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|  | PARADE COLLEGE |
| POLICY Based on Policy 2.19 Catholic Education Melbourne – Child Protection – Reporting Obligations | PROTECTING THE SAFETY AND WELL-BEING OF YOUNG PEOPLE AT PARADE COLLEGE |

PREAMBLE

Mandatory reporting is a legal requirement under the *Children, Youth and Families Act 2005* (Vic.) (Act) to protect children from harm relating to physical injury and sexual abuse.

A child is any person 17 years of age or younger. In the case of Parade College, this definition is extended to include all students who are enrolled at the College, irrespective of their age.

Parade is committed to the care, safety and well-being of all our students.

PRINCIPLES

1. Protection for young people is based upon the belief that each person is made in the image and likeness of God and that the inherent dignity of all should be recognised and fostered.
2. Parade College is entrusted with the holistic education of the young person in partnership with his parents, guardians and/or caregivers, who are the primary educators of their children. Our staff therefore have a duty of care to our students by taking reasonable care to avoid acts or omissions which they can reasonably foresee would be likely to result in harm or injury to the student and to work for the positive wellbeing of the student.
3. Child abuse can have a significant effect on a child’s physical or emotional health, development and wellbeing. The younger a child the more vulnerable he/she is and the more serious the consequences are likely to be.

POLICY

All school staff who believe on reasonable grounds that a child or young person is in need of:

- protection from physical harm or sexual abuse – must report their concerns to DHHS Child Protection
- protection from harm that is not believed to involve physical harm or sexual abuse – are encouraged to report their concerns to DHHS Child Protection
- protection from the predatory conduct of grooming – must report their concerns to the police
- therapeutic treatment – are encouraged to report their concerns to DHHS Child Protection or Child FIRST.

GUIDELINES

1. Teachers at Parade College are mandated by law to report child physical or sexual abuse to Department of Health and Human Services (DHHS) Child Protection.

With the introduction of the Failure to Disclose criminal offence in Victoria in 2015, all adults at Parade College are now obliged to report physical and sexual abuse of a child 16 years and younger to DHHS and the police, when they have formed a reasonable belief that such offences against young people are taking place, irrespective of whether the young person is enrolled at Parade or not.

2. College Staff who, in the course of carrying out their duties, form a reasonable belief that a child is in need of protection from physical, emotional, psychological, developmental harm or sexual abuse, and that the child's parents are unwilling or unable to protect the child, must report that belief to DHHS Child Protection and the grounds for it as soon as possible after forming the belief.
3. A subsequent report must be made on each occasion on which the staff member who made the initial report becomes aware of further reasonable grounds for the belief.
4. When staff are concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a 'reasonable belief'.

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

For example, a 'reasonable belief' might be formed if:

- *a child states that they have been physically or sexually abused*
- *a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves)*
- *someone who knows a child states that the child has been physically or sexually abused*
- *a child or young person exhibits sexually-abusive or age-inappropriate behaviours*
- *professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused*
- *signs of abuse lead to a belief that the child has been physically or sexually abused.*

5. There are many indicators of child abuse and neglect. The presence of a single indicator, or even several indicators, does not prove that abuse or neglect has occurred. However, the repeated occurrence of an indicator, or the occurrence of several indicators together, should alert staff to the possibility of child abuse and neglect. While any indicators of possible child abuse or neglect are concerning, it is important to know which indicators must be reported.

It is mandatory to report concerns relating to:

- *physical abuse*
- *sexual abuse.*

While not mandated, making a report to DHHS Child Protection may also be needed for:

- *emotional abuse*
- *neglect*
- *medical neglect*
- *family violence*
- *human trafficking (including forced marriage)*
- *sexual exploitation (including pornography and prostitution)*
- *risk-taking behaviour*
- *female genital mutilation*
- *risk to an unborn child*
- *a child or young person exhibiting sexually-abusive behaviours.*

6. Any staff member at Parade College who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a **child under 16** must disclose that information to police. The obligation is to disclose that information to the police as soon as it is practicable to do so, except where a reasonable belief exists that the information has already been reported to DHHS Child Protection.
7. If The Principal or authorised delegate, becomes aware that an adult associated with Parade College (such as an employee, contractor, volunteer, sport coach or visitor) poses a risk of sexual abuse to a child **under 16** who is in the care or supervision of the organisation, he/she will take all reasonable steps to reduce or remove that risk.
8. The crime of grooming prohibits predatory conduct designed to prepare or 'groom' a child for future sexual activity and is a criminal offence and must be reported to the police.

*The offence applies to communication with children **under 16 years**. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails. The offence can be committed by any person aged 18 years or over. It does not apply to communication between people who are both under 16 years of age.*

9. Teachers and staff members are not required to seek evidence or proof of their belief that a student has been subjected to, or is at risk of sexual or physical abuse, or is being groomed by an adult for future sexual activity. If DHHS Child Protection decides that an investigation is warranted, the police and Child Protection officers will conduct any investigations required.

PROCEDURES

1. In order to decide whether a report should be made to Child Protection and/or the Police, staff should follow the process outlined below:-
 - a. form a reasonable belief as outlined in Principles 4 and 5 above and record and maintain confidential notes of their concerns and observations and/or discussions with the student which led to them forming a reasonable belief that the student was at risk;
 - b. inform and consult with one of the following senior staff as soon as is practical:-
 - The student's House Leader
 - Assistant Principal – Student Welfare
 - Counsellor
 - an Assistant Principal
 - Principal;
 - c. review the information with the College Leadership Team Member, Team Leader of the College Counselling Team and the student's House Leader and make the decision whether to make a report to DHHS Child Protection/Police or ChildFirst. The Principal will be informed at this stage if that has not already been done.
2. If a disagreement arises as to whether a report should be made, the parties will convene with the Principal as soon as is practical and seek advice from Catholic Education Melbourne.
3. Once the decision to make the report has been made, normally the staff member who has formed the reasonable belief will contact DHHS Child Protection/Police to make the report. It is therefore important that the staff member who formed the reasonable belief has kept detailed notes of their observations and concerns. These notes should be in a separate file, should be kept confidential and held securely.
4. In some cases it may be more appropriate for a member of the College Counselling Team to make the report. The staff member who formed the reasonable belief will be expected to make available their notes to the member of the Counselling Team making the report.
5. If it is alleged, or a reasonable belief is formed, that a member of the College staff is involved in the abuse of a student, or in grooming activities, the Principal will be informed immediately, and the Principal will inform Catholic Education Melbourne immediately.
6. A Care Team will be established to assist the student as, and when, the need arises. The Care Team will normally consist of:-
 - a. College Counsellor
 - b. Student's Tutor Teacher
 - c. Student's House Leader
 - d. Assistant Principal – Student Welfare
7. If the student is a Koorie student, the Principal must notify Catholic Education Melbourne to ensure the regional Koorie support officer can arrange appropriate support for the student.
8. If the student is an International Student, the Principal will contact the International Division of DET to arrange appropriate support for the student.
9. If any interviews of the student about whom the report is made are to take place at the College by external organisations such as, but not limited to, DHHS Child Protection

or Police, a member of the student's Care Team will be present at all interviews to support the student.

10. Any actions taken by any member of the Care Team in support of the student will be documented and added to the secure confidential file for this issue for the student. This will include record of any interviews with the student held by school or external personnel.
11. The staff member will be supported by the College Leadership Team, or its delegate, at the time of the report, and following the report being made.
12. If the concern about a student is related to grooming activities, the staff member who has formed the belief that such activities are taking place should follow the same procedure as outlined above. In addition to DHHS being contacted, the matter will also be reported to the Police.
13. It is essential that staff members do not promise confidentiality to any student, in these or any other circumstances. To do so may place the staff member in a difficult situation, re the best course of action to take to help the student. If a student asks for confidentiality, prior to or after a disclosure of any sort, the best response is to indicate:-
 - a. concern for the student's safety or well-being,
 - b. the need to seek the advice of a counsellor, Assistant Principal, House Leader or Tutor Teacher to work out what might be the best way to get the student the help they need.
 - c. if the student then refuses to discuss the issue with the staff member, and the staff member's knowledge of the student leads them to be concerned for the well-being of that student, the staff member must see the student's House Leader immediately.

Approved by the College Board April 2016