



BELLE VUE PRIMARY SCHOOL CHILD SAFETY REPORTING OBLIGATIONS POLICY AND PROCEDURES

Purpose

The purpose of this policy is to ensure that all staff and members of our school community understand the various legal and other reporting obligations related to child safety that apply to Belle Vue Primary School. The specific procedures that are applicable at our school are contained at Appendix A.

Scope

This policy applies to all Belle Vue Primary School staff, volunteers and school community members. It also applies to all staff and students engaged in any school and school council-run events, activities and services such as Outside School Hours Care.

Policy

All children and young people have the right to protection in their best interests.

Belle Vue Primary School understands the important role our school plays in protecting children from abuse including:

- Physical abuse
- Sexual abuse (including sexual exploitation)
- Family violence
- Emotional abuse
- Neglect (including medical neglect)
- Grooming

The staff at Belle Vue Primary School are required by law to comply with various child safety reporting obligations. For detailed information about each obligation, please refer to [Identifying and Responding to All Forms of Abuse in Victorian Schools](#).

At Belle Vue Primary School we also recognise the diversity of the children and young people at our school and take account of their individual needs and backgrounds when considering child safety.

Mandatory Reporting

Principals, registered teachers, registered medical practitioners, nurses and all members of the police force are mandatory reporters under the *Children, Youth and Families Act 2005* (Vic).

All mandatory reporters must make a report to the Department of Health and Human Services (DHHS) Child Protection as soon as practicable if, during the course of carrying out their professional roles and responsibilities, they form a belief on reasonable grounds that:

- a child has suffered, or is likely to suffer, significant harm as a result of physical abuse and/ or sexual abuse, and
- the child's parents have not protected, or are unlikely to protect, the child from harm of that type.

A mandatory reporter who fails to comply with this legal obligation may be committing a criminal offence. It is important for all staff at Belle Vue Primary School to be aware that they are legally obliged to make a mandatory report on each occasion that they form a reasonable belief that a child is in need of protection and they must make a mandatory report even if the principal does not share their belief that a report is necessary.

At our school, all mandated school staff must undertake the *Mandatory Reporting and Other Obligations eLearning Module* annually. We also encourage all other staff to undertake this module, even where they are not mandatory reporters.

For more information about Mandatory Reporting see the Department's *School Policy and Advisory Guide*: [Child Protection – Reporting Obligations](#).

Child in need of protection

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

The policy of the Department of Education and Training (DET) requires **all staff** who form a reasonable belief that a child is in need of protection to report their concerns to DHHS or Victoria Police, and discuss their concerns with the school leadership team.

For more information about making a report to DHHS Child Protection, see the Department's *School Policy and Advisory Guide*: [Child Protection – Making a Report and Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#).

At Belle Vue Primary School we also encourage all staff to make a referral to Child FIRST when they have significant concern for a child's wellbeing. For more information about making a referral to Child FIRST see the *School Policy and Advisory Guide: Child Protection – Reporting Obligations*.

Reportable Conduct

Our school must notify the Department's Employee Conduct Branch (9637 2594) if we become aware of an allegation of 'reportable conduct'.

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

- a sexual offence (even prior to criminal proceedings commencing), sexual misconduct or physical violence committed against, with or in the presence of a child;
- behaviour causing significant emotional or physical harm to a child;
- significant neglect of a child; or
- misconduct involving any of the above.

The Department, through the Employee Conduct Branch, has a legal obligation to inform the Commission for Children and Young People when an allegation of reportable conduct is made.

Our principal must notify the Department's Employee Conduct Branch of any reportable conduct allegations involving current or former teachers, contractors, volunteers (including parents), allied health staff and school council employees.

If school staff become aware of reportable conduct by any person in the above positions, they should notify the school principal immediately. If the allegation relates to the principal, they should notify the Regional Director.

For more information about Reportable Conduct see the Department's *School Policy and Advisory Guide*: [Reportable Conduct Scheme](#).

Failure to disclose offence

Reporting child sexual abuse is a community-wide responsibility. All adults (ie persons aged 18 years and over), not just professionals who work with children, have a legal obligation to report to Victoria Police,

as soon as practicable, where they form a ‘reasonable belief’ that a sexual offence has been committed by an adult against a child under the age of 16 by another person aged 18 years or over.

Failure to disclose information to Victoria Police (by calling 000 or local police station) as soon as practicable may amount to a criminal offence unless a person has a ‘reasonable excuse’ or exemption from doing so.

“Reasonable belief” is not the same as having proof. A ‘reasonable belief’ is formed if a reasonable person in the same position would have formed the belief on the same grounds.

For example, a ‘reasonable belief’ might be formed when:

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

“Reasonable excuse” is defined by law and includes:

- fear for the safety of any person including yourself or the potential victim (but not including the alleged perpetrator or an organisation)
- where the information has already been disclosed, for example, through a mandatory report to DHHS Child Protection.

For more information about this reporting obligation, see the Department’s *School Policy and Advisory Guide*: [Failure to disclose offence](#).

Failure to protect offence

This reporting obligation applies to school staff in a position of authority. This can include principals, assistant principals and campus principals. Any staff member in a position of authority who becomes aware that an adult associated with their school (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the age of 16 under their care, authority or supervision, must take all reasonable steps to remove or reduce that risk.

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

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

For more information about this reporting obligation, see the Department’s *School Policy and Advisory Guide*: [Failure to protect offence](#).

Grooming

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

For more information about this offence and reporting obligations see: [Child Exploitation and Grooming](#).

RELATED POLICIES AND FURTHER INFORMATION

- Child Safety Standards 1-7
- Staff Handbook (pg14)

Review Cycle

This policy was last updated on 22 February 2019 and is scheduled for review on 22 February 2022.

APPENDIX A CHILD SAFETY REPORTING PROCEDURES AT BELLE VUE PRIMARY SCHOOL

For students

- In all classes, awareness and prevention education is provided during the social and emotional education program. This includes child abuse awareness and prevention.
- All students should feel safe to speak to any staff member to raise any concerns about their safety or any other concerns that they have.
- If a student does not know who to approach at Belle Vue Primary School they should start with their classroom teacher or another trusted teacher that they feel comfortable talking to.
- The Child Safety Standards (particularly Child Safe Standard 7) have been put in place to promote the participation and empowerment of children. This is to ensure that children feel safe and comfortable in reporting concerns or allegations of abuse.

Managing disclosures made by students

When managing a disclosure you should:

- listen to the student and allow them to speak
- stay calm and use a neutral tone with no urgency and where possible use the child's language and vocabulary (you do not want to frighten the child or interrupt the child)
- be gentle, patient and non-judgmental throughout
- highlight to the student it was important for them to tell you about what has happened
- assure them that they are not to blame for what has occurred
- do not ask leading questions, for example gently ask, "What happened next?" rather than "Why?"
- be patient and allow the child to talk at their own pace and in their own words
- do not pressure the child into telling you more than they want to, they will be asked a lot of questions by other professionals and it is important not to force them to retell what has occurred multiple times
- reassure the child that you believe them and that disclosing the matter was important for them to do
- use verbal facilitators such as, "I see", restate the child's previous statement, and use non-suggestive words of encouragement, designed to keep the child talking in an open-ended way ("what happened next?")
- tell the child in age appropriate language you are required to report to the relevant authority to help stop the abuse, and explain the role of these authorities if appropriate (for a young child this may be as simple as saying "I will need to talk to people to work out what to do next to help you").

When managing a disclosure you should AVOID:

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

General procedures

Our school will follow the [Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#) (Four Critical Actions) when responding to incidents, disclosures and suspicions of child abuse.

Action One – Respond to an emergency

If there is no immediate harm to the child or young person, proceed to Action Two.

If a child's immediate safety is compromised, a child is at risk of harm or a child is involved in any risk taking activity that poses a high risk to the child, you must take reasonable steps to protect them. This includes:

- ensuring the child's immediate health and safety is supported by an appropriate staff member
- if the child seems at ease in your company, stay with them
- ensuring the alleged offender does not have access to the child
- arranging and providing urgent medical assistance where necessary by:
 - administering first aid assistance
 - calling 000 for an ambulance and following any instructions from emergency service officers/paramedics
- calling 000 for urgent police assistance if the person who is alleged to have engaged in the abuse poses an immediate risk to the health and safety of any person
 - you should also identify a contact person at the organisation for future liaison with police
- taking reasonable steps to preserve evidence, such as the environment, clothing, other items, and potential witnesses until the police or other relevant authorities arrive on the premises.

Action Two - Provide support to the child

If a child has experienced or disclosed abuse or serious neglect, you should:

- listen to them carefully and let the child use their own words to explain what has occurred
- reassure the child that you are taking what they are saying seriously, that it is not their fault and that they are doing the right thing
- explain to them that this information will need to be shared with others, such as their parent/carer, specific people in your organisation, Child Protection and the police
- not make promises to the child, such as promising not to tell anyone about the incident, except that you will do your best to keep them safe
- as appropriate, complete an incident form with or on behalf of the child or young person.

Action Three – Report

As soon as the child's immediate safety concerns are addressed, you must report all incidents or disclosures of abuse or serious neglect. You may be committing a criminal offence if you fail to report allegations of physical or sexual abuse of a child (refer to Mandatory Reporting on page 5).

The process for reporting are outlined in the school's Mandatory Reporting Policy. Reports should be made to appropriate senior staff, such as a child safety officer. This may also include reporting to:

- Victoria Police (via [your local police station](http://www.police.vic.gov.au/content.asp?Document_ID=7) <http://www.police.vic.gov.au/content.asp?Document_ID=7>) with information provided to include if the client has a cognitive disability or mental illness and will need support of an independent third person during interview or when a statement is being taken
- [Child Protection](https://services.dhhs.vic.gov.au/child-protection-contacts) <<https://services.dhhs.vic.gov.au/child-protection-contacts>> if you believe a child is at risk of significant harm and/or in need of protection. Please refer to the [Professionals' reporting guide](http://www.cpmanual.vic.gov.au/advice-and-protocols/protocols/professionals-reporting-guide) <<http://www.cpmanual.vic.gov.au/advice-and-protocols/protocols/professionals-reporting-guide>> for further information.
- the Commission for Children and Young People if the matter is reportable conduct, and ensuring the report is made [within the required timeframes](https://ccyp.vic.gov.au/assets/resources/Responsibilities-of-the-head-of-an-organisation.docx) <<https://ccyp.vic.gov.au/assets/resources/Responsibilities-of-the-head-of-an-organisation.docx>>. See below for further information about the reportable conduct scheme
- the Department of Education and Training.

As soon as possible after the incident or disclosure, record the information using the child's words while ensuring that the documentation is recorded accurately and stored securely. Likewise, ensure that any incident report, if required, is submitted within the appropriate timeframes.

Action Four - Contact parents, carers or guardians

Organisations should advise Child Protection and/or Victoria Police when a child has disclosed allegations of abuse perpetrated by their parent, carer, guardian or another family member. This is critical to ensuring the safety of the child as well as to avoid compromising any investigations conducted by the relevant authorities or agencies.

Where appropriate, a senior representative of the organisation should make sensitive and professional contact with parents, carers or guardians of the child as soon as possible on the day of the incident or disclosure.

Where it is suspected that a child has been, or is at risk of being abused, a parent, carer or guardian of the child must be notified as soon as practicable. This is not applicable where it is known or suspected that the parent, carer or guardian is the alleged perpetrator of harm or abuse and/or is unlikely to protect the child. This enables parents, carers and guardians to take steps to:

- prevent or limit their child's exposure to further abuse; and
- ensure that their child receives the support that they require.
-

During this conversation, it is important to:

- remain calm
- be empathic to feelings
- validate concerns
- provide appropriate details of the incident, disclosure and/or suspicion of child abuse
- outline the action the organisation has taken to date
- inform them of who the incident, disclosure and/or suspicion has been reported to
- where relevant, provide the name and contact telephone number of Child Protection and/or the investigating police officer and advise as to whether they are likely to be contacted by these authorities
- inform them the investigation may take some time and ask what further information they would like and how staff can assist them
- offer for the organisation to provide support to the child
- inform them that the organisation can make referrals to support services
- if possible, invite the parents, carers or guardians to attend a meeting where a support plan can be prepared to ensure appropriate support can be provided for their child.

Action Five - Provide ongoing support

Experiences of child abuse can cause trauma and significantly impact the mental health and wellbeing of children.

In addition to reporting and referral to relevant authorities, organisations that provide services to children can play a central role in addressing this trauma and have a responsibility to ensure that children feel safe and supported. This should be done in partnership and with the consent of parents, carers or guardians.

Support can include referral to wellbeing professionals and community services (such as counselling) and may involve the development of a support plan.

Support in the form of debriefing should also be provided to any impacted staff members.

RESPONDING TO A PARENT, CARER OR GUARDIAN OF A CHILD

If a parent, carer or guardian says their child has been abused at Belle Vue Primary School or raises a concern, you should:

- explain that Belle Vue Primary School has processes to ensure all abuse allegations are taken very seriously
- ask about the safety and wellbeing of the child
- allow the parent, carer or guardian to talk through the incident in their own words
- advise the parent, carer or guardian that you will take notes during the discussion to capture all details
- explain to them that you will need to follow the school's reporting process which includes informing the Principal and/or the welfare co-ordinator and where appropriate, Child Protection and/or Victoria Police
- not make promises except that you will do your best to keep the child safe
- provide them with any incident reports
- ask them what action they would like the organisation to take about the disclosure and advise them of what the immediate next steps will be
- ensure that the report is recorded accurately and stored securely
- report and provide ongoing support as per Actions Three and Five above.

All staff at our school who believe that a child is in need of protection, even if it doesn't meet the threshold required for mandatory reporting or the staff member is not a mandatory reporter, should in the first instance, speak to the welfare coordinator, a member of the leadership team or the principal or should make the required reports to DHHS Child Protection and/or Victoria Police as necessary.

At our school the Leadership Team will be responsible for monitoring overall school compliance with this procedure.

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

Reporting suspicions, disclosures or incidents of child abuse

Responsibilities of all school staff

If a school staff member reasonably suspects or witnesses an incident of child abuse or receives a disclosure of child abuse, they must:

- If a child is at immediate risk of harm, separate alleged victims and others involved, administer first aid and call 000.
- Speak to the welfare coordinator, a member of the leadership team and/or the principal as soon as possible, who will follow the [Four Critical Actions](#).
- Make detailed notes of the incident or disclosure using the [Responding to Suspected Child Abuse: Template](#) and ensure that those notes are kept and stored securely in the safe in the school office.
- If the staff member is a mandatory reporter and reasonably believes that a student has suffered physical and/or sexual abuse from which the child's parents have not protected the child, they must make a report to DHHS Child Protection.
- If the staff member has formed a 'reasonable belief' that a sexual offence has been against a child, they must make a report to Victoria Police.

In circumstances where a member of the leadership team disagrees that a report needs to be made, but the staff member has formed a 'reasonable belief' that the child is in need of protection and/or has been the victim of sexual abuse, the staff member must still contact DHHS Child Protection and/or Victoria Police to make the report.

Responsibilities of the Leadership Team

The Leadership Team is responsible for promptly managing the school's response to an incident, suspicion or disclosure of child abuse, and ensuring that the incident, suspicion or disclosure is taken seriously. The Leadership Team is also responsible for responding appropriately to a child who makes or is affected by an allegation of child abuse.

If the Leadership Team receives a report from a school staff member or member of the school community of a suspicion, disclosure or incident of child abuse, they must:

- Follow the [Four Critical Actions](#) as soon as possible, including:
 - Responding to an emergency
 - Reporting to authorities/referring to services
 - Contacting parents/carers and
 - Providing ongoing support.
- Make detailed notes of the incident or disclosure, including actions taken using the [Responding to Suspected Child Abuse: Template](#) and ensure that those notes are kept and stored securely in the safe in the school office. They are also responsible for ensuring that any staff member who reported the incident, disclosure or suspicion to them also makes and keeps notes of the incident.
- At Belle Vue Primary School, the Leadership Team will be responsible for ensuring that there is a prompt response to the disclosure and that the child is appropriately supported.

If the principal/other nominated staff member responsible above is unavailable, the Senior Education Improvement Leader for Belle Vue Primary School will take on the role and responsibilities described in this section.

Duty of care and ongoing support for students

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

All staff have a duty of care to take reasonable steps to prevent reasonably foreseeable harm to students. All staff must ensure that the principal or other appropriate staff member is aware of any incidents, suspicions or disclosures of child abuse as soon as possible after they occur. This will allow appropriate supports to be put in place for the student affected.

For school visitors, volunteers and school community members

All community members aged 18 years or over should be aware of their legal obligations – see *Failure to disclose offence* above, in this Policy.

Any person can make a report to DHHS Child Protection if they believe on reasonable grounds that a child is in need of protection. For contact details see the Four Critical Actions -

https://www.education.vic.gov.au/Documents/about/programs/health/protect/FourCriticalActions_ChildAbuse.pdf

RATIFIED BY SCHOOL COUNCIL

DATE: 15 May 2019

Date	Version Number:	Update information	Next Review:
25 March 2014	1.0	N/A	July 2016
3 August 2016	2.0	Change of document name. Inclusion of failure to disclose and failure to protect offences. More detail on Mandatory Reporters and other changes in line with DET Guidelines.	August 2018
3 May 2019	3.0	Change of document name. Other changes in line with DET Guidelines November 2018.	February 2022