

CHILD PROTECTION AND MANDATORY REPORTING POLICY

*The Currajong School takes a zero-tolerance approach to child abuse and is fully committed to ensuring that its strategies, policies, procedures, and practices meet all **Child Safe Standards as specified in Ministerial Order No. 870 (2015)***

RATIONALE

All children have a right to feel safe and to be safe. As teachers and education staff, we have a legal and moral responsibility to respond to serious incidences involving abuse and neglect of the children with whom we have contact and to report instances that we believe involve physical abuse, sexual abuse or neglect.

AIM

To ensure that children's rights to be safe are maintained and each child is protected against physical and sexual abuse and neglect.

PURPOSE

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

SCOPE

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 Board-run events, activities and services.

POLICY

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

The Currajong 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); and
- Grooming.

The staff at The Currajong School are required by law to comply with various child safety reporting obligations.

At The Currajong School 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.

(a) 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). [NOTE: 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.]

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/carers 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 The Currajong 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 require/encourage all other staff to undertake this module, even where they are not mandatory reporters.

(b) 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 Currajong School 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 The Currajong School we also encourage all staff to make a referral to Child FIRST when they have significant concern for a child's wellbeing.

(c) Reportable Conduct

All employees at our school must notify the Principal, if they 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 Principal 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 School Board and relevant organisations of reportable conduct allegations involving current or former teachers, contractors, volunteers (including parents), allied health staff and School Board members.

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 School Board.

(d) 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 The Currajong School, 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 The Currajong School, through a mandatory report to DHHS Child Protection.

(e) 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.

(f) 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.

IMPLEMENTATION

All staff members of The Currajong School are mandated by law to report signs of physical and/or sexual abuse, and neglect.

New staff will be informed of mandatory reporting responsibilities and procedures as part of their induction procedure.

Staff will be reminded of mandatory responsibilities annually.

All concerns must be reported immediately to the Assistant Principal, or in his/her absence, the Principal or person acting in the Leadership role.

The Principal will keep a record of all discussions about a student with whom there is a concern, and this will be recorded on Sentral under confidential in the wellbeing component.

If a belief has been formed by a staff member that sexual or physical abuse has taken place a "Mandatory Reporting Information Sheet", available from the Assistant Principal, must be completed and filed in the confidential section of Sentral.

The staff member and/or Principal class will contact the Department of Human Services by telephone as soon as possible to make an official notification on: 1300 555 526 or after school hours crisis line 131278.

Members of the Department of Human Services, or associated support or intervention services that visit the school following a notification, will interview staff and children only in the presence of a Principal class member or his/her nominee.

All "Mandatory Reporting Information Sheets" remain filed in the confidential section of Sentral.

All reports, information sheets and subsequent discussions and information are to be recorded and remain strictly confidential.

All incidents to be monitored, and any subsequent signs or indications of abuse are also to be reported.

While only mandated by law to report incidents of physical and sexual abuse, and neglect; teachers are also encouraged to report incidents of emotional abuse or neglect.

RELATED POLICIES AND FURTHER INFORMATION

Statement of Commitment to Child Safety, Child Safety Policy, Child Safety Environment Policy.

EVALUATION

This policy will be reviewed as per our three-year review cycle or more often if necessary due to changes in regulations or circumstances.

Approval date:	Approved by:	Next review:
October 2021	School Board	October 2024



The Currajong School acknowledges the traditional owners of this country throughout Australia and their continuing connection to land and community. We pay our respects to them and their cultures and to the Elders past, present and emerging.

APPENDIX 1

The Currajong School Child Safety Reporting Process

The Principal, and Leadership team are responsible for ensuring that the School's child safety requirements are met. The Assistant Principal is The Currajong School's Child Safety officer. The Principal and the wellbeing leader or person acting in that position will:

- Ensure that all school staff have access to, and understand school child safety policies
- Ensure that child safety policies and procedures are followed and implemented
- Implement and monitor child safety policies, positive behaviour support framework, and procedures in school
- Will follow child safety reporting obligations and procedures policy and four critical actions if an allegation is made
- Review and update relevant policies in consultation with staff and School Board
- Provide relevant training in relation to child safety

**Who can
report?**

Parent/Carer

Child

**Staff Member or
Visitor**

What to report?

Any child safety concerns, including:

- disclosure of abuse or harm
- allegation, suspicion or observation
- breach of Code of Conduct
- environmental safety issues

If a child is in immediate danger call 000

How?

Face-to-face verbal report, letter, email, telephone call, meeting

Who to?

School Principal, Assistant Principal, School Psychologist or Nominee when they are available. If the Principal or Leadership are unable to be contacted, you must follow the child safety reporting obligations policy and four critical actions.

What happens next?

The School Principal, Leadership or Nominee will:

- offer support to the child, the parents/carers, the person who reports and
- the accused staff member or volunteer
- initiate internal processes to ensure the safety of the child, clarify
- the nature of the complaint and commence disciplinary process (if required) decide, in accordance with legal and reporting requirements and duty of care, whether the matter should/must be reported to the police or Child Protection and make a report following the

child safety reporting obligations policy and four critical actions.



Outcome

Investigation: outcome decided; relevant staff, volunteers, parents/carers and child notified of outcome of investigation; policies, procedures updated where necessary.