



KAMBRYA COLLEGE

POLICY

Mandatory Reporting

Rationale:

The challenge of protecting children is everyone's responsibility: parents, schools, communities, governments and businesses. The Department strongly encourages all school staff to protect and preserve the safety, health and wellbeing of all children and young people. This policy should be read in conjunction with *Ministerial Order 870- Child Safe Standards*, and the college's *Statement of Commitment to Child Safety*.

Aims:

To protect children and young people from abuse and neglect by ensuring school staff under section 184 of the *Children Youth and Families Act 2005* (CYFA):

- understand their mandatory reporting responsibilities and duty of care obligations to protect children and young people from child abuse including physical and sexual abuse
- know how to make a mandatory report to the Department of Human Services (DHHS) Child Protection when they have formed a belief on reasonable grounds that a child or young person is at risk of significant harm
- Are able to identify and be aware of the indicators of abuse

Implementation:

- Any person who is registered as a teacher under the *Education and Training Reform Act (2006)*, or any person who has been granted to teach under the Act, including principals, is mandated to make a report to the Department of Human Services (DHHS) Child Protection.
- All school staff members have a duty to take reasonable steps to protect children under their care and supervision from harm that is reasonably foreseeable. The question of what constitutes "reasonable steps" will depend on the individual circumstances of each case.
- Staff may breach their duty of care towards a student if they fail to act in the way a reasonable or diligent professional would have acted in the same situation. In relation to suspected child abuse, reasonable steps may include:
 - Acting on concerns and suspicions of abuse as soon as practicable
 - Seeking appropriate advice or consulting with other professionals or agencies when the school staff member is unsure of what steps to take.
 - Reporting the suspected child abuse to appropriate authorities such as Victoria Police and DHHS Child Protection.
 - Arranging counselling and/or other appropriate welfare support for the child
 - Providing ongoing support to the child – this may include attending DHHS Child Protection Case Planning meetings, and convening regular Student Support Group meetings.
 - Sharing information with other school based staff who will also be responsible for monitoring and providing ongoing support to the child.

Kambrya College staff need to liaise with the Child Safety Officer in all cases of suspicion or reasonable belief that child abuse has occurred, is occurred or is at risk of occurring.

Student Understanding of Reporting

Kambrya College will institute processes and protocols to make students aware of child safety / child abuse and their need to report matters of child abuse to authorities.

Child safe information will be developed and shared through a variety of sessions of Kambrya College, including but not limited to the HPE curriculum, Home group, wellbeing and safety programs.

Mandatory Reporting

All VIT registered teachers and Principals, staff who have been granted permission by VIT to teach, registered doctors and nurses are all classified as 'Mandatory Reporters'. This classification obligates these people to make a report to Victoria Police and / or DHHS Child Protection as soon as practicable if they form a belief on reasonable grounds that:

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

In response to the *Betrayal of Trust Report*, the Victorian Government has introduced new criminal offences to protect children from sexual abuse. New legislation states that failure to report, or take action in relation to suspected child sexual abuse can now constitute a criminal offence. This includes:

1. Failure to Disclose

This offence applies to all adults (not just professionals who work with children) who form a reasonable belief that another adult may have committed a sexual offence against a child under 16 years of age and fail to report this information to Victoria Police.

2. Failure to Protect

This offence applies to people in positions of authority (Principal Class) who:

- Knows of a substantial risk that a child under the age of 16, under the care, supervision or authority of the organisation will become a victim of a sexual offence committed by an adult associated with the organisation (e.g. employee, contractors, volunteer, visitor);

and

- Negligently fails to remove or reduce the risk of harm.

All Kambrya College staff must act as soon as they witness an incident that breaches student safety or when they form a reasonable belief that a child has been or is at risk of being abused.

Kambrya College will record any child safety complaints, disclosures or breaches of the Code of Conduct (and subsequent action) and store these to DET and Kambrya College security and privacy conventions. To make processes, understandings and obligations clear, our College has appointed a dedicated Child-Safety Officer (Wellbeing Co-ordinator) which staff must liaise with on all child safety areas.

Forming a Suspicion

All staff suspicions that a child has been or may be in danger of being abused must be taken seriously. Kambrya College staff should liaise with our Child Safety Officer, who will advise on the specific incident.

Receiving a Disclosure (current student / former student)

If a child discloses that they have been, are being, or are in danger of being abused, Kambrya College staff must treat the disclosure seriously and take immediate action by following the *Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse*. (Processes to such are discussed below).

- If a former student discloses historical abuse, all staff **must** act. If the former student is currently of school age and attending a Victorian school, staff must follow the *Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse*. If the student is no longer of school age or attending a Victorian school, staff must still act by contacting Victoria Police.

** All disclosures **MUST** be documented utilising the **Responding to Suspected Child Abuse template**

** Additional strategies and advice on how to handle a disclosure can be found on the DET website:

www.education.vic.gov.au/protect

*This information has been taken from DET's **PROTECT** documents- *Identifying and Responding to ALL Forms of Abuse in Victorian Schools* and linked website- www.education.vic.gov.au/protect to address Standard 5*

Forming a Reasonable Belief

If Kambrya College staff witness behaviour, have a suspicion or receive a disclosure of child abuse, that staff member needs to determine whether they have formed a Reasonable Belief that a child is being abused or is at risk of being abused. A reasonable belief does not require proof (but needs to be more than a rumour).

Six different identified types of abuse

All staff who believe that a child is being abused by any type of abuse or at risk of being abused must follow the **Four Critical Actions for Schools** (discussed in detail later)

Detailed information on each area (and physical / behavioural indicators) can be gained from DETs website- www.education.vic.gov.au/protect

1: Physical

Abuse which is any non-accidental infliction of physical violence on a child by any person.

2: Sexual

Is when a person uses power or authority over a child to involve them in sexual activity (which can also include non-contact offences). It may not always involve force, as in some circumstances, a child may be manipulated.

3: Grooming

Is when a person engages in predatory conduct to prepare a child for sexual activity at a later time. This may involve communicating and / or attempting to befriend or establish a relationship or other emotional connection with the child or their parent / carer.

4: Emotional

Emotional child abuse occurs when a child is repeatedly rejected, isolated, or frightened by threats or by witnessing family violence.

5: Neglect

Serious neglect significantly impairs the health or physical development of the child or places this development at serious risk.

6: Family Violence

Family violence can include physical violence or threats, verbal abuse, emotional and physical abuse, sexual abuse and financial and social abuse.

** When identifying child abuse, it is critical to remember that:

- The trauma associated with child abuse can significantly impact upon the wellbeing / development of a child.
- All concerns about the safety and wellbeing of a child, or the conduct of a staff member, contractor or volunteer **must** be acted upon as soon as practicable.

Responding to Incidents, Disclosures and Suspicions of Child Abuse -Taking Action

Staff members of Kambrya College play a critical role in protecting children in their care; including: -

- Staff must act, by following the four critical actions, as soon as they witness an incident, receive a disclosure or form a reasonable belief that a child has, or is at risk of being abused.
- Staff must act if they form a suspicion / reasonable belief, even if they are unsure and have not directly observed child abuse (e.g. if the victim or another person tells them about the abuse).
- Staff **must** use the *Responding to Suspected Child Abuse* template to keep clear and comprehensive notes.

ACTION 1: RESPONDING TO AN EMERGENCY (If there is no risk of immediate harm go to ACTION 2)

If a child is at immediate risk of harm, the staff member must ensure their safety by:

- Separating alleged victims and others involved
 - Administering first aid
 - Calling 000 for urgent medical and/or police assistance to respond to immediate health or safety concerns
 - Liaising with Kambrya's Child Safety Officer at the school who will confer with Police on the specific incident.

ACTION 2: REPORTING TO AUTHORITIES

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

If the source of suspected abuse is from within our College, all staff members must report all instances of suspected child abuse and sexual abuse involving a school staff member, contractor or volunteer to Victoria Police. School staff **must also** report the incident **internally** to:

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

If the source of suspected abuse is from within the family or community, all staff **must** report to DHHS Child Protection if a child is considered to be:

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

ACTION 3: CONTACTING PARENTS/CARERS

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

- **Not to contact** the parents / carers (e.g. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and does not wish for their parents / carers to be contacted).
- **To contact** the parents / carers and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion).

ACTION 4: PROVIDING ONGOING SUPPORT

Kambrya College **will** provide ongoing support for children impacted by abuse via **Student Support Plans**, liaison with DET / External agencies, SSGs and wellbeing strategies.

If a staff member believes that a child is not subject to abuse, but still holds **significant concerns** for their wellbeing, they must still act. This may include making a referral or seeking advice from Child FIRST (in circumstances where the family are open to receiving support), or to DHHS Child Protection or Victoria Police.

Strategies in support of a child may include liaison and communication with, but not limited to, the following:

- DHHS Child Protection and Victoria Police;
- Regional Office and engagement of Student Incident and Recovery Unit (SIRU);
- Parents/carers of all impacted students (where appropriate, following advice from authorities);
- If an international student is impacted, liaison with International Education Division (Government schools);
- If an Aboriginal or Torres Strait Islander Student is impacted, liaison with Koorie Education Officer;
- Liaison with Victoria Police;
- Ongoing communication and action as set out by the Employee Conduct Branch (Government schools).

Strategies of ongoing support of a child may include (but not limited to), the following:

- Overseeing the development of a short-term action plan for all children impacted by suspected abuse in consultation with the Region and the Student Incident and Recovery Unit (SIRU);

- Ensuring ongoing education and support services are provided for all children involved via formation of a Student Support Group (SSG), overseen by the Child Safety Officer and representatives from a number of support agencies, including Student Incident and Recovery Unit (SIRU);
- Developing, implementing and reviewing a **Student Support Plan** in partnership with children and their parents/carers, allied health workers and external support agencies where appropriate (this plan should list appropriate school-level and non-school based supports and should assist students in returning to school);
- Addressing concerns as they arise.

Provision of school based wellbeing services for a child may include (but not limited to), the following:

- Continued monitoring of the situation and the health and wellbeing of impacted children and staff members;
- Ensuring the provision of ongoing support for the children, families and staff members involved.

** The Principal (or representative) will undertake a **review process between 4-6 weeks** after a report is made.

** Please note: if a staff member believes that a child is not subject to abuse, but still holds **significant concerns** for their wellbeing, they must still act. This may include making a referral or seeking advice from Child FIRST (in circumstances where the family are open to receiving support), or to DHHS Child Protection or Victoria Police.

Contact Information for Staff:

- **DHHS - Child Protection:** South Division: 1300 655 795; Dandenong (03) 8765 5444; A/H: 13 12 78
 - **Sexual Offences and Child Abuse Investigation Team:** (SOCIT) Dandenong: (03) 8769 2200
 - **Regional Office:** Dandenong: (03) 8765 5600
 - **(DET) Security Services Unit:** (03) 9589 6266
 - **(DET): Student Incident and Recovery Unit:** (03) 9637 2934
 - **Child First (Casey):** (03) 9705 3939 www.dhs.vic.gov.au
 - **(Casey) Aboriginal children and families:** (03) 9794 5973
 - **Victoria Police:** 000
 - **eHeadspace** (online and a 9am-1am telephone support service) www.eheadsace.org.au or 1800 650 850
 - **KidsHelp Line** on 1800 55 1800 or visit for 24-hour support
 - Talk to your doctor, psychologist, social worker
- ** In the case of **international students**, the Principal must notify the International Education Division on (03) 9637 2990 to ensure that appropriate support is arranged for the student.
- ** In the case of **Koorie students**, the Principal must notify the Regional Office to ensure that the Regional Koorie support officer can arrange appropriate support for the student.
- ** **Please note:** whilst staff members may need to gather information to make a report, it is not the role of Kambrya College staff to investigate abuse- leave this to Victoria Police and / or DHHS Child Protection.

Information contained in this policy has been taken, in part, from DET's **PROTECT** documents- *Identifying and Responding to ALL Forms of Abuse in Victorian Schools* and linked website- www.education.vic.gov.au/protect

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