



CHILD SAFETY RESPONSE AND MANDATORY REPORTING POLICY

1. INTRODUCTION

Fintona Girls' School (the School) is committed to providing a safe and child-friendly environment, where children and young people are safe and feel safe and can actively participate in decisions that affect their lives. The School strives to create a safe, respectful, nurturing environment where each member of the School community plays an important role promoting student wellbeing.

The School:

- has zero tolerance for child abuse;
- actively works to listen to and empower children;
- has systems to protect children from abuse;
- will take all allegations and concerns seriously and respond to them in line with the School's policies and procedures;
- is committed to promoting physical, emotional and cultural safety for all children; and
- is committed to providing a safe environment for all children.

This document forms part of the School's commitment to child safety and covers all forms of child abuse, sexual assault and mandatory reporting obligations that apply to all School staff at Fintona.

This document should be read in the context of the School's *Child Safety Policy*.

2. PURPOSE

This document sets out how the School will respond to allegations of suspected child abuse where a student is alleged to be involved in an incident of child abuse, and the allegation:

- is made by or in relation to a student, School staff, visitor or other persons while connected to the School environment;
- requires compliance with mandatory reporting obligations by a School staff member; or
- leads a School staff member while undertaking child-connected work to form a reasonable belief that a sexual offence has been committed by an adult against a student.

(Child-connected work is work authorised by the School that is performed by an adult in the School environment while children are present or reasonably expected to be present)

This document aims to achieve the following:

- identify the indicators of a child or young person who may be in need of protection;
- ensure that everyone within the School community is alert to signs and evidence of abuse and neglect, understand that it is not acceptable and be aware of their reporting responsibilities;
- ensure that action is taken to protect students from risks and immediate action is taken to ensure the safety of students;
- ensure that all mandatory reporters are trained with respect to what must be reported and relevant procedures, with refresher training to be completed annually;
- ensure all reports on reasonable grounds are reported to the relevant authorities;
- ensure that ongoing support and assistance is provided to students who have been abused and their confidentiality respected with case details and the identity of the student only discussed with those managing the situation;

- ensure that staff are provided with clear expectations of appropriate behaviour;
- ensure that mandatory reports are made in a timely and efficient manner;
- maintain a positive and robust child safety culture;
- maintain a culturally safe and inclusive environment that meets the needs of Aboriginal and Torres Strait Islander children, young people and their families; and
- promote open discussion of child safety issues within the School and compliance with all laws, regulations and standards relevant to child safety and protection in Victoria, in particular, Ministerial Order 1359.

This document also applies to the Reportable Conduct Scheme which concerns reports made to the Principal by any person, including by an employee of the School, of a reportable allegation of which the person becomes aware.

Fulfilling the roles and responsibilities contained in this document is not intended to displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.

3. SCOPE

This document applies to all staff, volunteers and members of the School Board. They are bound by this procedure and required to report concerns about, or incidents of child abuse or neglect. Fulfilling the roles and responsibilities contained in this document does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse. In the application and implementation of this policy, full consideration is required regarding the needs of our students including culture, diversity and age.

This document applies to all School activities during and outside of school hours, which are considered the School environment.

4. DEFINITIONS

Child	An individual who is under the age of 18 years and who is enrolled as a student at the School.
Child Abuse	Child abuse includes <ul style="list-style-type: none"> (a) any act committed against a child involving – <ul style="list-style-type: none"> (i) a sexual offence; or (ii) the offence of grooming; and (b) the infliction, on a child, of - <ul style="list-style-type: none"> (i) physical violence; or (ii) serious emotional or psychological harm; and (c) serious neglect of a child.
Child connected Work	Work that is authorised by the School that is performed by an adult in the school environment while children are present or reasonably expected to be present.
Child Safety	Child safety encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.
Child Safety	The School Child Safety Officers are persons holding the following positions:

Officers	<ul style="list-style-type: none"> • Deputy Principal / Head of Senior School • Head of Middle School • Head of Junior Campus • School Psychologist
Family Violence	Under the Family Violence Protection Act 2008 (Vic.) it includes 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.
Grooming	<p>The offence of grooming for sexual conduct with a child under the age of Grooming is defined as behaviours that manipulate and control a child with the intent of gaining access to the child, obtaining the child's compliance, maintaining the child's silence and avoiding discovery of the sexual abuse. Grooming by an adult for sexual conduct with a child under the age of 16 is a crime under section 49M of the Crimes Act 1958 (Vic).</p> <p>Further information can be obtained at:</p> <p>www.justice.vic.gov.au/safer-communities/protecting-children-andfamilies/grooming-offence</p>
Mandatory Reporters	<p>Mandatory reporters include teachers, the Principal, nurses, school psychologists, persons in religious ministry and medical practitioners.</p> <p>The following persons employed at the School are mandated reporters:</p> <ul style="list-style-type: none"> • the Principal • a registered teacher • a person who has been granted permission to teach by VIT • Student Services Officer (Registered Nurse) • School Psychologist
Reasonable Grounds	<p>Requires you to consider whether another person, when faced with similar information, would also draw the same conclusion. It does not mean reporters are required to be certain, but rather reporters should ensure their concerns are well-founded and based on information from a reliable source. A report must be made on each occasion a reporter forms a reasonable belief.</p> <p>The following may be reasonable grounds for forming such a belief if:</p> <ul style="list-style-type: none"> • A student states they have been physically or sexually abused • A student states they know someone who has been physically or sexually abused • Someone who knows the student states the student has been physically or sexually abused • A student shows signs of being physically or sexually abused • The staff member is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on a student's safety, stability or development • The staff member observes signs of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision; or • A student's actions or behaviour may place them at risk of significant harm and the child's parents are unwilling or unable to protect the student.

Grounds for belief include matters of which a person has become aware and any opinions based on those matters.

"Significant" means that which is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent. What is "significant" is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child's safety, welfare or wellbeing. Significant harm can result from a single act or omission or an accumulation of these.

Reportable allegation

Any information that leads a person to form a reasonable belief that an employee, contractor, volunteer or officer of the School has committed:

- reportable conduct;
- 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 with the School.

Reportable Conduct

- (a) a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded;
- (b) sexual misconduct committed against, with or in the presence of, a child;
- (c) physical violence committed against, with or in the presence of, a child;
- (d) any behaviour that causes significant emotional or psychological harm to a child; or
- (e) significant neglect of a child.

Sexual Misconduct

Conduct that includes behaviour, physical contact or speech or other communication of a sexual nature, inappropriate touching, grooming behaviour and voyeurism.

School Environment

Any physical or virtual place that was made available or authorised by the School for use by a child/student, and includes:

- (a) the Junior Campus on Balwyn Road, Balwyn
- (b) the Senior Campus on Balwyn Road, Balwyn
- (c) online school environments including email, inFintona and web based / networked systems

other locations provided by the School, including locations used for school camps, sport, excursions, competitions and other events.

School Staff

Individuals working in the School environment who are:

- directly engaged or employed by the School;
- a volunteer or a contracted service provider.

Sexual Assault

Any unwanted sexual behaviour that causes humiliation, pain, fear or intimidation and includes offences under the *Crimes Act 1958* (Vic) including rape, indecent assault, indecent act with a child and grooming.

Sexual Offence

A sexual offence for the purposes of the reporting obligation includes the following offences committed against a child under the age of 16 by an adult and includes:

- any attempt to commit any of these offences; or
- an assault with intent to commit any of these offences.

The offences include:

- rape
- indecent assault
- sexual penetration of a child under 16
- indecent act with a child under 16
- administration of a drug with the intention of rendering the child incapable of resistance to enable a person to take part in an act of sexual penetration or commit an act of indecency with the child.

Student A person who is enrolled at or attends the School.

Volunteer A person who performs work without remuneration or reward for the School in the school environment.

5. CHILD ABUSE

Child abuse can take many forms. The perpetrator may be a parent, carer, staff member, volunteer, another adult or another child. The nature of child abuse is complex. The abuse may occur over time and potential risk indicators are often difficult to detect.

While family violence does not form part of the official definition of “child abuse” in the Child Wellbeing and Safety Act, the impact of family violence on a child can be a form of child abuse; for example, where it causes serious emotional or psychological harm to a child.

Child abuse can have a significant effect on a child’s physical or emotional health, development and wellbeing. The younger a child is, the more vulnerable they are to abuse and the more serious the consequences are likely to be. There can be physical or behavioural indicators of child abuse and neglect, or a combination of both. While the presence of a single indicator, or even several indicators, does not necessarily prove that abuse or neglect has occurred, the repeated occurrence of either a physical or behavioural indicator, or the occurrence of several indicators together, should alert School staff to the possibility of child abuse or neglect.

Child sexual abuse is more commonly perpetrated by someone who is known to and trusted by the child, and is often someone highly trusted within their families, communities, schools and/or other institutions.

6. INDICATORS OF HARM

There are numerous indications of possible child abuse and harm. They include, but are not limited to:

6.1 PHYSICAL ABUSE

Physical indicators could include bruises, burns, fractures (broken bones), cuts and grazes to the face, and multiple injuries including internal injuries. Behavioural indicators could include disclosure of an injury inflicted by someone else, wearing unusual clothes to hide injuries, wariness or fear of a parent or other family member, reluctance to go home, habitual absences from school without explanation, regressive behaviour, and alcohol or drug misuse.

6.2 SEXUAL ABUSE

Physical indicators could include injury to the genital area, discomfort in toileting, the presence of sexually transmitted diseases, pregnancy, bruising to breasts, buttocks and thighs, and anxiety related illnesses (anorexia/bulimia). Behavioural indicators could include disclosure of sexual

abuse, age-inappropriate sexual activity or behaviour, drawings that are sexually explicit, writing stories that are sexually explicit, regressive behaviour, truancy, depression, delinquent or aggressive behaviour, and sudden decline in academic performance.

6.3 EMOTIONAL ABUSE

Physical indicators could include speech disorders, delays in physical development and failure to thrive. Behavioural indicators could include being overly compliant, passive and undemanding behaviour, attention-seeking behaviour, poor self-image, age-inappropriate behaviour, fear of failure, setting overly high standards, excessive neatness and depression.

6.4 SERIOUS NEGLECT AND MEDICAL NEGLECT

Physical indicators could include consistently being unwashed, inappropriate dressing for weather conditions, consistent hunger and tiredness and unattended health problems. Behavioural indicators could include begging or stealing food, gorging food, alienation from peers, withdrawal, aggressive behaviour, appearing miserable and irritable and poor attendance at school.

7. WHAT CONCERNS SHOULD BE REPORTED?

Concerns about the safety and wellbeing of children can range from an uncomfortable feeling through to a direct observation of abuse. Staff, volunteers, students and families are encouraged to speak to a Child Safety Officer if they have concerns and to be proactive.

Examples of child safety concerns include:

- inappropriate or special relationships developing between staff, volunteers or contractors and students;
- inadequate staff to student supervision ratios;
- breaches of the *Child Safety Code of Conduct*, particularly if they are persistent;
- feelings of discomfort about interactions between a staff member, volunteer or contractor and a student;
- suspicions or beliefs that students are at risk of harm;
- observations of concerning changes in behaviour;
- observations or concerns about grooming behaviours;
- concerns about a physical environment that may pose a risk to a student; and
- concerns about the student not being able to live at home.

If a student discloses abuse or harm, it must be reported to the Police, the Commission for Children and Young People, DFFH and where appropriate, any other regulator.

8. DUTY OF CARE

All School staff and volunteers must understand their role to keep children safe. Staff and volunteers have an obligation to avoid acts or omissions (failures) that could be reasonably foreseen to injure or harm students. Suspected child abuse must be reported to the Principal or a Child Safety Officer at the School, and relevant authorities.

9. ROLES AND RESPONSIBILITIES OF STAFF

Child protection is everyone's responsibility. The staff, volunteers and School Board have shared responsibility for contributing to the safety and protection of children.

Specific roles and responsibilities relating to protection and reporting include:

9.1 THE SCHOOL BOARD

The School Board is the School's governing authority. The Board is responsible for endorsing this policy, ensuring it is reviewed and updated as needed and reviewing the School's compliance with this policy and child safety obligations.

9.2 THE PRINCIPAL

The Principal has ultimate responsibility for managing the response by Fintona to any allegations or disclosures of child abuse and for monitoring overall school compliance with this procedure.

9.3 FINTONA CHILD SAFETY OFFICERS

The School's Child Safety Officers, supported by the Wellbeing and Leadership Teams, are responsible for:

- being a first point of contact for all child protection concerns or queries for the wider community;
- co-ordinating the School's response to child protection incidents; and
- ensuring that the School's child protection policies and procedures are effectively implemented and communicated to all relevant stakeholders to ensure adequate awareness.

9.4 STAFF, SCHOOL COUNCIL MEMBERS, EXTERNAL EDUCATION PROVIDERS, CONTRACTORS AND VOLUNTEERS

Staff includes teaching, non-teaching, Casual and Relief Teachers, sporting coaches and Instrumental Music Teachers. All staff, School Board members, external education providers, contractors and volunteers are required to be familiar with the content of this procedure and their legal obligations with respect to the reporting of child abuse.

It is each individual's responsibility to be aware of key risk indicators of child abuse, to be observant, and to raise any concerns they may have relating to child abuse with the Principal and Child Safety Officers. These individuals should also facilitate child-friendly ways for children and young people to express their views, participate in decision-making and raise their concerns about child abuse and other forms of harm.

The School undertakes to ensure that all staff and volunteers receive an appropriate induction and are aware of their responsibilities to children and young people, including record keeping, information sharing and reporting obligations.

10. RESPONDING TO ALLEGATIONS/DISCLOSURES OF CHILD ABUSE AND REPORTABLE CONDUCT

The Children, Youth and Families Act 2005 (Vic) ("CYFA") (section 184) requires Mandatory Reporters to make a report to the Department of Families, Fairness and Housing ("DFFH") Child Protection when they believe that a child (aged under 17) is in need of protection from significant harm from physical injury or sexual abuse. A report must be made on each occasion a reporter forms a reasonable belief.

- Upon being informed of any allegation or disclosure of child abuse, all School staff must immediately inform the Principal or a Child Safety Officer.
- Staff must inform the Principal or a Child Safety Officer of the details of any reportable allegation of which they become aware.
- School staff are not required to assess the validity of any allegations or to prove that child abuse did indeed take place before informing the Principal or Child Safety Officer of the allegations or disclosure.

- The School will act promptly and sensitively when informed of an allegation or disclosure of child abuse, whether or not, the allegation or disclosure is made directly by a student.
- The Principal and Child Safety Officers are the key persons to whom allegations or disclosures of child abuse should be reported. They are also responsible for responding appropriately to a child who makes or is affected by an allegation of child abuse.

If a Child Safety Officer has been notified, or been made aware, of an allegation or disclosure of child abuse they will immediately inform the Principal.

Upon learning of an allegation or a disclosure of child abuse, the Principal, or a Child Safety Officer, will ensure that the School:

- responds to the allegation or disclosure of child abuse in a timely and sensitive way;
- provides a safe environment for the alleged victim and any other students alleged to be involved or affected;
- provides clear information to the alleged victim about what the School will do in response to their allegations or disclosure;
- informs the student of the obligation of the School to report the allegations or disclosure to the appropriate authorities;
- at the School's discretion, if the alleged victim is deemed at risk or requiring special management, the School would require a risk assessment and management plan completed by either the School Counsellor or an external professional;
- provides appropriate support to the student who has disclosed the child abuse;
- immediately contact the parents/carers of the alleged victim, unless it is not appropriate in the circumstances to do so;
- call for medical and/or Police assistance in cases of emergency; and
- keep contemporaneous notes and records of all conversations, disclosures and of all follow up actions.

Upon becoming aware of a reportable allegation against an employee, contractor, volunteer or officer of the School, in accordance with the *Reportable Conduct Scheme (July 2017)*, the Principal will:

- investigate the allegation or engage an independent investigator to undertake an investigation; and
- inform the **Commission for Children and Young People** of the person who will conduct the investigation.

In the absence of the Principal, the Deputy Principal becomes responsible for managing the School's response.

In the event of a reportable allegation involving the Principal, any person, including an employee of the School, should contact the Chair of the Board and may directly notify the **Commission for Children and Young People**.

11. INFORMING AUTHORITIES

In line with the *Reportable Conduct Scheme (July 2017)*, upon being informed of a reportable allegation towards children made against an employee, contractor, volunteer or officer of the School, the Principal will report the allegation to the **Commission for Children and Young People** within three business days of the allegation.

Where a report is required to be made to an appropriate authority, the Principal and the Child Safety Officers will manage and co-ordinate the report on behalf of the School.

In relation to cases of mandatory reporting, the School will make a report to the Victorian Child Protection Service, Department of Families, Fairness and Housing.

In relation to cases of sexual abuse or sexual assault, the School will report any incident to the Sexual Offences and Child Abuse Investigation Team (“SOCIT”) of the Victoria Police.

In cases of emergency or if a child is in immediate danger, School staff should not hesitate to immediately contact Victoria Police or Ambulance Victoria.

Following an investigation into a reportable allegation towards a child/ren made against an employee, contractor, volunteer or officer of the School, the Principal will report to the **Commission for Children and Young People** within 30 days of becoming aware of the allegation:

- detailing information about the reportable allegation;
- noting whether or not the School proposes to take any disciplinary or other action in relation to the employee and the reasons why; and
- providing any written submissions of the employee in relation to what disciplinary or other action should be taken by the School.

Further child protection information is accessible through the [Department of Families, Fairness and Housing](#) (“DFFH”) or [Orange Door](#).

12. MANDATORY REPORTING OBLIGATIONS

12.1 MANDATORY REPORTERS

A mandatory reporting obligation arises under the *Children, Youth and Families Act 2005* if a mandated reporter forms the belief on reasonable grounds that, in the course of carrying out his or her duties as an employee of the School, a child is in need of protection.

A child is in need of protection if he or she has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse and the child’s parents have not protected, or are unlikely to protect, the child from the harm.

A mandatory reporter is obliged to report his or her reasonable belief, and the grounds for the belief, to Child Protection as soon as practicable after forming the belief that the child needs protection.

If you are not a Mandatory Reporter, you still have the option of making a report to DFFH if you believe on reasonable grounds that a child is in need of protection. *The Children’s Youth and Families Act* states that any person who believes on reasonable grounds that a child is at risk of harm should report their concerns to Child Protection. All staff who have concerns that a student may be in need of protection or may have been the victim of a sexual offence should notify the Principal or a Child Safety Officer as soon as possible to discuss their concerns.

It is the School's policy that all mandatory reports should be made through the Principal (or as delegated by the Principal to one of the School’s Child Safety Officers) who will assist and support the staff member in relation to their reporting obligations.

12.2 REASONABLE GROUNDS

A mandatory report must be made when you form a belief on reasonable grounds that a child is in need of protection where the child has suffered, or is likely to suffer, significant harm as a result of:

- physical injury; or
- sexual abuse; and
- the child’s parents have not protected, or are unlikely to protect, the child from harm of that type.

It is an offence to fail to make a mandatory report when the circumstances suggest that a reasonable person ought to have arrived at the belief that a child was at risk. Therefore, mandated reporters are encouraged to discuss any concerns about the safety and wellbeing of students and their obligation to make a mandatory report with the Principal or a Child Safety Officer.

If a mandated reporter continues to hold a reasonable belief that a student is at risk, but is not supported in that view by others at the School (the Principal or Child Safety Officers), the mandated reporter should nevertheless make a mandatory report.

Mandated reporters must ensure that a report has been made in instances where another mandated reporter has undertaken to make a report but has not done so.

12.3 OBLIGATIONS TO DISCLOSE A SEXUAL OFFENCE COMMITTED AGAINST A CHILD

All staff members who are adults who have information that leads them to form a reasonable belief that a sexual offence has been committed by another adult against a child under the age of 16 years must disclose that information to the Police as soon as it is practicable to do so. Unless the adult has a reasonable excuse for not doing so, it is an offence under the *Crimes Act 1958* to fail to make such a disclosure to the Police. The offence carries a maximum imprisonment term of 3 years.

The offence does not concern rumour or speculation about another person or a small piece of information that may be relevant. The offence is concerned about the failure of an adult to disclose information of a sufficient quality that would lead that adult to form a reasonable belief that a relevant sexual offence has been committed.

The circumstances in which an adult will have a reasonable excuse for failing to disclose information to the Police include the following:

- where the adult may reasonably fear for their safety, or the safety of the child or another person (other than the alleged offender), if the offender was to find out that the offence had been disclosed to the police and the failure to disclose the information was a reasonable response in the circumstances;
- where the adult believes on reasonable grounds that the information has already been disclosed to the Police and the adult has no further information to add; and
- the victim, now being over 16 years of age, requests that the information not be disclosed to the Police (unless the victim has an intellectual disability and does not have the capacity to make an informed decision).

If any staff member has concerns about whether they are required to disclose information to the Police they should speak to the Principal or a Child Safety Officer as soon as possible so that assistance can be provided in relation to the staff member's obligations.

12.4 PARENTS HAVE NOT PROTECTED, OR ARE UNLIKELY TO PROTECT, THE CHILD FROM HARM OF THAT TYPE

A parent who "has not protected or is unlikely to protect that child from harm of that type" includes a parent who wants to protect his or her child from harm, but lacks the means to. It also includes a parent who has the means to protect his or her child from harm but does not want to.

A parent may be rendered "unlikely to protect" that child for many reasons. For example:

- That parent does not, or refuses to recognise that harm is occurring; or
- That parent or child may be subject to domestic violence; or
- That parent's partner may be abusive or harmful to the child.

“Parent” includes:

- The child's father
- The child's mother
- The spouse of the mother or father of the child
- The domestic partner of the mother or father of the child
- A person who has custody of the child
- A person who is named as the father on the child's birth certificate
- A person who acknowledges that he is the father of the child by an instrument under the *Status of Children Act (Vic) 1974*; and
- A person in respect of whom a court has made a declaration or a finding or order that the person is the father of the child.

It is also noted that mandatory reporters should not inform the parents or guardians of a child in respect of whom they have made a report to Child Protection, nor do they require their consent to do so. Child Protection will manage any relevant communications with parents and guardians when required.

12.5 PROTECTION OF REPORTS MADE IN GOOD FAITH

A mandatory reporter who makes a report in good faith is given protection by the *Children, Youth and Families Act 2005*. In particular, if a report is made in good faith:

- making the report does not constitute unprofessional conduct or breach professional ethics;
- the reporter is not subject to any liability as a result of making the report; and
- evidence in a legal proceeding that identifies the reporter or is likely to lead to the identification of the reporter, is only admissible if the Court grants leave for the evidence to be given or the reporter consents in writing to that evidence being given.

13. REPORTABLE CONDUCT SCHEME

The Victorian Reportable Conduct Scheme seeks to improve organisations' responses to allegations of child abuse and neglect by their workers and volunteers. The scheme is established by the *Child Wellbeing and Safety Act 2005* (the Act).

The School Board is responsible for the School's compliance with the Scheme. The Chair of the Board authorises the Principal to assist them in meeting their obligations under the Scheme.

The Principal is authorised to:

- notify and update the Commission of reportable allegations concerning the School's "employees" as defined under the Scheme, which includes staff members, volunteers, contractors, and office holders; and
- ensure investigations are undertaken into all reportable allegations made against "employees".

The Reportable Conduct Scheme imposes obligations on the School's Principal. This includes requirements to:

- have in place systems to prevent child abuse and, if child abuse is alleged, to ensure allegations can be brought to the attention of appropriate persons for investigation and response; and
- ensure that the Commission is notified and given updates on the organisation's response to an allegation.

The Principal needs to adhere the following requirements:

- notify the Commission within three business days of becoming aware of a reportable allegation;

- investigate an allegation – subject to Police clearance on criminal matters or matters involving family violence;
- advise the Commission who is undertaking the investigation;
- manage the risks to children; and
- within 30 calendar days provide the Commission detailed information about the reportable allegation, the investigation findings, any disciplinary action taken (or the reasons no action was taken).

The Principal will also make a confidential record of the following information:

- the date of disclosure or when the School was first advised of the allegation of child abuse or sexual assault;
- the name of the person making the allegation or disclosure and to whom the allegation/disclosure was made;
- details of the allegations of child abuse including the identity of the alleged abuser/s and other persons involved (such as witnesses);
- details of the mandatory report to Child Protection; and
- the procedures followed by the School in responding to the disclosure or allegations and its response.

14. ALTERNATIVE PATHWAYS

Where allegations involve the Principal, concerns must be reported to the Chair of the Board.

15. PROTECTION OF CHILDREN CONNECTED TO ALLEGED CHILD ABUSE

The School will provide ongoing support within the School environment for children who are involved in allegations of child abuse and who may be vulnerable. This support may involve, as the circumstances require:

- developing a wellbeing plan for vulnerable children;
- working with the child's family, as appropriate, to ensure the safety and welfare of the child while in the School environment;
- appointing a support staff member or members, such as the School Psychologist or a Head of School, to oversee the student's safety and welfare and to observe and monitor the child's behaviour and assess their ongoing needs;
- taking such action as is considered necessary to protect any child connected to the alleged child abuse until the allegation is resolved, which may include removing the alleged perpetrator from the School environment or preventing them from having further contact with the child; and
- ensuring that the School has accurate and relevant information about the values and childrearing practices of the cultural group to which the child belongs so that it understands and can act within the child's cultural context.

16. RECORD KEEPING

Staff members should make a clear and contemporaneous record of any disclosure or allegation of child abuse made to them. These records are to be retained and a copy provided to the Principal.

All documentation and evidence received and collated by the School in relation to an allegation of child abuse, sexual assault or mandatory report will be securely stored in files under the supervision of the Principal. All personal information collected, held and stored by the School will be managed in accordance with the School's *Privacy Policy*. Nothing in this policy should be read as prohibiting staff from making records in relation to an allegation or disclosure of child abuse. In certain cases, the School's records and communications may be subject to legal professional privilege and therefore not subject to disclosure to others.

The following template link is to be used in managing documentation/record keeping and in following the four critical steps –

<https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/report.aspx#link56>

17. PROCEDURE BREACH

Any breach of this procedure will be considered by the Principal, or their delegate, will be dealt with on a case by case basis, and may lead to disciplinary action. A failure by a mandated staff member to report a reasonable belief that a child is in need of protection may result in the person being prosecuted and a court imposing a fine under the *Children, Youth and Families Act 2005*. All breaches, near misses and risks related to this policy should be reported to the Principal.

18. LEGISLATION

- *Child Wellbeing and Safety Act 2005*
- *Children, Youth and Families Act 2005 (Vic)*
- *Crimes Act 1958 (Vic)*
- *Education and Training Reform Act 2006 (Vic)*
- *Ministerial Order 1359*
- *Privacy Act 1988 (Cth)*
- *Reportable Conduct Scheme July 2017*
- *Status of Children Act (Vic) 1974*
- *Wrongs Amendment July 2017*

19. RELATED DOCUMENTS

- SW04.00 Child Safety Policy
- SW04.04 Child Safety Code of Conduct

20. IMPORTANT LINKS/CONTACTS

Child Protection Eastern Division Intake – Metropolitan – **1300 360 391**

Commission for Children and Young People (CCYP) – <https://ccyp.vic.gov.au/> (03) 8601 5281

Department of Families, Fairness and Housing (DFFH) –

<https://www.dffh.vic.gov.au/publications/child-safe-standards>

Department of Education –

<https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/default.aspx>

Orange Door – Inner Eastern Melbourne – **1800 354 322**

Victoria Police – **000**