CHILD PROTECTION

REPORTING POLICY & PROCEDURES

1. PURPOSE

The purpose of this policy is to explain the roles and responsibilities of school staff, volunteers, contractors and all adults, whether or not they work in direct contact with children or young people to protect the safety and wellbeing of children and young people. The full policy with detailed information that all staff in Victorian government schools must follow is found at: http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx

2. MANDATORY REPORTERS

All staff who are Victorian Institute of Teaching (**VIT**) registered teachers (including principals) or who have been granted permission to teach by the VIT are 'mandatory reporters'. This means that in the course of undertaking their professional duties, they must report to the Department of Health and Human Services (**DHHS**) Child Protection a belief on reasonable grounds that a child is in need of protection from significant harm as a result of sexual abuse or physical injury and the child's parents are unable or unwilling to protect the child. They must report as soon as practicable after forming the belief.

There may be times when two or more mandated staff members, for example a teacher and a principal, have formed a belief about the same child or young person on the same occasion. In this situation it is sufficient for only one of the mandated staff members to report to Child Protection. The other staff member is obliged to ensure that the report has been made and that all of the grounds for their own belief were included in the report made by the other staff member.

If one staff member has a different view from another staff member about making a report and the staff member continues to hold the belief that a child is in need of protection, that person is obliged to make a report to Child Protection.

3. NON-MANDATED STAFF MEMBERS

Any person, who believes on reasonable grounds that a child is in need of protection, may report their concerns to Child Protection. This means that any person, including non-mandated school staff, is able to make a report to Child Protection or Victoria Police when they believe that a child or young person is at risk of harm and in need of protection, and the child's parents are unable or unwilling to protect the child.

In order to discharge duty of care, staff members, **whether or not mandated**, need to report a belief formed in the course of undertaking their professional duties. A report must be made as soon as practicable after forming the belief, and on each occasion on which they become aware of any further reasonable grounds for the belief.

4. FAILURE TO DISCLOSE OFFENCE

In addition to mandatory reporting and duty of care obligations, **any adult** who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 must report that information to police. Failure to disclose the information to police is a criminal offence except in limited circumstances, such as where the information has already been reported to Child Protection or the child is older than 16 when the belief is formed. More information about the offence can be found at http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence.

References: https://www.education.vic.gov.au/school/principals/spag/safety/Pages/childsafestandards.aspx#link56

5. FAILURE TO PROTECT

Any staff member in a position of authority, who becomes aware that an adult associated with their organisation (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the care, authority or supervision of the organisation, must take all reasonable steps to remove or reduce that risk. This may include, for example, removing the adult from child-related work pending investigation. If a staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence. The offence applies only to adults in a position of authority, this may include Principals, Assistant Principals, and Campus Principals.

6. DUTY OF CARE

School staff have a duty of care to take reasonable steps to protect the safety, health and wellbeing of children in their care.

If a staff member has concerns about the safety, health and wellbeing of children in their care it is important to take immediate action.

In the case of a child who may be in need of protection or therapeutic treatment, or where there are significant concerns about the wellbeing of a child, school staff can discharge this duty of care by taking action which includes the following:

- Reporting their concerns to Child Protection, Victoria Police or another appropriate agency
- Notifying the principal or a member of the school leadership team of their concerns and the reasons for those concerns.

Duty of care obligations are separate and additional to mandatory reporting and 'failure to disclose' reporting obligations.

7. MAKING A REPORT

Staff **do not require** the permission of parents, carers or guardians to make a report to Child Protection, nor are they required to tell parents, carers or guardians that they have done so.

Staff are expected to follow the Department policy for making a report set out at:
http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx

Reports to Child Protection and Victoria Police are confidential unless you consent or a court or tribunal decides that it is necessary in the interests of justice for your identity to be disclosed.

8. STAFF TRAINING

As part of their initial induction to the school, staff will be informed of child protection reporting requirements and Department policy (http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx) and will be provided with supporting documentation in their staff handbook.

9. POLICY REVIEW

Review and updates will take place annually. Responsibility—Principal

This policy was last ratified by School Council in....	NOV. 2018	

References: https://www.education.vic.gov.au/school/principals/spag/safety/Pages/childsafestandards.aspx#link56