

CHILD SAFETY REPORTING OBLIGATIONS POLICY AND PROCEDURES 2019 - 2021

Rationale:

All Victorian schools are required to have a *child safe reporting obligations policy and procedures or statement of commitment to child safe* that detail:

- the principles that will guide the school in developing policies and procedures to create and maintain a child safe school environment; and
- the actions the school proposes to take to:
 - i. demonstrate its commitment to child safety and monitor the school's adherence to its child safety policy;
 - ii. support, encourage and enable school staff, parents, and children to understand, identify, discuss and report child safety matters; and
 - iii. support or assist children who disclose child abuse, or are otherwise linked to suspected child abuse.

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

COMMITMENT TO CHILD SAFETY

Morang South Primary School is committed to providing a safe environment for all children and to protect them from any form of abuse or neglect. This policy has been written to demonstrate the strong commitment of the whole school community to Child safety. This community comprises of school leaders, staff, volunteers, contractors, students and their families.

All students enrolled, and any child visiting Morang South Primary School, have a right to feel safe and be safe at all times.

At Morang South Primary School we acknowledge that:

Everyone has the right to work and learn.

Everyone has the right to feel safe and comfortable.

Aims:

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 Morang South Primary School. The specific procedures that are applicable at our school are contained at Appendix A.

- The wellbeing of children in our care will always be our first priority and we have zero tolerance of child abuse and any inappropriate behaviour directed towards children.
- We aim to create a child safe and child friendly environment where children feel safe and are free to enjoy life to the full without any concern for their safety, providing them with the best opportunity to flourish as human beings.

Implementation:

POLICY

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

Morang South 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 Morang South 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 Morang South Primary School we also recognise the diversity of the children and young people at our school and take account of their individual needs, developmental factors and backgrounds when considering child safety.

EXPECTATIONS AND REQUIREMENTS (Also refer: *Student Engagement and Well Being Policy 2015-2019*)

Rights	Responsibilities
<ul style="list-style-type: none">● Students have a right to work and learn.● Students have a right to feel safe and comfortable.	Students have a responsibility to: <ul style="list-style-type: none">➤ be prepared to learn➤ explore their full potential➤ respect the rights of others➤ adhere to the eLearning Agreement
<ul style="list-style-type: none">● Staff have a right to work and learn.● Staff have a right to feel safe and comfortable.	Staff have a responsibility to: <ul style="list-style-type: none">➤ build positive relationships with students as a basis for engagement and learning➤ use and manage the resources of the school to create stimulating, safe and meaningful learning➤ treat all members of the school community with respect, fairness and dignity
<ul style="list-style-type: none">● Parents/carers/members of our school community and visitors have a right to work and learn.● Parents/carers/members of our school community and visitors have a right to feel safe and comfortable.	Parents/carers have a responsibility to <ul style="list-style-type: none">➤ take an active interest in their child's educational process➤ model positive behaviour➤ ensure their child's regular attendance➤ maintain open communication➤ support the school in maintaining an effective learning environment for all students.

The staff and volunteers of Morang South Primary School will:

- encourage students to express their views
- listen to their suggestions, especially on matters that directly affect them
- actively encourage all students to openly express their views and feel comfortable about giving voice to the things that are important to them
- teach students about what they can do if they feel unsafe
- listen to and act on any concerns students, or their parents or carers, raise with us.

Morang South Primary School's commitment to student rights and responsibilities are detailed in our Student Engagement, Wellbeing and Inclusion Policy. This policy ensures that the students within our community are afforded the opportunities and rights that they deserve.

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, as part of 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 Morang South 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 Morang South 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 and 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. Notifications will be directed to 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.

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

- Statement of Commitment to Child Safety
- Child Safety Policy
- Mandatory Reporting Policy
- Student Engagement, Well Being and Inclusion Policy

Evaluation:

This policy is required to be reviewed bi-annually by DET.

Date Implemented	12/02/2019
Author	Principal
School Council - Approval Required	School Council ratified - 27/03/2019
Date Reviewed	12/02/2019
Responsible for Review	Assistant Principal
Review Date	12/02/2021
Related Policies & Materials	Policy Advisory Guide: <ul style="list-style-type: none">● Statement of Commitment to Child Safety● Child Safety Policy● Mandatory Reporting Policy● Student Engagement, Well Being and Inclusion Policy
References	<ul style="list-style-type: none">● Victorian Government Schools Policy Advisory Guide

APPENDIX A

CHILD SAFETY REPORTING PROCEDURES AT MORANG SOUTH PRIMARY SCHOOL

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 Morang South Primary School they should start with their classroom teacher
- [insert other information that your school has, including referencing any student-facing policies/documents/procedures that you have in place for students explaining in child-friendly language the processes that are in place at your school so that they know who to talk to if they are feeling unsafe or have a concern].

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 the school principal or should make the required reports to DHHS Child Protection and/or Victoria Police as necessary.

At our school the principal 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 school 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 a locked 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 ensure that a report to DHHS Child Protection or Victoria Police has been made by the school principal. If the report has not been made by another staff member, the mandatory reporter must make the report.

- If the staff member has formed a 'reasonable belief' that a sexual offence has been committed by an adult against a child, they must ensure that a report to Victoria Police has been made by the school principal. 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.

The principal 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 is also responsible for responding appropriately to a child who makes or is affected by an allegation of child abuse.

If the principal 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 a locked office filing cabinet. 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 Morang South Primary School, the school principal 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 assistant principal 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/assistant 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