



Aurora School

CHILD SAFETY RESPONDING & REPORTING POLICY (DET)

A DET POLICY (UPDATED MAY 2021)

Policy

The purpose of this policy is to:

- ensure school staff are aware of and comply with their legal responsibilities to protect the safety and wellbeing of children and young people
- explain the process following a report to Department of Families, Fairness and Housing Child Protection service (Child Protection).

Summary

School staff have a range of legal obligations with respect to protecting children and young people from abuse.

- School staff must be aware of and comply with their legal obligations with respect to reporting suspected child abuse and providing ongoing appropriate support.
- School staff must follow the [Four Critical Actions](#) where there is an incident, disclosure or suspicion of child abuse.
- Where a school staff member has reported a concern to Child Protection but they continue to have concerns for the child after Child Protection has closed the case, they may escalate the matter through Child Protection complaints management processes or reporting concerns from the principal to their regional Area Executive Director.

Details

School staff play a vital role in protecting children from harm and are well placed to observe signs or behaviours that may indicate risks of child abuse.

School 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.

Recognising different types of child abuse

Types of child abuse include:

- physical abuse
- sexual abuse
- grooming
- family violence
- emotional abuse
- neglect.

For information, refer to: [PROTECT: Identify child abuse](#)

Making a report or referral — the Four Critical Actions

Refer to the section below on: Reporting obligations where there is a concern that a child is being abused' for information on the legal reporting obligations of all school staff.

School staff must follow the Four Critical Actions when responding to an incident, disclosure or suspicion of child abuse.



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Critical Action 1: Responding to an emergency

If there is not risk of immediate harm go to Action 2.

If a child is at immediate risk of harm school staff 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
- identifying a contact person at the school for future liaison with police.

School staff may also need to maintain the integrity of the potential crime scene and preserve evidence.

Critical Action 2: Reporting to authorities/referring to services

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

If the source of suspected abuse comes from within the school

Victoria Police

School staff must report all instances of suspected child abuse involving a school staff member, contractor or volunteer to Victoria Police (call [000](#) or your local police station). School staff must also report internally to:

- school principal and/or leadership team
- Employee Conduct Branch — [03 9637 2595](#)
- DET Incident Support and Operations Centre — [1800 126 126](#)

All allegations of 'reportable conduct' must be reported as soon as possible to the Employee Conduct Branch.

If the source of suspected abuse comes from within the family or community

Child Protection

School staff must report to [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 and the parents have not protected or are unlikely to protect the child.

Victoria Police

School staff must also report all instances of suspected sexual abuse (including grooming) to Victoria Police (call [000](#) or your local police station).

School staff must also report internally to:

- school principal and/or leadership team
- DET Incident Support and Operations Centre — [1800 126 126](#)

Other concerns

If a school staff member believes that a child is not subject to abuse, but they still hold significant concerns for the child's wellbeing the school staff member must still act. This may include making a referral or seeking advice from:



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- [Child FIRST / the Orange Door](#) (in circumstances where the school staff member believes the family is open to receiving support)
- [The Lookout](#) has a service directory, information, and guidance to help you respond to family violence
- family violence victims/survivors can be referred to 1800 Respect for counselling, information and a referral service: [1800 737 732](#)
- Child Protection
- Victoria Police — call [000](#) or your local police station.

Critical Action 3: contacting parents/carers

The principal must consult with Child Protection or Victoria Police (call [000](#) or your local police station) to determine what information can be shared with parents/carers. They may advise:

- not to contact the parents/carers (for example, 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 parent/carer 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)
- how to communicate with all relevant parties with consideration for their safety.

Critical Action 4: providing ongoing support

The school must provide support for children impacted by abuse. This can include the development of a student support plan in consultation with wellbeing professionals. This is an essential part of the school's duty of care requirements.

Strategies may include development of a safety plan, direct support and referral to wellbeing professionals and support services.

School staff must follow the Four Critical Actions every time they become aware of a further instance or risk of abuse. This includes reporting new information to authorities

Reporting obligations where there is a concern that a child is being abused

Note: For information on how to report a suspicion, disclosure or incident of abuse, see the Four Critical Actions.

Note: When making any report in regards to suspected child abuse, it is strongly recommended that you use the [Responding to suspected child abuse template](#) to keep clear and comprehensive notes.

Failure to disclose

All adults must report to Victoria Police where they form a reasonable belief that a sexual offence has been committed by an adult against a child under the age of 16.

Failure to disclose the information may be a criminal offence unless you have a 'reasonable excuse' or have an 'exemption' from doing so.

If you are an adult that reasonably believes that a sexual offence has been committed against a child under the age of 16 by another adult, then you must call Victoria Police on [000](#) or your local police station.



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For more information, visit the Department of Justice and Community Safety website: [Failure to disclose offence](#).

Failure to protect

Principals or school leadership staff, who become aware that an adult associated with the school (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse (including through grooming) to a child under the care, of the school, must take all reasonable steps to remove or reduce that risk.

This may include, for example, removing the adult from child-related work pending investigation. Failure to do so may be a criminal offence.

This applies to any staff member in a position of authority (e.g. principals, assistant principals and campus principals).

For more information, visit the Department of Justice and Community Safety website: [Failure to protect offence](#).

Reportable Conduct Scheme

Principals must notify the Employee Conduct Branch as soon as possible after becoming aware of an allegation of reportable conduct.

There is an allegation of reportable conduct where a person has 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, or
- behaviour causing significant emotional or psychological harm to a child, or
- significant neglect of a child, or
- misconduct involving any of the above.

The Department's Employee Conduct Branch will report allegations of 'reportable conduct' raised against Department employees (and contractors, volunteers, allied health workers and other office holders) who are 18 years or over to the Commission for Children and Young People (CCYP).

The contact number for the Employee Conduct Branch is **03 9637 2595**.

For more information refer to the [Reportable Conduct Scheme](#).

Mandatory reporting

A mandatory reporter must report to the Child Protection as soon as practicable if, in the course of practising their profession or carrying out their duties, they form a belief on reasonable grounds that:

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

It may be a criminal offence not to report in these circumstances.

Individuals who are required to report:

- Victorian Institute of Teaching (VIT) registered teachers, including principals
- school staff who have been granted permission to teach by the VIT



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- registered doctors, nurses and all members of the police force
- registered psychologists
- people in religious ministry
- staff who provide direct support to students for mental, emotional or psychological wellbeing, including (but not limited to) school health and wellbeing staff, primary welfare officers, student wellbeing coordinators, mental health practitioners, chaplains, and Student Support Services staff.

Child in need of therapeutic treatment

Any person who believes on reasonable grounds that a child over 10 but under 18 years of age has been exhibiting sexually abusive behaviours and may be in need of therapeutic treatment may make a report to Child Protection.

School staff must also report student sexual offending to the Victoria Police.

For more information, refer to: [Identify and Respond to Student Sexual Offending](#).

Significant concerns for the wellbeing of a child

All concerns about the wellbeing of a child (or unborn child) should be taken seriously and acted upon.

Any adult can make a referral to Child FIRST/The Orange Door if they:

- have a significant concern for a child's wellbeing
- the issue of concern has a low-to-moderate impact on the child
- the child's immediate safety is not compromised
- believe that the child and/or family will act on the referral and be supportive of it.

School staff must contact Victoria Police if:

- there is any concern for a child's immediate safety and/or
- a child is partaking in any risk-taking activity that is illegal and extreme in nature or poses a high risk to the child or any other person.

School staff can contact Child Protection if:

- after consideration of all available information you form a view that the child is in need of protection and
- you believe that the child's parents/carers will not be open to support from family services to address their child's wellbeing.

For further information, refer to: [Responding to other concerns about the wellbeing of a child](#).

For contact details visit:

- [Child FIRST Child and family services](#)
- [The Orange Door](#)
- [The Lookout service directory](#) — for information, and guidance to help you respond to family violence
- [1800 RESPECT](#) — for family violence victims/survivors to be referred to counselling and information
- Child Protection — visit [Making a report to child protection](#)
- Victoria Police — call [000](#) or your local police station.



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What happens when you make a report to Child Protection?

Confidentiality and professional protections

When you make a report, your identity as a reporter must remain confidential unless:

- you choose to inform the child, young person or parent of the report
- you consent in writing to your identity being disclosed
- a court or tribunal decides that it necessary for your identity to be disclosed to ensure the safety and wellbeing of the child
- a court or tribunal decides that you in the interests of justice the evidence needs to be given.

If a report is made in good faith:

- it does not constitute unprofessional conduct or a breach of professional ethics on the part of the reporter
- the reporter cannot be held legally liable in respect of the report.

The process once you report to Child Protection

Intake

When you make a report to Child Protection, your report will be received by the intake team. Intake determines the appropriate response and provides advice to reporters including advice about where children and families can access support services. Intake will decide whether your report should proceed to referral or investigation.

Investigation

If your report is classified as a protective intervention report and/or a therapeutic treatment report, it will proceed to investigation by Child Protection. An investigation establishes if a child is in need of protection as defined by the law. An investigation involves interviews with the child and parents.

Requests for information

Child Protection, Child FIRST/The Orange Door, and/or Victoria Police may request information from school staff about the child or family to investigate a report and assess the risk or wellbeing concerns of the child.

When sharing information with Child Protection, school teachers, principals, kindergarten teachers and any person in charge of an education service may disclose information to Child Protection in good faith in accordance with the Children Youth and Families Act 2005. This disclosure of information does not constitute unprofessional conduct or a breach of professional ethics, or expose the person to any liability.

For more information refer to the [Requests for Information about Students Policy](#).

Interviews

As part of an investigation, Child Protection and/or Victoria Police may conduct interviews of children at the school without the parent/carer's knowledge or consent. Child Protection would only interview children at school where it is in the best interests of the child.

For policy and guidance on police and DHHS interviews at school, refer to: [Police and DHHS Interviews](#).



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Decision

After an investigation has been undertaken, Child Protection will decide whether the report has been substantiated and protective intervention is required.

Witness summons

If Child Protection makes a protection application in the Children's Court, school staff might be required to produce documents or give evidence in court if requested. This is called a subpoena or a witness summons. Refer to: [Legal Claims, Subpoenas, Summonses and Other Legal Documents](#)

Protection order phase

If the court finds that the child is in need of protection and that an order is required to promote the child's ongoing safety and development, they will grant a protection order.

The primary role of the Child Protection practitioner during this phase is to administer the protection order made by the Children's Court and continue to engage with the child and family to address the protective concerns.

Support for the child or young person

Before, during, and after the Child Protection process, school staff must provide ongoing support for children impacted by abuse. School staff can support students by:

- developing a student support plan in consultation with wellbeing professionals
- acting as a support person for the child
- attending Child Protection case planning meetings
- observing and monitoring the child's behaviour
- referring to and/or liaising with wellbeing professionals.

Escalating concerns

Where a school staff member continues to have concerns about a child after Child Protection has closed the case, the school can escalate the matter by:

- using [Child Protection's complaints management process](#)
- escalating concerns from the principal to their regional area executive director. The area executive director can then share this information with their counterpart at Child Protection.

Training obligations

School staff can use the [Protecting Children — Mandatory Reporting and Other Obligations eLearning module](#) (the module) to learn how to protect the safety and wellbeing of children and young people.

Requirements — school staff

School staff who are:

- mandatory reporters must complete the module once per calendar year
- not mandatory reporters are strongly encouraged to complete the module once per calendar year.



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Requirements — region and area staff

Department staff who:

- are mandatory reporters must undertake the training once per calendar year
- have roles that engage with students or provide advice to schools about mandatory reporting or child safety are strongly encouraged to undertake the training once per calendar year.

For a list of staff who have completed the module, principals can email student.engagement@education.vic.gov.au

Other legal obligations relating to suspicions, disclosures or incidents of child abuse

Duty of care

All school staff have a duty of care to take reasonable steps to protect children under their care from harm that is reasonably foreseeable. In relation to suspected child abuse, reasonable steps may include (but are not limited to):

- acting on concerns and suspicions of abuse as soon as practicable
- seeking appropriate advice or consulting with other professionals or agencies
- reporting the suspected child abuse to appropriate authorities such as Victoria Police and Child Protection (refer to [Four Critical Actions PROTECT](#))
- arranging counselling and/or other appropriate welfare support for the child
- providing ongoing support to the child and young person
- sharing information with other school staff who will also be responsible for providing ongoing support to the child

For more information, refer to:

- [Duty of Care](#)
- [Your reporting and legal obligations PROTECT](#)
- [Identifying and responding to all forms of abuse in Victorian schools](#)

Child Safe Standards

All schools are required to comply with the Child Safe Standards and Ministerial Order 870 — Child Safe Standards, to create and maintain a child safe organisation.

For information on the Child Safe Standards, refer to [Child Safe Standards](#).

Related policies

- [Child Safe Standards](#)
- [Duty of Care](#)
- [Legal Claims, Subpoenas, Summonses and Other Legal Documents](#)
- [Police and DHHS Interviews](#)
- [Reportable Conduct Scheme](#)
- [Requests for Information about Students](#)
- [Risk Management — Schools](#)



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- Student Sexual Offending and Problem Sexual Behaviour

Relevant legislation

- Children, Youth and Families Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic)
- Crimes Act 1958 (Vic)
- Education and Training Reform Act 2006 (Vic)
- Ministerial Order 870 — Child Safe Standards

Reviewed 05 May 2021

This policy was approved by School Council in November 2020 and is scheduled for review in 3 years or in line with DET policy advice.

This policy was further updated and approved by School Council, in line with updated DET policy, in May 2021.

APPENDIX A

CHILD SAFETY RESPONDING AND REPORTING PROCEDURES AT AURORA 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 Aurora School they should start with their class teacher as the appropriate first port of call for a student in doubt

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



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- 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

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

At our school the Principal/Assistant 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 Principal/Assistant 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 the child's file.



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- 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 together with the Principal/Assistant 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 Principal/Assistant 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.

Responsibilities of Principal/Assistant Principal

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

If the Principal/Assistant 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 the child's file. 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 Aurora School, the Principal/Assistant 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/Assistant Principal is unavailable, the Leading Teacher/Learning Specialist 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,



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suspensions 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.

https://www.education.vic.gov.au/Documents/about/programs/health/protect/FourCriticalActions_ChildAbuse.pdf