



CHILD SAFETY POLICY

Purpose

Manchester Primary School Child Safety Policy sets out the school's commitment and approach to creating and maintaining a child safe organisation where children and young people are safe and feel safe, and provides the policy framework for the school's approach to the Child Safe Standards.

Scope

This policy applies to all staff, volunteers, and contractors in the school environment, whether or not they work in direct contact with children or young people. This policy also applies to school council members where indicated.

The policy will apply to the school environment (see Definitions below). The policy covers both school hours and outside of school hours.

Definitions

Child abuse

Child abuse includes:

- any act committed against a child involving:
 - a sexual offence; or
 - grooming; and
- the infliction, on a child, of:
 - physical violence; or
 - serious emotional or psychological harm; and
- serious neglect of a child.

Child-connected work

Child-connected work means work authorised by the school, School Council, or Secretary of the Department of Education and Training and performed by an adult in a school environment while children are present or reasonably expected to be present.

Child safety

Child safety encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.



School environment

School environment means any physical or virtual place made available or authorised by the school for use by a child during or outside school hours, including:

- a campus of the school;
- online school environments (including email and intranet systems); and
- other locations provided by the school for a child's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions, homestays, and other school activities or events)

School staff

School staff means an individual working in a school environment who is:

- employed by the Department of Education and Training;
- directly engaged or employed by a school council; or
- a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary).

Statement of Commitment to Child Safety and Child Safety Principles

Manchester Primary School is committed to the safety and wellbeing of all children and young people. We achieve this by maintaining a child safe school environment which is guided by our school values.

The values which Manchester adhere to is **RESPECT**. Respect for self, others, the environment and for learning and achievement. The following reflects how we relate to one another in our learning community.

- **Respect Yourself**– having regard for self in terms of physical, social and emotional health.
- **Respect Others**– Mutual Respect and acceptance of others, their property and their differences. **Demonstrating Attentive Listening** and empathy for each person's Right to Participate or their Right to Pass.
- **Respect our Environment** – recognising that we are the caretakers of the planet and that we must act responsibly and urgently to reverse mankind's ecological footprint.
- **Respect for Achievement and Learning** – pursuing excellence and displaying pride and satisfaction in individual achievement and endeavour. Producing only **Personal Best** and showing **Appreciation** when that is achieved.

This will be the primary focus of our care and decision-making. Manchester Primary School has zero tolerance for child abuse. Manchester Primary School is committed to providing a child safe environment where children and young people are safe and feel safe, and their



voices are heard about decisions that affect their lives. Particular attention will be paid to the cultural safety of Koori children and any refugee children as well as children from culturally and/or linguistically diverse backgrounds, and the safety of children with a disability. Every person involved in Manchester Primary School has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all children and young people is at the forefront of all they do and every decision they make.

Every person involved in Manchester Primary School has a responsibility to understand the important and specific role they play individually and collectively to ensure that the wellbeing and safety of all children and young people is at the forefront of all they do and every decision they make.

Child safety principles

In its planning, decision-making and operations, Manchester Primary School will:

1. Take a preventative, proactive and participatory approach to child safety;
2. Value and empower children to participate in decisions which affect their lives;
3. Foster a culture of openness that supports all persons to safely disclose risks of harm to children;
4. Respect diversity in cultures and child rearing practices while keeping child safety paramount;
5. Provide written guidance on appropriate conduct and behaviour towards children;
6. Engage only the most suitable people to work with children and have high quality staff and volunteer supervision and professional development;
7. Ensure children know who to talk with if they are worried or are feeling unsafe, and that they are comfortable and encouraged to raise such concerns;
8. Report suspected abuse, neglect or mistreatment promptly to the appropriate authorities;
9. Share information appropriately and lawfully with other organisations where the safety and wellbeing of children is at risk; and
10. Value the input of and communicate regularly with families and carers

Policy

Strategies to embed a child safe culture

Manchester Primary School culture encourages staff, students, parents and the school community to raise, discuss and scrutinise child safety concerns. This makes it more difficult for abuse to occur and remain hidden.

All child safety documents, including this policy, the Child Safety Code of Conduct, the school's Child Safety Responding and Reporting Policy (includes Mandatory Reporting), [Identifying and Responding to All Forms of Abuse in Victorian Schools](#) and the [Four Critical Actions for Schools](#) are readily available online and in hard copy at the administration office for all staff and students to read at any time, and at the conclusion of this policy.

Child Safety Policy

Child Safe Standard 1 Strategies to embed an organisational culture of child safety

Child Safe Standard 2 A child safety policy or statement of commitment to child safety



Child safety is everyone's responsibility. **All school staff** are required to:

- Act in accordance with the school's Child Safety Code of Conduct, which clearly sets out the difference between appropriate and inappropriate behaviour
- Act in accordance with the Child Safety Responding and Reporting Policy (includes Mandatory Reporting) and Procedures at all times, including following the [Four Critical Actions for Schools](#) where necessary
- Undertake annual guidance and training on child safety
- Act in accordance with their legal obligations, including:
 - Failure to disclose offence (applies to all adults)
 - Duty of care (applies to all school staff)
 - Mandatory reporting obligations (applies to all mandatory reporters, including teachers, principals, registered psychologists, and registered doctors and nurses)
 - Failure to protect offence (applies to a person in a position of authority within the school)
 - Reportable conduct obligations (applies to all school staff in reporting conduct to the principal, and applies to the principal in reporting to Employee Conduct Branch)
 - Organisational duty of care (applies to the school as an organisation)
 - For more information on these obligations, see [Identifying and Responding to All Forms of Abuse in Victorian Schools](#).

As part of Manchester Primary School's child safe culture, **school leadership** (including the Principal and Assistant Principal) will:

- Consider the diversity of all children, including (but not limited to) the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, and children who are vulnerable, when implementing the Child Safe Standards
- Ensure that child safety is a regular agenda item at school leadership meetings and staff meetings
- Encourage and enable staff professional learning and training to build deeper understandings of child safety and prevention of abuse
- Ensure that no one is prohibited or discouraged from reporting an allegation of child abuse to a person external to the school or from making records of any allegation.

As part of Manchester Primary School child safe culture, **school mandatory reporting staff** are required to:

- Complete the [Protecting Children – Mandatory reporting and other obligations](#) online module every year
[Note: that it is a DET requirement that mandatory reporters complete this training annually. It also helps with demonstrating compliance with the Child Safe Standards]



- Read the school's Child Safety Code of Conduct on induction, and maintain familiarity with that document
- Read the school's Child Safety Responding and Reporting Obligations (includes Mandatory Reporting) Policy and Procedures on induction, and maintain familiarity with that document
- Read the school's Child Safety Policy (this document) on induction, and maintain familiarity with that document.

As part of Manchester Primary School child safe culture, in performing the functions and powers given to them under the *Education and Training Reform Act 2006*, **school councils and school council members** will:

- Ensure that child safety is a regular agenda item at school council meetings
[Note that there is no requirement to discuss child safety at every school council meeting, but it is best practice to have child safety on the agenda at some meetings to show that the school is embedding a culture of child safety and school council members are informed and understand the issues]
- Consider the diversity of all children, including (but not limited to) the needs of Aboriginal and Torres Strait Islander children, refugee children, children from culturally and linguistically diverse backgrounds, children with disabilities, and children who are vulnerable, when making decisions regarding the Child Safe Standards
- Undertake annual guidance and training on child safety, such as the [Child Safe Standards School Council Training PowerPoint](#).
- Approve the Child Safety Code of Conduct to the extent that it applies to school council employees and members, and if updated, note the new document in its school council meeting minutes
- When hiring employees, ensure that selection, supervision and management practices are child safe (unless delegated to the principal).

School leadership will maintain records of the above processes which will be discussed at staff meeting and minuted in School Council meetings.

Roles and responsibilities

School leaders will ensure that each person understands their role, responsibilities and behaviour expected in protecting children and young people from abuse and neglect. Staff will comply with the school's Child Safety Code of Conduct, which sets out clearly the difference between appropriate and inappropriate behaviour.

Specific child safety responsibilities:

- Administration staff is responsible for reviewing and updating the Child Safety Policy every 2 years



- Assistant Principal is responsible for monitoring the school's compliance with the Child Safety Policy. The school community should approach the Assistant Principal if they have any concerns about the school's compliance with the Child Safety Policy.
- Administration staff is responsible for informing the school community about this policy, and making it publicly available.
- Other specific roles and responsibilities are named in Manchester Primary Schools other child safety policies and procedures, including the Child Safety Code of Conduct, Child Safety Responding and Reporting Obligations (includes Mandatory Reporting) Policy, and risk assessment register.

Recruitment

Manchester Primary School follows the Department's Recruitment in Schools guide to ensure child safe recruitment practices, available on the [Department's website](#).

All prospective volunteers are required to comply with our school's Volunteers Policy, including in relation to assessing the suitability of prospective volunteers. ALL volunteers are to obtain a Working with Children Check, this will include requiring all volunteers on fete stalls, fundraising committees etc. to hold a current and valid Working with Children Check.

Training and supervision

Training and education is important to ensure that everyone in the school understands that child safety is everyone's responsibility.

Our school culture aims for all staff and volunteers (in addition to parents/carers and children) to feel confident and comfortable in coming forward with any allegations or suspicions of child abuse or child safety concerns. We train our staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse. This training occurs annually or more often as required.

[NOTE: the Ministerial Order on Child Safe Standards requires schools to ensure that appropriate guidance and training is provided to their staff and school council members "at least annually" on roles and responsibilities for managing the risk of child abuse, child abuse risks in the school environment, and the school's current child safety standards.]

We also support our staff and volunteers through ongoing supervision to develop their skills to protect children from abuse, to promote the cultural safety of Aboriginal and Torres Strait Islander children and any refugee children as well as children from linguistically and/or diverse backgrounds, and the safety of children with a disability and vulnerable children.

New employees and volunteers will be inducted into the school, including by being referred to the Child Safety Policy (this document), the Child Safety Code of Conduct, and the Child Safety Responding and Reporting Obligations (includes Mandatory Reporting) Policy and Procedures on the school. They will also be supervised regularly to ensure they understand our school's commitment to child safety, and that their behaviour towards children is safe and appropriate. All employees of our school will be monitored and assessed via regular

Child Safety Policy

Child Safe Standard 4 Screening, supervision, training & other human resources practices that reduce risks of child abuse
Child Safe Standard 1 Strategies to embed an organisational culture of child safety



performance review to ensure their continuing suitability for child-connected work. Any inappropriate behaviour will be reported by school staff to the Principal or Assistant Principal and will be managed in accordance with Manchester Primary School Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures [insert link] where required.

Reporting a child safety concern or complaint

The school has clear expectations for all staff and volunteers in making a report about a child or young person who may be in need of protection. All staff (including school council employees) must follow the school's Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures, including following the [Four Critical Actions for Schools](#) if there is an incident, disclosure or suspicion of child abuse. Immediate actions should include reporting their concerns to DHHS Child Protection, Victoria Police and/or another appropriate agency and notifying the principal or a member of the school leadership team of their concerns and the reasons for those concerns.

Manchester Primary School will never prohibit or discourage school staff from reporting an allegation of child abuse. The school will always take action to respond to a complaint in accordance with the school's Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures. In accordance with Action 4 of the Four Critical Actions for Schools, Manchester Primary School will provide ongoing support for students affected by child abuse.

A hard copy of the Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures can be found at the Administration Office.

Risk reduction and management

Manchester Primary School believes the wellbeing of children and young people is paramount, and is vigilant in ensuring proper risk management processes, found in the school's risk assessment register. The school recognises there are potential risks to children and young people and will take a risk management approach by undertaking preventative measures.

We will identify and mitigate the risks of child abuse in school environments by taking into account the nature of each school environment, the activities expected to be conducted in that environment and the characteristics and needs of all children expected to be present in that environment.

Manchester Primary School monitors and evaluates the effectiveness of the actions it takes to reduce or remove risks to child safety, more information can be found in the school's risk assessment register.



Listening to, communicating with and empowering children

Manchester Primary School has developed a safe, inclusive and supportive environment that involves and communicates with children, young people and their parents/carers. We encourage child and parent/carer involvement and engagement that informs safe school operations and builds the capability of children and parents/carers to understand their rights and their responsibilities. Our school is committed to supporting and encouraging students to use their voice to raise and share their concerns with a trusted adult at any time of need. Students can access information on how to report abuse at the school administration office or by reading this policy on the school website.

When the school is gathering information in relation to a complaint about alleged misconduct with or abuse of a child, the school will listen to the complainant's account and take them seriously, check understanding and keep the child (and/or their parents/carers, as appropriate) informed about progress.

The school will promote the Child Safe Standards in ways that are readily accessible, easy to understand, and user-friendly to children, including:

- All of our child safety policies and procedures will be available for the students and parents at Manchester Primary School to read at the front administration office
- PROTECT Child Safety posters will be displayed across the school
- School newsletters will inform students and the school community about the school's commitment to child safety, and strategies or initiatives that the school is taking to ensure student safety
- We follow the Respectful Relationships curriculum which covers this explicitly and also through teaching topic 7 & 8 *Gender & Identity and Respect in Relationships*
- Level 6 do 'Moving into Teen Years' every year
- All staff have completed their mandatory training
- Posters are displayed
- We build trusting relationships with students as we believe that all children need at least one person they can feel safe with. We do this through our pedagogy, promoting student voice

The school will use its health and wellbeing programs to deliver appropriate education to its students about:

- **SWPBS** School Wide Positive Behaviour Support
- standards of behaviour for students attending the school;
- healthy and respectful relationships (including sexuality);
- resilience; and
- child abuse awareness and prevention.
- Respectful Relationships
- Life ed, 'Moving into Teen Years', small group programs with a focus on peer relationships run by a variety of organisations such as Inspiro, Uniting, Respectful Relationships



Communications

This school is committed to communicating our child safety strategies to the school community through:

- Ensuring that the Child Safety Policy (this document), Code of Conduct, and the Child Safety Responding and Reporting Obligations (includes Mandatory Reporting) Policy and Procedure are available on the school website as well as at our Administration Office.
- Reminders in the school newsletter of our school's commitment to child safety
- Ensuring that child safety is a regular agenda item at school leadership meetings and staff meetings for discussion
- Manchester Primary will also communicate child safety strategies, such as discussing them at school tours with prospective parents, at parent information sessions or in class, volunteer induction processes, and by placing posters throughout the school

Confidentiality and privacy

This school collects, uses and discloses information about particular children and their families in accordance with Victorian privacy law. The principles regulating the collection, use and storage of information is included in the Department of Education and Training's [Schools' Privacy Policy](#).



Further Information and Resources

Related policies and documents

Related policies and documents include:

- Code of Conduct
- Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures
- Risk assessment register
- [Identifying and Responding to All Forms of Abuse in Victorian Schools](#)
- [Four Critical Actions for Schools](#)
- [Recording your actions: Responding to suspected child abuse – A template for Victorian schools](#)
- [Identifying and Responding to Student Sexual Offending](#)
- [Four Critical Actions for Schools: Responding to Student Sexual Offending](#)
- [School Policy and Advisory Guide – Duty of Care](#)
- [School Policy and Advisory Guide – Child Protection Reporting Obligations](#)
- <https://ccyp.vic.gov.au/child-safety/resources/guides-and-information-sheets/#TOC-12>
- <https://ccyp.vic.gov.au/assets/resources/CSS-poster-web.pdf>
- https://www.education.vic.gov.au/Documents/about/programs/health/protect/FourCriticalActions_ChildAbuse.pdf
- https://www.education.vic.gov.au/Documents/about/programs/health/protect/FourCriticalActions_SSO.pdf
- https://www.education.vic.gov.au/Documents/about/programs/health/protect/SSO_Policy.pdf

Child Safety Policy Review

This policy was updated on:

Date: October 2021

Evaluation and Review: October 2023

Consultation with School Council: Meeting # 499

Principal Signature

School Council President Signature



PROTECT



Education
and Training

Child Safe Standard 3: Code of Conduct

Child Safety

Code of Conduct

July 2020

Manchester Primary School is committed to the safety and wellbeing of children and young people. Our school community recognises the importance of, and a responsibility for, ensuring our school is a safe, supportive and enriching environment which respects and fosters the dignity and self-esteem of children and young people, and enables them to thrive in their learning and development.

This Code of Conduct aims to protect children and reduce any opportunities for child abuse or harm to occur. It also assists in understanding how to avoid or better manage risky behaviours and situations. It is intended to complement child protection legislation, Department policy, school policies and procedures and professional standards, codes or ethics as these apply to staff and other personnel.

The Principal and school leaders of Manchester Primary School will support implementation and monitoring of the Code of Conduct, and will plan, implement and monitor arrangements to provide inclusive, safe and orderly schools and other learning environments. The Principal and school leaders of Manchester Primary School will also provide information and support to enable the Code of Conduct to operate effectively.

All staff, contractors, volunteers and any other member of the school community involved in child-related work are required to comply with the Code of Conduct by observing expectations for appropriate behaviour below. The Code of Conduct applies in all school situations, including school camps and in the use of digital technology and social media.

Acceptable behaviours

As staff, volunteers, contractors, and any other member of the school community involved in child-related work individually, we are responsible for supporting and promoting the safety of children by:

- upholding the school's statement of commitment to child safety at all times and adhering to the school's child safe policy
- treating students and families in the school community with respect both within the school environment and outside the school environment as part of normal social and community activities.



- listening and responding to the views and concerns of students, particularly if they are telling you that they or another child has been abused or that they are worried about their safety/the safety of another child
- promoting the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander students
- promoting the cultural safety, participation and empowerment of students with culturally and/or linguistically diverse backgrounds
- promoting the safety, participation and empowerment of students with a disability
- reporting any allegations of child abuse or other child safety concerns to the school's leadership
- understanding and complying with all reporting or disclosure obligations (including mandatory reporting) as they relate to protecting children from harm or abuse.
- if child abuse is suspected, ensuring as quickly as possible that the student(s) are safe and protected from harm.

Unacceptable behaviours

As staff, volunteers, contractors, and any other member of the school community involved in child-related work we must not:

- ignore or disregard any concerns, suspicions or disclosures of child abuse
- develop a relationship with any student that could be seen as favouritism or amount to 'grooming' behaviour (for example, offering gifts)
- exhibit behaviours or engage in activities with students which may be interpreted as abusive and not justified by the educational, therapeutic, or service delivery context
- ignore behaviours by other adults towards students when they appear to be overly familiar or inappropriate
- discuss content of an intimate nature or use sexual innuendo with students, except where it occurs relevantly in the context of parental guidance, delivering the education curriculum or a therapeutic setting



- treat a child unfavourably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity
- communicate directly with a student through personal or private contact channels (including by social media, email, instant messaging, texting etc) except where that communication is reasonable in all the circumstances, related to school work or extra-curricular activities or where there is a safety concern or other urgent matter
- photograph or video a child in a school environment except in accordance with school policy or where required for duty of care purposes¹
- in the school environment or at other school events where students are present, consume alcohol contrary to school policy² or take illicit drugs under any circumstances.

This Code of Conduct was endorsed/approved by the Manchester Primary School Council on 26th of October 2021 for review October 2023 Meeting No. 499.

¹ SPAG: <http://www.education.vic.gov.au/school/principals/spag/safety/pages/photoandfilm.aspx> . The policy says the school should get consent before taking and publishing photos of a student. This applies every time a photo is taken. The same policy applies for excursions and school activities.

² SPAG: <http://www.education.vic.gov.au/school/principals/spag/safety/pages/alcohol.aspx>. The policy says the school must obtain school council approval before alcohol can be consumed on school grounds or at a school activity. The policy says staff members should not consume alcohol during camps and excursions. It is silent on whether they can consume alcohol at other school events where students are present, this is a matter that the school needs to decide upon – draft text is provided in the guidance fact sheet



Report child abuse in schools

Four critical actions

Follow the four critical actions when responding to an incident, disclosure or suspicion of child abuse:

Action 1: Respond to an emergency

Action 2: Report to authorities

Action 3: Contact parents or carers

Action 4: Provide on-going support

FOUR CRITICAL ACTIONS FOR SCHOOLS

Responding to Incidents, Disclosures and Suspicions of Child Abuse

YOU MUST TAKE ACTION

As a school staff member, you play a **critical role** in protecting children in your care.

- You **must** act, by following the Four Critical Actions, as soon as you witness an incident, receive a disclosure or form a reasonable belief* that a child has, or is at risk of being abused.
- You **must** act if you form a suspicion/ reasonable belief, even if you are unsure and have not directly observed child abuse (e.g. if the victim or another person tells you about the abuse).
- It is strongly recommended that you use the **Responding to Suspected Child Abuse template** to keep clear and comprehensive notes, even if you make a decision not to report.

*A reasonable belief is a deliberately low threshold. This enables authorities to investigate and take 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 you **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.

Where necessary you may also need to maintain the integrity of the potential crime scene and preserve evidence.

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.

Q: Where does the source of suspected abuse come from?

WITHIN THE SCHOOL

VICTORIA 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
 - Employee Conduct Branch
 - DET Incident Support and Operations Centre
- CATHOLIC SCHOOLS**
 - School principal and/or leadership team
 - Diocesan education office.
- INDEPENDENT SCHOOLS**
 - School principal and/or school chairperson
 - Commission for Children and Young People on **1300 782 978**.

All allegations of reportable conduct **must** be reported as soon as possible to:

- GOVERNMENT SCHOOLS**
 - Employee Conduct Branch
- CATHOLIC SCHOOLS**
 - Diocesan education office
- INDEPENDENT SCHOOLS**
 - Commission for Children and Young People on **1300 782 978**.

WITHIN THE FAMILY OR COMMUNITY

DHHS CHILD PROTECTION
You **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.

VICTORIA POLICE

You **must also** report all instances of suspected sexual abuse (including grooming) to Victoria Police.

You **must also** report internally to:

- GOVERNMENT SCHOOLS**
 - School principal and/or leadership team
 - DET Incident Support and Operations Centre
- CATHOLIC SCHOOLS**
 - School principal and/or leadership team
 - Diocesan education office.
- INDEPENDENT SCHOOLS**
 - School principal and/or chairperson.

OTHER CONCERNS

If you believe that a child is not subject to abuse, but you still hold **significant concerns** for their wellbeing you **must** still act. This may include making a referral or seeking advice from:

- Child FIRST/The Orange Door (in circumstances where the family are open to receiving support)
- DHHS Child Protection
- Victoria Police.

3 CONTACTING PARENTS/CARERS

Your 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/carer (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 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.

4 PROVIDING ONGOING SUPPORT

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

This is an essential part of your duty of care requirements. Strategies may include development of a safety plan, direct support and referral to wellbeing professionals and support.

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



CONTACT

DHHS CHILD PROTECTION AREA

North Division **1300 664 977**
South Division **1300 655 795**
East Division **1300 360 391**
West Division (Rural) **1800 075 599**
West Division (Metro) **1300 664 977**

AFTER HOURS

After hours, weekends, public holidays **13 12 78**.

CHILD FIRST

<https://services.dhhs.vic.gov.au/referral-and-support/teams>

ORANGE DOOR

<https://www.vic.gov.au/familial-violence/the-orange-door.html>

VICTORIA POLICE

000 or your local police station

DET INCIDENT SUPPORT AND OPERATIONS CENTRE

1800 126 126

INCIDENT MANAGEMENT AND SUPPORT UNIT

1800 126 126

EMPLOYEE CONDUCT BRANCH

(03) 9637 2595

DIOCESAN OFFICE

Melbourne **(03) 9267 0228**

Bairns **(03) 5337 7155**

Sale **(03) 5622 6600**

Sandhurst **(03) 5443 2377**

INDEPENDENT SCHOOLS VICTORIA

(03) 9625 7200

THE LOOKOUT

The LOOKOUT has a service directory, information, and evidence based guidance to help you respond to family violence. <https://www.lookout.org.au>

Family violence victims/survivors can be referred to **1800 RESPECT** for counselling, information and a referral service: **1800 737 732**.



Ensure staff follow the protocol of following the **FOUR Steps** as required by DET

Responding to Incidents, Disclosures & Suspicions of Child Abuse

<https://www.education.vic.gov.au/Documents/about/programs/health/protect/FourCriticalActions/ChildAbuse.pdf>



PROTECT



Education and Training



Child Education Centre of Victoria Inc



RECORDING YOUR ACTIONS: RESPONDING TO SUSPECTED CHILD ABUSE

A TEMPLATE FOR VICTORIAN SCHOOLS

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, including exposure to family violence. This template should be used in conjunction with the following: [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.

This template should also be used if you make a decision not to report, to record your rationale for this decision and any other related follow up actions you take to support the child.

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.

RESPONDING TO AN INCIDENT, DISCLOSURE OR SUSPICION OF CHILD ABUSE

IF YOU ARE MAKING A REPORT TO DHHS CHILD PROTECTION OR VICTORIA POLICE YOU MUST SEEK ADVICE BEFORE CONTACTING PARENTS/CARERS SO AS NOT TO COMPROMISE ANY INVESTIGATION OR PLACE A CHILD AT FURTHER RISK - THIS IS PARTICULARLY CRITICAL IN INSTANCES OF FAMILY VIOLENCE

STAFF MEMBER LEADING THE RESPONSE

NAME:
OCCUPATION:
LOCATION (SCHOOL ADDRESS):
RELATIONSHIP TO CHILD:

CRITICAL ACTION 1: IMMEDIATE RESPONSE TO AN INCIDENT

If anyone is in immediate danger school staff should report immediately to Victoria Police on 000.

See Action 1 of *Four Critical Actions For Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse*.

RESPONDING TO AN EMERGENCY

DID THE CHILD REQUIRE FIRST AID? PROVIDE DETAILS IF YES:
WHO ADMINISTERED THIS? (NAME AND TITLE)
DID THE CHILD REQUIRE FURTHER IMMEDIATE MEDICAL ASSISTANCE?
CURRENT LOCATION AND SAFETY STATUS: <i>EG. ARE ALL UNRESTRICTED STUDENTS SAFE AND NOT IN ANY IMMEDIATE DANGER? IF A CHILD IS IN IMMEDIATE DANGER SCHOOL STAFF SHOULD REPORT IMMEDIATELY TO VICTORIA POLICE ON 000</i>

CHILD'S INFORMATION
PERSONAL DETAILS
NAME: GENDER:
YEAR LEVEL/CLASS: DATE OF BIRTH:
RESIDENTIAL ADDRESS:
PARENT/CARER NAME(S):
PARENT/CARER CONTACT:
LANGUAGE(S) SPOKEN BY CHILD:
DISABILITIES, MENTAL OR PHYSICAL HEALTH ISSUES:

CHILD'S BACKGROUND
CULTURAL STATUS AND RELIGIOUS BACKGROUND <i>IF THE CHILD IS OF ABORIGINAL OR TORRES STRAIT ISLANDER BACKGROUND, GOVERNMENT SCHOOLS MUST CONTACT THEIR RESPECTIVE INDIGENOUS SUPPORT OFFICER, AND CATHOLIC SCHOOLS MUST CONTACT THE DIOCESAN EDUCATION OFFICE TO ARRANGE CULTURALLY APPROPRIATE SUPPORT. IF THE CHILD IS AN INTERNATIONAL STUDENT YOU MUST NOTIFY THE INTERNATIONAL EDUCATION DIVISION ON 03 9887 3999</i>
ANY KNOWN PREVIOUS HISTORY OF SUSPECTED ABUSE (INCLUDING EXPOSURE TO FAMILY VIOLENCE) PRIOR TO THIS INCIDENT, DISCLOSURE OR SUSPICION OR INVOLVEMENT WITH AGENCIES:
FAMILY BACKGROUND
FAMILY COMPOSITION (IF KNOWN): <i>LIST RELATIVES OR CARE ARRANGEMENTS AND BIRTH DATES AND AGES</i>
ANY OTHER PEOPLE LIVING WITH THE CHILD (IF KNOWN):

Ensure staff follow protocol by filling out the DET form

Recording your Actions Responding to Suspected Child Abuse: template for Victorian schools.

<https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/report.aspx#link45>



RESPONDING TO SUSPECTED STUDENT SEXUAL OFFENDING: TEMPLATE FOR VICTORIAN SCHOOLS

WHEN TO USE THIS TEMPLATE?

School staff should use this template to document any incident, disclosure or suspicion that a student is victim to, or has engaged in student sexual offending. This template should be used in conjunction with the following: [Four Critical Actions For Schools: Responding to Student Sexual Offending](#).

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.

RESPONDING TO AN INCIDENT, DISCLOSURE OR SUSPICION OF STUDENT SEXUAL OFFENDING

PLEASE NOTE: IF YOU ARE MAKING A REPORT TO DHHS CHILD PROTECTION OR VICTORIA POLICE YOU MUST SEEK ADVICE BEFORE CONTACTING PARENTS/CARERS SO AS NOT TO COMPROMISE ANY INVESTIGATION OR PLACE A CHILD AT FURTHER RISK

STAFF MEMBER LEADING THE RESPONSE

NAME:
OCCUPATION:
LOCATION (SCHOOL ADDRESS):

CRITICAL ACTION 1: IMMEDIATE RESPONSE TO AN INCIDENT

If anyone is in immediate danger school staff should report immediately to Victoria Police on 000.

See Action 1 of [Four Critical Actions For Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#)

RESPONDING TO AN EMERGENCY

DO ANY STUDENTS REQUIRE FIRST AID? PROVIDE DETAILS IF 'YES'
WHO ADMINISTERED THIS? (NAME AND TITLE)
DO ANY CHILDREN REQUIRE IMMEDIATE MEDICAL ASSISTANCE?
CURRENT LOCATION AND SAFETY STATUS. <small>E.G. ARE ALL IMPACTED STUDENTS SAFE AND NOT IN ANY IMMEDIATE DANGER? IF A CHILD IS IN IMMEDIATE DANGER SCHOOL STAFF SHOULD REPORT IMMEDIATELY TO VICTORIA POLICE ON 000</small>

INFORMATION OF THE ALLEGED VICTIM

CHILD'S PERSONAL DETAILS	
NAME:	GENDER:
YEAR LEVEL/CLASS:	DATE OF BIRTH:
RESIDENTIAL ADDRESS:	
PARENT/CARER NAME/S:	
PARENT/CARER CONTACT:	
LANGUAGE(S) SPOKEN BY CHILD:	
DISABILITIES, MENTAL OR PHYSICAL HEALTH ISSUES:	

CHILD'S BACKGROUND (ALLEGED VICTIM)

CULTURAL STATUS AND RELIGIOUS BACKGROUND <small>IF THE CHILD IS OF ABORIGINAL OR TORRES STRAIT ISLANDER BACKGROUND GOVERNMENT SCHOOLS MUST CONTACT THEIR Koorie ENGAGEMENT SUPPORT OFFICER AND CATHOLIC SCHOOLS MUST CONTACT THE DIOCESAN EDUCATION OFFICE TO ARRANGE CULTURALLY APPROPRIATE SUPPORT. IF THE CHILD IS AN INTERNATIONAL STUDENT YOU MUST NOTIFY THE INTERNATIONAL EDUCATION DIVISION ON (03) 9837 2200</small>
PREVIOUS HISTORY OR INDICATORS OF BEING VICTIM TO SEXUAL OFFENCE OR ANY UNDERLYING PROTECTIVE CONCERNS:

FAMILY'S BACKGROUND (ALLEGED VICTIM)

FAMILY COMPOSITION (IF KNOWN): <small>LIST PARENTING OR CARE ARRANGEMENTS AND SIBLING NAMES AND AGES</small>
ANY OTHER PEOPLE LIVING WITH THE CHILD (IF KNOWN):

Ensure staff follow protocol by filling out the DET form

Responding to suspected student sexual offending: template for Victorian schools.

<https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/report.aspx>



PROTECT

Identifying and Responding to All Forms of Abuse in Victorian Schools



Introduction

AUDIENCE

This policy is for:

- all employees of government, Catholic and independent schools (including principals, teachers, education support staff, allied health professionals and administrative staff)
- all contractors, volunteers and service providers within government, Catholic and independent schools.

PURPOSE

This policy has been designed to support you to take action if you suspect, receive a disclosure, or are witness to any form of child abuse.

As a professional who works with children, you play a vital and legislated role in protecting children from abuse by responding to and reporting any incidents, disclosures or suspicions. You are often best placed to identify signs and behaviours that may indicate that a child* has been subject to abuse, or that a school community member or a school staff member may be a perpetrator of abuse.

ABOUT

This policy centres on **Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse (Four Critical Actions)**, and also includes specific advice on:

- **Understanding your obligations (page 5)**
- **Identifying signs of child abuse (page 14)** including:
 - Physical child abuse
 - Child sexual abuse
 - Family violence
 - Grooming
 - Emotional abuse
 - Neglect.

■ Responding to other concerns about the wellbeing of a child (i.e. concerns about harm to a child that does not meet the definition of child abuse).

Following the **Four Critical Actions** will support you to meet your legislative obligations to protect children in your care (these obligations are detailed for your reference in **Understanding your obligations (page 5)**).

*This resource uses the term 'child' to refer to any person under the age of 18.

This is Edition 2 of the resource and updates the 2016 document **Identifying and Responding to All Forms of Abuse in Victorian Schools**.

Table of Contents

Understanding Your Obligations	5
Duty of care obligations	7
Mandatory reporting	8
Criminal offences	9
Ministerial Order No. 870 - Child Safe Standards	10
Reportable conduct scheme	10
Organisational duty of care	12
Obligations under the Charter of Human Rights and Responsibilities	13
Identifying Signs of Child Abuse	14
Physical child abuse	15
Child sexual abuse	17
Grooming	20
Family violence	22
Emotional child abuse	26
Neglect	27
Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse	30
You MUST Act	31
Witnessing an incident	31
Forming a suspicion/reasonable belief	32
Receiving a disclosure (current student)	32
Receiving a disclosure (former student)	32
Strategies for managing a disclosure	33
Forming a reasonable belief	35
1: Responding to an Emergency	36
Ensuring immediate safety	36
Preserving evidence	36
2: Reporting to Authorities	37
What will happen if I report to DHHS?	38
Reporting when the source of suspected abuse is a person within the school	38
Reporting when the source of suspected abuse is within the family or community	39

Reporting if the incident, suspicion or disclosure relates to an international student	39
How to proceed if the principal/leadership team advises you not to report	40
Making additional reports	40
3: Contacting Parents/Carers	41
What to do if a student returns home before DHHS/Victoria Police advice is received	43
4: Providing Ongoing Support	44
Working together and planning support	45
Engaging allied health and wellbeing professionals	45
Referring to external supports	47
Providing developmentally and culturally appropriate support	48
Providing support for other impacted children	49
Supporting children who are interviewed at school	49
Complying with subpoenas or court attendance	51
Responding to complaints or concerns	51
Responding to Other Concerns About the Wellbeing of a Child	52
When to report wellbeing concerns to Child FIRST/Orange Door	53
When to report wellbeing concerns to Victoria Police	53
When to report wellbeing concerns to DHHS Child Protection	53
Privacy and Information Sharing	55
Information sharing with school staff	56
Information sharing with DHHS and Victoria Police	56
Information sharing with family services	58
Information sharing with the school community	58
Contact Details and More Information	59
Support roles within the Department of Education and Training	59
Support roles within Catholic education and independent schools	61
Roles of other relevant authorities	61
Counselling/support organisations	64
Contact information	66

Identifying and Responding to All Forms of Abuse in Victorian Schools

is a useful and very extensive reference guide to refer to.

(Refer to entire report - hard copy attached at the end of Policy)

https://www.education.vic.gov.au/Documents/about/programs/health/protect/ChildSafeStandard5_SchoolsGuide.pdf



Understanding Your Obligations

CRITICAL INFORMATION

All staff working with students or in schools have a moral and legal obligation and a duty of care to protect any child under their care from reasonably foreseeable harm (not just staff who are classified as mandatory reporters).

As a school staff member you must respond to any reasonable suspicion or belief that a child has been, or is at risk of being abused, following the Four Critical Actions.

Failure to report some forms of child abuse can constitute a criminal offence in Victoria, including where:

- an adult forms a reasonable belief that a sexual offence has been committed by another adult against a child under the age of 16 years.
- it is known that a person associated with their organisation poses a substantial risk of sexually abusing children.

As members of a community, we all have a moral obligation to protect any child under our care and supervision from reasonably foreseeable harm. As school staff members, you play an especially critical role in protecting children (including identifying, responding and reporting child abuse) and must meet a range of legal obligations to do so.

The easiest way to comply with your legal and moral obligations is to remember that you must respond to and report any reasonable suspicion or belief that a child has been abused, or is at risk of being abused by following the Four Critical Actions.

This includes abuse that has, or is suspected to have, taken place within or outside of school grounds and hours.

This section sets out your legal obligations in further detail, including:

- [Duty of care obligations \(page 7\)](#)
- [Mandatory reporting obligations \(page 8\)](#)
- [Criminal offences \(page 9\)](#)
- [Ministerial Order No. 870 - Child Safe Standards - Managing the risk of child abuse in schools \(page 10\)](#)
- [Requirements to report the allegation under the Reportable Conduct Scheme \(page 10\)](#)
- [Obligations under the Charter of Human Rights and Responsibilities \(page 13\)](#).

Please note that for school councils operating a licensed or approved early childhood education or care service (including an Outside Hours School Care service), if an incident, disclosure or suspicion of child abuse is formed within this service setting, schools must also comply with the National Quality Framework and its corresponding legislation.

Please see Identifying and Responding to All Forms of Abuse in Early Childhood Services (<http://www.education.vic.gov.au/Documents/about/programs/health/protect/EarlyChildhoodGuidance.pdf>) for advice on meeting these requirements, including advice on when to contact the regulator (Quality Assessment and Regulation Division).

UNDERSTANDING YOUR OBLIGATIONS

Child safety obligations and Minimum Standards for school registration

Registered schools must meet the requirements of the Education and Training Reform Act 2006 and the Education and Training Reform Regulations 2017 (the Regulations).

All of the following child safety obligations are conditions of school registration through Schedule 4, Clause 12 of the Regulations, which state that a registered school must ensure that:

- the care, safety and welfare of all students attending the school is in accordance with any applicable State and Commonwealth laws; and
- all staff employed at the school are advised of their obligations under those laws.

For further information on the Minimum Standards see the Victorian Registration and Qualification Authority website: <http://www.vrqa.vic.gov.au/schools/Pages/standards-policies-requirements-for-schools.aspx>.

You can also contact Regional Services Group in the Department of Education and Training: school_reorganisation@edumail.vic.gov.au



UNDERSTANDING YOUR OBLIGATIONS

DUTY OF CARE OBLIGATIONS

As a school staff member you have a duty to take reasonable steps to protect children under your care and supervision from harm that is reasonably foreseeable (this applies to ALL school staff).

The question of what constitutes "reasonable steps" will depend on the individual circumstances of each case. You may breach your duty of care towards a student if you 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 (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 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.

The Four Critical Actions outlines steps to take and services to refer to depending on your assessment of the child's situation. You must follow the Four Critical Actions, including reporting to Victoria Police or DHHS Child Protection, or referring to other services like Child FIRST, to ensure that you fulfil your duty of care obligations.

Your duty of care also extends to students who are:

- **aged 17 years and over**
In circumstances where you suspect that they are subject to abuse you should still follow the Four Critical Actions. Although DHHS Child Protection generally work with children under 17, they can still be contacted with concerns relating to students 17 and over for referral and advice. Other services, such as The Orange Door, can provide services and support to adolescents.
- **involved in student sexual behaviour**
You have a duty of care towards all students involved in student sexual behaviour, including students exhibiting concerning/harmful behaviours, students impacted by such behaviours and any other students in the school who may have witnessed and/or been affected by the sexual behaviour. See Identifying and Responding to Student Sexual Offending: http://www.education.vic.gov.au/Documents/about/programs/health/protect/SSO_Policy.pdf



UNDERSTANDING YOUR OBLIGATIONS

MANDATORY REPORTING

There are certain classes of professionals who are classified as "mandatory reporters". Within a school mandatory reporters include all:

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

All mandatory reporters must make a report to Victoria Police and/or 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 have not protected, or are unlikely to protect, the child from harm of that type.

It is a criminal offence not to report in these circumstances.

Mandatory reporters must also follow the Four Critical Actions to ensure they fulfil all their legal obligations.

https://www.education.vic.gov.au/Documents/about/programs/health/protect/ChildSafeStandard5_SchoolsGuide.pdf



Manchester Primary School - Policy Book

FOUR CRITICAL ACTIONS FOR SCHOOLS

Responding to Student Sexual Offending

YOU MUST TAKE ACTION

As a school staff member, you play a **critical role** in protecting children in your care.

- You **must act** by following the 4 critical actions as soon as you witness an incident, receive a disclosure or form a suspicion that a student is a victim of a student sexual offending and/or a student has engaged in sexual offending.
- You **must act** even if you are unsure and have not directly observed student sexual offending (e.g. if a victim, or another person tells you about the offence).
- You **must use** the *Responding to Student Sexual Offending* template to keep clear and comprehensive notes.

PROTECT



1 IMMEDIATE RESPONSE TO AN INCIDENT

If there is no risk of immediate harm go to **Action 2**.

If a child is at immediate risk of harm you **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.

Where necessary you may also need to maintain the integrity of the potential crime scene and preserve evidence.



2 REPORTING TO AUTHORITIES

As soon as immediate health and safety concerns are addressed you **must** report incidents, suspicions and disclosures of student sexual offending as soon as possible.

VICTORIA POLICE

All instances on **000**

DHHS CHILD PROTECTION

If you believe that:

- the victim's parent/carers are unable or unwilling to protect the child
- the student who is alleged to have engaged in the student sexual offending is:
 - aged over 10 and under 15 years and may be in need of therapeutic treatment to address these behaviours
 - may be displaying physical and behavioural indicators of being the victim of child abuse*

INTERNALLY

ALSO report internally to:

- School Principal and/or leadership team (all instances)
- Government Schools: DET Security Services Unit
- Catholic Schools: Diocesan education office

3 CONTACTING PARENTS/CARERS

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

- not to contact the parents/carers** (e.g. in circumstances where contacting the parents/carers is likely to adversely affect a **Victoria Police** investigation or where the student is a mature minor and has requested that their parent/carer not be notified)
- to contact the parents/carers** and provide agreed information that must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion).

4 PROVIDING ONGOING SUPPORT

Your school **must** provide support for students who are victim to a student sexual offence AND students who have engaged in a sexual offence. This is an essential part of your duty of care requirements. This support should include the development of a **Student Support Plan** in consultation with wellbeing professionals, outlining support strategies. Strategies may include the development of a safety plan, direct support and referral to wellbeing professionals.

You must identify a contact person at the school for future liaison with Victoria Police and/or Child Protection and seek advice about contacting parents/carers (see **Action 3**).

*See the *Four Critical Steps for Schools: Responding Incidents, Disclosures and Suspicions of Child Abuse* for further guidance in these circumstances.

CONTACT

DHHS CHILD PROTECTION AREA

North Division **1300 664 977**
 South Division **1300 655 795**
 East Division **1300 360 391**
 West Division (Rural) **1800 075 599**
 West Division (Metro) **1300 664 977**

AFTER HOURS

After hours, weekends, public holidays **13 12 78**

CHILD FIRST

www.dhs.vic.gov.au

VICTORIA POLICE

000 or contact your local police station

DET SECURITY SERVICES UNIT

(03) 9589 6266

STUDENT INCIDENT AND RECOVERY UNIT

(03) 9651 3622

EMPLOYEE CONDUCT BRANCH

(03) 9637 2595

DIOCESAN OFFICE

Melbourne (03) 9267 0228

Ballarat (03) 5337 7135

Sale (03) 5622 6600

Sanitours (03) 5443 2377

INDEPENDENT SCHOOLS VICTORIA

(03) 9825 7200

Ensure staff follow the protocol of following the **FOUR Steps** as required by DET as above

Responding to Student Sexual Offending (SSO)

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

PROTECT

Identifying and Responding to Student Sexual Offending



Introduction



This content has been developed to support all school staff (principals, teachers, education support staff, allied health professionals, contractors and administrative staff etc.) in all Victorian schools (government, Catholic and independent) take action if they suspect, or are witness to student sexual offending.

This resource includes procedures and guidance on:

- Defining Student Sexual Offending (pg. 40)
- Knowing your Obligations (pg. 7)
- Four Critical Actions for Schools: Responding to Student Sexual Offending (pg. 10)

These procedures must be applied in any circumstance where there is an incident, allegation or you form a suspicion that a student is a victim to a student sexual offence and/or a student has committed a sexual offence. This includes suspected offences that have taken place outside of school grounds and hours.

Victorian Law holds that students under 10 years of age cannot commit a sexual offence. For guidance on responding to problem sexual behaviour in students under 10 and other forms of student sexualised behaviour which do not constitute student sexual offending please see Appendix 1.

Where you believe that a child* is subject to any other form of child abuse (sexual abuse by an adult), you must follow the procedures outlined in *Identifying and Responding to all Forms of Child Abuse in Victorian Schools* (www.education.vic.gov.au/about/programs/health/protect/).

Key references

- What is Student Sexual Offending? – (pg. 40)
- Four Critical Actions for Schools: Responding to Student Sexual Offending – (pg. 10)
- Responding to Suspected Student Sexual Offending: Template for all Victorian Schools

*This resource uses the term *child* to refer to any person under the age of 18.

PROTECT Identifying and Responding to Student Sexual Offending DET ©2016 2

Identifying & Responding to Student Sexual Offending

is a useful and very extensive reference guide to refer to

(Refer to entire report - hard copy attached at the end of Policy)

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



Table of Contents

Defining Student Sexual Offending	5
Knowing your Obligations	7
Duty of Care Obligations	7
Reporting a Child in Need of Therapeutic Treatment	8
Mandatory Reporting	8
Criminal Offences	9
Ministerial Order No. 870 - Child Safe Standards	9
Four Critical Actions for Schools: Responding to Student Sexual Offending	10
You MUST Act	11
Witnessing an Incident	11
Forming a Suspicion	11
Receiving a Disclosure (Current Student)	12
Receiving a Disclosure about Former Students	13
1: Responding to an Emergency	15
Ensuring Immediate Safety	15
Preserving Evidence	15
2: Reporting to Authorities	16
Reporting to Victoria Police	16
Reporting to DHHS Child Protection	17
Report Internally	17
Reporting if the incident, disclosure or suspicion relates to an international student	18
How should you proceed if the Principal/leadership team advises you not to make a report?	18
Making additional reports	18
3: Contacting Parents/Carers	20

4: Providing Ongoing Support	22
Working together and planning support	23
Providing wellbeing support for students who are victims to a student sexual offence	23
Providing wellbeing support for students who have engaged in student sexual offending	24
Providing developmentally and culturally appropriate support	25
Providing support for other impacted children	26
Providing support for impacted school staff members	26
Supporting children who are interviewed at school	26
Complying with subpoenas or court attendance	28
Responding to complaints or concerns	28
Privacy and Information Sharing	29
Information Sharing with School Staff	29
Information Sharing with DHHS and Victoria Police	30
Information sharing with Family Services	30
Information Sharing with the School Community	30
Contact Details and More Information	31
Support Roles within the Department of Education and Training	31
Support roles within Catholic Educator and Independent Schools	33
Roles of Other Relevant Authorities	34
Counselling/Support Organisations	35
Contact Information	36
Appendix 1: Sexual Behaviour in Children Under 10 Years	40
What is Problem Sexual Behaviour in Children under 10?	41
How to Respond to Problem Sexual Behaviour	41

Defining Student Sexual Offending

Student sexual offending refers to sexual behaviour that is led by a student 10 years and over which may amount to a sexual offence.

A sexual offence includes rape, sexual assault, indecent acts and other unwanted sexualised touching, all of which are offences under the Crimes Act 1958. See Definitions on the next page for a detailed breakdown of these offences.

Additionally under Victorian Law:

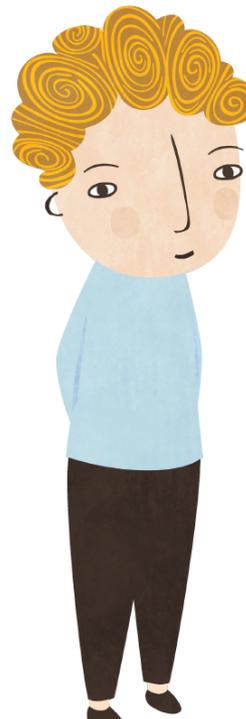
- children between 12-15 can only consent to sexual activity with a peer no more than two years their senior (therefore sexual contact led by a student with a child outside of these age parameters may amount to student sexual offending)
- In order for a person to consent to sexual activity they have to have the capacity to understand the context and possible consequences of the act (therefore sexual contact led by a student involving a person with a cognitive impairment or affected by alcohol and other drugs may also amount to student sexual offending).

As a school staff member you must respond to any incidents, allegations and suspicions that a student is victim to student sexual offending and/or a student has committed sexual offending by following the Four Critical Actions for Schools: Responding to Student Sexual Offending (pg. 10), which includes instructions on when to act (including when to report a child in need of therapeutic treatment).

It may be difficult to determine whether student sexual behaviour amounts to sexual offending. As outlined in the Four Critical Actions for Schools: Responding to Student Sexual Offending (pg. 10) you must always seek further advice if you are unsure whether behaviour, or suspected behaviour constitutes student sexual offending, and/or whether it is indicative of any underlying abuse.

See Appendix 1 for further advice on sexual behaviour of children under 10 years and strategies to manage these behaviours.

Please also note that there are separate procedures for addressing sexting (the act of electronically creating, sharing, or sending sexually explicit messages or images), which can be found at www.education.vic.gov.au/about/programs/bullystoppers/Pages/advice sexting



DEFINITIONS

Student Sexual Offending

Student sexual offending refers to sexual behaviour that is led by a student who is over 10 years of age and which may amount to a sexual offence.

A sexual offence includes rape, sexual assault, indecent acts and other unwanted sexualised touching, all of which are offences under the Crimes Act 1958. There are many sexual offences that may amount to student sexual offending. Some of these are explained below.

Sexual Assault

'Sexual assault' refers to circumstances where:

- A person (A) intentionally touches another person (B), and
- the touching is sexual, and
- B does not consent to the touching, and
- A does not reasonably believe that B consents to the touching.

Rape

Rape is the intentional sexual penetration by the penis, finger or an object, of the vagina, mouth or anus of another person without that person's consent, and refers to circumstances where:

- A person (A) intentionally sexually penetrates another person (B), and
- B does not consent to the penetration, and
- A does not reasonably believe that B consents to the penetration.

Indecent Acts

A person must not wilfully commit, or wilfully take part in an indecent act with a child under the age of 16, or in their presence.

In the context of student sexual offending this relates to indecent acts where the student engaging in the offence:

- is more than 2 years older than the child and
- cannot demonstrate a belief on reasonable grounds that the child was aged 16 or older.

Identifying & Responding to Student Sexual Offending

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



Knowing Your Obligations

As community members, we all have a moral obligation to protect any child under our care and supervision from foreseeable harm.

As school staff members, you play an especially critical role in responding to student sexual offending and must comply with a range of legal obligations to do so.

The easiest way to comply with your legal and moral obligations is to remember that:

- you have a duty of care towards all students impacted by student sexual offending, (including an alleged victim, student engaging in the behaviour and any other impacted students)
- you must respond to any incidents, allegations and suspicions that a student is victim to student sexual offending and/or a student has committed sexual offending, by following the **Four Critical Actions for Schools: Responding to Student Sexual Offending** (pg. 10)

DUTY OF CARE OBLIGATIONS

As a school staff member you have a duty to take reasonable steps to protect children under your care and supervision, from harm that is reasonably foreseeable (this applies to ALL school staff).

The question of what constitutes "reasonable steps" will depend on the individual circumstances of each case.

You may breach your duty of care towards a student if you fail to act in the way a reasonable or diligent professional would have acted in the same situation. In relation to suspected student sexual offending, reasonable steps may include (but are not necessarily limited to):

- acting on concerns and suspicions of student sexual offending quickly or 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 student sexual offending to appropriate authorities such as the Victoria Police and DHHS Child Protection
- arranging counselling and/or other appropriate welfare support for impacted students, including the alleged victim and student who has allegedly engaged in student sexual offending.
- providing ongoing support to the alleged victim and student who has allegedly engaged in student sexual offending – 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 student(s).

You must follow the **Four Critical Actions for Schools: Responding to Student Sexual Offending** (pg. 10) to ensure that you fulfil your duty of care obligations for all children impacted by student sexual offending, including the alleged victim and student who has allegedly engaged in the student sexual offending.

Your duty of care also extends to:

- all incidents, allegations and suspicions that a student is victim of, or has engaged in student sexual offending, regardless of whether the suspected offence has taken place inside or outside of school hours and/or the school premises.
- all students regardless of their age.

REPORTING A CHILD IN NEED OF THERAPEUTIC TREATMENT

Any member of the public is able to report concerns about a child's (who is aged at least 10 and under 16 years) sexually abusive behaviour to DHHS Child Protection.

DHHS Child Protection may make an application to the Children's Court for a therapeutic treatment order if it assesses that:

- a child is in need of therapeutic treatment, and
- the child or the child's parent(s) or carer(s) are unable or unwilling to access treatment.

These orders require the child who is the subject of the order to attend an appropriate treatment program to address their sexually abusive behaviours. They may also have conditions requiring the child's parent(s) or carer(s) to take any necessary steps to enable the child to attend the treatment.

Reporting to DHHS Child Protection in relation to a child who may be in need of therapeutic treatment does not replace your requirement to report student sexual offending to Victoria Police.



MANDATORY REPORTING

There are certain classes of professionals, who are classified as "mandatory reporters". Within a school mandatory reporters include all:

- Victorian Institutes of Teaching (VIT) registered teachers (including Principals)
- staff who have been granted permission to teach by the VIT
- registered doctors and nurses.

All mandatory reporters must make a report to Victoria Police and/or 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 have not protected the child, and are unable or unwilling to protect, the child from harm of that type.

It is a criminal offence not to report in these circumstances.

In relation to suspected student sexual offending mandatory reporters must follow the **Four Critical Actions for Schools: Responding to Student Sexual Offending** (pg. 10) to ensure they fulfil all of their legal obligations.

¹ In relation to children and young people exhibiting sexually abusive behaviour:

- children under 10 years old cannot be held criminally liable
- children aged 10-16 years can be granted a therapeutic treatment order as an alternative pathway to treatment that does not involve criminal prosecution
- therapeutic treatment orders are not available for children over 16 years of age.

CRIMINAL OFFENCES

In response to the **Betrayal of Trust Report**, the Victorian Government has introduced new criminal offences to protect children from sexual abuse. Under these reforms a failure to report, or take action in relation to suspected child sexual abuse can now constitute a criminal offence, including a:

■ 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 the Victoria Police.

Failing to disclose a sexual offence only applies to student sexual offending in circumstances when the student who has allegedly engaged in sexual offending is 18 years of age or over.

■ Failure to protect

This offence applies to a person in a position of authority within an organisation 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.

This offence does not apply to student sexual offending, unless you form a reasonable belief that a staff member, contractor, volunteer or visitor may have also engaged in the offence.

MINISTERIAL ORDER NO. 870 - CHILD SAFE STANDARDS

All Victorian schools must comply with the new **Ministerial Order No. 870 - Child Safe Standards - Managing the Risk of Child Abuse in Schools** in order to be registered, and remain registered with the Victorian Registration and Qualifications Authority (VRQA).

The Order came into effect on 1 August, 2016 and specifies how every Victorian schools must:

- embed a culture of 'no tolerance' for child abuse
- comply with the prescribed seven minimum child safe standards.

In meeting the requirements of **Ministerial Order No. 870**, schools must be inclusive of the needs of all children, particularly students who are vulnerable due to age, family circumstances, abilities, or indigenous, cultural or linguistic background.

This resource will support schools to meet their obligations under the Order (Standard 5 - Section 11), by assisting them to develop clear procedures for responding to allegations of suspected abuse.

School governing authorities (which includes government School Councils, Principals and nominated school leaders) will have responsibility for ensuring that schools meet all of the obligations set out within the Order.

Identifying & Responding to Student Sexual Offending

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



PROTECT

Everyone has the right to be safe and be protected from abuse.

No one should behave in a way that makes you feel unsafe or afraid, including anyone in your family, anyone at school or anywhere else in the community.

Tell a teacher or any adult at your school if you feel unsafe.



It's everyone's responsibility.

Adults at school must listen and respond to concerns about child abuse.

If you suspect abuse of any child or young person, you have a responsibility to report it, even if you are not sure.

Further information & resources
www.education.vic.gov.au/protect



DET Poster



Victoria's Child Safe Standards

All organisations that work with children and young people are required to meet Child Safe Standards



 COMMISSION FOR CHILDREN AND YOUNG PEOPLE

For more information about the Child Safe Standards and how to meet them, go to our website or connect with us.

www.ccyp.vic.gov.au (03) 8601 5281   ccypvictoria

Poster





**All children have
the right to feel safe
and be safe
all of the time**



COMMISSION FOR CHILDREN
AND YOUNG PEOPLE

Poster



COMMISSION FOR CHILDREN AND YOUNG PEOPLE



PROTECT



Education and Training



RECORDING YOUR ACTIONS: RESPONDING TO SUSPECTED CHILD ABUSE

A TEMPLATE FOR VICTORIAN SCHOOLS

WHEN TO USE THIS TEMPLATE

*Manchester Primary School
Attached full Hard copy*

Recording Your Actions: Responding to Suspected Child Abuse Form

<https://www.education.vic.gov.au/Documents/school/teachers/health/protectrecordingtemplate.docx>

RESPONDING TO AN INCIDENT, DISCLOSURE OR SUSPICION OF CHILD ABUSE

IF YOU ARE MAKING A REPORT TO DHHS CHILD PROTECTION OR VICTORIA POLICE YOU MUST SEEK ADVICE BEFORE CONTACTING PARENTS/CARERS SO AS NOT TO COMPROMISE ANY INVESTIGATION OR PLACE A CHILD AT FURTHER RISK – THIS IS PARTICULARLY CRITICAL IN INSTANCES OF FAMILY VIOLENCE.

STAFF MEMBER LEADING THE RESPONSE

NAME:

OCCUPATION:

LOCATION (SCHOOL ADDRESS):

RELATIONSHIP TO CHILD:



PROTECT



Education and Training

RESPONDING TO SUSPECTED STUDENT SEXUAL OFFENDING: TEMPLATE FOR VICTORIAN SCHOOLS

WHEN TO USE THIS TEMPLATE?

Manchester Primary School

Attached full Hard copy

Responding to Suspected Student Sexual Offending (SSO) Form

<https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/report.aspx>

RESPONDING TO AN INCIDENT, DISCLOSURE OR SUSPICION OF STUDENT SEXUAL OFFENDING

PLEASE NOTE: IF YOU ARE MAKING A REPORT TO DHHS CHILD PROTECTION OR VICTORIA POLICE YOU MUST SEEK ADVICE BEFORE CONTACTING PARENTS/CARERS SO AS NOT TO COMPROMISE ANY INVESTIGATION OR PLACE A CHILD AT FURTHER RISK

STAFF MEMBER LEADING THE RESPONSE

NAME:

OCCUPATION:

LOCATION (SCHOOL ADDRESS):



PROTECT

Identifying and Responding to All Forms of Abuse in Victorian Schools



Manchester Primary School

Attached full Hard copy

Identifying & Responding to all Forms of Abuse in Victorian Schools Guide

https://www.education.vic.gov.au/Documents/about/programs/health/protect/ChildSafeStandard5_SchoolsGuide.pdf



PROTECT

Identifying and Responding to Student Sexual Offending



Manchester Primary School

Attached full Hard copy

Identifying & Responding to Student Sexual Offending (SSO) Guide

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