takes place at least once a year. The professional development and training focuses on individual and school obligations for managing the risk of child abuse and the legal obligations. The training also takes into account the risks of child abuse within the school and how the risk management is used. Staff is also guided in implementing the child safe standards.

## Head of Agency

The Head of Agency is the Principal.

## Internal investigation of an allegation

This involves a process where the school:

- gathers all relevant facts
- makes a decision as to whether an allegation is sustained or not

- provides information to assist any relevant employment proceedings

When undertaking an investigation the School will be mindful of “The Association of Independent Schools VIC and The VIC Independent Education Union – Recommended Protocols for Internal Investigation and Disciplinary Proceedings” (Please refer to the IEU and IS Website for direct information)

## **Neglect (Child Wellbeing and Safety Act 2005, Vic)**

The Child Wellbeing and Safety Act 2005 establishes the Victorian Children’s Council and Child Safety Commissioner. It establishes principles for the wellbeing of children in Victoria and provides for the notification of births to municipal councils.

Neglect occurs when a child is harmed by the failure of a person whose job includes care responsibilities towards a child, to provide basic physical and emotional necessities of life, including failure of such a person to provide or arrange for the provision of adequate and proper food, nursing, clothing, medical attention or lodging for a child in that person’s care.

## **Commission of Children and Young People (CCYP)**

The CCYP is responsible for providing or declining working with children clearances to applicants. The *Working With Children Act 2005* ('the Act') commenced in April 2006. The most recent amendments to the Act were in 2014. All new employees are required to provide the Employer with an up to date, valid Working With Children Check clearance notice (Card).

## **Physical Assault**

Using common law principles, physical assault must include all three of the following elements:

- it is an act committed on or towards a child;
- it involves either the application of force to a child or an act that causes a child to think that immediate force will be used on them;
- it is either hostile or reckless (a reckless act is one where the person foresees the likelihood of inflicting injury or fear, and ignores the risk).

Actual physical harm does not have to occur in order for an assault to have taken place, i.e. the child does not have to be injured.

Physical contact which is an inevitable part of everyday life does not amount to an assault.

## Reportable Allegation

An allegation of reportable conduct against a person or an allegation of misconduct that may involve reportable conduct and must include:

- identification of a person who is a current employee of the school
- an alleged offence or description of offending behaviour that meets the definition of reportable conduct
- a person who was a child at the time of the alleged offence or behaviour described

All allegations (including anonymous allegations) of reportable conduct must be reported to DHHS Child Protection.

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Complaints that form the basis of less serious allegations i.e. non reportable conduct will be dealt with in accordance with the relevant school policy and the school's other legal obligations.

## Reportable Conduct

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 come from within the school ( this include 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 / Head of Department (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 in the child's safety, stability or development
- Report suspected sexual abuse (including grooming) to **Victoria Police**,
- Report internally to the Head of School ( 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)
- If a staff member believes that a child is not subject to abuse but, still hold significant concerns for their wellbeing they must still act. This may include making a referral or seeking advice for **Child First (in circumstances where the family are open to receiving support)** or to DHHS Child Protection or Victoria Police.

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 the a family, parenting difficulties, isolation of a family or lack of apparent support.

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

Any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence), or

- any assault, ill-treatment or neglect of a child, or
- any behaviour that causes psychological harm to a child, whether or not, in any case, with the consent of the child.

## Failure to Report

All staff members who become aware that an adult associated with the school (employee, contractor, volunteer, student on placement or visitor) poses a risk of sexual abuse to a child at the school, must take all reasonable steps to remove or reduce the risk. If a staff member fails to take reasonable steps, this may amount to a criminal offence and termination of employment.

## Failure to Protect

All adults, not just professionals who work with children, have a legal obligation to report to the Victorian Police where they form a reasonable belief that a sexual offence has been committed by an adult against a child. Failure to disclose the information may amount to a criminal offence and termination of employment.

It is the analysis of the facts and circumstances known to the Principal when he is made aware of allegations of reportable conduct to determine whether any measures need to be taken for the safety and welfare of all concerned.

## Employee

An employee is any person who is employed by the school, whether or not they are employed to work directly with children, as well as anyone from outside the school who is engaged to provide services to children such as contractors, volunteers, students on placement, instructors of religion, sports coaches, visiting musicians, voluntary non-student members of theatrical production.

## Employment of New Personnel

Glenroy Private undertakes a comprehensive recruitment and screening process for all workers and volunteers which aims to:

- Promote and protect the safety of all children under the care of the organisation;
- Identify the safest and most suitable people who share the college's values and commitment to protect children; and
- Prevent a person from working at Glenroy Private School if they pose a risk to the children.

The school requires all workers/volunteers to pass through the organization's recruitment and screening process prior to commencing their engagement with the school.

Persons applying for a role as a teacher with the school must be registered with the Victorian Institute of Teaching.

All people engaging in child-related work, including volunteers, are required to hold a 'Working With Children's Check' and to provide evidence of this check. Please see the Working With Children's Check website ( [www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au)) for further information. A WWCC Register is maintained by The Human Resources. They may require applicants to provide a police check in accordance with the

law and, as appropriate, before they commence working at Glenroy Private School and during their time with the College at regular intervals.

The school will undertake thorough reference checks as per the approval internal procedure.

Once engaged, workers/volunteers must review and acknowledge their understanding of this policy and the Child Protection Code of Conduct.

## **Risk of Significant Harm**

Under Section 23 of the “Children’s, Youth and Families (Care and Protection) Act 2005 a child or young person is "at risk of significant harm" if current concerns exist for the safety, welfare or well-being of the child or young person because of the presence of any one or more of the following circumstances:

- a) the child’s or young person’s basic physical or psychological needs are not being met or are at risk of not being met,
- b) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care,
  - i. in the case of a child or young person who is required to attend school in accordance with the [Education and Training Reform Act 2006](#) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education in accordance with that Act,
- c) the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated,
- d) the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm,
- e) a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm,
- f) the child was the subject of a pre-natal report under and the birth mother of the child did not engage successfully with support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report.

**Note:** Physical or sexual abuse may include an assault and can exist despite the fact that consent has been given.

## Sexual Offence (Child Abuse)

The term 'sexual offence' encompasses all criminal offences involving a sexual element that are 'committed against, with or in the presence of a child.'

These offences include (but are not limited to) the following:

- indecent assault
- sexual assault
- aggravated sexual assault
- sexual intercourse and attempted sexual intercourse
- possession/ dissemination/ production of child pornography or child abuse material
- using children to produce pornography
- grooming or procuring children under the age of 16 years for unlawful sexual activity
- deemed non-consensual sexual activity on the basis of special care relationships. All cases involving a sexual offence would also involve sexual misconduct.

## Sexual Misconduct

The term 'sexual misconduct' includes conduct that does not necessarily equate to a criminal offence. For sexual misconduct to constitute reportable conduct, the alleged conduct must have been committed against, with or in the presence of a child.

There are three categories of sexual misconduct in addition to sexual offences:

- crossing professional boundaries
- sexually explicit comments and other overtly sexual behaviour, and
- grooming behaviour (see definition above).

### Crossing professional boundaries

Sexual misconduct includes behaviour that can reasonably be interpreted as involving an inappropriate and overly personal or intimate:

- relationship with;
- conduct towards; or

- focus on;
- a child or young person, or a group of children or young persons.

In the area of ‘crossing professional boundaries’, particular care should be exercised before making a finding of sexual misconduct. For example, an employee who, on an isolated occasion, ‘crosses professional boundaries’ in a manner that involves little more than poor judgement could not be said to have engaged in sexual misconduct. Also, in cases where an employee has ‘crossed boundaries’ in terms of their relationship with a child, if there is evidence which clearly shows that the employee did not seek to establish an improper relationship with the involved child, then this does not constitute sexual misconduct.

However, persistent less serious breaches of professional conduct in this area, or a single serious ‘crossing of the boundaries’ by an employee, may constitute sexual misconduct, particularly if the employee either knew, or ought to have known, that their behaviour was unacceptable.

The school’s Code of Conduct outlines the nature of the professional boundaries which should exist between employees and children/young people. For employees who either intentionally breach that code or have demonstrated an inability to apply it appropriately, it may be necessary for the staff member’s Senior Manager to provide more detailed written advice about what constitutes appropriate behaviour.

## **Sexually explicit comments and other overtly sexual behaviour**

Sexual misconduct includes a broad range of sexualised behaviour with or towards children. While it is not possible to provide a complete and definitive list of unacceptable sexual conduct involving children, the following types of behaviour give strong guidance:

- sexualised behaviour with or towards a child (including sexual exhibitionism)
- inappropriate conversations of a sexual nature
- comments that express a desire to act in a sexual manner
- unwarranted and inappropriate touching involving a child
- personal correspondence and communications (including emails, social media and web forums) with a child or young person in relation to the adult’s romantic, intimate or sexual feelings for a child or young person

- exposure of children and young people to sexual behaviour of others including display of pornography
- watching children undress in circumstances where supervision is not required and it is clearly inappropriate.

Reference should also be made to the VIC Ombudsman website for further information on the above definitions.

## Special Care Relationships

Teachers along with certain other staff are included in the definition of special care relationships in Section 8C of the Victorian *Crimes Act 1958*.

## Spent Conviction

Those offences included on a person's criminal record which, because of the passage of time and legislative preconditions have been met, are no longer to be considered in any administrative decision making.

## Vexatious

Where enquiries into the matter find that the allegation was made without substance and with the intent of being malicious or to cause distress to the person against whom the allegation was made.

## Working with Children Check (WWCC)

Staff are required to obtain a Working With Children Check Clearance to do their job at the school because of their direct responsibility for children or:-

- a) the requirement or ability of all school staff to have face to face contact with children in the school's care; or
- b) the nature of their role may enable them to have access to a child's personal information; or
- c) the school's environment as a large boarding School with a significant number of children residing at the school.

An application needs to be commenced on the website of the Commission for Children and Young People Working With Children's Website and once the Clearance letter/Card has been received it should be sent to the Principal along with the staff member's date of birth.

## Legislative Requirements

As mentioned above for the purposes of this Policy and the various legislative requirements the Principal or Acting Principal is the School's Head of Agency. A summary of the various pieces of legislation involved with child protection follows:-

1. 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 that information to the police.
2. Failure to protect: people of authority in our organisation will commit an offence if they know of a substantial risk of a child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
3. Grooming: Predatory conduct undertaken to prepare a child for sexual activity at a later time.
4. Any personnel who are mandatory reporters must comply with their duties.

## Prevention

This school clearly opposes any practice that involves conduct of a reportable nature and will be constantly looking to implement measures and strategies that are aimed at preventing reportable conduct and other harm coming to children in its care. These measures and strategies will include:-

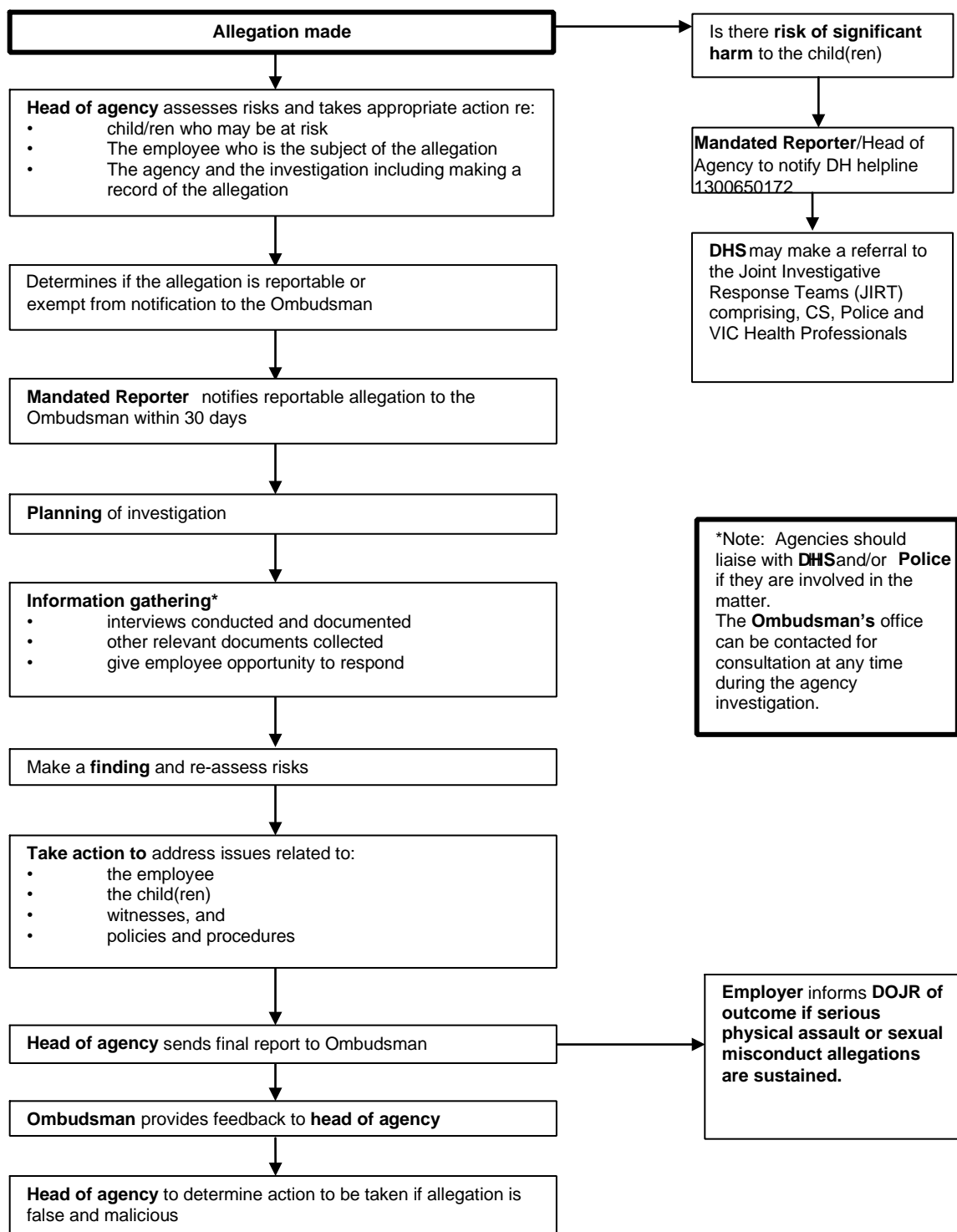
- developing and reviewing strategies to minimise reportable conduct occurring;
- requiring employees to sign off their acknowledgment and understanding of this policy to protect children;
- ensuring this policy is dated and contains a date when it will be reviewed;
- adopting the "*Code of Conduct Policy*" that assists staff in understanding appropriate and inappropriate behaviours;
- over a period of time clearly defining each person's current role within the organisation;

- identifying people who are not suitable to work with children through implementing thorough employment procedures including reference checking, pre-employment screening and detailed questioning at interviews;
- providing information to families and the community on the child protection strategies that have been adopted by the school;
- training for employees to promote best practices and to ensure a safe environment for children and employees, and
- raising awareness in the school community about child protection by displaying where appropriate brochures, posters or other means of communication;
- encouraging members of the school community to make constructive contributions as to how this policy and the foregoing measures and strategies can be improved.

## **Steps in the investigative process**

The following flow chart provides an overview of the key actions the school will observe when responding to and investigating a reportable allegation against an employee and notifying the DHHS and possibly the Children's Guardian.

### **Steps In The Investigative Process**



## Risk Assessment

With the abovementioned process in mind the Principal will:

- conduct an initial and subsequent risk assessment, including an assessment of the safety of the child(ren) concerned;

- decide what action, if any, e.g. suspension, is to be taken regarding the employee who has had an allegation made against them, and
- assess and monitor the risk of continued access of the employee (who has had an allegation made or conviction recorded against them), to children attending the school.

## **Documentation and Record Keeping**

All documents held by the school and relating to an allegation or conviction of reportable conduct or details of behaviour that does not constitute reportable conduct will be kept on a strictly confidential basis.

Should DHHS Child Protection be notified in accordance with the School's obligations, the related documents will be kept indefinitely and stored in a secure location separate to the employee's file.

The Principal will be responsible for keeping and storing all records relating to all matters addressed by this Policy and only those persons whom the school is obliged to advise of this information or need to be aware of the contents of such documents will have access to them.

Attached to this Policy is DHHS Notification Form (Appendix E) in respect of Reportable Allegations to assist staff to understand the type of information that is shared with other agencies and kept in the school's records.

## **Support Available for All Parties**

The school's Religious and Welfare Services that include the school's Sheikhs Team are available to support children involved in matters of this nature. Similarly, staff are able to call upon these colleagues for pastoral support.

## **Risk Management Regarding Child Safety**

At Glenroy Private, our child safety risk management strategy is a formal and structured approach to managing risks associated with child safety. The school Child Protection Policy and Code of Conduct clearly outline our commitment to implementing the 7 standards for child safety as outlined in the Ministerial Order No. 870.

Glenroy Private has a duty of care to protect all students. To ensure a child safe environment. Glenroy Private has developed a child Risk Management Assessment.

The school through its Leadership Team, will complete the Child Safe Risk Management Assessment at the commencement of each semester (twice a year). Any potential Child Safety risks will be identified and appropriate risk control methods will be implemented to mitigate or eliminate the risk.

### Assessment Template

Risk Event or Environment	Existing Management Strategies and Controls	Likelihood	Consequences	New Risk Management and Controls	Who is Responsible	Target Risk rating
Inappropriate behaviour is not reported and addressed	Code of Conduct Policy Reporting procedure Performance management	Unlikely	Severe - High risk	Strategies to embed organisational culture of child safety are reviewed Refresher training for staff	Principal School Chair	Low

### Child Safety Risks and Risk Management Strategies

The table below comprises a listing of potential child safety risk and risk management strategies:

#### Risks

- Lack of an organisational culture of child safety
- Familiarity breeding a culture of not reporting issues
- Natural trust of long term employees (who may have developed issues over time)
- Children alone with one other person unsupervised
- Recruitment of an inappropriate person
- Inappropriate behaviour not reported
- Harassment via email, SMS or other media
- Unsupervised recreational or other activities

- Ad-hoc contractors on the premises (e.g. maintenance)
- Vulnerability of staff and students due to unknown personal issues
- Unknown people and environments at excursions and camps
- False allegations

### **Risk Management Strategies**

- Implement an effective child safety risk management strategy
- Child safety code of conduct
- Child safety reporting procedures
- Induction for all visitors, staff, volunteers and contractors
- Train students and staff to detect inappropriate behaviour
- Counselling and other resources
- CCTV for unsupervised areas, blind spot and ‘concern spot’ areas
- Clear windows in school corridors and other areas to ensure visibility
- Non-lockable doors in ‘concern spots’
- Assessment of new or changed physical environments for child safety risks
- Supervision or monitoring of activities
- Online search engines (Google, chrome, Safari, Facebook etc)
- Performance management procedures including staff appraisals
- Pre-employment reference checks that includes a Police check and wwcc
- Criminal history checks and confirming clearance.

Glenroy Private believes that our Child Protection Policy and Code of Conduct enable the school for continuing monitoring of risk and risk management.

### **Strategies to promote the participation and empowerment of children**

Glenroy Private acknowledges the importance of fostering an environment of openness, inclusiveness and respect where children feel valued and are aware of their rights and adults’ responsibilities regarding child abuse.

Students are supported by being taught skills to maintain personal safety and simple processes for reporting abuse, inappropriate behaviour or concerns for their safety and they feel comfortable to do so.

The Ministerial Order specifies the following requirements for schools regarding Standard 7:

1. The school governing authority must develop strategies to deliver appropriate education about:
  - a. standards of behaviour for students attending the school;
  - b. healthy and respectful relationships (including sexuality);
  - c. resilience; and

d. child abuse awareness and prevention.

2. The school governing authority must promote the child safety standards required by this Order in ways that are readily accessible, easy to understand, and user-friendly to children (State of Victoria, Department of Education and Training 2016).

## Strategies

1. Raise awareness of children's rights by:
  - educating students about their rights to report incidents relating to child abuse.
  - making references and encourage students to talk and report incident about their well-being and safety in conjunction with the Health and Personal Development curriculum.
  - using age-appropriate literature, including children's story-books, to instigate conversation about body parts, privacy, stranger danger, etc.
  - informing parents and students at an information sessions about the children's rights in relation to child safety.
2. Promoting the participation of children by:
  - building a communication and leadership skills of children through developing verbal competency, teaching assertiveness and ensuring that students feel respected, valued and listened to
  - guiding SRC members through "peer support program" to encourage other children to participate in the wellbeing discussion and matters
  - encouraging participation via a wellbeing suggestion and complaint box
3. Building cultural understanding by:
  - celebrating cultural diversity through lunchtime and other activities
  - communicating with families regarding cultural expectations and needs
  - placing child safety item as a regular item on the Board meeting and Staff meeting agendas
4. Raise the profile and visibility of child safe policies and practices with children:
  - Students will be reminded on a regular basis to voice any concern to their teachers or welfare officer
  - Posters and other resources will be displayed around the school
  - Place the child protection policy including this strategy on school's website

Attached are "*Guidelines to Assist a Child or Young Person who has Disclosed Reportable Allegations*" (Appendix B) that seeks to assist staff in understanding the approach that should be taken when a child or young person reveals abuse to you.

## Review Date

The school will review this policy and associated documents within twelve months and reissue a further version if necessary. Any suggested improvements should be forwarded to the Principal. Whilst the school will strive to ensure it has a robust and effective "Child Protection Policy" it is also recognised that this policy and the school are unable to exceed any statutory obligation upon the school.

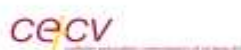
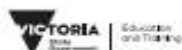
GP Member to Review	Principal	Date Reviewed	22.07.2021	Next Review Date	
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## APPENDIX (A)

### FOUR CRITICAL ACTIONS FOR SCHOOLS

## Responding to Incidents, Disclosures and Suspicions of Child Abuse

**PROTECT**



### 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 4 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.

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 must use the Responding to Suspected Child Abuse template to keep clear and comprehensive notes.

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

### 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

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 or volunteer to Victoria Police.

You must also report internally to:

- GOVERNMENT SCHOOLS
  - School Principal and/or leadership team
  - Employee Conduct Branch
  - DET Security Services Unit

##### CATHOLIC SCHOOLS

- School Principal and/or leadership team
- Diocesan education office

##### INDEPENDENT SCHOOLS

- School Principal and/or school chairperson

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

#### 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

- You must also report to:
  - School Principal and/or leadership team
  - DET Security Services Unit

##### CATHOLIC SCHOOLS

- You must also report to:
  - School Principal and/or leadership team
  - Diocesan education office

##### INDEPENDENT SCHOOLS

- You must also report to:
  - School Principal and/or chairperson

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 (in circumstances where the family are open to receiving support), or to DHHS Child Protection or Victoria Police.

### 3 CONTACTING PARENTS/CARERS

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 (e.g. 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 parents/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).

### 4 PROVIDING ONGOING SUPPORT

Your school must provide support for children impacted by abuse. This should include the development of a Student Support Plan in consultation with wellbeing professionals. This is an essential part of your duty of care requirements. Strategies may include development of a safety plan, direct support and referral to wellbeing professionals.

You must follow the Four Critical Actions every time you become aware of a further instance or risk of abuse. This includes reporting new information to authorities.

### 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  
www.dhs.vic.gov.au

VICTORIA POLICE  
000 or your local police station

#### DET SECURITY SERVICES UNIT

(03) 9589 6266

STUDENT INCIDENT AND RECOVERY UNIT  
(03) 9651 3622

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) 9825 7200



**Guidelines for Staff Assisting a Child or Young Person who has Disclosed Abuse**

When a student discloses abuse, staff need to be well prepared so that they can be supportive of the student and at the same time be very clear about their responsibility which in the first instance is to report to the Principal and not investigate. However, when in a one-to-one situation, children generally disclose with great hesitation and often with a mix of intense emotions, including fear, embarrassment and guilt. Sometimes they may only hint at or tell a small part of their experience to see how the staff member reacts before fully disclosing. It is essential that the staff member remains calm and supportive of the student.

The staff member should:

- a) actively listen to the student and never probe for details or ask leading questions: e.g. “Did s/he touch your vagina/penis?”;
- b) refrain from questioning excessively through fear of making a mistake in deciding to notify;
- c) talk gently and reassuringly, in private, pointing out that you are there to help;
- d) only ask questions that are open-ended and designed to provide sufficient information to decide whether the suspicion of abuse is sufficiently strong to warrant a report being made e.g. what happened then?.

Members of staff will help a student making a disclosure by:

- a) listening in a calm way
- b) reassuring the student that you believe him
- c) saying that you are pleased that the student has told you as it was the right thing to do
- d) avoiding any reaction that could make the student regret having talked about the experience
- e) emphasising that what has happened is definitely not the student’s fault
- f) acknowledging that it is very hard to talk about such things

- g) telling the student that the best way to stop the abuse happening is to report it to the people who have the responsibility for the care and protection of children.

When a student discloses:

- a) do not make promises that you will not tell anyone; in fact, you must tell the child that you have a responsibility to tell the Principal
- b) never assure the child that the abuse will stop, as that cannot be guaranteed.

Inter-agency Guidelines emphasise the importance of “being honest with the child about your responsibility for taking action to protect them and what is likely to happen. {However} it is important not to do anything that may make the situation worse and cause further harm to the child by asking probing questions, accusing parents or discussing the circumstances of the notification with potential witnesses or colleagues” (Inter-agency Guidelines for Child Protection Intervention).

### **Responding to a disclosure made in a group or classroom**

If a student begins to make a disclosure in a group situation use the strategy of ‘protective interruption’ by:

- a) acknowledging that you have heard the child
- b) indicating your support by explaining that what you think they are saying sounds important and that it would be better to talk about it later.

