

Child Protection Reporting Obligations Policy



June 2019

Context

Protecting children and young people from harm is a shared responsibility between the family, schools, the general community, community agencies, professionals working with children, police and government. Each has a significant role to play in ensuring the safety and wellbeing of children and young people and in helping prevent harm from occurring.

As a Catholic school and a Ministry of Mercy Education Ltd, OLMC has a mission-driven, moral and legal responsibility to provide a safe, inclusive and secure environment for students where their voices are heard and where every reasonable precaution is taken to protect them from all forms of abuse. Our College works in partnership with the community to ensure that we reduce or remove risks to the personal safety and wellbeing of our students.

Purpose and Scope

This policy supports OLMC's commitment to a strong and sustainable child safety culture. It presents information about the types of abuse and indicators of harm that ought to give rise to a report and it clarifies the changing legislative context that requires differing reporting requirements for varied circumstances. It also outlines procedures to be followed by staff in reporting suspected or known concerns to the appropriate authorities.

It is the responsibility of each individual staff member employed at OLMC, as well as contractors, volunteers, clergy and Council members, to be aware of risk indicators of child abuse, to protect children and young people from harm that is reasonably foreseeable, and to fulfil their child safety reporting responsibilities. This policy therefore applies to all OLMC staff, contractors, volunteers, clergy and College Council members.

Legislative Context

Child protection reporting obligations for Catholic schools fall under five separate pieces of legislation with differing reporting requirements:

- the *Children, Youth and Families Act 2005* (Vic.)
- the *Education and Training Reform Act 2006* (Vic.)
- the *Crimes Act 1958* (Vic.)
- the *Family Violence Protection Act 2008* (Vic.)
- the *Wrongs Act 1958* (Vic.).

In addition, the *Child Wellbeing and Safety Act 2005* (Vic.) introduced the seven Victorian Child Safe Standards, which aim to create a culture where protecting children from abuse is part of everyday thinking and practice.

Ministerial Order No. 870: *Child Safe Standards – Managing the Risk of Child Abuse in Schools* was made under the *Education and Training Reform Act 2006* (Vic.) and sets out the specific actions that all Victorian schools must take to meet the requirements in the Child Safe Standards for registration.

In Victoria, a joint protocol, *Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools*, involving the Victorian Department of Education and Training (DET), the Catholic Education Commission of Victoria Ltd (CECV) and Independent Schools Victoria (ISV) exists to protect the safety and wellbeing of children and young people. It is directly aligned to Standard 5 of the *Child Safe Standards* in Ministerial Order No. 870.

These legislative obligations exist in addition to moral and duty of care obligations, which require school community members to protect any child under their care and supervision from foreseeable harm.

Principles

- All children and young people, regardless of their gender, race, religious beliefs, disability, sexual orientation or social background, have the right to personal safety, including safety in relationships and protection from all forms of abuse and neglect.
- OLMC is committed to nurturing a culturally safe and inclusive community which celebrates diversity and difference and which protects the right of each student to feel safe and be safe at school.
- Every person involved with OLMC has a responsibility to understand the important and specific role they have, individually and collectively, to ensure that the wellbeing and safety of all children and young people are at the forefront of all they do and every decision they make.
- OLMC is committed to working in partnership with families and community agencies to reduce or remove risks to the personal safety and wellbeing of students.
- Early identification and effective intervention can lessen the initial and long-term effects of abuse and promote recovery of the student and family concerned.
- Harm to a student is minimised by allegations or suspicions of abuse being dealt with promptly and with:
 - high measures of confidentiality
 - adherence to agreed procedures
 - provision of appropriate emotional support and pastoral care.
- All persons involved in situations where harm is suspected or disclosed must be treated with sensitivity, dignity and respect.
- Staff, clergy, volunteers, contractors, College Council members, parents and students should feel free to raise concerns about student safety, knowing these will be taken seriously by the College Leadership Team or a member thereof. Appropriate confidentiality will be maintained, with information being provided to those who have a right or a need to be informed, either legally or pastorally.
- All OLMC staff will have appropriate and ongoing training and professional learning to ensure that they understand their professional and legal obligations and responsibilities for reporting suspicion of abuse and neglect.

Definitions

Child. A child or a young person who is under the age of 18.

Young person. A person who is 12-18 years of age.

Child safety. Encompasses matters related to protecting all children from abuse, managing the risk of abuse, providing support to a child at risk of abuse, and responding to incidents or allegations of abuse.

Child abuse. This includes any act committed against a child involving:

- a sexual offence
- grooming
- physical violence
- serious emotional or psychological harm
- serious neglect.

Sexual offence. Occurs when a person involves a child in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to the child's age and development. Sexual abuse can involve a wide range of sexual activity and may include fondling, masturbation, oral sex, penetration, voyeurism and exhibitionism. It can also include exploitation through pornography or prostitution.

Grooming. Refers to predatory conduct undertaken by an adult (18 years or over) to prepare a child for sexual activity at a later time.

Physical violence. Occurs when a child suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person. Examples of physical abuse may include beating, shaking or burning, assault with implements and female genital mutilation.

Serious emotional or psychological abuse. Occurs when a child is repeatedly rejected, isolated or frightened by threats or the witnessing of family violence. It also includes hostility, derogatory name-calling and put-downs, or persistent coldness from a person, to the extent where the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired. Serious emotional or psychological harm can also result from conduct that exploits a child, such as encouraging a child to engage in inappropriate or risky behaviours.

Serious neglect. A failure to provide a child with an adequate standard of nutrition, medical care, clothing, shelter or supervision to the extent that the health and physical development of the child is significantly impaired or placed at serious risk.

Family violence. Defined under the *Family Violence Protection Act 2008* to include behaviour that causes a child to hear, witness or be exposed to the effects of family violence, such as abusive, threatening, controlling or coercive behaviour. Family violence does not form part of the official definition of 'child abuse' in the *Child Wellbeing and Safety Act 2005*, however, the impact of family violence on a child can be a form of child abuse when, for example, it causes serious emotional or psychological harm to a child. A child can be a direct victim of family violence.

Student sexual offending. Refers to sexual behaviour that is led by a student 10 years and over which may amount to a sexual offence.

School environment. Any physical or virtual place made available or authorised by the school for use by a child or young person during or outside school hours, including:

- a campus of the school
- online school environments
- locations used for school camps, sporting events, excursions, competitions, and other events.

Mandatory report. A report made to Child Protection, by a person mandated under the *Children, Youth and Families Act (2005)*, that is based on a reasonable belief that a child is in need of protection from injury that results from abuse or neglect or harm caused as a result of abuse (emotional, physical or sexual) or neglect, including medical neglect. A report should be made on each occasion the mandatory reporter becomes aware of further grounds for forming reasonable belief that a child is in need of protection.

Mandatory reporter. Person(s) required under the *Children, Youth and Families Act (2005)* to make a report to the Child Protection if they believe a child is in need of protection from

physical injury or sexual abuse (emotional, physical or sexual) or neglect, including medical neglect. Mandatory reporters include VIT registered school teachers or principals and registered nurses.

Non-mandatory report. A report of an incident, disclosure or suspicion made by a person who is not subject to a mandatory reporting obligation.

Non-mandatory reporter. Person(s) who is not subject to a mandatory reporting obligation but who holds professional, moral (and sometimes legal) obligations to report a child protection incident, disclosure or suspicion.

Reasonable belief. When a person is concerned about the safety and wellbeing of a child or young person, he/she must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a 'reasonable belief'. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

Reportable Conduct Scheme. Created under the *Child Wellbeing and Safety Act 2005 (Vic.)*, the Scheme requires schools to notify the Commission for Children and Young People (CCYP) if an allegation of reportable conduct (a reportable allegation) is made against one of their employees. Employees can include a principal, teacher, corporate staff member, board or school council employee, contractor, volunteer, school doctor/nurse/medical professional, allied health staff member, or minister of religion or religious leader.

Reportable conduct. Defined under the *Child Wellbeing and Safety Act 2005 (Vic.)* to mean a sexual offence, sexual misconduct or physical violence committed against, with or in the presence of a child/young person.

Reportable conduct employee allegation. Means any information that leads a person to form a reasonable belief that an employee has engaged in reportable conduct or misconduct that may involve reportable conduct, whether or not the conduct or misconduct is alleged to have occurred within the course of the person's employment.

REPORTING AUTHORITIES

DHHS Child Protection. The Victorian Government agency that protects children at risk of significant harm. Child Protection has statutory powers and can use these to protect children.

Child FIRST/The Orange Door. A family information referral Support Team run by a registered community service in a local area that can receive confidential referrals about a child/young person of concern. It does not have any statutory powers to protect a child but can refer matters to family services.

Commission for Children and Young People (CCYP). The CCYP is the reporting authority for allegations of child abuse (and other child-related misconduct) made against employees and volunteers who work with children and young people.

Victoria Police

Victoria Police is the reporting authority when the source of the abuse comes from within the school and/or where a suspicion, belief or disclosure relates to grooming. Where the source of suspected or actual abuse comes from within the family or community, both DHHS Child Protection and Victoria Police are notified.

Procedures

1. Identifying abuse and indicators of harm

There are many indicators of abuse and neglect. The presence of a single indicator, or even several indicators, does not prove that abuse or neglect has occurred. However, the repeated occurrence of an indicator, or the occurrence of several indicators together, should alert staff to the possibility of abuse and neglect.

Appendix 1 to this policy provides guidelines on indicators of physical abuse, sexual abuse, emotional abuse, family violence, neglect and grooming.

2. Forming a reasonable belief

Where a staff member is concerned about the safety and wellbeing of a child or young person, she/he must assess that concern to determine if a report should be made to the relevant agency. If a staff member has witnessed potentially abusive behaviour, has a suspicion or has received a disclosure of abuse, she/he must determine whether these observations or receipt of such information have caused the staff member to form a 'reasonable belief' (refer Definition, above).

A reasonable belief might be formed if:

- a child/young person states that they have been physically or sexually abused;
- any person tells you that they believe someone has been abused; this may include a child/young person who is talking about themselves;
- you observe physical or behavioural indicators of abuse (described in Appendix 1);
- a child/young person exhibits sexually abusive or age-inappropriate behaviour(s);
- professional observations of the child/young person's behaviour or development (refer Appendix 1) cause you to form a belief that the child has been physically or sexually abused or is likely to be abused.

It is important to understand that the presence of a number of indicators that suggest either physical or sexual abuse of a child/young person may be sufficient to form a reasonable belief. This must be reported.

3. Documenting concerns

If one or more staff suspect that a student is in need of protection, it is essential that he/she document any concerns and observations. This process of documentation may occur over a period of time and must be kept in a secure, confidential location.

4. Four Critical Actions

There are four critical actions which must be taken when responding to and reporting a child protection incident, disclosure or suspicion. They are:

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

The four critical actions described in more detail below are also summarised in [Appendices 2 and 3](#). Note that [Appendix 3](#) applies when the incident, disclosure or suspicion pertains to child sexual offending.

CRITICAL ACTION 1: RESPONDING TO AN EMERGENCY

This first step is only applicable if a child/young person has **just been abused** or is **at risk of immediate harm**. If this is not the case, go straight to Critical Action 2.

If the child/young person has just been abused or is at risk of immediate harm, you must take reasonable steps to protect her/him, including:

- separating the alleged victim and others involved, ensuring that if the parties involved are all present at the College, 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.

If the child protection incident has occurred at the College, you should also ensure that reasonable steps are taken to preserve the environment, the clothing and other items and to prevent any potential witnesses (including school staff members, volunteers and contractors) from discussing the incident until Victoria Police or relevant authorities arrive on the premises.

CRITICAL ACTION 2: REPORTING TO AUTHORITIES

All forms and instances of suspected or alleged child abuse must be reported to the appropriate authority.

Once immediate health and safety concerns have been addressed, you must take steps to report the incident, suspicion or disclosure of abuse as soon as practicable. Failure to report physical and sexual child abuse may amount to a criminal offence (refer to Failure to Disclose, below).

There are different reporting procedures and authorities depending on the types of abuse and whether the source of the suspected or alleged abuse comes from within the College or within the family or community of the child/young person.

1. **Employee Allegation.** Where the source of the abuse comes from within the College, that is, the suspected or alleged abuse involves a staff member, volunteer, allied health professional, officer/office holder, contractor or visitor at the school, it must be reported to Victoria Police and to the Principal, or, if the Principal is involved in the allegation, a member of the Leadership Team. The reporting authorities are Victoria Police, the Commission for Children and Young People (CCYP), and, if the allegation involves a teacher, the VIT. For further information, see [Appendix 4](#), Reportable Conduct – Employee Allegations.
2. **Sexual abuse or grooming.** Where the suspicion, belief or disclosure relates to sexual abuse or grooming, it must be reported to Victoria Police.
3. **Protection from harm that is not believed to involve sexual abuse.** Where the source of the abuse comes from within the family (e.g. family violence) or community and is not sexual abuse or grooming, it must be reported to DHHS Child Protection.
4. **Neglect, emotional or psychological abuse.** If you believe that a child/young person is not subject to abuse, including family violence, but you still hold significant concerns for their wellbeing (e.g. risk-taking behaviour, parenting difficulties, isolation from family

or lack of support), you must still act. This may include making a referral to or seeking advice from Child FIRST/The Orange Door.

You should make a report to Child FIRST/The Orange Door if:

- you have a significant concern for a child/young person's wellbeing
- your concerns are about circumstances that have a low-to-moderate impact on the child/young person
- the child/young person's immediate safety is not compromised
- you and College support personnel have discussed the referral to Child FIRST/The Orange Door with the parents/carers of the child/young person, and all parties are supportive of this decision.

Where you believe that the parents/carers of the child/young person will not be supportive of the referral, or the child/young person is partaking in any risk-taking activity that is illegal and extreme in nature, you may refer the matter to DHHS Child Protection.

NOTE: If a staff member believes there is reasonable grounds to make a notification, she/he is strongly advised to discuss this belief with the relevant College support personnel, and to continue to inform them of developments. The support personnel at OLMC are the:

- **Principal**
- **Head of Student Wellbeing (Child Safety Officer)**
- **Student Counsellors.**

It is important to note, however, that a staff member can make a report without the prior knowledge of the Principal or other College support personnel.

Other reporting considerations and obligations

- If more than one staff member has formed a belief about the same child/young person, it is sufficient for one professional to make a report. The other is obliged to ensure the report has been made and that all grounds for their own belief were included in the report made by the other staff member. If one staff member directs the other(s) not to make a report, and one professional continues to hold the belief that a child/young person is in need of protection, then that professional is legally obliged to make a report to DHHS Child Protection.
- After you have made a report, you may continue to suspect that a child/young person is at risk and in need of protection. Any further observations should continue to be recorded and a report made on each separate occasion where a belief has been formed that the child/young person is likely to be at risk and in need of protection. Additional reports should be to the same reporting authority.
- Reporting to DHHS Child Protection does not commit the staff member reporting abuse to a full judicial response.
- The identity of the reporting staff member will remain confidential unless:
 - the staff member chooses to inform the child/young person or parents/guardians of the report;
 - the staff member consents in writing to their identity being disclosed;
 - a Court or Tribunal decides that it necessary for the identity of the staff member to be disclosed to ensure the safety and wellbeing of the child/young person;
 - a Court or Tribunal decides that, in the interests of justice, the staff member is required to provide evidence.

NOTE

1. Contact Information for Victoria Police, Child FIRST/The Orange Door and DHHS Child Protection is presented in [Appendix 5](#) of this policy.

2. At OLMC, the reporting template for making reports to DHHS Child Protection is held in SIMON/Knowledge Banks/Child Safety. It is titled 'Reporting Template: Responding to an incident, disclosure or suspicion of child abuse'.
3. A resource to assist in making the report is held in SIMON/Knowledge Banks/Child Safety. It is titled 'Guidelines: How to Make a Mandatory Report'.
4. If requested, OLMC's Child Safety Officer (Head of Student Wellbeing) will support a staff member to make the report and, also if requested, will manage the reporting process.

CRITICAL ACTION 3: CONTACTING PARENTS/CARERS

Where it is suspected that a child/young person has been or is at risk of being abused, it is critical that parents/carers of the child/young person are notified as soon as practicable after a report is made to the authorities. The staff member or College must always seek advice from Victoria Police or DHHS Child Protection to ensure that it is appropriate to contact the parents/carers.

Where the suspicion of abuse or risk of abuse has not yet warranted a reasonable belief, parents/carers should be notified promptly. Guidance on how to have this conversation with a parent or carer are presented in Section 3 of *PROTECT: Identifying and responding to all forms of abuse in Victorian schools*, Edition 2, DET 2018. This document is accessible from SIMON/Knowledge Banks/Child Safety.

In circumstances of family violence, the College will:

- take care not to inadvertently alert the alleged perpetrator by notifying parents/carers as it could increase risk of harm to the child/young person, other family members or school staff
- seek advice from DHHS Child Protection or Child FIRST/The Orange Door before alerting parents/carers about safe strategies for communicating with a parent/carer who is experiencing family violence.

CRITICAL ACTION 4: PROVIDING ONGOING SUPPORT

Student pastoral care. Staff members who witness a child protection incident, receive a disclosure from a student or develop a suspicion of abuse (including exposure to family violence) have a critical role to play in supporting the student impacted by the protection matter. The College also plays a critical role in building the student's resilience and protective factors.

In instances where a student self-discloses, the staff member will need to be sensitive to the child/young person's possible feelings of shame, fear and/or anger and anxiety about the consequences of making the disclosure, and will most likely require reassurance and information about the 'next steps'.

Where external authorities are investigating a report of abuse or risk of abuse, the Principal will ensure that the student is supported throughout interviews at the school.

Staff pastoral care. A staff member who acts in accordance with this policy can rest assured that the Principal and College support personnel who are privy to the notification will provide him/her with every support possible, including access to the school's Employee Assistance Program (EAP) provider.

A staff member who makes a report to either Child FIRST/The Orange Door or DHHS Child Protection would not be expected to remain involved in liaison and negotiations with these agencies. Rather, she/he can expect that a member of the College support personnel team

(the Principal, Head of Student Wellbeing or a College Counsellor) will oversee and follow up on the agency's investigations and management of the report.

5. Grooming

The offence of grooming prohibits predatory conduct designed to prepare or 'groom' a child for future sexual activity and is contained in section 49M (1) of the *Crimes Act 1958* (Vic.). The offence applies to communication with children under 16 years.

Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails. The offence can be committed by any person aged 18 years or over. It does not apply to communication between people who are both under 18 years of age.

Behavioural indicators that can be used to assess whether a child/young person may be subject to grooming are outlined in [Appendix I](#). A staff member who suspects that a child/young person may be subject to grooming is expected to follow the Four Critical Steps outlined above.

6. Failure to disclose and protect

FAILURE TO DISCLOSE

Any school staff member who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child/young person must disclose that information to Victoria Police. Failure to disclose the information to Victoria Police is a criminal offence under section 327 of the *Crimes Act 1958* (Vic.) and applies to all adults (18 years and over) in Victoria, not just professionals who work with children.

The obligation is to disclose that information to Victoria Police as soon as it is practicable to do so, except in limited circumstances such as where the information has already been reported to DHHS Child Protection.

FAILURE TO PROTECT

Any school staff member in a position of authority who has the power or responsibility to remove risk, and becomes aware that an adult associated with their organisation (such as an employee, contractor, volunteer, sport coach or visitor) poses a risk of sexual abuse to a child/young person who is in the care or supervision of the organisation, must take all reasonable steps to reduce or remove that risk.

In a school context, this will include the Principal, Deputy Principal and Business Manager and may also extend to school counsellors and heads of departments.

Appendices

1. Indicators of Child Physical Abuse, Sexual Abuse, Emotional Abuse, Family Violence, Neglect and Grooming
2. Four Critical Actions (Overview) Responding to Incidents, Disclosures and Suspicions of Child Abuse
3. Four Critical Actions (Overview) Responding to Student Sexual Offending
4. Reportable Conduct – Employee Allegations
5. Reporting Authorities: Contact Information

Related Legislation

Children, Youth and Families Act 2005 (Vic.)
Child Wellbeing and Safety Act 2005 (Vic.)
Crimes Act 1958 (Vic.)
Wrongs Act 1958 (Vic.).
Family Violence Protection Act 2008 (Vic.)
Education and Training Reform Act 2006 (Vic.)
Victorian Institute of Teaching Act 2001 (Vic.)
Ministerial Order 870 (State of Victoria, Department of Education and Training 2016)

Related College Policies

- Child Safety
- Safeguarding Children and Young People Code of Conduct
- Mercy Education Ltd/OLMC Code of Conduct for Staff and Volunteers
- Mercy Education Ltd/OLMC Privacy Policy
- Counselling Services Policy
- Employment Practices Policy

Catholic Education Melbourne Policies

- [Policy 2.19: Child Protection – Reporting Obligations](#)
- [Policy 2.19a: School Guidelines –Police and DHHS Interview Protocols](#)

Support Materials

(accessible from SIMON/Knowledge Banks/Child Safety)

- Department of Education 2018, PROTECT: *Identifying and responding to all forms of abuse in Victorian schools.*
- Guidelines: How to Make a Mandatory Report
- Guidelines: How to Report Allegations of Reportable Conduct (Employees)
- Reporting Template: Responding to an incident, disclosure or suspicion of child abuse

Revised: June 2019

Approval Authority: College Leadership Team

Person Responsible: Head of Student Wellbeing

Review Date: June 2021

INDICATORS of Child Physical Abuse, Sexual Abuse, Emotional Abuse, Family Violence, Neglect and Grooming

Extracts from *PROTECT: Identifying and responding to all forms of abuse in Victorian schools*, Edition 2, DET 2018

PHYSICAL ABUSE

PHYSICAL indicators of physical child abuse include (but are not limited to):

- bruises or welts on facial areas and other areas of the body, e.g. back, bottom, legs, arms and inner thighs
- bruises or welts in unusual configurations, or those that look like the object used to make the injury, e.g. fingerprints, handprints, buckles, iron or teeth
- burns from boiling water, oil or flames or burns that show the shape of the object used to make them, e.g. iron, grill, cigarette
- fractures of the skull, jaw, nose and limbs (especially those not consistent with the explanation offered, or the type of injury possible at the child's age of development)
- cuts and grazes to the mouth, lips, gums, eye area, ears and external genitalia
- bald patches where hair has been pulled out
- multiple injuries, old and new
- effects of poisoning
- internal injuries.

BEHAVIOURAL indicators of physical child abuse include (but are not limited to):

- disclosure of an injury inflicted by someone else (parent, carer or guardian), or an inconsistent or unlikely explanation or inability to remember the cause of injury
- unusual fear of physical contact with adults
- aggressive behaviour
- disproportionate reaction to events
- wearing clothes unsuitable for weather conditions to hide injuries
- wariness or fear of a parent, carer or guardian
- reluctance to go home
- no reaction or little emotion displayed when being hurt or threatened
- habitual absences from school without reasonable explanation
- overly compliant, shy, withdrawn, passive and uncommunicative
- unusually nervous, hyperactive, aggressive, disruptive and destructive to self and/or others
- poor sleeping patterns, fear of the dark or nightmares and regressive behaviour, e.g. bed-wetting
- drug or alcohol misuse, suicidal thoughts or self-harm.

SEXUAL ABUSE

PHYSICAL indicators of sexual abuse include (but are not limited to):

- injury to the genital or rectal area, e.g. bruising, bleeding, discharge, inflammation or infection
- injury to areas of the body such as breasts, buttocks or upper thighs
- discomfort in urinating or defecating
- presence of foreign bodies in the vagina and/ or rectum
- sexually-transmitted diseases
- frequent urinary tract infections
- pregnancy, especially in very young adolescents
- anxiety-related illnesses, e.g. anorexia or bulimia.

BEHAVIOURAL indicators of sexual abuse include (but are not limited to):

- disclosure of sexual abuse, either directly (from the alleged victim) or indirectly (by a third person or allusion)
- persistent and age-inappropriate sexual activity, e.g. excessive masturbation or rubbing genitals against adults
- drawings or descriptions in stories that are sexually explicit and not age-appropriate
- fear of home, specific places or particular adults
- poor/deteriorating relationships with adults and peers
- poor self-care or personal hygiene
- complaining of headaches, stomach pains or nausea without physiological basis
- sleeping difficulties
- regressive behaviour, e.g. bed-wetting or speech loss
- depression, self-harm, drug or alcohol abuse, or attempted suicide
- sudden decline in academic performance, poor memory and concentration
- engaging in sex work and/or sexual risk-taking behaviour
- wearing layers of clothing to hide injuries and bruises.

EMOTIONAL ABUSE

PHYSICAL indicators of emotional abuse include (but are not limited to):

- speech disorders such as language delay, stuttering or selectively being mute (only speaking with certain people or in certain situations)
- delays in emotional, mental or physical development.

BEHAVIOURAL indicators of emotional abuse include (but are not limited to):

- overly compliant, passive and undemanding behaviour
- extremely demanding, aggressive and attention-seeking behaviour or anti-social and destructive behaviour
- low tolerance or frustration
- poor self-image and low self-esteem
- unexplained mood swings, depression, self-harm or suicidal thoughts
- behaviours that are not age-appropriate, e.g. overly adult, or overly infantile
- fear of failure, overly high standards, and excessive neatness
- poor social and interpersonal skills
- violent drawings or writing
- lack of positive social contact.

FAMILY VIOLENCE

PHYSICAL indicators of family violence include (but are not limited to):

- speech disorders
- delays in physical development
- failure to thrive (without an organic cause)
- bruises, cuts or welts on facial areas, and other parts of the body including back, bottom, legs, arms and inner thighs
- any bruises or welts (old or new) in unusual configurations, or those that look like the object used to make the injury (such as fingerprints, handprints, buckles, iron or teeth)
- fractured bones, especially in an infant where a fracture is unlikely to have occurred accidentally poisoning
- internal injuries.

BEHAVIOURAL indicators of family violence include (but are not limited to):

- violent/aggressive behaviour and language
- depression and anxiety and suicidal thoughts
- appearing nervous and withdrawn, including wariness or distrust of adults
- difficulty adjusting to change
- psychosomatic illness
- bedwetting and sleeping disorders
- 'acting out', such as cruelty to animals

- extremely demanding, attention-seeking behaviour
- participating in dangerous risk-taking behaviours to impress peers
- overly compliant, shy, withdrawn, passive and uncommunicative behaviour
- taking on a caretaker role prematurely, trying to protect other family members
- embarrassment about family
- demonstrated fear of parents, carers or guardians, and of going home
- disengagement from school (absenteeism, lateness and/or school refusal) and/or poor academic outcomes
- parent-child conflict
- wearing long-sleeved clothes on hot days in an attempt to hide bruising or other injury
- becoming fearful when other children cry or shout
- being excessively friendly to strangers.

For older children and young people indicators can also include:

- moving away/running away from home
- entering a relationship early to escape the family home
- entering into other violent and/or unsafe relationships
- involvement in risk taking and/or unlawful activity
- alcohol and substance misuse.

NEGLECT

PHYSICAL indicators of neglect include (but are not limited to):

- appearing consistently dirty and unwashed
- being consistently inappropriately dressed for weather conditions
- being at risk of injury or harm due to consistent lack of adequate supervision from parents
- being consistently hungry, tired and listless
- having unattended health problems and lack of routine medical care
- having inadequate shelter and unsafe or unsanitary conditions.

BEHAVIOURAL indicators of neglect include (but are not limited to):

- gorging when food is available or inability to eat when extremely hungry
- begging for or stealing food
- appearing withdrawn, listless, pale and weak
- aggressive behaviour, irritability
- involvement in criminal activity
- little positive interaction with parent, carer or guardian
- poor socialising habits
- excessive friendliness towards strangers
- indiscriminate acts of affection
- poor, irregular or non-attendance at school
- staying at school for long hours and refusing or being reluctant to go home
- self-destructive behaviour
- taking on an adult role of caring for parent.

GROOMING

BEHAVIOURAL indicators that a child may be subject to grooming include (but are not limited to):

- developing an unusually close connection with an older person
- displaying mood changes (hyperactive, secretive, hostile, aggressive, impatient, resentful, anxious, withdrawn, depressed)
- using street/different language; copying the way the new 'friend' may speak; talking about the new 'friend' who does not belong to his/ her normal social circle
- possessing jewellery, clothing or expensive items given by the 'friend'
- possessing large amounts of money which he/she cannot account for
- using a new mobile phone (given by the 'friend') excessively to make calls, videos or send text messages

- being excessively secretive about their use of communications technologies, including social media
- frequently staying out overnight, especially if the relationship is with an older person
- being dishonest about where they've been and whom they've been with
- using drugs; physical evidence includes spoons, silver foil, 'tabs', 'rocks'
- assuming a new name; being in possession of a false ID, stolen passport or driver's license provided by the 'friend' to avoid detection
- being picked up in a car by the 'friend' from home/school or 'down the street'.

FOUR CRITICAL ACTIONS FOR SCHOOLS

Responding to Incidents, Disclosures and Suspicions of Child Abuse

YOU MUST TAKE ACTION

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

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

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

1 RESPONDING TO AN EMERGENCY

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

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

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

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

2 REPORTING TO AUTHORITIES / REFERRING TO SERVICES

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

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

WITHIN THE SCHOOL

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

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

- School principal and/ or leadership team
- Employee Conduct Branch
- DET Security Services Unit.

CATHOLIC SCHOOLS

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

INDEPENDENT SCHOOLS

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

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

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

WITHIN THE FAMILY OR COMMUNITY

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

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

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

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

- School principal and/ or leadership team
- DET Security Services Unit.

CATHOLIC SCHOOLS

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

INDEPENDENT SCHOOLS

- School principal and/ or chairperson.

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

OTHER CONCERNS

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

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

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 parent/ carer to be contacted)
- to contact** the parents/ carers and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion)
- how to communicate** with all relevant parties with consideration for their safety.

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 and support.

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 9777**
 South Division **1300 655 795**
 East Division **1300 960 391**
 West Division (Rural) **1800 075 599**
 West Division (Metro) **1300 664 9777**

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

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

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

VICTORIA POLICE
000 or your local police station **DET 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) 53377 135**
Sale **(03) 5622 6600**
Sandhurst **(03) 5443 2377**

INDEPENDENT SCHOOLS VICTORIA
(03) 9825 7200

THE LOOKOUT
The LOOKOUT has a service directory, information, and evidence based guidance to help you respond to family violence: <http://www.lookout.org.au>
Family violence victims/ survivors can be referred to **1800 Respect** for counselling, information and a referral service: **1800 737 732**.



FOUR CRITICAL ACTIONS FOR SCHOOLS

Responding to Student Sexual Offending

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 suspicion that a student is a victim of a student sexual offending and/or a student has engaged in sexual offending
- You **must act** even if you are unsure and have not directly observed student sexual offending (e.g. if a victim, or another person tells you about the offence)
- You **must use** the *Responding to Student Sexual Offending template* to keep clear and comprehensive notes.



1 IMMEDIATE RESPONSE TO AN INCIDENT

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 incidents, suspicions and disclosures of student sexual offending as soon as possible:

VICTORIA POLICE
All instances on **000**

DHHS CHILD PROTECTION
If you believe that:

- the victim's parent/carers are unable or unwilling to protect the child
- the student who is alleged to have engaged in the student sexual offending is:
 - aged over 10 and under 15 years and may be in need of therapeutic treatment to address these behaviours
 - may be displaying physical and behavioural indicators of being the victim of child abuse*.

INTERNALLY
ALSO report internally to:

- School Principal and/or leadership team** (all instances)
- Government Schools:**
DET Security Services Unit
- Catholic Schools:**
Diocesan education office

You must identify a contact person at the school for future liaison with Victoria Police and/or Child Protection and seek advice about contacting parents/carers (see **Action 3**).

*See the *Four Critical Steps for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse* for further guidance in these circumstances.

3 CONTACTING PARENTS/CARERS

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

- not to contact the parents/carers** (e.g. in circumstances where contacting the parents/carers is likely to adversely affect a **Victoria Police** investigation or where the student is a mature minor and has requested that their parent/carer not be notified)
- 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 students who are victim to a student sexual offence AND students who have engaged in a sexual offence. This is an essential part of your duty of care requirements. This support should include the development of a **Student Support Plan** in consultation with wellbeing professionals, outlining support strategies. Strategies may include the development of a safety plan, direct support and referral to wellbeing professionals.

CONTACT

<p>DHHS CHILD PROTECTION AREA</p> <p>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</p> <p>AFTER HOURS After hours, weekends, public holidays 13 12 78</p>	<p>CHILD FIRST www.dhs.vic.gov.au</p> <p>VICTORIA POLICE 000 or contact your local police station</p> <p>DET SECURITY SERVICES UNIT (03) 9589 6266</p> <p>STUDENT INCIDENT AND RECOVERY UNIT (03) 9651 3622</p>	<p>EMPLOYEE CONDUCT BRANCH (03) 9637 2595</p> <p>DIOCESAN OFFICE Melbourne (03) 9267 0228 Ballarat (03) 5337 7135 Sale (03) 5622 8600 Sandhurst (03) 5443 2377</p> <p>INDEPENDENT SCHOOLS VICTORIA (03) 9825 7200</p>
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Reportable Conduct – Employee Allegations

Extracts from *PROTECT: Identifying and responding to all forms of abuse in Victorian schools*, Edition 2, DET 2018

Reportable Conduct Scheme

The Reportable Conduct Scheme is a child protection scheme that requires Victorian education providers to notify the Commission for Children and Young People if there is an allegation of 'reportable conduct' made against one of its employees (including a Principal, teacher, corporate staff member or school council employee), contractors, volunteers, or allied health staff members.

Reportable Conduct Allegations

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

- a sexual offence, sexual misconduct or physical violence committed against, with or in the presence of a child/young person; OR
- behaviour causing significant emotional or psychological harm to a child/young person; OR
- significant neglect of a child/young person; OR
- misconduct involving any of the above.

The scope of 'reportable conduct' is wide, and includes:

- information about something that is alleged to have occurred outside the course of the person's employment or engagement with the school
- sexual offences, sexual misconduct or physical violence committed in the presence of a child/young person (which may include family violence committed by a school staff member in front of their own child).

However, student-to-student abuse is not covered by the scheme.

Reporting and Responding to Allegations

Where the source of the abuse comes from within the school, it must be reported to Victoria Police and to the Principal, or, if the Principal is involved in the allegation, to a member of the Leadership Team.

The Principal or Leadership Team member will not, in the first instance, make a report directly to the Commission for Children and Young People. Rather, contact will be made with the CECV Employee Relations Unit. The Employee Relations Unit will provide advice and support on how to manage the matter, including reporting to CCYP (if appropriate) within the legislated timeframe.

The Reportable Conduct Scheme does not change a person's mandatory reporting or other reporting obligations. For example, school staff must still contact Victoria Police if they suspect a criminal offence involving a child has occurred, in addition to following the notification steps required by the Reportable Conduct Scheme.

NOTE: A resource to assist with reportable conduct reports is held in [SIMON/Knowledge Banks/Child Safety](#). It is titled 'Guidelines: How to Report Allegations of Reportable Conduct (Employees)

Reporting Authorities Contact Information

DHHS Child Protection

OLMC is located in the DHHS Northern and Western Intake Region. The Office of Child Protection in this region is located at:

679–685 High Street
Preston 3072
Phone: 1300 664 977

Victoria Police

000 or Heidelberg Police Station	(03) 9450 8000
Student Incident and Recovery Unit	(03) 9651 3622
Employee Conduct Branch	(03) 9637 2595
Sexual Offences Child Investigation Team (SOCIT) Brimbank Region	(03) 9313 3460

Child FIRST/The Orange Door

OLMC is located in the North East region of Child FIRST/The Orange Door referral services. The contact number is **9450 0955**