



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 Brunswick North West Primary School. The specific procedures that are applicable at our school are contained at Appendix A.

Scope

This policy applies to all school staff, volunteers and school community members. It also applies to all staff and students engaged in any school and school council-run events, activities and services such as OSHC and Sprout.

Policy

All children and young people have the right to protection in their best interests.

Brunswick North West Primary School understands the important role our school plays in protecting children from abuse including:

- Physical abuse
- Sexual abuse (including sexual exploitation)
- Family violence
- Emotional abuse
- Neglect (including medical neglect)
- Grooming

The staff at Brunswick North West Primary School are required by law to comply with various child safety reporting obligations. For detailed information about each obligation, please refer to [Identifying and Responding to All Forms of Abuse in Victorian Schools](#).

At Brunswick North West Primary School we also recognise the diversity of the children and young people at our school and take account of their individual needs and backgrounds when considering child safety.

Mandatory Reporting

Principals, registered teachers, registered psychologists, registered medical practitioners, nurses and all members of the police force are mandatory reporters under the *Children, Youth and Families Act 2005* (Vic). School counsellors will also be mandatory reporters from January 2020.

All mandatory reporters must make a report to the Department of Health and Human Services (DHHS) Child Protection as soon as practicable if, during the course of carrying out their professional roles and responsibilities, they form a belief on reasonable grounds that:

- a child has suffered, or is likely to suffer, significant harm as a result of physical abuse and/or sexual abuse, and



- the child's parents have not protected (or are unlikely to protect) the child from harm of that type.

A mandatory reporter who fails to comply with this legal obligation may be committing a criminal offence. It is important for all teaching staff at Brunswick North West Primary School to be aware that they are legally obliged to make a mandatory report on each occasion that they form a reasonable belief that a child is in need of protection and they must make a mandatory report even if the principal does not share their belief that a report is necessary.

At our school, all mandated school staff must undertake the *Mandatory Reporting and Other Obligations eLearning Module* annually. Brunswick North West Primary School is committed to surpassing minimum standards by:

- including school-based training for mandatory reporters at the beginning of each year;
- requiring other staff with regular contact with children to undertake this module, even where they are not mandatory reporters. This includes, but is not limited to OSHC staff, ESS aides and administration staff;
- training three new staff on comprehensive Responding to Disclosures training annually.

For more information about Mandatory Reporting see the Department's *School Policy and Advisory Guide*: [Child Protection – Reporting Obligations](#).

How to make a report (Listen, Believe, Consult, Explain, Refer)

1. Making observations

If for any reason a staff member becomes concerned about a student's welfare, observations should be made with notes recorded. These dated notes should be recorded on a Mandatory Reporting Record form wherever possible. These forms should be given to the Assistant Principal and stored as a confidential record on the student's file.

If a student or other community member makes a disclosure, the staff member should **listen** to the recount, gathering information the student is willing to share and not asking leading questions. Show the student that you **believe** them and they are not in trouble for telling you. Please note, this is different from deciding if a report is required (step 2).

2. Decide if a report to DHHS is required

A report to the Department of Human Services / Child Protection is required when:

- A teacher believes, based on reasonable grounds, that a child has suffered, or is likely to suffer, significant harm as a result of physical, sexual, emotional abuse or neglect AND
- The child's parents or caregiver have not protected, or are unlikely to protect the child from such harm.

The belief and the reasonable grounds for forming that belief should be reported by an individual authorized by the School to Child Protection Services as soon as practicable. Additional reports should be made after each occasion in which there is awareness of further concerns.



It is permissible for a teacher to ask a child sufficient questions to establish a reasonable belief, but care should be taken not to ask leading questions.

Once a concern has been raised the staff member should **consult** with appropriate staff (eg. Classroom Teacher, Assistant Principal, Principal) to understand context and history. Please note, the role of school staff is to make the report and continue monitoring the child of concern; it is NOT the role of school staff to take on any form of investigation. If a staff member is unsure if a report is required, they are asked to contact DHHS for a secondary consult.

3. Making a report to Child Protection Services

If a staff member believes a report to Child Protection Services is required, consult with the Assistant Principal or Principal as soon as is possible.

Make the report to Child Protection Services by calling 1300 655 795 (business hours) or ph: 13 12 78 (after hours).

Have the following information ready when making a report:

- The child's name, age and address
- The name, age and address of any known parents, carers and siblings
- Your reason for believing that the injury or behavior is the result of abuse or neglect
- Your assessment of the immediate danger to the child
- Current whereabouts of the child or young person
- Your description of the injury or behavior observed
- Any other information you have about the family

Your identity as a notifier will remain confidential unless:

- You choose to inform the child and/or family of the notification yourself
- You consent to your identity as the notifier being disclosed

If the concern involves child sexual abuse, SOCIT (Sexual Offenses and Child abuse Investigation Team) should be notified. Our local SOCIT station is in Fawkner and can be contacted on (03) 9355 6100.

When hearing a disclosure from a child or community member, it is important not to make any promises that cannot be kept, especially around maintaining confidentiality or stopping the abuse. School staff are mandated to report suspected cases of child abuse. If a student asks you not to tell anyone, you must **explain** that it is your duty to look after all children and help families be safe.

If a staff member believes a student is at immediate danger either at school or when returning home, they should notify the local police. Our local police station is in Brunswick and can be contacted on (03) 8378 6000.



4. Communication

A decision needs to be made regarding who (if anyone) should be informed of the report. As ongoing and positive relationships with families are an important element of supporting students, parents, guardians or caregivers of the alleged victim are to be contacted unless circumstances indicate this should not occur. Staff members are encouraged to discuss this with school leadership when they make the notification. The need for confidentiality should be remembered at all times in the interest of the child and family. Only where the welfare of the child will be affected should the matter be discussed with anyone else.

If, following a report, a family approaches the School, they should be politely directed to speak with someone from the Leadership Team. Individual teachers should not engage in discussion about DHHS reports with parents or other community members.

5. Support

It is essential that reports are managed in a caring and confidential manner. Support for the responding staff member as well as the student/family who is the cause for concern should be arranged. Staff will be provided with regular awareness on mandatory reporting and child protection education. The school can refer families to external support services dependent on needs, please see school leadership for available options.

6. Monitoring

After notification to Child Protection Services is made, a senior protective worker will decide whether or not further investigation is required. The school is generally advised of this decision. If the school is not advised of a decision, the staff member who made the report may contact Child Protection Services and request information about what action is proposed. Any information provided at any stage of the process should also be shared with the Assistant Principal or Principal in a timely manner.

Child in need of protection

Any person can make a report to DHHS Child Protection (131 278 – 24 hour service) if they believe on reasonable grounds that a child is in need of protection.

The policy of the Department of Education and Training (DET) requires **all staff** who form a reasonable belief that a child is in need of protection to report their concerns to DHHS or Victoria Police, and discuss their concerns with the school leadership team.

For more information about making a report to DHHS Child Protection, see the Department's *School Policy and Advisory Guide*: [Child Protection – Making a Report and Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#).

At Brunswick North West Primary School we also encourage all staff to make a referral to Child FIRST when they have significant concern for a child's wellbeing. For more information about making a referral to Child FIRST see the School Policy and Advisory Guide: Child Protection – Reporting Obligations.



Reportable Conduct

Our school must notify the Department's Employee Conduct Branch (9637 2594) if we become aware of an allegation of 'reportable conduct'.

There is an allegation of reportable conduct where a person has formed a reasonable belief that any school community member has been involved in:

- a sexual offence (even prior to criminal proceedings commencing), sexual misconduct or physical violence committed against, with or in the presence of a child;
- behaviour causing significant emotional or physical harm to a child;
- significant neglect of a child; or
- misconduct involving any of the above.

The Department, through the Employee Conduct Branch, has a legal obligation to inform the Commission for Children and Young People when an allegation of reportable conduct is made.

Our principal must notify the Department's Employee Conduct Branch of any reportable conduct allegations involving current or former teachers, contractors, volunteers (including parents), allied health staff and school council employees.

If school staff become aware of reportable conduct by any person in the above positions, they should notify the school principal immediately. If the allegation relates to the principal, they should notify the Regional Director.

For more information about Reportable Conduct see the Department's *School Policy and Advisory Guide*: [Reportable Conduct Scheme](#).

Failure to disclose offence

Reporting child sexual abuse is a community-wide responsibility. All adults (ie persons aged 18 years and over), not just professionals who work with children, have a legal obligation to report to Victoria Police, as soon as practicable, where they form a 'reasonable belief' that a sexual offence has been committed by an adult against a child under the age of 16 by another person aged 18 years or over.

Failure to disclose information to Victoria Police (by calling 000 or local police station) as soon as practicable may amount to a criminal offence unless a person has a 'reasonable excuse' or exemption from doing so.

"Reasonable belief" is not the same as having proof. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

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

- a child states that they have been sexually abused
- a child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves)
- someone who knows a child states that the child has been sexually abused



- professional observations of the child's behaviour or development leads a mandated professional to form a belief that the child has been sexually abused
- signs of sexual abuse leads to a belief that the child has been sexually abused.

"Reasonable excuse" is defined by law and includes:

- fear for the safety of any person including yourself or the potential victim (but not including the alleged perpetrator or an organisation)
- where the information has already been disclosed, for example, through a mandatory report to DHHS Child Protection.

For more information about this reporting obligation, see the Department's *School Policy and Advisory Guide*: [Failure to disclose offence](#).

Failure to protect offence

This reporting obligation applies to school staff in a position of authority. This can include principals, assistant principals and campus principals. Any staff member in a position of authority who becomes aware that an adult associated with their school (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the age of 16 under their care, authority or supervision, must take all reasonable steps to remove or reduce that risk.

This may include removing the adult (ie persons aged 18 years and over) from working with children pending an investigation and reporting your concerns to Victoria Police.

If a school staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence.

For more information about this reporting obligation, see the Department's *School Policy and Advisory Guide*: [Failure to protect offence](#).

Grooming

Grooming is a criminal offence under the *Crimes Act 1958 (Vic)*. This offence targets predatory conduct undertaken by an adult to prepare a child, under the age of 16, to engage in sexual activity at a later time. Grooming can include communicating and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer.

For more information about this offence and reporting obligations see: [Child Exploitation and Grooming](#).

Policy evaluation and review

To ensure ongoing relevance and continuous improvement, this policy will be reviewed every 2 years. The review will include input from students, parents/carers and the school community.

The Assistant Principal is responsible for reviewing and updating the Child Safety Policy every 2 years.

Policy created - September 2019



Policy last reviewed -

Related policies and documents

Related policies and documents include:

- BNWPS Code of Conduct
- BNWPS Child Safety Policy
- BNWPS Statement of Commitment to Child Safety
- BNWPS Child Safety Risk Assessment Register
- BNWPS Responding to Disclosures Template
- [Identifying and Responding to All Forms of Abuse in Victorian Schools](#)
- [Four Critical Actions for Schools](#)
- [Recording your actions: Responding to suspected child abuse – A template for Victorian schools](#)
- [Identifying and Responding to Student Sexual Offending](#)
- [Four Critical Actions for Schools: Responding to Student Sexual Offending](#)
- [School Policy and Advisory Guide – Duty of Care](#)
- [School Policy and Advisory Guide – Child Protection Reporting Obligations](#)



APPENDIX A

CHILD SAFETY REPORTING PROCEDURES AT **EXAMPLE 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 **Example School** they should start with **[insert title of relevant staff member at your school as the appropriate first port of call for a student in doubt]**
- **[insert other information that your school has, including referencing any student-facing policies/documents/procedures that you have in place for students explaining in child-friendly language the processes that are in place at your school so that they know who to talk to if they are feeling unsafe or have a concern].**

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 it was important for them to tell 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 that 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 [insert relevant person/position at your school] or should make the required reports to DHHS Child Protection and/or Victoria Police as necessary.

At our school [insert relevant position title] 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 [insert appropriate staff member, e.g. the principal/a member of the leadership team/wellbeing team] as soon as possible, who will follow the [Four Critical Actions](#).
- Make detailed notes of the incident or disclosure [optional but recommended: using the [Responding to Suspected Child Abuse: Template](#)] and ensure that those notes are kept and stored securely in [insert place, e.g. locked office filing cabinet].
- [OPTION ONE – for schools who require the individual staff member who has formed the reasonable belief to make the report] If the staff member is a mandatory reporter and reasonably believes that a student has suffered physical and/or sexual abuse from which the child's parents have not protected the child, they must make a report to DHHS Child Protection.



[OPTION TWO – for schools that have a nominated staff member who is responsible for making the report to DHHS Child Protection on behalf of all staff who have formed the reasonable belief] If the staff member is a mandatory reporter and reasonably believes that a student has suffered physical and/or sexual abuse from which the child’s parents have not protected the child, they must ensure that a report to DHHS Child Protection or Victoria Police has been made by [insert appropriate staff member]. If the report has not been made by another staff member, the mandatory reporter must make the report.

- [OPTION ONE – for schools who require the individual staff member who has formed the reasonable belief to make the report] If the staff member has formed a ‘reasonable belief’ that a sexual offence has been against a child, they must make a report to Victoria Police.

[OPTION TWO – for schools that have a nominated staff member who is responsible for making the report to Victoria Police on behalf of all staff who have formed the reasonable belief] 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 [insert appropriate staff member]. 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 [Insert appropriate title allocated to manage and/or report incidents, suspicions or disclosures to Child Protection or Victoria Police, e.g. Principal/Leadership Team Member/Wellbeing Staff]

The [insert appropriate title] 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 [insert appropriate title] is also responsible for responding appropriately to a child who makes or is affected by an allegation of child abuse.

If the [insert appropriate title] 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:
 - Responding to an emergency
 - Reporting to authorities/referring to services
 - Contacting parents/carers and
 - Providing ongoing support.
- Make detailed notes of the incident or disclosure, including actions taken [optional but recommended: using the [Responding to Suspected Child Abuse: Template](#)] and ensure that those notes are kept and stored securely in [insert place, e.g. locked office filing cabinet]. 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 Example School, [the school principal/insert other allocated position of responsibility applicable at your school for these disclosures] 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, [insert your school's alternative procedures/contact person who will take on the responsibility] 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 [principal/assistant principal/or insert appropriate reference for your school] 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>

[Optional: There is no requirement for community members to inform the school if they are making a disclosure to DHHS Child Protection or the Victoria Police. However, where a community member is concerned about the safety of a child or children at the school, and where disclosure of that concern will not compromise any potential police investigation, the community member should report this concern to the principal so that appropriate steps to support the student can be taken.]