



DOBCEL Identifying and Responding to Abuse: (PROTECT) Reporting Obligations Procedures

Next Review: 2024

Procedures

Catholic schools have a moral, legal and mission-driven responsibility to create nurturing school environments where children and young people are respected, where their voices heard, and where they are safe and feel safe.

Every person involved in Catholic education has a responsibility to understand the important and specific role they have, 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.

It is the Diocese of Ballarat Catholic Education Limited's policy that all schools display the *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse* diagram in staff rooms and other strategic areas of the school to ensure all school staff are aware of the actions to take as soon as they witness a child protection incident, receive a disclosure, or form a reasonable suspicion or belief that a child has been, or is at risk of being, abused.

Responding to and Reporting Child Protection Concerns

The joint protocol, PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools, identifies the approach for responding to and reporting child protection concerns in DOBCEL schools through the *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse* (refer to Appendix 1).

A school staff member must act and follow the recommended actions in the *Four Critical Actions for Schools: Responding to Incidents Disclosures and Suspicions of Child Abuse* document as soon as they become aware of a child protection incident – that is, when a **child is experiencing, or is at risk of experiencing, abuse**. Refer to Section A.

The joint protocol, PROTECT: Identifying and Responding to Student Sexual Offending identifies the approach to responding to and reporting child protection concerns in DOBCEL schools through the *Four Critical Actions for Schools: Responding to Student Sexual Offending* (refer to Appendix 2).

Victorian law states 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 behaviours that do not constitute student sexual offending, please refer to the document PROTECT: Identifying and Responding to Student Sexual Offending.

A school staff member must act and follow the recommended actions in the *Four Critical Actions for Schools: Responding to Student Sexual Offending* document as soon as they 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. Refer to Section B and Appendix 4.

Where a school staff member believes that a child has been subject to any other form of child abuse (sexual abuse by an adult), they must follow the procedures outlined in PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools. Refer to Section A.

Section A: Identifying and Responding to All Forms of Abuse in Victorian Schools

1. **Becoming aware of a child protection incident**

There are four main ways in which a school staff member may become aware that a child is experiencing, or is at risk of experiencing, abuse:

▪ **Witnessing an incident**

If you witness an incident where you believe a child has been subjected to, or may be at risk of, abuse, including exposure to family violence, you must first take immediate action to protect the safety of the child or children involved and then refer to the *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse* document

▪ **Forming a suspicion or reasonable belief**

All suspicions that a child has been, is being, or is at risk of being, abused must be taken seriously, including suspicions that the abuse could be occurring outside the school grounds or areas. If your suspicion develops into a reasonable belief, you must act and refer to the *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse* document

▪ **Receiving a disclosure about or from a current student**

All disclosures must be treated seriously. You should immediately refer to the *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse* document.

▪ **Receiving a disclosure about or from a former student**

If you receive a disclosure from a former student about historical abuse, you must act. If the former student is currently of school age and attending a Victorian school, you must immediately refer to the *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse* document.

If the former student is no longer of school age or attending a Victorian school, you must still report the disclosure to the [Department of Families, Fairness and Housing \(DFFH\) Child Protection](#)

2. **Notes and records**

School staff members are required to keep clear and comprehensive notes that relate to incidents, disclosures and allegations of child abuse by using the following template: *Protect: Responding to Suspected Child Abuse: A Template for all Victorian Schools*.

Even if a school staff member decides not to make a report, they must still accurately document their notes relating to the incident, disclosure or allegation of child abuse using the *Responding to Suspected Child Abuse* template.

Notes and records must be kept securely on school grounds and must not be destroyed as they may be needed at a later time.

3. **Disclosures**

It is the role of school staff members to reassure and support a child or young person who makes a disclosure of abuse. However, school staff members should never promise to keep any disclosures confidential as all disclosures of abuse must be reported.

The role of school staff remains the same if disclosures are made from a parent/carer or a sibling, or if disclosures involve family violence.

For strategies on how to manage a disclosure, refer to the *Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools* document.

4. **Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse**

There are *four critical actions for schools when responding to incidents, disclosures and suspicions of child abuse* (see [Appendix 1](#)), which must be undertaken in response to a child protection incident, disclosure or suspicion:

1. Responding to an Emergency
2. Reporting to Authorities
3. Contacting Parents/Carers
4. Providing Ongoing Support.

Critical Action 1: Responding to an Emergency

This first step is only applicable if a child has **just been abused** or is **at risk of immediate harm**. If this is not the case, go straight to **Critical Action 2: Reporting to Authorities**.

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

- Separating the alleged victim and others involved, ensuring that if the parties involved are all present at the school, they are supervised separately by a school staff member
- Arranging and providing urgent medical assistance where necessary, including administering first aid 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 school, school staff should also ensure that reasonable steps have been taken to preserve the environment, the clothing and other items as well as preventing any potential witnesses (including school staff members, volunteers and contractors) from discussing the incident until Victoria Police or relevant authorities arrive on the premises.

Critical Action 2: Reporting to Authorities/ Referring to services

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

Once immediate health and safety concerns have been addressed, the school staff member must take steps to report the incident, suspicion or disclosure of child abuse as soon as practicable. Failure to report physical and sexual child abuse may amount to a criminal offence (refer to [Failure to disclose](#)).

There are different reporting procedures, depending on:

- Whether the source of the suspected or alleged abuse comes from within the school or within the family or community of the child
- The type of abuse.

In all cases, school staff members must report internally to the principal or, if the principal is involved in the allegation, the leadership team.

Additionally:

- Where the source of the abuse comes from within the school – that is, the suspected or alleged abuse involves a school staff member, volunteer, allied health professional, officer/office holder, contractor or visitor to the school – it must be reported to Victoria Police

- Where the suspicion, belief or disclosure relates to sexual abuse or grooming, (an offence under section 49M (1) of the *Crimes Act 1958* See Appendix 3) it must also be reported to Victoria Police
- Where the source of the abuse is from within the family or community and is not sexual abuse or grooming, it must be reported to DFFH Child Protection.

DFFH and the Department of Education and Training (DET) have deliberately set a low threshold for the formation of a 'reasonable belief'. For more information, refer to the '*Reasonable belief*' section of this policy.

The *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse* document requires school staff to report all incidents, suspicions and disclosures of abuse as soon as possible to the relevant authorities.

How to make a mandatory report

The following table outlines the information to include when making a **mandatory report** about child abuse or child protection concerns. If a child is at immediate risk of harm, contact Victoria Police.

Making a Mandatory Report	
Step	Description
1. Keep notes	<p>Keep comprehensive notes that are dated and include the following information:</p> <ul style="list-style-type: none"> ▪ A description of the concerns (e.g., physical injuries, student behaviour). ▪ The source of those concerns (e.g., observation, report from child or another person). ▪ The actions taken as a result of the concerns (e.g., consultation with the principal, report to DFFH Child Protection, etc.). <p>Schools are to use the <u>Responding to Suspected Child Abuse</u> template provided in to record their notes.</p>
2. Discuss concerns	<p>Due to the complexity of child abuse incidents, disclosures and suspicions, it is recommended that concerns and observations regarding suspected physical or sexual abuse of a child are discussed with the principal, education consultant or the manager safeguarding and standards of the Catholic Education Office Ballarat.</p> <p>This is not a legal requirement; however, it will help to ensure support is provided to all involved in matters of this nature. The confidentiality of these discussions must be maintained.</p> <p>You should then make your own assessment about whether you are required to make a report about the child or young person and to whom the report should be made.</p> <p><i>It is important to remember that the duty to report abuse or suspicions of abuse exists even if the principal, or education consultant, or the manager safeguarding and standards advises you not to proceed with reporting suspected abuse.</i></p>
3. Gather and document information	<p>Gather the relevant information necessary to make the report. This should include the following:</p> <ul style="list-style-type: none"> ▪ Full name, date of birth and residential address of the child or young person ▪ Details of the concerns and the reasons for those concerns

Making a Mandatory Report	
Step	Description
	<ul style="list-style-type: none"> ▪ Your involvement with the child or young person ▪ Details of any other agencies that may be involved with the child or young person. <p>This information should be collected and documented using the <u>Responding to Suspected Child Abuse</u> template. The template is to be used to record as much information as possible to provide when you make your report to either Victoria Police or to DFFH Child Protection.</p> <p>It is critical that completing the template does not impact on reporting times. <i>If a child is in immediate danger, school staff need to report the matter to Victoria Police immediately.</i></p>
4. Make the report	<p><i>To report concerns which are life threatening, phone 000 or the local police station.</i></p> <p>Where the source of the abuse comes from <i>within the school</i> – that is, the suspected or alleged abuse involves a school staff member, volunteer, allied health practitioner, officer/office holder, contractor or visitor to the school, you must:</p> <ul style="list-style-type: none"> ▪ Contact Victoria Police, who will then contact DFFH Child Protection when appropriate ▪ Report the matter internally to: <ul style="list-style-type: none"> ○ The Principal ○ The Assistant Director People and Development Catholic Education Office Ballarat only if the principal is involved in the allegation ○ The Executive Director of Catholic Education Ballarat. <p>Where the source of the suspected or alleged abuse comes from <i>within the child's family or community</i>, you must:</p> <ul style="list-style-type: none"> • Report sexual abuse and grooming to Victoria Police • Report the matter to <u>DFFH Child Protection</u> if you consider the child to be in need of protection due to child abuse, or that they have been, are being, or are at risk of being harmed due to any form of abuse, including family violence. If after hours, call the Child Protection Emergency Service on 13 12 78 • Report the matter internally to: <ul style="list-style-type: none"> ○ The principal ○ The manager safeguarding and standards Catholic Education Office Ballarat if the principal is unavailable ○ The director of Catholic Education Ballarat.
5. Document written records of report	<p>Make a written record of the report, including the following information:</p> <ul style="list-style-type: none"> • The date and time of the report and a summary of what was reported.

Making a Mandatory Report	
Step	Description
	<ul style="list-style-type: none"> The name and position of the person who made the report and the person who received the report. <p>The information initially recorded in the Responding to Suspected Child Abuse template and any additional information provided to either Victoria Police or DFFH Child Protection are to be stored securely and maintained <i>indefinitely</i> (Ministerial Order 1359, as per Public Record Office of Victoria) by the school to ensure that records are accessible when requested by external authorities investigating the matter.</p>
6. Additional steps for overseas students	Where a child protection incident, disclosure or suspicion involves an international student at the school and the school has 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 school will also need to contact the Victorian Registration and Qualifications Authority (VRQA).

Reporting what is non-mandatory

All teachers, other school staff members, volunteers, contractors, other service providers, parish priests, and canonical and religious order administrators who are not mandatory reporters have professional and moral (and sometimes legal) obligations to report a child protection incident, disclosure or suspicion.

It is DOBCEL policy that any adult who becomes aware of a child safety incident, disclosure or suspicion is required to report this to the principal or child safety officer of the school.

Where the principal is the subject of a child safety incident, disclosure or suspicion, it is required that this be reported to the assistant director: people and development, Catholic Education Ballarat on 03 4344 4350.

Reportable Conduct Scheme (Commission for Children and Young People)

How to report allegations of reportable conduct

The following table below outlines the information to include when making **an allegation of reportable conduct** about an employee (persons engaged by the entity such as volunteers, contractors, office holders, school board members and officers of a religious body) at the school. The Reportable Conduct Scheme is in addition to a school staff member's mandatory reporting or criminal reporting obligations.

Any allegations of criminal conduct, including physical violence, significant emotional or psychological abuse, sexual offences and significant neglect must be reported to Victoria Police as the priority. However, school staff members may find they also need to make an allegation of reportable conduct for the same incident.

For further support and advice regarding reporting conduct in DOBCEL schools under the Reportable Conduct Scheme, contact the manager safeguarding and standards on (03) 4344 4350 or safeguarding@dobcel.catholic.edu.au.

Making an Allegation of Reportable Conduct	
Step	Description
1. Keep notes	<p>Keep comprehensive notes that are dated and include the following information:</p> <ul style="list-style-type: none">▪ A description of the concerns (e.g., physical injuries, student behaviour)▪ The source of those concerns (e.g., observation, report from child or another person)▪ Any actions taken as a result of the concerns (e.g., consultation with the principal, report to DFFH Child Protection, etc.).
2. Make the report	<p>As soon as you form a reasonable belief that an employee (persons engaged by the entity such as volunteers, contractors, office holders, school board members and officers of a religious body) at the school has engaged in reportable conduct or misconduct that may involve reportable conduct, you must report this allegation to Manager of Safeguarding & Standards on (03) 4344 4350 or by email safeguarding@dobcel.catholic.edu.au If the school's principal is involved in the allegation, the leadership team will notify the Assistant Director, People & Development.</p>

What should a principal in a DOBCEL school do about a reportable allegation?

A principal should take the following steps if there is a potential reportable allegation. These steps are in *general* order of priority, but the guidance may change depending on the circumstances.

What if a student or another child informs you of a reportable allegation?	What if a staff member or another adult informs you of a reportable allegation?
<ol style="list-style-type: none"> The first step should always be to ensure the student/child is safe. If you believe a child faces immediate danger or risk of harm, contact Victoria Police on 000. When speaking with a child or young person, it is important to remember that if they have decided to speak to you, then there is a good chance they trust you. <ul style="list-style-type: none"> Give the child or young person your full attention. Listen calmly and empathically. Reassure the child or young person that it is right to tell. Accept the child or young person will disclose only what they are comfortable disclosing and recognise the bravery/strength of the child for talking about something that is difficult. Let the child or young person take their time. Let the child or young person use their own words. Don't make promises you can't keep. Tell the child or young person what you plan to do next. 	<ol style="list-style-type: none"> Thank the individual for bringing the allegation to your attention. Offer them support and assistance as necessary. If they are a staff member, refer them to the Employee Assistance Program (EAP), [Converge International 1300 687 327] where available. Explain to the person making the report that the school will manage the concern confidentially and, to protect all parties, they should not discuss the matter.
<ol style="list-style-type: none"> Take a moment to make a record of the allegations. If appropriate, use the <u>Responding to Suspected Child Abuse</u> template. You may also make a note in your diary. If a staff member, parent or other adult was present, ask them to make a record as well. Consider whether you need to refer the matter to Victoria Police or DFFH Child Protection. If necessary, report the matter in accordance with the actions documented in <u>Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools</u> and <u>Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse</u>, using the <u>Responding to Suspected Child Abuse</u> template If relevant, notify the child's parents following the advice provided in <u>Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools</u> and <u>Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse</u>. As soon as practicable, contact the Manager Safeguarding and Standards on (03) 4344 4350 for advice (including guidance as to whether the alleged conduct is reportable), support and assistance to discuss the circumstances and notify the head of entity (Executive Director of Catholic Education) If the matter does involve a reportable allegation, the Manager Safeguarding and Standards will notify the Commission for Children and Young People (CCYP) with authorisation from the Executive Director of Catholic Education. 	

What if a student or another child informs you of a reportable allegation?

What if a staff member or another adult informs you of a reportable allegation?

9. Conduct a risk assessment (with the assistance of the Manager Safeguarding and Standards) to determine any measures that should be put in place to manage the person against whom allegations have been made and to protect the student(s)/child(ren) against whom reportable conduct may have occurred.

If you think you have a reportable allegation, it is important that you:

- Do not say or do anything to suggest to the student that you doubt them or make them feel ashamed to have revealed the allegation
- Do not start investigating the allegation, including unnecessarily questioning the student or speaking with the person who is the subject of the allegation, without conducting a risk assessment; otherwise, you may be putting the student, the staff member, the school or the investigation at risk.

Child FIRST/The Orange Door

If you believe that a child is not subject to abuse, including family violence, but you still hold significant concerns for their wellbeing (e.g., risk-taking behaviour, parenting difficulties, isolation from family or lack of support), **you must still act**. This may include making a referral to or seeking advice from Child FIRST/The Orange Door. **Child FIRST/The Orange Door** is a family information, referral and support team run by a registered community service in a local area that can receive confidential referrals about a child of concern. It does not have any statutory powers to protect a child but can refer matters to relevant services.

You should make a report to Child FIRST/The Orange Door if:

- You have a significant concern for a child's wellbeing
- Your concerns are about circumstances that have a low-to-moderate impact on the child
- the child's immediate safety is not compromised
- You and the school have discussed the referral to Child FIRST/The Orange Door with the child's parents/carers, and all parties are supportive of this decision.

Where you believe that the child's parents/carers will not be supportive of the referral, or the child is involved in any risk-taking activity that is illegal and extreme in nature or poses a high risk to the child or others, you may refer the matter to DFFH Child Protection.

If you are unsure of what action to take in response to your concerns about a child, speak to the principal or a member of the school's leadership team, or contact DFFH Child Protection or Child FIRST/The Orange Door for further advice. You can also contact Manager of Safeguarding & Standards for advice.

For more information, refer to [Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools](#).

Making additional reports

After you have made a report, you may continue to suspect that a child is at risk and in need of protection. Any further observations should continue to be recorded and a report made on each separate occasion where a belief has been formed – on reasonable grounds – that a child is likely to be at risk and in need of protection. Additional reports should use the same format outlined above in this policy at Critical Action 2: Reporting to Authorities.

If there is any suspicion that this relates to a sexual offence involving a person over 18 and a child under 16, then it must be reported to Victoria Police. For more information, refer to the [Failure to disclose](#) section of this policy.

Where a school staff member is aware that another school staff member has formed a reasonable belief about the same child on the same occasion, or based on the same indicators of abuse, and has made a report to the appropriate authority, the first school staff member need not make a further report. However, if the first school staff member has formed a reasonable belief of abuse or significant risk of abuse to the child based on different observations, further indicators or additional information, a further report must be made to the appropriate authority detailing this additional information.

Critical Action 3: Contacting Parents/Carers

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

The school must always seek advice from Victoria Police or DFFH Child Protection to ensure that it is appropriate to contact the parents/carers.

In circumstances of family violence, schools should:

- Take care not to inadvertently alert the alleged perpetrator by notifying parents/carers as it could increase the risk of harm to the child, other family members or school staff
- Seek advice from DFFH Child Protection or Child FIRST/The Orange Door regarding safe strategies for communicating with a parent/carer who is experiencing family violence, or recommending family violence support services, before alerting parents/carers.

Advice from **Victoria Police or DFFH 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 (including in circumstances of suspected family violence)
- A disclosure to the parents/carers may result in further abuse to the child
- 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 – in that instance, the school should insist that another responsible adult is notified in lieu of the parents/carers
- The notification of 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 school has carefully considered the factors listed above.

In some circumstances, a child may have returned to the care of their parent/carer before advice has been received from Victoria Police or DFFH Child Protection. In these circumstances, a school should not share any information with the parent/carer that could place the child or any other person at risk, or where the child is a mature minor.

For detailed guidance on how to have this conversation with a parent or carer, refer to [Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools](#).

Critical Action 4: Providing Ongoing Support

School staff members who witness a child protection incident, receive a disclosure, or develop a suspicion of child abuse (including exposure to family violence) have a critical role to play in supporting students impacted by the child protection matter to ensure that they feel supported and safe at their school. Schools also play a critical role in building students' resilience and protective factors, which can reduce the long-term impacts of child abuse by providing them with the opportunity to be supported and heard by a school staff member they trust.

Support provided to students at the school includes:

- Regularly communicating with the student and their parents/carers where appropriate
- Convening a student support group of school wellbeing staff and teachers to plan, support and monitor affected students
- Developing student support plans for students impacted by the incident to ensure appropriate levels of care and support are provided, depending on their involvement.

You can contact Catholic Education Ballarat for a description of the range of school-based support services that may be available, including SAFEMinds and referrals to family violence services, Centres Against Sexual Assault (CASA) or headspace.

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 when being interviewed at the school. For more information on this topic, refer to *DOBCEL School Guidelines Police and DFFH Interview Protocols*.

A DOBCEL school has a duty to provide support to its staff members who have witnessed an incident or disclosure, or who have made a report to external authorities regarding a reasonable belief that child abuse has occurred. It is important that schools remember that staff members may have also experienced child abuse (including family violence) or be experiencing family violence and abuse in their own lives. Staff members requiring wellbeing support can contact the school's Employee Assistance Program (EAP) provider.

Information to support Victorian Catholic schools in understanding their obligations to employees and to provide suggestions of how to assist employees experiencing family and domestic violence may be found in Catholic Education Commission of Victoria Ltd's (CECV) [Family and Domestic Violence: A Guide to Supporting Staff](#).

The school should conduct a review of the reporting process four to six weeks after a report has been made to identify if any follow-up support actions are needed. Refer to the [Responding to Suspected Child Abuse](#) template for more information.

Potential consequences of making a report

The following table details the potential consequences of making a report.

Potential consequence	Description
Confidentiality	<p>The identity of a reporter must remain confidential unless:</p> <ul style="list-style-type: none">▪ The reporter chooses to inform the child, young person or parent of the report▪ The reporter consents in writing to their identity being disclosed▪ A court or tribunal decides that it is necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child

Potential consequence	Description
	<ul style="list-style-type: none"> A court or tribunal decides that, in the interests of justice, the reporter is required to provide evidence.
Professional protection	<p>If a report is made in good faith:</p> <ul style="list-style-type: none"> It does not constitute unprofessional conduct or a breach of professional ethics on the part of the reporter The reporter cannot be held legally liable in respect of the report.
Interviews	<p>DFFH Child Protection and/or Victoria Police may conduct interviews of children and young people at the school without their parents' knowledge or consent.</p> <ul style="list-style-type: none"> Interviewing children and young people at school should only occur in exceptional circumstances when it has been deemed to be in the best interests of the child to proceed in this manner. DFFH Child Protection and/or Victoria Police will notify the principal or a member of the leadership team of their intention to interview the child or young person on the school premises. When DFFH Child Protection workers or police officers enter the school premises, the principal or a member of the leadership team should request to see identification before permitting them to have access to the child or young person. When a child or young person is to be interviewed by DFFH Child Protection and/or Victoria Police, school staff must arrange for a supportive adult to be present with the child or young person. <p>For more information on these requests and school responsibilities, see <i>DOBCEL School Guidelines Police and DFFH Interview Protocols</i>.</p>
Support for the child or young person	<p>The roles and responsibilities of the principal or other school staff in supporting children who are involved with DFFH Child Protection may include the following:</p> <ul style="list-style-type: none"> Acting as a support person for the child or young person Attending DFFH Child Protection case-planning meetings Observing and monitoring the child's behaviour Liaising with professionals.
Requests for Information	<p>DFFH Child Protection and/or Child FIRST/The Orange Door and/or Victoria Police may request information about the child or family for the purpose of investigating a report and assessing the risk to the child or young person.</p> <p>In certain circumstances, DFFH Child Protection can also direct school staff to provide information or documents about the protection or development of the child. Such directions should be in writing and only be made by authorised persons within DFFH Child Protection. Refer to <u>Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools</u>.</p>
Witness Summons	<p>If DFFH Child Protection makes a protection application in the Children's Court of Victoria, any party to the application may issue a witness summons to produce</p>

Potential consequence	Description
	documents and/or to give evidence in the proceedings. Refer to <i>DOBCEL School Guidelines Police and DFFH Interview Protocols</i> .

Responding to complaints or concerns

A school may receive complaints or concerns regarding its management of a child protection incident. These complaints or concerns may be voiced by parents/carers or others within the school community.

A school should follow its internal complaints-handling process to ensure that all complaints, concerns or feedback on school policies or processes are effectively captured and appropriately managed.

It is important that, as a first step, a school ensures that the complaint has not raised concerns that child abuse, or the risk of child abuse, has gone unreported. If this is the case, the school should follow the advice contained in the [Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse document](#) to ensure that any new information received through a complaint or concern from a member of the school community is reported to authorities where required.

Section B: Identifying and Responding to Student Sexual Offending

1. *Becoming aware of student sexual offending*

There are four main ways in which a school staff member may become aware that a child is a victim of a student sexual offending and/or a student has engaged in student sexual offending:

- **Witnessing an incident**

If you witness an incident where you believe a child has been subjected to, or may be at risk of, abuse, including exposure to family violence, you must first take immediate action to protect the safety of the child or children involved (Action 1: Responding to an Emergency [Four Critical Actions for Schools: Responding to Student Sexual Offending](#)) and then refer to Action 2: Reporting to Authorities – [Four Critical Actions for Schools: Responding to Student Sexual Offending](#).

- **Forming a suspicion or reasonable belief**

All suspicions that a child or young person is a victim of student sexual offending and/or a student has engaged in sexual offending must be taken seriously. This includes an offence that is suspected to have occurred outside school premises and/or outside school hours. If you have formed a suspicion that a student has been a victim of student sexual offending and/or a student has committed sexual offending, you must act, even if you have not directly witnessed the student sexual offending. In some circumstances, you may have also formed a belief that a student's sexual behaviour is indicative of their own experience of child abuse. Physical or behavioural signs may be the only indication that a child is being impacted by abuse. If you have formed a reasonable belief that a student has been engaging in student sexual offending and may have also been impacted by child abuse, you must follow the advice contained in the [Four Critical Actions for Schools: Responding to Student Sexual Offending document](#) and the [Four Critical Actions for Schools: Responding Incidents, Disclosures and Suspicions of Child Abuse document](#).

- **Receiving a disclosure about or from a current student**

- If a current student discloses that they have been, or are at risk of becoming, a victim of student sexual offending, you must treat the disclosure seriously and take immediate action by following the advice contained in the [Four Critical Actions for Schools: Responding to Student Sexual Offending document](#).
- If a person (child or adult) discloses that they believe a current student has been, or is at risk of becoming, a victim of student sexual offending, you must treat the disclosure seriously and take immediate action by following the advice contained in the [Four Critical Actions for Schools: Responding to Student Sexual Offending document](#).

- If a person (child or adult) discloses that they believe that a current student has engaged in, or is at risk of engaging in, student sexual offending, you must treat the disclosure seriously and take immediate action by following the advice contained in the Four Critical Actions for Schools: Responding to Student Sexual Offending document.

▪ **Receiving a disclosure about or from a former student**

- If you receive a disclosure from a former student of your school that they are a victim of historical student sexual offending, you must act. If any student involved in the alleged historical student sexual offending is currently of school age and attending a Victorian school, you must follow the advice contained in the Four Critical Actions for Schools: Responding to Student Sexual Offending document
- If a person (child or adult) discloses that they believe a former student was, or had been at risk of becoming, a victim of student sexual offending, you must act. If any student involved in the alleged historical student sexual offending is currently of school age and attending a Victorian school, you must follow the advice contained in the Four Critical Actions for Schools: Responding to Student Sexual Offending document
- If all impacted students are no longer of school age or attending a Victorian school, you must also still act. Please contact: safeguarding@dobcel.catholic.edu.au.

2. **Notes and records**

School staff members are to keep clear and comprehensive notes relating to incidents, disclosures and allegations of student sexual offending using the Responding to Suspected Child Abuse template. Even if a school staff member decides not to make a report, they must still accurately document their notes relating to the incident, disclosure or allegation of student sexual offending using the Responding to Suspected Child Abuse template. Notes and records must be kept securely on school grounds and must not be destroyed as they may be needed at a later time.

3. **Disclosures**

It is the role of school staff members to reassure and support a child or young person who makes a disclosure of student sexual offending. However, school staff members should never promise to keep any disclosures confidential as all disclosures of abuse must be reported. The role of school staff remains the same if disclosures are made from a parent/carer or a sibling, or if disclosures involve family violence. For strategies on how to manage a disclosure, refer to PROTECT: Identifying and Responding to Student Sexual Offending.

4. **Four Critical Actions for Schools: Responding to Student Sexual Offending**

There are Four Critical Actions for Schools: Responding to Student Sexual Offending which must be taken when responding to and reporting a child protection incident, disclosure or suspicion:

1. Responding to an Emergency
2. Reporting to Authorities/Referring to Services
3. Contacting Parents/Carers
4. Providing Ongoing Support.

Critical Action 1: Responding to an Emergency

If student sexual offending has just taken place, or is at risk of taking place you must take reasonable steps to protect all impacted students. These steps include:

- Separating the alleged victim and others involved, ensuring all impacted students are supervised by a school staff member
- Arranging and providing urgent medical assistance where necessary by:
 - Administering first aid assistance
 - Calling 000 for an ambulance and following any instructions from emergency service officers/paramedics
- Calling 000 for urgent police assistance if the student who is alleged to have engaged in the student who is alleged to have engaged in the student sexual offending poses an immediate risk to the health and safety of any person (you should also identify a contact person at the school for future liaison with police.)
- Taking reasonable steps to preserve the environment, the clothing, other items, and potential witnesses until Victoria Police or other relevant authorities arrive on the premises.

Critical Action 2: Reporting to Authorities/ Referring to Services

If a child is at immediate risk of harm, you must ensure their safety by:

- Separating alleged victims and others involved and making sure that if the parties involved are all present at the school, they are supervised separately by a school staff member
- 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 Victoria Police.

If the alleged student sexual offending has occurred at the school, staff should also ensure that reasonable steps have been taken to preserve the environment, the clothing and other items as well as preventing any potential witnesses (including school staff members, volunteers and contractors) from discussing the incident until Victoria Police or relevant authorities arrive on the premises.

As soon as immediate health and safety concerns have been addressed, you must report incidents, suspicions, and disclosures of student sexual offending to:

Victoria Police: All instances on **000**.

DFFH 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 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

- Report internally to:
 - The principal
 - Manager Safeguarding and Standards Catholic Education Office Ballarat if the principal is unavailable
 - Director of Catholic Education, Ballarat.

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

*Refer to the Four Critical Actions for Schools: Responding to Student Sexual Offending document for further guidance in these circumstances.

Critical Action 3: Contacting Parents/Carers

Your principal *must* consult with Victoria Police or DFFH Child Protection to determine what information can be shared with parents/carers. these agencies 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 (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion).

Critical Action 4: Providing Ongoing Support

Your school *must* provide support to a student who is a victim of a student sexual offence *as well as* to a student who has 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, which includes support strategies. Strategies may include the development of a safety plan, direct support, and referral to wellbeing professionals.

FOUR CRITICAL ACTIONS FOR SCHOOLS

Responding to Incidents, Disclosures and Suspicions of Child Abuse

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, connector, volunteer or visitor to Victoria Police.

You **must also** report **internally** to:

GOVERNMENT SCHOOLS

- School principal and/or leadership team
- Employee Conduct Branch
- DET Security Services Unit.

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 Security Services Unit.

CATHOLIC SCHOOLS

- School principal and/or leadership team
- Diocesan education office.

INDEPENDENT SCHOOLS

- School principal and/or chairperson.

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.

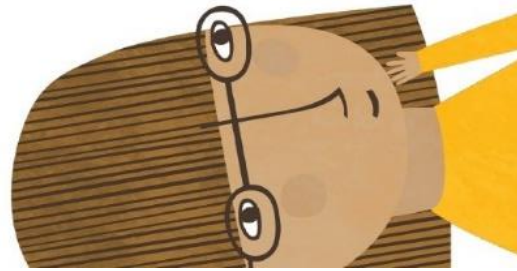
YOU MUST TAKE ACTION

- 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.

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

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

- 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.



CONTACT

DHHS CHILD PROTECTION AREA
North Division **1300 664 9777**
South Division **1300 665 795**
East Division **1300 380 391**
West Division (Rural) **1800 075 599**
West Division (Metro) **1300 664 9777**

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

CHILD FIRST
<https://services.dhhs.vic.gov.au/referal-and-support-teams>

ORANGE DOOR
<https://www.vic.gov.au/familyviolence/the-orange-door.html>

VICTORIA POLICE
000 or your local police station **DET SECURITY SERVICES UNIT**
(03) 9689 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**
Sandhurst **(03) 5443 2377**

INDEPENDENT SCHOOLS VICTORIA
(03) 9825 7200

THE LOOKOUT
The LOOKOUT has a service directory, information, and evidence based guidance to help you respond to family violence: <http://www.lookout.org.au>
Family violence victims/survivors can be referred to **1800 Respect** for counselling, information and a referral service: **1800 737 732**.

PROTECT August 2018 Edition

THE EDUCATION STATE | **VICTORIA** | Education and Training

CECV Catholic Education Commission of Victoria Inc.

DEPARTMENT OF EDUCATION AND TRAINING

FOUR CRITICAL ACTIONS FOR SCHOOLS

Responding to Student Sexual Offending

PROTECT

THE EDUCATION STATE

VICTORIA
GOVERNMENT

Education and Training
CECV

Department of Education and Training
vic.gov.au

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 sexual offending.
- You **must** act even if you are unsure and have not directly observed student sexual offending (eg. 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.

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/carer 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** (eg. 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 (this 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**
 Sandhurst **(03) 5443 2377**

INDEPENDENT SCHOOLS VICTORIA
(03) 9825 7200

Appendix 3

In accordance with the *Crimes Act 1958* (Vic), this table sets out when to report a concern that a child or young person has been sexually abused or is in need of protection from sexual abuse.

Type of Reporting

Reasonable belief that a sexual offence has been committed by an adult against a child under 16.

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 report that information to Victoria Police.

You will not be guilty of an offence if you do not report in the circumstance where the victim is 16 years of age or older and does not want the information reported to Victoria Police. However, this exception does not apply where the victim is aged under 16 years, or is aged over 16 years and has an intellectual disability and does not have the capacity to make an informed decision about whether or not to report. **Please note that mandatory reporting obligations under the *Children, Youth and Families Act 2005* (Vic) may override the exceptions to making a disclosure under the *Crimes Act 1958* (Vic).**

The National Catholic Education Commission (NCEC) [Privacy Compliance Manual](#) (updated by the Catholic Education Commission of Victoria Ltd (CECV) in April 2018) also provides details relating to the role of school counsellors and their obligations to students, the schools at which the students are enrolled, and the parents of those students (refer to Section 25).

Where it is necessary for school counsellors to directly pass on information that relates to the wellbeing of a student at a school, this information must be conveyed to a person (i.e., school principal) who has a legal obligation to receive it without betraying a confidence (Section 25.3). A mandatory report may then need to be made by the person who receives the information (e.g., the school principal).

Reasonable excuses for failing to report to Victoria Police any reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 include:

- A reasonable belief that the information has already been reported to Victoria Police or disclosed to DFFH Child Protection
- The victim had turned 16 years of age before 27 October 2014
- A reasonable fear that the disclosure would place someone (other than the alleged perpetrator) at risk of harm.

Appendix 4

Persons responsible for responding to allegations of suspected child abuse

A school is required to adhere to DOBCEL's *Safeguarding Reporting Obligations Policy and Procedures*.

These policy and procedures cover all forms of child abuse as defined in the *Education Training and Reform Act 2006* (Vic).

DOBCEL's school community lists the following persons and positions of responsibility to promptly manage a school's response to an allegation or disclosure of child abuse made by or in relation to a child, school staff, visitors, of other persons who are connected to the school environment.

Person(s)	Position of responsibility	Responsibility
Insert name here	Principal	Promptly manage the school's response to an allegation or disclosure of child abuse and ensure that the allegation or disclosure is taken seriously.
Insert name here	Child safety officer	
Insert name here	Child safety officer	Will monitor overall school compliance with this procedure.
Insert name here	School compliance officer	
Insert name here	Deputy principal or a member of a school's leadership team or school counsellor or chaplain. (School to determine who the person will be as an alternative procedure)	If the principal is unavailable to promptly manage the school's response to an allegation or disclosure of child abuse and ensure that the allegation or disclosure is taken seriously.
Jacqui Righetti	Manager Safeguarding & Standards	Provide prompt advice and keep records of all reports made.
Ms Ange Jones	Assistant director: people and development, Catholic Education Ballarat (03) 4344 4350	Promptly manage the response where the principal is the subject of a child safety incident, disclosure or suspicion.
Mr Tom Sexton	Executive Director, Catholic Education Ballarat, (03) 4344 4350	Head of entity

- The roles and responsibilities contained in DOBCEL's *Safeguarding Reporting Obligations Policy and Procedures* does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.
- A school will make, secure and retain records of any allegation of child abuse and the school's response to it.
- A school commits to protect any child connected to alleged child abuse until the allegation is resolved.

Additional resources

Cross-sectoral and Catholic Education Resources

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*
- *Protect: Responding to Suspected Child Abuse: A Template for all Victorian Schools*
- [PROTECT Identifying and Responding to Student Sexual Offending](#)
- [Four Critical Actions for Schools: Responding to Student Sexual Offending](#)

- *DOBCEL School Guidelines Police and DFFH: Interview Protocols*
- *Catholic Schools Operational Guide*_(CEVN website)
- *Privacy Compliance Manual*_(CEVN website):
 - updated by the Catholic Education Commission of Victoria Ltd (CECV) April 2018
 - may be used by schools and systems which are represented by the CECV
- *Family and Domestic Violence: A guide to supporting staff* (CECV, 2018)

Counselling and support resources

- [Daniel Morcombe Child Safety Curriculum](#)
- [Respectful Relationships](#)
- [The Lookout](#)
- [safe steps](#)
- [1800RESPECT](#)
- [Centres Against Sexual Assault](#)
- [Gatehouse Centre, Royal Children’s Hospital](#)
- [Kids First](#)
- [Australian Childhood Foundation](#)
- [Djirra](#)
- [Child Wise](#)
- [headspace](#)

Department of Education and Training (DET)

- [School Policy and Advisory Guide](#) (SPAG)
- [Protecting Children eLearning module](#)
- [Child Information Sharing Scheme](#)

Department of Family, Fairness & Housing (DFFH)

- Child Protection
- [Child FIRST/The Orange Door](#)

Department of Justice and Community Safety

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

Related legislation

- *Children, Youth and Families Act 2005* (Vic.)
- *Child Wellbeing and Safety Act 2005* (Vic.)
- *Family Violence Protection Act 2008* (Vic.)
- *Crimes Act 1958* (Vic.)
- *Education and Training Reform Act 2006* (Vic.)
- *Charter of Human Rights and Responsibilities Act 2006* (Vic.)

Commission for Children and Young People (CCYP)

- Reportable Conduct Scheme

Victorian Government

- Ministerial Order 1359 Implementing the Child Safe Standards- Managing the Risk of Child Abuse in Schools and School Boarding Premises

Victoria Police

- Victoria Police Sexual Offences and Child Abuse Investigation Teams (SOCITs)

Further information

Contact Catholic Education Ballarat, Manager Safeguarding and Standards on (03) 4344 4350 or safeguarding@dobcel.catholic.edu.au