Child Safety - Responding Reporting

If a child discloses an incident of abuse to you:

- Try and separate them from the other children discreetly and listen to them carefully.
- Let the child use their own words to explain what has occurred.
- Reassure the child that you take what they are saying seriously, and it is not their fault and that they are doing the right thing.
- Explain to them that this information may need to be shared others, such as with their parent/carer, specific people in your organisation, or the police.
- Do not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- Do not leave the child in a distressed state. If they seem at ease in your company, stay with them.
- Provide them with an incident form to complete, or complete it together, if you think the child is able to do this.
- As soon as possible after the disclosure, record the information using the child’s words and report the disclosure to the Principal or a member of the leadership team, police or Child Protection.
- Ensure the disclosure is recorded accurately and that the record is stored securely.

If a parent/carer says their child has been abused in your organisation or raises a concern:

- Explain that your organisation has processes to ensure all abuse allegations are taken very seriously.
- Ask about the wellbeing of the child.
- Allow the parent/carer to talk through the incident in their own words.
- Advise the parent/carer that you will take notes during the discussion to capture all details.
- Explain to them the information may need to be repeated to authorities or others, such as the organisation’s management or Child Safety Officer, the police or Child Protection.
- Do not make promises at this early stage, except that you will do your best to keep the child safe.
- Provide them with an incident report form to complete, or complete it together.
- Ask them what action they would like to take and advise them of what the immediate next steps will be.
- Ensure the report is recorded accurately, and that the record is stored securely.

You need to be aware that some people from culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police, and communicating in English may be a barrier for some. You need to be sensitive to these issues and meet people’s needs where possible, such as having an interpreter present (who could be a friend or family member).

If an allegation of abuse involves an Aboriginal child, you will need to ensure a culturally appropriate response. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community controlled organisations to review policies and procedures.

Some children with a disability may experience barriers disclosing an incident. For example, children with hearing or cognitive impairments may need support to help them explain the incident, including through sign language interpreters. Advice on communicating with people with a disability can be found on the Department of Health and Human Services website.
If you believe a child is at immediate risk of abuse phone 000.

**Legal Responsibilities**

While the child safe standards focus on organisations, every adult who reasonably believes that a child has been abused, whether in their organisation or not, has an obligation to report that belief to authorities.

The **failure to disclose** criminal offence requires all adults (aged 18 and over) who hold a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 to disclose that information to police (unless they have a reasonable excuse not to, for example because they fear for their safety or the safety of another).


While failure to disclose only covers child sexual abuse, all adults should report other forms of child abuse to authorities. Failure to disclose does not change mandatory reporting responsibilities.


**Mandatory reporters** (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.


The **failure to protect** criminal offence (commenced on 1 July 2015) applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently failed to do so.

Further information about failure to protect can be found on the Department of Justice and Regulation website [www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence), and the Department of Health and Human Services website.

**Reportable Conduct**

Our school must notify the Department’s Employee Conduct Branch (9637 2594) if we become aware of an allegation of ‘reportable conduct’.
There is an allegation of reportable conduct where a person has formed a reasonable belief that there has been:

- a sexual offence, 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; or
- significant neglect of a child, or misconduct involving any of the above.

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

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

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

For more information about Reportable Conduct see the Department’s School Policy and Advisory Guide: Reportable Conduct Scheme.

**Child in need of protection**

Any person can make a report to the Department of Health and Human Services (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, 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 Newtown Primary School we also encourage all staff to make a referral to DHHS Child FIRST when they have significant concern for a child’s wellbeing but do not believe that the child needs protection.

For more information about making a referral to Child FIRST see the School Policy and Advisory Guide: Child Protection – Reporting Obligations.

**Department resources**

FOUR CRITICAL ACTIONS FOR SCHOOLS
Responding to Incidents, Disclosures and Suspicions of Child Abuse

1. RESPONDING TO AN EMERGENCY
If there is no risk of immediate harm, go to Action 2.

2. REPORTING TO AUTHORITIES / REFERRING TO SERVICES
As soon as immediate health and safety concerns are addressed you 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.

3. CONTACTING PARENTS/CARERS
For suspected student sexual assault, please follow the Four Critical Actions Student Sexual Offending.

4. PROVIDING ONGOING SUPPORT
Your school must provide support for children impacted by abuse. This should include the development of a school Support Plan in consultation with wellbeing professionals.

WHERE DOES THE SOURCE OF SUSPECTED ABUSE COME FROM?

WITHIN THE SCHOOL
- VIC POLICE
  - You must report all instances of suspected child abuse involving a school staff member, contractor, volunteer or visitor to Victoria Police.
  - You must also report internally to:
    - GOVERNMENT SCHOOLS
      - School principal and/or leadership team
    - CATHOLIC SCHOOLS
      - School principal and/or leadership team
    - INDEPENDENT SCHOOLS
      - School principal and/or leadership team
    - Employee Conduct Branch
    - DET Security Services Unit

- GOVERNMENT SCHOOLS
  - School principal and/or leadership team
  - Commission for Children and Young People on 1800 782 978.

- CATHOLIC SCHOOLS
  - School principal and/or leadership team
  - DET Security Services Unit
  - Diocesan education office.

- INDEPENDENT SCHOOLS
  - School principal and/or leadership team
  - DET Security Services Unit.

- INDEPENDENT SCHOOLS
  - School principal and/or leadership team
  - Commission for Children and Young People on 1800 782 978.

WITHIN THE FAMILY OR COMMUNITY
- DHHS CHILD PROTECTION
  - You must report to DHHS Child Protection if a child is considered to:
    - Be at risk of being harmed to whom harm has had, or is likely to have, a serious impact on the child’s safety, stability or development.
    - Victoria Police
      - You must also report instances of suspected sexual abuse (excluding grooming) to Victoria Police
      - You must also report internally to:
        - GOVERNMENT SCHOOLS
          - School principal and/or leadership team
        - CATHOLIC SCHOOLS
          - School principal and/or leadership team
        - INDEPENDENT SCHOOLS
          - School principal and/or leadership team

- DHHS CHILD PROTECTION
  - Area
    - North Division: 1300 664 977
    - South Division: 1300 664 976
    - East Region: 1300 360 291
    - West Division: 1300 664 977
  - After hours
    - Weekends, public holidays: 1300 127 888
  - VIC POLICE
    - 000 or your local police station
  - DET SECURITY SERVICES UNIT
    - (03) 9659 6298
  - STUDENT INCIDENT AND RECOVERY UNIT
    - (03) 9651 3622
  - EMPLOYEE CONDUCT BRANCH
    - (03) 9657 2595
  - DIOCESAN OFFICE
    - (03) 9500 0228
  - FAMILY VIOLENCE
    - (03) 9500 0228
  - RESOURCES
    - (03) 5037 7185
  - SEXUAL ASSAULT
    - (03) 5037 6800
  - childfirst
    - https://www.childfirst.vic.gov.au
  - VIC POLICE
  - PROTECT
  - EDUCATION STATE
    - (03) 9906 7200
Incident Report – Newtown Primary School

Newtown Primary School will use the Departments template for responding and reporting.

All incident reports must be stored securely.

DEPARTMENT OF EDUCATION TEMPLATE FOR RESPONDING AND REPORTING


When to use this template

School staff should use this template to document any incident, disclosure or suspicion that a child has been, or is at risk of being abused. This template should be used in conjunction with following the Four Critical Actions For Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse.

Completing this template should not impact on reporting times. If a child is in immediate danger school staff should report immediately to Victoria Police.

Whilst you may need to gather the information to make a report, remember it is not the role of school staff to investigate abuse, leave this to Victoria Police and/or DHHS Child Protection.

Why record this information?

When completing this template your aim should be to provide as much information as possible.

This information will be critical to any reports and may be sought at a later date if the matter is the subject of Court proceedings. These notes may also later assist you if you are required to provide evidence to support any decisions.

It is a requirement under Ministerial Order No. 870 - Child Safe Standards - Managing the risk of child abuse in schools for schools to keep clear and comprehensive notes on all observations, disclosures and other details that led them to suspect the abuse.

Ratified at School Council : November 2018
To be reviewed in 2021