

### *Rationale*

Every child has the right to a full and productive life. We must ensure our children grow up in environments that build confidence, friendship, security and happiness, irrespective of a person's family circumstances or background. Keeping children safe from harm requires a vigilant and informed community that is confident in making judgements and is assertive in taking actions. It is essential that all practitioners working with children and young people are able to understand the role each plays in protecting children

### *Aims*

The aim of this policy is to explain the roles and responsibilities of school staff to protect the safety and wellbeing of children and young people. The full policy with detailed information that all staff in Victorian government schools must follow is found at:

<http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx>

The specific procedures that are applicable at our school are contained at Appendix A.

### *Implementation*

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

Keysborough College 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 Keysborough College 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 Keysborough College 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 Reporters**

All staff who are Victorian Institute of Teaching (**VIT**) registered teachers (including principals) or who have been granted permission to teach by the VIT are 'mandatory reporters'. This means that in the course of undertaking their professional duties, they must report to the Department of Health and Human Services (**DHHS**) Child Protection a belief on reasonable grounds that a child is in need of protection from significant harm as a result of sexual abuse or physical injury and the child's parents are unable or unwilling to protect the child. They must report as soon as practicable after forming the belief.

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). As a result of changes to mandatory reporter groups, registered psychologists will be mandatory reporters from 1 March 2019, and then from 21 January 2020, school counsellors will also be mandatory reporters.]

There may be times when two or more mandated staff members, for example a teacher and a principal, have formed a belief about the same child or young person on the same occasion. In this situation it is sufficient for only one of the mandated staff members to report to Child Protection. The other staff member is obliged to ensure that the report has been made and that all of the grounds for their own belief were included in the report made by the other staff member.

If one staff member has a different view from another staff member about making a report and the staff member continues to hold the belief that a child is in need of protection, that person is obliged to make a report to Child Protection.

### **Non-mandated staff members**

**Any person**, who believes on reasonable grounds that a child is in need of protection, may report their concerns to Child Protection. This means that any person, including non-mandated school staff, is able to make a report to Child Protection or Victoria Police when they believe that a child or young person is at risk of harm and in need of protection, and the child's parents are unable or unwilling to protect the child.

In order to discharge duty of care, staff members, **whether or not mandated**, need to report a belief formed in the course of undertaking their professional duties. A report must be made as soon as practicable after forming the belief, and on each occasion on which they become aware of any further reasonable grounds for the belief.

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 Keysborough College 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.

### **Failure to disclose offence**

In addition to mandatory reporting and duty of care obligations, **any adult** who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 must report that information to police. Failure to disclose the information to police is a criminal offence except in limited circumstances, such as where the information has already been reported to Child Protection or the child is older than 16 when the belief is formed. More information about the offence can be found at <http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/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](#).

### **Duty of care**

School staff have a duty of care to take reasonable steps to protect the safety, health and wellbeing of children in their care.

If a staff member has concerns about the safety, health and wellbeing of children in their care it is important to take immediate action.

In the case of a child who may be in need of protection or therapeutic treatment, or where there are significant concerns about the wellbeing of a child, school staff can discharge this duty of care by taking action which includes the following:

- Reporting their concerns to Child Protection, Victoria Police or another appropriate agency
- Notifying the principal or a member of the school leadership team of their concerns and the reasons for those concerns.

Duty of care obligations are separate and additional to mandatory reporting and 'failure to disclose' reporting obligations.

### **Making a report**

Staff **do not require** the permission of parents, carers or guardians to make a report to Child Protection, nor are they required to tell parents, carers or guardians that they have done so.

Staff are expected to follow the Department policy for making a report set out at: <http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx>

Reports to Child Protection and Victoria Police are confidential unless you consent or a court or tribunal decides that it is necessary in the interests of justice for your identity to be disclosed.

### **Staff training**

As part of their initial induction to the school, staff will be informed of child protection reporting requirements and Department policy

(<http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx>) and will be provided with supporting documentation in their staff handbook.

### **Related documents**

- [Code of Conduct](#)
- [Child Safe Environment Policy](#)
- Child Safe Standards Risk Assessment Register
- [Identifying and Responding to All Forms of Abuse in Victorian Schools](#)
- [Four Critical Actions for Schools](#)
- [Recording your actions: Responding to suspected child abuse – A template for Victorian schools](#)

- [Identifying and Responding to Student Sexual Offending](#)
- [Four Critical Actions for Schools: Responding to Student Sexual Offending](#)
- [School Policy and Advisory Guide – Duty of Care](#)
- [School Policy and Advisory Guide – Child Protection Reporting Obligations.](#)
- *A step-by-step guide to making a report to Child Protection or Child FIRST (PDF - 270Kb)*
- *Protecting the safety and wellbeing of children and young people*
- [Protecting Children - Mandatory Reporting and Other Obligations](#) - elearning module log-in

### ***Evaluation***

This policy will be reviewed annually by the College Principal.

### **CERTIFICATION:**

Signed: \_\_\_\_\_  
Principal

Date of ratification: \_\_\_\_\_

Date to be reviewed: \_\_\_\_\_

## **APPENDIX A**

### **CHILD SAFETY RESPONDING AND REPORTING PROCEDURES AT KEYSBOROUGH COLLEGE**

#### **For students**

- 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 Keysborough College they should start with their Teacher Team Leader or their Sub School Assistant Principal
- If you wish to find out more about what you should do or how the school will support you please look on the Student Intranet under the 'Keeping You Safe' tab

Keysborough Secondary College has a commitment to providing support and assistance to students who disclose or are otherwise linked to an allegation or suspicion of child abuse. Specific strategies to meet this objective at Keysborough Secondary College are:

- The student wellbeing team within the school is responsible for supporting students. This team includes counsellors, wellbeing officers and the school nurse. This team has clear processes to engage with students as required. Further, the school wellbeing team is responsible for regularly maintaining and developing skills of staff members in relation to child safety matters.
- Engaging with DET-specific regional supports, such as SSS and KESOs, to support students as required.
- Engaging with external organisations to support students, as required (i.e., headspace).

- Care Team Meetings are established to wrap support around the student, as needed.
- The school community is expecting to be familiar with the Responding to and Reporting Obligations (including Mandatory Reporting) Policy.

Keysborough Secondary College has a commitment to providing a safe and inclusive environment for all students, with particular consideration to Aboriginal and Torres Strait Islander children, child from a culturally and/or linguistically diverse background, children with disabilities, and vulnerable children. Specific strategies to meet this objective at Keysborough Secondary College are:

- Displaying the Aboriginal and Torres Strait Islander flags
- Conducting the Acknowledgement of Country at all gatherings
- The establishment and maintenance of good working relationships with the Koorie Education Support Officer
- Collaboration with the Dandenong City Council to support students to access community programs for Aboriginal and Torres Strait Islanders
- Inclusion of units on Indigenous history in the school's Humanities curriculum
- Celebration of events relevant to the school population (i.e., Harmony Day, IDAHOBIT,
- Development of ILPs for students with disabilities and students who are vulnerable
- Engagement with Students Support Services to support students with disabilities or who are vulnerable
- Participation in Student Support Groups to support students with disabilities or who are vulnerable
- Special consideration to ensuring that students feel represented within school activities and displays across the school
- Encouragement and support for student-driven community groups to form and support students as required
- Acting in accordance with the Partnering Agreement for students in out-of-home care

### **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.

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 any member of the Principal Class or a member of the Wellbeing Team or should make the required reports to DHHS Child Protection and/or Victoria Police as necessary.

At our school the College Principal will be responsible for monitoring overall school compliance with this procedure. Where the College Principal is unavailable, this responsibility would be managed by the Acting College Principal or the relevant campus Principal.

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 any member of the Principal Class or a member of the Wellbeing Team as soon as possible, who will follow the [Four Critical Actions](#).
- Make detailed notes of the incident or disclosure [optional but recommended: using the [Responding to Suspected Child Abuse: Template](#)] and ensure that those notes are kept and stored securely in a locked draw or office filing cabinet.

- 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 or they must ensure that a report to DHHS Child Protection or Victoria Police has been made by a member of the Principal Team or the Wellbeing Team. If the report has not been made by another staff member, the mandatory reporter must make the report. If the report has not been made by another staff member, the staff member must make the report.

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 Principal Team or the Wellbeing Team*

The Principal Team and the Wellbeing 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 Principal Team and the Wellbeing Team is also responsible for responding appropriately to a child who makes or is affected by an allegation of child abuse.

If the Principal Team and the Wellbeing 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 securely in a digital format and password protected. 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 Keysborough College School, the Principal Team and the Wellbeing 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 relevant Lead Teacher – Teacher Team Leader 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 any member of the Principal Class or a member of the Wellbeing Team 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](https://www.education.vic.gov.au/Documents/about/programs/health/protect/FourCriticalActions_ChildAbuse.pdf)

Please note: There is no requirement for community members to inform the school if they are making a disclosure to DHHS Child Protection or the Victoria Police. However, where a community member is concerned about the safety of a child or children at the school, and where disclosure of that concern will not compromise any potential police investigation, the community member should report this concern to the principal so that appropriate steps to support the student can be taken.]