



WHAT TO DO WHEN AN ALLEGATION OF CHILD ABUSE IS MADE PROCEDURE



Purpose

The purpose of this policy is to ensure that all staff and members of our school community understand the various legal and other reporting obligations related to child safety that apply to Inverloch-Kongwak Primary

This policy was last updated on February 2019 and is scheduled for review on February 2020

The child safe standards require organisations that provide services for children¹ to have processes for responding to and reporting suspected child abuse.² Your organisation may have existing processes.

This resource is designed to provide 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 your organisation.

If a child discloses an incident of abuse to you

- Try and separate them from the other children discreetly and listen to them carefully.
- Let the child use their own words to explain what has occurred.
- Do NOT investigate the incident/ question the child to get further information
- Reassure the child that you take what they are saying seriously, and 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 your organisation, or the police.
- Do 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.
- Do not leave the child in a distressed state. If they seem at ease in your company, stay with them.
- Provide them with an incident report form to complete, or complete it together, if you think the child is able to do this.
- As soon as possible after the disclosure, record the information using the child's words and report the disclosure to your Principal,³ police or child protection.
- Ensure the disclosure is recorded accurately, and that the record is stored securely.

If a parent/carer says their child has been abused in your organisation or raises a concern

- Explain that your organisation 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 you will take notes during the discussion to capture all details.

What to do when an allegation of child abuse is made

- Explain to them the information may need to be repeated to authorities or others, such as the organisation's management or Child Safety Officer, the police or 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.

You need to be 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. You need to 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, you will need to 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.

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>.

If you believe a child is at immediate risk of abuse phone 000.

Legal responsibilities

While the child safe standards focus on organisations, every adult who reasonably believes that a child has been

abused, whether in their organisation 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 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).

More information about failure to disclose is available on the Department of Justice and Regulation website

<www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence>

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.

More information about mandatory reporting is available in the Child protection manual <www.cpmanual.vic.gov.au/advice-and-protocols/advice/intake/mandatory-reporting>.

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.

See the Department of Health and Human Services website for information about how to make a report to child

protection <www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-

a-report-to-child-protection-or-child-first>.

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 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>.

Further information

Further information on child safe standards can be found on the Department of Health and Human Services'

website <www.dhs.vic.gov.au/about-the-department/plans,-programs-and-projects/projects-and-initiatives/children,-

youth-and-family-services/creating-child-safe-organisations>.

Additional resources for organisations in the child safe standards toolkit can be found on the Department of Health

and Human Services website: <www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-

guidelines-and-legislation/child-safe-standards>. In particular, An Overview to the Victorian child safe standards, has information to help organisations understand the requirements of each of the child safe standards,

including examples of measures organisations can put in place, a self-audit tool and a glossary of key terms:

<www.dhs.vic.gov.au/___data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc>

Note for registered schools: a forthcoming Ministerial Order under the Education and Training Reform Act 2006

will contain the minimum actions that schools must take to meet each of the child safe standards. There will be a

lead in time before regulation will commence to allow schools time to prepare. The Department of Education and

Training and the Victorian Registration and Qualifications Authority will provide information and materials

specifically for schools to assist with capacity building and compliance.

Registered schools can contact the Department of Education and Training:

child.safe.schools@edumail.vic.gov.au

Early childhood services operating under the National Quality Framework or Children's Services Act 1996 should

contact: licensed.childrens.services@edumail.vic.gov.au

Licensed children's services enquiry line: 1300 307 415

Disclaimer

This document provides general guidance only on the child safe standards. The Department of Health and Human

Services does not guarantee that the examples provided in the document are sufficient for the purposes of an

organisation's compliance with existing regulatory or government funding requirements.

Appendix A

Child Safety Reporting Procedures at Inverloch-Kongwak Primary School

For students

- All students should feel safe to speak to any staff member to raise any concerns about their safety or any other concerns that they have.
- If a student does not know who to approach at Inverloch-Kongwak Primary School they should start with their classroom Teacher, Welfare Officer or School Principal.
- The School Principal is the Child Safety Officer and will be consulted if the Teacher/ Welfare Officer is unsure as to how to proceed.

Managing disclosures made by students

When managing a disclosure you should:

- listen to the student and allow them to speak
- stay calm and use a neutral tone with no urgency and where possible use the child's language and vocabulary (you do not want to frighten the child or interrupt the child)
- be gentle, patient and non-judgmental throughout
- highlight to the student the importance of them telling you about what has happened
- assure them that they are not to blame for what has occurred
- do not ask leading questions, for example gently ask, "What happened next?" rather than "Why?"
- be patient and allow the child to talk at their own pace and in their own words
- do not pressure the child into telling you more than they want to, they will be asked a lot of questions by other professionals and it is important not to force them to retell what has occurred multiple times
- reassure the child that you believe them and that disclosing the matter was important for them to do
- use verbal facilitators such as, "I see", restate the child's previous statement, and use non-suggestive words of encouragement, designed to keep the child talking in an open-ended way ("what happened next?")
- tell the child in age appropriate language you are required to report to the relevant authority to help stop the abuse, and explain the role of these authorities if appropriate (for a young child this may be as simple as saying "I will need to talk to people to work out what to do next to help you").

When managing a disclosure you should AVOID:

- displaying expressions of panic or shock
- asking questions that are investigative and potentially invasive (this may make the child feel uncomfortable and may cause the child to withdraw)
- going over the information repeatedly (you are only gathering information to help you form a belief on reasonable grounds that you need to make a report to the relevant authority)
- making any comments that would lead the student to believe what has happened is their fault
- making promises to the child about what will occur next or that things will be different given the process can be unpredictable and different for each child depending on their circumstances (instead reassure them that you and others will do your best to help).

General procedures

Our school will follow the Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse (Four Critical Actions) when responding to incidents, disclosures and suspicions of child abuse.

All staff at our school who believe that a child is in need of protection, even if it doesn't meet the threshold required for mandatory reporting or the staff member is not a mandatory reporter, should in the first instance, speak to the School Principal or make the required reports to DHHS Child Protection and/or Victoria Police as necessary.

At our school the school Principal will be responsible for monitoring overall school compliance with this procedure.

Nothing in this procedure prevents a staff member or any other person from reporting to the relevant authorities if they form a reasonable belief that a child is at risk of abuse.

Reporting suspicions, disclosures or incidents of child abuse

Responsibilities of all school staff

If a school staff member reasonably suspects or witnesses an incident of child abuse or receives a disclosure of child abuse, they must:

- If a child is at immediate risk of harm, separate alleged victims and others involved, administer first aid and call 000.
- Speak to the Principal/ Welfare Officer as soon as possible, who will follow the Four Critical Actions.
- Make detailed notes of the incident using the Responding to Suspected Child Abuse: Template and ensure that those notes are kept and stored securely in the filing cabinet in the Principal's office
- If the staff member is a mandatory reporter and reasonably believes that a student has suffered any form of abuse from which the child's parents/ carers have not protected the child, they must ensure that a report to DHHS Child Protection or Victoria Police has been made by School Principal. If the report has not been made by another staff member, the mandatory reporter must make the report.
- If the staff member has formed a 'reasonable belief' that a sexual offence has been committed against a child, they must make a report to Victoria Police.
- If the staff member has formed a 'reasonable belief' that a sexual offence has been committed by an adult against a child, they must ensure that a report to Victoria Police has been made by School Principal. If the report has not been made by another staff member, the staff member must make the report.

In circumstances where a member of the leadership team disagrees that a report needs to be made, but the staff member has formed a 'reasonable belief' that the child is in need of protection and/or has been the victim of sexual abuse, the staff member must still contact DHHS Child Protection and/or Victoria Police to make the report.

Responsibilities of Principal

The Principal is responsible for promptly managing the school's response to an incident, suspicion or disclosure of child abuse, and ensuring that the incident, suspicion or disclosure is taken seriously. The Principal is also responsible for responding appropriately to a child who makes or is affected by an allegation of child abuse.

If the Principal receives a report from a school staff member or member of the school community of a suspicion, disclosure or incident of child abuse, they must:

- Follow the Four Critical Actions as soon as possible, including:
 - o Responding to an emergency
 - o Reporting to authorities/referring to services
 - o Contacting parents/carers and
 - o Providing ongoing support.
- Make detailed notes of the incident or disclosure, including actions taken using the Responding to Suspected Child Abuse: Template and ensure that those notes are kept and stored securely in the filing cabinet in the Principal's office. They are also responsible for ensuring that any staff member who reported the incident, disclosure or suspicion to them also makes and keeps notes of the incident.
- At Inverloch-Kongwak Primary School, the school Principal will be responsible for ensuring that there is a prompt response to the disclosure and that the child is appropriately supported.

If the Principal/other nominated staff member responsible above is unavailable, then the Welfare Officer or Team Leaders will take on the role and responsibilities described in this section.

Duty of care and ongoing support for students

Fulfilling the requirements in this procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of abuse.

All staff have a duty of care to take reasonable steps to prevent reasonably foreseeable harm to students. All staff must ensure that the Principal or other appropriate staff member is aware of any

incidents, suspicions or disclosures of child abuse as soon as possible after they occur. This will allow appropriate supports to be put in place for the student affected.

For school visitors, volunteers and school community members

All community members aged 18 years or over should be aware of their legal obligations – see Failure to disclose offence above, in this Policy.

Any person can make a report to DHHS Child Protection if they believe on reasonable grounds that a child is in need of protection. For contact details see the Four Critical Actions -

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

¹ For a list of the organisations in scope for the child safe standards, please see the Department of Health and Human Services website:

www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/in-scope-organisations-for-child-safe-standards

² The child safe standards aim to protect children from abuse in organisations, including physical violence, sexual offences, serious emotional or psychological abuse and serious neglect. For further explanation of the different types of child abuse, please see see An Overview of the

Victorian child safe standards: www.dhs.vic.gov.au/___data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc.

³ A child safety officer/champion is a person in your organisation who has knowledge of child safety issues, and could be a point of contact for

others who have questions or concerns or want to report an allegation of child abuse. You could consider including child safety officer/champion duties in the person's job description.

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| School Council Approval | <i>Kongwak PS</i> | <i>May 2019</i> |
| | <i>Inverloch PS</i> | <i>May 2019</i> |
| Review Cycle: | <i>1</i> | |
| Next review and approval: | <i>2020</i> | |