

CHILD SAFE STANDARD 5

Processes for Responding to and Reporting Suspected Child Abuse

Rationale

- The child safe standards require organisations that provide services for children to have processes for responding to and reporting suspected child abuse.
- Whilst reporting can be difficult to do, people are much more likely to report concerns if there is a clear and effective reporting process to follow. The safety of the child and the risk of harm must always be the primary consideration, with due regard for confidentiality and fairness to the person against whom the allegation has been made.
- Organisations have a responsibility to encourage staff, volunteers and children to speak up when they are uncomfortable or concerned. When there is a well-publicised reporting process that staff and volunteers are trained to use, it is more likely that people will raise relevant and important issues about child safety. This process will also encourage people to give helpful and important information that reduces the risk of all forms of harm to children, staff and volunteers.
- Concerns about the safety and wellbeing of children can range from an uncomfortable feeling through to a direct observation or a disclosure by a child.
- Examples of child safety concerns include:
 - concerns about a physical environment that may pose a risk to children (this includes health and hygiene issues)
 - inappropriate or special relationships developing between staff or volunteers and children
 - inadequate staff–child supervision ratios
 - breaches of the Child Safe Code of Conduct, particularly if they are persistent
 - feelings of discomfort about interactions between a staff member or volunteer and a child
 - suspicions or beliefs that children are at risk of harm
 - observations of concerning changes in behaviour
 - children’s disclosures of abuse or harm, which must be reported to Child Protection or the police
- This Standard provides guidance on what to do if a child discloses an incident of abuse, or if a parent/carer raises a concern or allegation of abuse which may have taken place in within the school environment.

Legal Responsibilities

Every adult who reasonably believes that a child has been abused, whether within the school environment or not, has an obligation to report that belief to authorities.

The **failure to disclose** criminal offence requires all adults (aged 18 and over) who hold a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 years to disclose that information to police (unless they have a reasonable excuse not to, for example because they fear for their safety or the safety of another).

While failure to disclose only covers child sexual abuse, all adults should report other forms of child abuse to authorities. Failure to disclose does not change mandatory reporting responsibilities.

Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

The **failure to protect** criminal offence (commenced on 1 July 2015) applies where there is a substantial risk that a child under the age of 16 years under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently failed to do so.

Further information about failure to protect can be found on the Department of Justice and Regulation website

<www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence, and the Department of Health and Human Services website>.

Purpose

- To ensure Tarneit Rise Primary School complies with the legislative requirements of MO 870.
- To ensure the school demonstrates its commitment to creating a child safe environment.
- To raise awareness of the importance of child safety with staff and the community.
- To protect children and reduce any opportunities for abuse or harm to occur.
- To ensure the school develops procedures and practices that reduce the risk of child abuse and are compliant with the Child Safe Standard 5.
- To ensure the school discharges its duty of care to students.
- To ensure the promotion of:
 - the cultural safety of Aboriginal children
 - the cultural safety of children from culturally and/or linguistically diverse backgrounds
 - the safety of children with a disability

Definitions

'The school environment' is defined as anywhere within the school grounds, classrooms, computer and/or science laboratories, storerooms, offices.

It extends to off-site locations such as venues for school camps, sporting venues, excursions.

Physical Violence

Physical violence occurs when a child suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person. Physical violence can be inflicted in many ways, including beating, shaking, burning or use of weapons (such as, belts and paddles).

Possible physical indicators:

- unexplained bruises
- burns and/or fractured bones
- multiple injuries
- bald patches indicating hair has been pulled out

Possible behavioural indicators:

- showing wariness or distrust of adults
- wearing long sleeved clothes on hot days (to hide bruising or other injury)
- fear of specific people
- unexplained absences
- academic problems

Sexual Offences

Sexual offences occur when a person involves the child in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to his/her age and development.

Child sexual abuse can involve a range of sexual activity including fondling, masturbation, penetration, voyeurism and exhibitionism. It can also include exposure to or exploitation through pornography or prostitution, as well as grooming behaviour.

Possible physical indicators:

- presence of sexually transmitted diseases
- pregnancy
- vaginal or anal bleeding or discharge

Possible behavioural indicators:

- displaying sexual behaviour or knowledge that is unusual for the child's age
- difficulty sleeping
- being withdrawn
- complaining of headaches or stomach pains
- fear of specific people
- showing wariness or distrust of adults
- displaying aggressive behaviour

Serious Emotional or Psychological Abuse

Serious emotional or psychological abuse occurs when harm is inflicted on a child through repeated rejection, isolation, or by threats or violence. It can include derogatory name-calling and put-downs, or persistent and deliberate coldness from a person, to the extent where the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired. Serious emotional or psychological abuse could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.

Possible physical indicators:

- delays in emotional, mental, or even physical development
- physical signs of self-harming

Possible behavioural indicators:

- exhibiting low self-esteem
- exhibiting high anxiety
- displaying aggressive or demanding behaviour
- being withdrawn, passive and/or tearful
- self-harming

Serious Neglect

Serious neglect is the continued failure to provide a child with the basic necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child's health, safety and/or development is, or is likely to be, jeopardised. Serious neglect can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life threatening situations.

Possible physical indicators:

- frequent hunger
- malnutrition
- poor hygiene
- inappropriate clothing

Possible behavioural indicators:

- stealing/asking for food
- staying at school outside of school hours
- aggressive behaviour
- misusing alcohol or drugs

- academic issues

Family Violence

Family violence is abuse towards a family member that may include physical violence or threats of violence, verbal abuse, emotional/psychological abuse, sexual or social abuse.

Possible physical indicators:

- speech disorders
- delays in physical development
- failure to thrive
- bruises, cuts, welts on any part of the body
- internal injuries

Possible behavioural indicators:

- violent and or aggressive play or behaviour
- depression or anxiety
- nervous, withdrawn
- difficulties in adjusting to change
- 'acting out' such as cruelty to animals
- overly compliant, shy, passive withdrawn
- risk taking behaviour
- taking on care-taker roles prematurely

Racial, Cultural, Religious Abuse

This is conduct that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture or religion. It may be overt, such as direct racial vilification or discrimination, or covert, such as demonstrating a lack of cultural respect (attitude and values) and awareness (knowledge and understanding) or failing to provide positive images about another culture.

Implementation

- The promotion of a child safe culture is this school's highest priority.
- The school has **zero tolerance of child abuse**.
- This policy is intended for School Leadership, staff, School Council, visitors, volunteers and contractors.
- The safety and wellbeing of all children is a high priority for this school.
- Physical or sexual abuse of a child is a crime and must be reported to the police.
- The school will ensure all staff, volunteers and external providers are aware that failure to disclose and failure to protect are now criminal offences under Victorian law.
- While the standards apply specifically to child abuse, the school will look to promoting children's health and wellbeing in a broader sense.
- If staff or any other adult has significant concerns for the wellbeing of a child they are encouraged to report their concerns to DHHS Child Protection or Child FIRST.
- Alternatively, to report concerns about the immediate safety of a child call the Child Protection Crisis Line on 13 12 78 (24 hours 7 days, toll free).
- The school will take a four-step approach to incidents of child abuse:
 - respond to the emergency
 - report the abuse to authorities
 - contact parents/carers
 - provide on-going support to those involved – children, staff and families
- Full information and a descriptive poster will be provided to all staff www.education.vic.gov/protect

When to use the Incident Report Form

- Staff should use the Incident Report Form/s to document any incident, disclosure or suspicion that a child has been, or is at risk of being abused. The Incident Report Form (a separate document) should be used in conjunction with the: Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse. (Please refer to Appendix A)
- Completing the Incident Report Form should not impact on reporting times. If a child is in immediate danger, school staff should report immediately to Victoria Police on 000.
- Whilst the school staff 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.
- When completing the Incident Report Forms, staff should collect and 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 the school staff if they are required to provide evidence to support any decisions.
- The incident may involve physical injury or emotional disturbance. The incident may occur in the school environment or outside. It may involve staff, students or those close to them. The network of those involved in a traumatic event can be wide, especially if it directly involves the school.
- The school will utilise a range of strategies to respond to allegations of child abuse depending on who has who disclosed as follows:

If a Child Discloses an Incident of Abuse

The person to whom the allegation of child abuse has been disclosed will:

- Try to separate the child from the other children discreetly and listen to them carefully.
- Let the child use their own words to explain what has occurred.
- Reassure the child that what they are saying is taken very seriously, it is not their fault and that they are doing the right thing.
- Explain to them that this information may need to be shared others, such as with their parent/carer, specific people in the school or the police.
- Not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- Not leave the child in a distressed state. If they seem at ease in your company, stay with them.

If you think the child is able to do so, provide her/him with an incident report form to complete, or complete it together. Please see Appendix 1 attached for a sample Incident Report Form.

As soon as possible after the disclosure, record the information using the child's words and report the disclosure to the principal/assistant principal, student welfare officer, police or DHHS Child Protection.

Ensure the disclosure is recorded accurately and that the record is stored securely.

Note 1: If you believe a child is at immediate risk of abuse phone 000 and ask for police.

Note 2: If the discussion has not been with the principal, she/he must be informed at the earliest opportunity.

If a Parent/Carer Alleges Their Child has been Abused Within the School Environment or Raises a Concern

The person to whom the allegation of child abuse has been disclosed will:

- Explain that the school has processes to ensure all abuse allegations are taken very seriously.
- Ask about the wellbeing of the child.
- Allow the parent/carer to talk through the incident in their own words.

- Advise the parent/carer that notes will be taken during the discussion to capture all details.
- Explain to them the information may need to be repeated to authorities or others, such as the principal/assistant principal, the police or DHHS Child Protection.
- Do not make promises at this early stage, except that you will do your best to keep the child safe.
- Provide them with an incident report form to complete, or complete it together.
- Ask them what action they would like to take and advise them of what the immediate next steps will be.
- Ensure the report is recorded accurately and that the record is stored securely.

Note: if the discussion has not been with the principal, she/he must be informed at the earliest opportunity.

The school is aware that some people from culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police and communicating in English may be a barrier for some. There may also be visa concerns. The school will be sensitive to these issues and meet people's needs where possible, such as having an interpreter present (who could be a friend or family member).

If an allegation of abuse involves an Aboriginal child, the school will ensure a culturally appropriate response. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community controlled organisations to review policies and procedures and/or to provide professional learning for staff.

Some children with a disability may experience barriers disclosing an incident. For example, children with hearing or cognitive impairments may need support to help them explain the incident, including through sign language interpreters. Advice on communicating with people with a disability can be found on the Department of Health and Human Services website <www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/communicate-and-consult-with-people-with-a-disability/communication-with-people-with-disabilities>.

When responding to student sexual offending/assault the school will follow the four critical actions for schools:

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 service for future liaison with Police.
- Where necessary you may also need to maintain the integrity of the potential crime scene and preserve evidence.

ACTION 2: REPORTING TO AUTHORITIES

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.

IF THE SOURCE OF SUSPECTED ABUSE IS FROM WITHIN THE SERVICE:

VICTORIA POLICE

You must* report all instances of suspected child abuse which are led by a staff member, contractor or volunteer, or child^ to Victoria Police.

REPORT TO MANAGEMENT

You must* report to your approved provider or licensee.

Notify the regulator

Licensed or approved early childhood services# must also report to their Quality Assessment and Regulation Division.

Notifications may be made at www.acecqa.gov.au/national-quality-agenda-it-system or by contacting **1300 307 415**.

IF THE SOURCE OF SUSPECTED ABUSE IS FROM 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.

REPORT TO MANAGEMENT

You must report to your approved provider or licensee.

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 (in circumstances where the family are open to receiving support), or to DHHS Child PROTECTION or Victoria Police.

ACTION 3: CONTACTING PARENTS/CARERS

You **must** consult with **Victoria Police** or **DHHS Child Protection** to determine what information can be shared with parents/carers. They may advise:

- **not to contact** the parents/carers (e.g. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and has requested that their parent/carer not be contacted).

- **to contact** the parents/carers and provide agreed information as soon as possible (for licensed and approved services it is a requirement that parents/carers are notified within 24 hours if the suspected abuse occurred at the service).

ACTION 4: PROVIDING ONGOING SUPPORT

- Your service should* take reasonable steps to make a child feel safe and supported whilst they are attending your service.
- Your service should also consider providing support for children impacted by abuse. Eg. Referral to wellbeing professionals.
- MCH nurses should follow the MCH Service Practice Guidelines to determine appropriate 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.
- *in Victoria there are a range of legal obligations which set out the actions you must take if you suspect a child has, or is at risk of being abused. Some of these obligations apply differently across the range of licensed, approved and other early child services and can vary depending on your role within the service. For further information about how these obligations apply to you, see the *Identifying and Responding to All Forms of Abuse in Early Childhood Services*.
- ^Sexual offending, involving children 10 years and over
- # Licensed services operate under the Children’s Services Act 1996 and approved services operate under Education and Care Services National Law Act 2010.

Specific Strategies for Responding to an Incident of Child Abuse

- Ensure children are safe, and that procedures for responding to alleged abuse are fair and focus on child safety, for example by suspending the alleged perpetrator or providing them with alternate duties pending investigation.
- Provide support and comfort to a child reporting abuse or safety concerns, and never blame or interrogate a child.
- Contact parents/carers when it is appropriate to do so.
- Be culturally aware if the incident involves an Aboriginal child, a child from a culturally and/or linguistically diverse background or a child with a disability as described above.
- Provide ongoing support or make referrals for support to alleged victims, their families and affected staff, such as helping them understand their rights and the process that will be followed in responding to allegations, and assistance in accessing counselling or other support as required.
- Provide support and/or counselling for the staff member or adult who makes the report.
- Undertake timely reviews of the school’s child safe policies and procedures to be followed if child abuse occurs.
- Review organisational responses following an incident to help drive continuous improvement.

Professional Learning

The school’s *Mandatory Reporting Policy* requires that an annual professional learning session will be held on protecting the safety and wellbeing of children and young people (mandatory reporting protocol).

New staff are briefed about their mandatory reporting responsibilities and procedures as part of the induction procedure.

In addition to this and as soon as practicable, the school will arrange professional learning for all staff including topics such as:

- o The school's zero tolerance policy
- o Understanding the implications of Standard 5
- o The Child Safe Code of Conduct
- o Responding to child abuse allegations
- o Understanding cultural sensitivities

Volunteers and external providers will be briefed prior to commencing work within the school.

Successful Implementation of Standard 5

The school will know this Standard has been successfully implemented when:

- all legal requirements for reporting suspected child abuse are complied with
- staff and volunteers are aware of actions they should take in the event of an incident or allegation, including the type of contact that should be reported, who is responsible for reporting and to whom the report should be made
- allegations of abuse and safety concerns are appropriately recorded and stored securely to protect privacy
- disciplinary processes, that are clearly defined and understood by all staff and volunteers, are adhered to when necessary
- adequate and suitable steps are taken to ensure children are safe if an allegation of child abuse is reported, for example by suspending a worker or providing them with alternative duties while an investigation is undertaken
- children reporting an allegation of abuse or safety concern are provided with support and comfort
- culturally safe practices are applied if an Aboriginal child is involved in an allegation of abuse
- if an allegation of abuse involves a child from a culturally and/or linguistically diverse background, the required steps are taken to ensure the child and child's family are supported to understand the situation, including the use of an interpreter if required
- where an allegation of abuse involves a child with a disability, steps are taken to ensure the child and their family understand the situation and are supported

Evaluation

This policy is mandatory and will be reviewed every two years as part of VRQA requirements, if an incident occurs or if guidelines change (latest PROTECT update April 2020).

<u>Ratification Date</u>	<u>Review Date</u>	<u>Policy Number</u>	<u>Version Number</u>	<u>Date Produced</u>
Sept 2020	2022	97	3	Sept 2017

References:

<https://www2.education.vic.gov.au/school/pal/child-safe-standards>
<https://www2.education.vic.gov.au/about/programs/health/protect/Pages/default.aspx?Redirect=1>

Further information and resources

Please refer also to the school's *Protecting Children - Reporting and Other Legal Obligations) Policy*, *Police & DHHS Interviews Policy* and the *Student Sexual Offending & Other Problem Behaviour Policy*.

<p>Student Student name: DOB:</p> <p>Siblings</p> <p>name: DOB:</p> <p>Name: DOB:</p> <p>Name: DOB:</p> <p>Parent/s details: Mother's name: Address: Phone number:</p> <p>Father's name: Address: Phone number:</p> <p><input type="checkbox"/> Indigenous status <input type="checkbox"/> Disability <input type="checkbox"/> Refugee</p>	<p>Date:</p>	<p>Reporter:</p>	<p>PCO spoken to:</p>
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Please highlight the incident:

Physical violence

Sexual offence

Serious emotional or psychological abuse

Serious neglect

Grooming

Account of concern/incident

Actions taken:

Date

Agency

Name of person spoken to

Contact details

Dot points of conversation

Follow up required yes/no

If yes provide details

