

	PARADE COLLEGE
PROTECTING THE SAFETY OF YOUNG PEOPLE AT PARADE POLICY 3 of 3:	CHILD SAFETY REPORTING PROCEDURE

1. Introduction

- 1.1 As a Catholic school in the Edmund Rice Tradition, Parade College (the **College**) is entrusted with the holistic education of the child, in partnership with parents, guardians and caregivers, who are the primary educators of their children. Our staff, therefore have a duty of care to all students to take reasonable care to avoid acts or omissions that 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 child.
- 1.2 This procedure should be read in conjunction with the:
- (a) College’s Child Protection and Safety Policy;
 - (b) College’s Child Safety Code of Conduct;
 - (c) Responding to and Reporting Allegations of Child Abuse Policy;
 - (d) EREA Code of Conduct; and
 - (e) the Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse and Responding to Suspected Child Abuse: A Template produced by the Department of Education and Training.
- 1.3 Terms in this procedure have the same meaning as defined in the College’s Child Protection and Safety Policy unless otherwise specified.
- 1.4 This procedure sets out the processes at the College for reporting and responding to child safety concerns and allegations of suspected child abuse in accordance with its legal obligations, duty of care, the Child Safe Standards and Ministerial Order 870.

2. Scope

- 2.1 This procedure applies to all College Employees, Board Members, clergy, volunteers and contractors (**Staff Members**).
- 2.2 It applies to:
- (a) all aspects of a Staff Member's engagement with the College and its students, including any engagement with students that may occur outside of school hours including but not limited to excursions, camps, overseas trips and extracurricular activities, whether face-to-face or online;
 - (b) all forms of child abuse as defined under the *Education and Training Reform Act 2006* (Vic) and *Child Wellbeing and Safety Act 2005* (Vic) being:
 - (i) any act committed against a child involving:
 - (A) a sexual offence; or
 - (B) a grooming offence under section 49M(1) of the *Crimes Act 1958* (Vic); and
 - (ii) the infliction, on a child, of—
 - (A) physical violence; or
 - (B) serious emotional or psychological harm; and
 - (iii) the serious neglect of a child; and
 - (c) disclosures of child abuse or alleged child abuse made by or in relation to a child, school staff, visitor or other persons connected with the College's environment.
- 2.3 For further definitions of all types of child abuse, a comprehensive list of the indicators of harm and advice on identifying perpetrators of child sexual abuse, refer to the protocol Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools in **Appendix 3**.
- 2.4 It also sets out the reporting obligations that apply to Staff Members individually, including obligations that apply to all children and at all times. However, it should be noted that the roles and responsibilities contained in this procedure do not necessarily displace or discharge any other obligations that arise if a person really believes that child is at risk of child abuse, such as duty of care and moral obligations.

3. Principles

3.1 This procedure is designed to:

- (a) enable the College to comply with Standard 5 of the Victorian Child Safe Standards, as well as the school-specific requirements for procedures for responding to allegations of suspected abuse in Ministerial Order No. 870;
- (b) assist Staff Members to:
 - (i) identify the indicators of a child or young person who may be in need of protection;
 - (ii) understand how a 'reasonable belief' is formed;
 - (iii) where possible, refer to the principles of the Victorian Charter of Human Rights and Responsibilities as best practice in respecting and protecting the basic rights, freedoms and responsibilities of members of the school community;
 - (iv) make a report of a child or student who may be in need of protection;
 - (v) comply with mandatory reporting obligations under child protection law and their legal obligations relating to criminal child abuse and grooming; and
 - (vi) share information internally to allow the College, EREA and other Staff Members to fulfil their legal obligations.

3.2 The College's values and principles as set out in the *Child Protection and Safety Policy* apply to this procedure. In particular, the College recognises the diversity in its environment and the particular barriers in place for children, including those from a culturally and linguistically diverse background, those who identify as Aboriginal or Torres Strait Islander and children with a disability.

3.3 The College will ensure that all members of its College community have access to this Procedure and that it is publicly available on its website and accessible to children, school staff, and the wider community.

4. Overview of reporting obligations and responsibilities

4.1 The College understands that child protection reporting obligations fall under the following separate pieces of legislation:

- (a) *Children, Youth and Families Act 2005* (VIC);
- (b) *Crimes Act 1958* (VIC);

- (c) *Education and Training Reform Act 2006* (VIC);
- (d) *Family Violence Protection Act 2008* (VIC);
- (e) *Wrongs Act 1958* (VIC); and
- (f) *Child Wellbeing and Safety Act 2005* (VIC).

4.2 These obligations are set out in more detail below.

4.3 Staff Members must note that the mandatory reporting and Crimes Act requirements set out below apply to individuals directly. Staff Members are not required to seek permission from the College prior to making a report externally but are encouraged to seek assistance and support from the College and its Child Safety Officers, House Leaders / Student Wellbeing Coordinators, Dean of Child Safety, Counsellors and other members of the Leadership Team as appropriate.

4.4 It is important to remember that the duty to report abuse or suspicions of abuse exists even if the Principal, Assistant Principal, Counsellor, House Leader, or a representative of Catholic Education Melbourne advises you not to proceed with reporting suspected abuse.

4.5 Staff Members whom make reports in good faith will not be subject to any disciplinary action.

4.6 Staff Members must also comply with their internal reporting requirements within the College and EREA as set out in this procedure and EREA's Responding to and Reporting Allegations of Child Abuse Policy.

4.7 At all times, the safety of the College's students (including those aged 18 and over), and other children, should be the key consideration. Where a Staff Member believes that a student or a child:

- (a) is at risk of immediate and significant harm; or
- (b) has experienced or is at risk of experiencing sexual abuse;

the Police should be called on 000.

4.8 Where a child protection incident, disclosure or suspicion involves an international student at the College and we have issued a Confirmation of Appropriate Accommodation and Welfare (CAAW) letter for that student (thereby assuming responsibility for the child's accommodation, support and general welfare) the College will contact the VRQA.

4.9 The Child Safety Officers (see **Appendix 6**) are responsible for assisting Staff Members in determining if a report needs to be made and providing Staff Members with support. The Principal, Deputy Principal, Assistant Principals,

Director of Campus, Dean of Students, Counsellor, and House Leaders / Student Wellbeing Coordinators may also provide this assistance. The Dean of Child Safety is also responsible for ensuring that Staff Members are provided with training and education on their reporting obligations and this Procedure.

- 4.10 The Principal (or EREA's Executive Director) is responsible for making reports under the Reportable Conduct Scheme and ensuring internal investigations are completed as needed. The Principal will also ensure that reports are made to EREA and the school board as required under this Procedure.

5. Mandatory reporting

- 5.1 The *Children, Youth and Families Act 2005* (Vic) requires that mandatory reporters must make a report to the Department of Health and Human Services (**DHHS**) Child Protection when they believe that a child aged under 17 or a child aged under 18 who is under a protection order is in need of protection from significant harm from physical injury or sexual abuse.

When must you report?

- 5.2 Mandatory reporters in Victoria include:

- (a) the Principal;
- (b) registered teachers;
- (c) registered medical practitioners;
- (d) nurses;
- (e) midwives;
- (f) police officers;
- (g) out of home care workers;
- (h) early childhood workers and teachers;
- (i) youth justice workers;
- (j) school counsellors;
- (k) registered psychologists; and
- (l) people in religious ministry.

- 5.3 It is the responsibility of all Staff Members to check whether they are mandatory reporters under child protection legislation.

5.4 A mandatory report must be made when you form a belief on reasonable grounds that a child is in need of protection where the child has suffered, or is likely to suffer, significant harm as a result of:

(a) physical injury; or

(b) sexual abuse;

and the child's parents have not protected, or are unlikely to protect, the child from harm of that type.

What is a belief on reasonable grounds?

5.5 The concept of 'reasonable grounds' requires you to consider whether another person, when faced with similar information, would also draw the same conclusion. It does not mean mandatory reporters are required to be certain, but rather reporters should ensure their concerns are well founded and based on information from a reliable source.

5.6 There may be reasonable grounds for forming such a belief if:

(a) a child states they have been physically or sexually abused;

(b) a child states that they know someone who has been physically or sexually abused;

(c) someone who knows the child states that the child has been physically or sexually abused;

(d) a child shows signs of being physically or sexually abused;

(e) the staff member is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on a child's safety, stability or development;

(f) the staff member observes signs of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision including as described in [Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools](#) (**Appendix 3**); or

(g) a child's actions or behaviour may place them at risk of significant harm and the child's parents are unwilling or unable to protect the child.

5.7 Grounds for belief include matters of which a person has become aware and any opinions based on those matters.

What is significant harm?

5.8 'Significant' means that which is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent.

- 5.9 What is 'significant' is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child's safety, welfare or wellbeing.
- 5.10 Significant harm can result from a single act or omission or an accumulation of these.

What if I'm not a mandatory reporter or it doesn't fall under mandatory reporting?

- 5.11 Any person can make a voluntary report to the DHHS if they have a belief on reasonable grounds that a child is in need of protection.
- 5.12 If a mandatory reporter doesn't have a reasonable belief about a child, but still have concerns, the matter can be referred to a College Child Safety Officer.
- 5.13 There is also the option to refer the matter to Child FIRST. A referral to Child FIRST should be considered if a staff member forms the view that the concerns have a low-to-moderate impact on the child and the immediate safety of the child is not compromised.

How do I make a report?

- 5.14 Whenever there are concerns that a child or a student is in immediate danger the Police should be called on 000.
- 5.15 To report concerns about the immediate safety of a child within their family unit, call the After Hours Child Protection Emergency Services Line 13 12 78, available 24 hours a day.
- 5.16 Concerns that require immediate attention should be made to the local or regional DHHS Child Protection office, or the After Hours Child Protection Emergency Services on 13 12 78.
- 5.17 A report becomes mandatory as soon as is practicable after forming the belief.
- 5.18 Additional reports must be made on each occasion where you become aware of any further reasonable grounds for the belief. Refer to the Victorian Department of Education's Guide to [Making a Report to Child Protection or Child FIRST](#) (Child and Family Information, Referral and Support Team) for guidance on making a decision on whether to report.

6. Reportable Conduct Scheme

- 6.1 The *Child Wellbeing and Safety Act 2005* (VIC) (the **CWS Act**) requires the head of the entity to investigate and report reportable allegations to the Commission for Children and Young People (**Commission**).

- 6.2 The Executive Director of EREA is the head of the entity. However, the Principal of the College has been authorised to investigate and report under the Reportable Conduct Scheme (**Scheme**), subject to reports that must be made to the Executive Director in line with this procedure.

What is a reportable allegation?

- 6.3 Reportable allegation means any information that leads a person to form a reasonable belief that an employee has committed:

- (a) reportable conduct; or
- (b) misconduct that may involve reportable conduct,

whether or not the conduct or misconduct is alleged to have occurred within the course of the person's employment.

Who is an employee?

- 6.4 For the purposes of the Scheme, 'employee' is defined as a person aged 18 years or over who is:

- (a) employed by the College whether or not that person is employed in connection with any work or activities of the College that relate to children; or
- (b) engaged by the College to provide services, including as a volunteer, contractor, board or school council member, office holder or officer, whether or not the person provides services to children.

- 6.5 A minister or religion or a religious leader is also an employee.

- 6.6 The College considers all Staff Members to be 'employees'. Third Party Contractors and External Education Providers may also be 'employees'.

What is Reportable Conduct?

- 6.7 Reportable conduct is defined in the CWS Act to mean:

- (a) a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded;
- (b) sexual misconduct committed against, with or in the presence of, a child;
- (c) physical violence committed against, with or in the presence of, a child;
- (d) any behaviour that causes significant emotional or psychological harm to a child; or

- (e) significant neglect of a child.
- 6.8 "Sexual misconduct" includes:
- (a) behaviour, physical contact or speech or other communication of a sexual nature, for example 'sexting';
 - (b) inappropriate touching or physical contact;
 - (c) grooming behaviour; and
 - (d) voyeurism.
- 6.9 "Sexual offence" for the purposes of the Scheme means a serious sexual offence, which includes rape, attempted rape, sexual assault, incest, indecent act with a child, persistent sexual abuse of a child, grooming and the production or possession of child pornography.
- 6.10 "Significant" in relation to emotional or psychological harm or neglect, means the harm is more than trivial or insignificant, but need not be as high as serious and need not have a lasting permanent effect.
- 6.11 "Physical violence" includes an act that causes physical injury or pain. Examples of physical violence can include:
- (a) hitting/kicking/punching;
 - (b) pushing/shoving/grabbing/throwing/shaking;
 - (c) using an object to hit or strike; and
 - (d) using inappropriate restraint/excessive force.
- 6.12 Physical violence does not include:
- (a) reasonable steps taken to protect a child from immediate harm, such as taking a child's arm to stop them from going into oncoming traffic; or
 - (b) medical treatment given in good faith by an appropriately qualified person, such as a first aid officer administering first aid.
- 6.13 Staff Members and the College will be guided by the Commission's guidance and fact sheets when determining if there is reportable conduct.

How should a report be made?

- 6.14 Any person may disclose a reportable allegation to the Commission by using an online form available from the Commission's website, by phone or by letter.

- 6.15 As soon as a Staff Member forms a reasonable belief that a Staff Member, Third Party Contractor or External Education Provider at the College has engaged in behaviour that may constitute a reportable allegation, the Staff Member must notify the Principal, Dean of Child Safety and the Child Safety Officers.
- 6.16 Where the reportable allegation involves the Principal, the Staff Member must notify the EREA Regional Director via the EREA National Office ((03) 9426 3200) or the Commission using an online form available from the Commission's website, by phone or by letter.
- 6.17 Where the reportable allegation involves the Principal, the EREA Executive Director has the authority to make notifications to the Commission, conduct investigations and liaise with the Commission in relation to the allegation. The EREA Executive Director authorises the EREA Regional Director to carry out these tasks when the EREA Executive Director is unavailable.

How should the Principal report?

- 6.18 Where the Principal receives a reportable allegation from any person, including a Staff Member, they must notify the Commission within three business days.
- 6.19 There are two stages of reporting.
- 6.20 The Commission must be notified by the Principal in writing of:
- (a) the reportable allegation as soon as possible, and in any event within three business days of the Principal being notified of the reportable allegation (Stage One Report); and
 - (b) the proposed next course of action (see below), as soon as practicable, and within 30 days of becoming aware of the reportable allegation (Stage Two Report).
- 6.21 An online form available on the Commission's website must be used for the Stage One Report.
- 6.22 If the Staff Member is a registered teacher and the misconduct involves a charge, conviction or finding of guilt of a sexual offence, the College must notify the Victorian Institute of Teaching (**VIT**) immediately.

Investigation process

- 6.23 After the Principal (or other authorised person under this Procedure) has made a report to the Commission, they must ensure that an appropriate investigation of the reportable allegation is conducted.
- 6.24 The investigation can be conducted by the Principal or the EREA Executive Director (if the allegation involves the Principal). Alternatively, the College can appoint an independent investigator.

- 6.25 The Principal (or other authorised person under this Procedure) must notify the Commission of who will be conducting the investigation.
- 6.26 An investigation by the College cannot commence until clearance is provided by the Police where the reportable allegation may involve a criminal offence.
- 6.27 The individual named in the reportable allegation may be stood down, moved to another role or have other restrictions placed on their role pending the outcome of an investigation. All Staff Members must cooperate with an investigation by the College and with any regulatory authority.
- 6.28 The investigation must be conducted in accordance with the rules of procedural fairness and natural justice. For example, the investigation should be conducted without bias and the person against whom the allegation is made should be given the opportunity to respond.
- 6.29 The Principal or EREA Executive Director must give the Commission:
- (a) a copy of the findings of the investigation and the reasons for those findings;
 - (b) details of any disciplinary or other action that the Principal (or EREA Executive Director) proposes to take in relation to the staff member and the reasons for that action; and
 - (c) if the Principal (or EREA Executive Director) does not propose to take any disciplinary or other action in relation to the staff member, the reasons why no action is to be taken.

7. Obligations under the Crimes Act

- 7.1 In response to the [Betrayal of Trust](#) report, the following new criminal reporting offences have been introduced under the *Crimes Act 1958* (VIC) (**Crimes Act**):
- (a) Failure to disclose; and
 - (b) Failure to protect.

Failure to disclose

- 7.2 Any adult 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 Victoria Police.
- 7.3 If a report is made to the DHHS in accordance with mandatory reporting requirements above, an additional report to the Police will not usually be required unless further information is obtained or the DHHS requires a report to be made to the Police.

- 7.4 The Crimes Act sets out what constitutes a "sexual offence". This includes the commission or attempted commission of:
- (a) rape;
 - (b) indecent assault;
 - (c) incest;
 - (d) sexual penetration;
 - (e) grooming a child for sexual conduct; or
 - (f) encouraging a child to engage in, or be involved in, sexual activity.
- 7.5 The offence of grooming prohibits predatory conduct designed to prepare or 'groom' a child for future sexual activity. The offence applies to communication with children under 16 years by an adult. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails.
- 7.6 A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.
- 7.7 A 'reasonable belief' might be formed when:
- (a) a child states that they have been sexually abused;
 - (b) a child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves);
 - (c) someone who knows the child states that the child has been sexually abused; or
 - (d) signs of sexual abuse lead to a belief that the child has been sexually abused.
- 7.8 If you fail to disclose a sexual offence against a child to the Police, you will not be held liable where your reason for not reporting is that:
- (a) you fear on reasonable grounds for the safety of any person (other than the offender), and a failure to report is reasonable;
 - (b) the victim told you about the sexual offence (directly or indirectly), the victim was over 16 years old when he or she told you about the sexual offence, and the victim requested that the information not be disclosed (unless the victim has an intellectual disability and does not have the capacity to make an informed decision about this); or

- (c) you believe on reasonable grounds that the information has already been disclosed to the Police by another person (such as to the DHHS as part of mandatory reporting) and you have no further information.
- 7.9 Unacceptable reasons for not reporting include if you are concerned with the interests (including the reputation, legal liability or financial status) of:
- (a) the person involved in the sexual offence; or
 - (b) any organisation (such as the College).
- 7.10 Staff Members should also refer to the Reporting Criteria – Failure to Disclose document in **Appendix 2** for additional guidance.

Failure to protect

- 7.11 All Staff Members who:
- (a) by reason of the position they occupy within or in relation to the College, have the power or responsibility to reduce or remove a substantial risk that a relevant child (under the age of 16 who is, or may come under the care, supervision or authority of the College) will become the victim of a sexual offence committed by a person of or over the age of 18 years who is associated with the College; and
 - (b) know that there is a substantial risk that the person will commit a sexual offence against a relevant child,
- must not negligently fail to reduce or remove that risk.
- 7.12 At the College, this will include the Principal and members of the College Leadership Team and may also extend to school counsellors, House Leaders, Directors, Deans, Learning Area Leaders, College employees, Board Members and Staff Members of EREA.
- 7.13 Knowledge is more than holding a tentative belief or mere suspicion.
- 7.14 A risk will be a substantial risk if a reasonable person would have judged the risk of a sexual offence being committed against the student as being substantial. It is not necessary to prove that a sexual offence was committed in order for the substantial risk to exist i.e. a person in a position of authority should not wait for a student to be harmed before acting.
- 7.15 A number of factors will contribute to determining if a risk is a substantial risk, including:
- (a) the likelihood or probability that a child will become the victim of a sexual offence;

- (b) the nature of the relationship between a child and the adult who may pose a risk to the child;
 - (c) the background of the adult who may pose a risk to the child, including any past or alleged misconduct;
 - (d) any vulnerabilities particular to a child which may increase the likelihood that they may become the victim of a sexual offence; and
 - (e) any other relevant fact which may indicate a substantial risk of a sexual offence being committed against a child.
- 7.16 A person associated with the College is an adult and includes Staff Members and Third Party Contractors.
- 7.17 Where any person in a position of authority at the time, becomes aware of a risk of a sexual offence against a student or students under their care, they should immediately:
- (a) take reasonable steps which would remove or reduce the risk to the student or students, which may include immediately removing the person from contact with the student or students
 - (b) report the matter to a College Child Safety Officer, the Dean of Child Safety and the Principal as soon as practicable;
 - (c) conduct a preliminary investigation where appropriate in consultation with the Principal; and
 - (d) make the appropriate report (which may prompt a further investigation).
- 7.18 Where the concern relates to the Principal or Deputy, report to the EREA Regional Director via the EREA National Office at (03) 9426 3200.

8. Grooming

- 8.1 In addition to the criminal reporting requirements above, the offence of grooming has also been introduced under the Crimes Act.
- 8.2 The offence of grooming prohibits predatory conduct designed to prepare or 'groom' a child for future sexual activity and is contained in section 49M(1) of the Crimes Act. The offence applies to communication with children under 16 years.
- 8.3 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 18 years of age.

- 8.4 Staff Members should note that any act of grooming is a breach of the College's policies and procedures, regardless of the age of the child or student. Staff Members should report any grooming to the Child Safety Officers.

9. Duty of Care

- 9.1 The *Wrongs Act 1958* (Vic) creates an organisational liability for child abuse for organisations that exercise care, supervision or authority over children. This is colloquially referred to as an 'organisational duty of care'.
- 9.2 Schools owe a duty to take reasonable precautions to prevent the abuse (sexual or physical) of a child by an individual associated with the school while the child is under the care, supervision or authority of the school.
- 9.3 All Staff Members also have a duty to take reasonable steps to protect children and students under their care and supervision from harm that is reasonably foreseeable. The question of what constitutes reasonable steps will depend on the individual circumstances of each case.
- 9.4 A Staff Member may breach their duty of care towards a student if they fail to act in the way a reasonable or diligent professional would have acted in the same situation.
- 9.5 For more information on the scope of staff duty of care obligations and examples of reasonable steps they can take in relation to suspected child abuse, refer to the protocol *Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools* (**Appendix 3**).
- 9.6 Staff Members owe a duty of care to all students enrolled at the College, regardless of the age of the student. If you believe that a student is not subject to abuse but you still hold significant concerns for their wellbeing, you must still act. This may include making a referral to or seeking advice from ChildFIRST.
- 9.7 If you are unsure of what action to take in response to your concerns about a child, speak to the Principal, Deputy Principal, Assistant Principal, Counsellor, Dean of Child Safety, House Leader / Student Wellbeing Coordinator or contact DHHS Child Protection or ChildFIRST for further advice and support.

10. Confidentiality

- 10.1 Following a report and during an investigation, it is important to protect confidentiality and the interests of the child or student at all times. The confidentiality of the individual(s) who made the report will also be protected.
- 10.2 If a Staff Member or another person associated with the College is implicated in the report, their confidentiality should also be protected.

- 10.3 All Staff Members who are involved in an investigation or are privy to the details of a report must maintain the confidentiality of all students, children and other individuals involved.

11. Record keeping

- 11.1 Staff Members must keep clear and comprehensive notes relating to incidents, disclosures and allegations of child abuse using the [Responding to Suspected Child Abuse: A Template for all Victorian Schools](#).
- 11.2 Notes should be dated and include the following information:
- (a) a description of the concerns (e.g. physical injuries, student behaviour);
 - (b) the source of those concerns (e.g. observation, report from child or another person); and
 - (c) the actions taken as a result of the concerns (e.g. consultation with the Principal, Assistant Principal, Counsellor, House Leader, report to DHHS Child Protection, etc.).
- 11.3 The 'Process of Review' section of the Template must be completed between 4-6 weeks after an incident, suspicion or disclosure of abuse in conjunction with the College's Principal or Deputy, a Child Safety Officer or a senior member of staff.
- 11.4 All completed Template reporting forms are to be given to the College's Principal or Deputy, a Child Safety Officer, the Dean of Child Safety or a senior member of staff. The College maintains records of all child abuse observations, disclosures, allegations, incidents and subsequent investigations in electronic form indefinitely.
- 11.5 Records relating to a child protection incident are only disposed of in accordance with the College's Records Management requirements.

12. Breach of this procedure

Staff Members that breach this procedure may be subject to disciplinary action, including and up to termination of employment or engagement.

13. Review

- 13.1 This procedure will be reviewed every two years or earlier as needed.
- 13.2 The College Board will be responsible for reviewing and approving this Code consistent with EREA policies.

14. Related policies, procedures and legislation

- 14.1 Related policies and procedures:

- (a) Child Protection and Safety Policy;
- (b) Child Safe Code of Conduct;
- (c) Student Code of Conduct;
- (d) Parent Code of Conduct;
- (e) Recruitment and Selection Policy;
- (f) Student Behaviour Management Policy;
- (g) Risk Management Procedures;
- (h) Contractor Child Safety Guidelines;
- (i) Managing Employment Concerns Policy;
- (j) Victorian Catholic Education Multi-Enterprise Agreement 2018;
- (k) EREA Code of Conduct;
- (l) VIT Code of Conduct;
- (m) Training, Supervision and Professional Development; and
- (n) Online Learning Guidelines.

14.2 Related legislative instruments:

- (a) *Education and Training Reform Act 2006* (Vic);
- (b) Ministerial Order 870;
- (c) *Crimes Act 1958* (Vic);
- (d) *Child Wellbeing and Safety Act 2005* (Vic);
- (e) Victorian Institute of Teaching Act 2001 (Vic.)
- (f) *Children, Youth and Families Act 2005* (Vic); and
- (g) Child Safe Standards Victoria.

REPORTING FLOWCHART

This flowchart summarises the process that the College and its Staff Members will follow to respond to and report child protection concerns.

The approach Parade College has adopted in responding and reporting child protection concerns incorporates the *Four Critical Actions for Schools*. Refer to **Appendix 1: [Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#)**.

Before the Four Critical Actions can be followed, a Staff Member must first be made aware of a child protection incident that will determine if they must take action to protect a student.

FLOWCHART

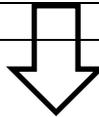
Critical Action 1: Is there a child or student in immediate danger?

The Staff Member will stay with the child or student (if within their presence) and take all reasonable steps to ensure their safety.

If the child or student has just been abused or is at immediate risk of harm, Staff Members must take reasonable steps to protect the child or student, including:

- separating the alleged victim and others involved, ensuring that if the parties involved are all present at the school that they are supervised separately by a Staff Member;
- arranging and providing urgent medical assistance where necessary, including ensuring that first aid is provided as needed or calling 000 for an ambulance;
- calling 000 for urgent police assistance if the person who is alleged to have engaged in the abuse poses an immediate risk to the health and safety of any person.

If the child protection incident has occurred at the College, Staff Members should also ensure that reasonable steps are taken to preserve the environment, the clothing and other items and prevent any potential witnesses from discussing the incident until the Police or relevant authorities arrive on the premises.



Internal reporting

Staff Members must also notify a Child Safety Officer. If a Child Safety Officer is implicated, Staff Members should notify another Child Safety Officer or the Principal.

Appendix 6 contains the names of Child Safety Officers on both campuses who are available to support Staff Members as they work through the reporting process.

However, a Staff Member is not required to consult with a Child Safety Officer before making a report to an external authority.

All Staff Members must notify the Principal of any reportable allegation (or the EREA Regional Director via the EREA National Office ((03) 9426 3200) if the Principal is implicated.



Critical Action 2: Is there a requirement to report?

All forms and instances of suspected or alleged child abuse must be reported to the appropriate authority.

As soon as critical health and safety concerns have been addressed, the Staff Member must take steps to report the child protection incident, suspicion or disclosure as soon as practicable.

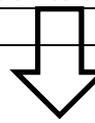
A mandatory reporter who forms a belief on reasonable grounds that a child is in need of protection from child abuse (physical, sexual, emotional, psychological or neglect), **must** disclose that information to the police or the Department of Health and Human Services (**DHHS**) or anyone **may** do so voluntarily.

Any person (aged 18 or over) who forms a belief, on reasonable grounds, that a sexual offence has been committed in Victoria against a child (under the age of 16 years) by another person (aged 18 or older), **must** make a report to the police as soon as practicable.

Any person who know that there is a substantial risk that a relevant child will become the victim of a sexual offence committed by another adult associated with the College **must not** negligently fail to reduce or remove that risk. Reporting to the DHHS and / or police is one way to reduce or remove that risk.

The Principal must make a report to the Commission for Children and Young People (**Commission**) if there is a reportable allegation under the Reportable Conduct Scheme.

Any person may disclose a reportable allegation to the Commission.



Make a report (if required)

It may be that, following the previous step, a person decides to make a report to DHHS, the police and/or the Commission.

During business hours – contact the appropriate local government area for DHHS being the North Division intake: 1300 664 977 (Preston DHHS Office) for the College.

For after hours, call 13 12 78. Ask for Child Protection.

AND/OR

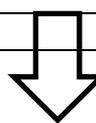
Ring the police on 000.

AND/OR

Ring the Commission on (03) 8601 5281.

Request that if an interview is to take place at the College, the visiting police officer/DHHS/Commission representative is in plain clothes.

Staff Members must keep clear and comprehensive notes relating to incidents, disclosures and allegations of child abuse using the Responding to Suspected Child Abuse: A Template for all Victorian Schools.



Critical Action 3: Contacting Parents/Carers

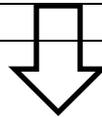
Where it is suspected that a student at the College has been, or is at risk of being abused, it is critical that parents/carers of the student are notified as soon as practicable after a report is made to the authorities.

Staff Members must always seek advice from the Police or DHHS Child Protection first and take directions regarding whether it is appropriate to contact the parents/carers.

Advice from the Police or DHHS Child Protection will depend on a number of factors, including:

- whether the parents/carers of the child are alleged to have engaged in the abuse;
- whether a disclosure to the parents/carers may result in further abuse to the child;
- where the child is a mature minor (at least 17 years of age and assessed to be sufficiently mature and intelligent to make decisions for themselves) and has requested that their parents/carers not be notified – the College will insist that another responsible adult is notified in lieu of the parents/carers; and
- whether notifying parents/carers would adversely affect an investigation of the matter by external authorities

Where the suspicion of abuse or risk of abuse has not yet warranted a reasonable belief, parents/carers should also be notified promptly after the College has carefully considered the factors listed above.



Critical action 4: Provide ongoing support

Staff Members who witness a child protection incident, receive a disclosure or develop a suspicion of child abuse have a critical role to play in supporting students impacted by the child protection matter, to ensure that they feel supported and safe at the College.

Support provided to students at the College includes:

- regular communication with the student and their parents/carers where appropriate;
- convening a Student Care Team of school wellbeing staff to plan, support and monitor affected students; and
- the development of Student Support Plans for students impacted by the incident to ensure appropriate levels of care and support are provided depending on their involvement.

Where external authorities are investigating a report of abuse or risk of abuse, it is the role of the Principal to ensure that students are supported throughout interviews that may take place on College premises, during school time.

At the College, all students involved in interviews with Police, DHHS and other agencies involved with the investigation will be supported by an appropriate adult at those interviews on school premises. Appropriate adults may include parents/care-givers, Principal, Deputy Principal, Assistant Principals, Deans, Directors, Counsellors, House Leaders / Student Wellbeing Coordinators, Tutor Teacher or teacher nominated by the student.

The College takes its obligation to ensure that school staff members are supported following the witnessing of an incident or disclosure, or who have made a report to external authorities about a reasonable belief of child abuse seriously. Employees requiring wellbeing support will be provided with contact details for ACCESS Counselling with whom the College has a contract for services to be provided to staff.

As soon as is practicable, all notes in relation to the report should be completed, converted to hard copy and handed in a sealed envelope to the Principal. The Principal, or delegate, should, as soon as is possible, report the incident to EREA on the EREA Child Protection Incident Notification Form.

The College will conduct a review of the reporting process 4–6 weeks after a report has been made to identify if any follow-up support actions are needed.

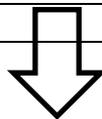


Internal investigation

Once clearance has been provided to the College by relevant regulatory authorities, the College may conduct its own internal investigation or will do so if required under the Reportable Conduct Scheme.

If an internal investigation is conducted, the Principal will appoint a relevant person to manage the internal investigation. If required, an external investigator will be appointed. The investigation will be undertaken in accordance with procedural fairness and natural justice.

All Staff Members must cooperate fully with any internal investigation. A Staff Member implicated in a child safety concern may be stood down pending the completion of an investigation.



Internal investigation finalised

Following any internal investigation, findings and recommendations should be made. The College has full discretion to put in place safety management plans or take disciplinary action where it forms a reasonable belief that it is not safe for a Staff Member to interact with students in accordance with its duty of care. The findings of the investigation will also be reported to any external body as required, such as under the Reportable Conduct Scheme.



Evaluation

The school board will be notified as needed and policies and procedures may need to be reviewed.

Appendices:

Appendix 1: Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse

Appendix 2: Reporting Criteria - Failure to Disclose

Appendix 3: PROTECT – Identifying and Responding to All Forms of Abuse in Victorian Schools

Appendix 4: Responding to Suspected Child Abuse

Appendix 5: Police and DHHS Interviews

Appendix 6: Staff Names

Additional Resources

Catholic Education Melbourne

- [Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools](#)
- [Four Critical Actions for Schools Responding to Incidents, Disclosures and Suspicions of Child Abuse](#)

- [Responding to Suspected Child Abuse: A Template for all Victorian Schools](#)
- Catholic Education Melbourne's School Guidelines [2.19a: Police and DHHS Interview Protocols](#)
- [Catholic Schools Operational Guide](#) (CEVN website)
- [Privacy Compliance Manual](#) (CEVN website):
 - updated by the Catholic Education Commission of Victoria Ltd (CECV) December 2015
 - this manual may be used by schools and systems which are represented by the CECV.

Victorian Government

- [Ministerial Order 870: Child Safe Standards](#)

Department of Education and Training (DET)

- [The School Policy and Advisory Guide](#) (SPAG)
- [Mandatory Reporting eLearning Module](#).

Department of Health and Human Services

- [Child Protection](#)
- [Child FIRST](#)

Victoria Police

- [Victoria Police Sexual Offences and Child Abuse Investigation Teams \(SOCIT\)](#).

Department of Justice and Regulations

- [Failure to disclose offence](#)
- [Failure to protect offence](#)
- [Grooming offence](#).

Other resources

- [Daniel Morcombe Child Safety Curriculum](#)
- Parents, see [Daniel Morcombe Child Safety Curriculum Parent Guides – Queensland Department of Education, Training and Employment](#).

Further information

Catholic Education Melbourne's **Student Wellbeing Information Line (9am – 5pm daily) 9267 0228**

Reviewed and Updated: February 2020, July 2020