

FORM 5: Protect Reporting & Responding Obligations Procedures



PROTECT REPORTING & RESPONDING OBLIGATIONS PROCEDURES

Responding to and Reporting Child Protection Concerns

All CES Ltd staff **must** follow the joint protocol incorporating *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse* where there is an incident, disclosure or suspicion of child abuse.

A school staff member must act, and follow the *Four Critical Actions*, 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.**

Becoming aware of a child protection incident

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

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

2. 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 is taking or may take place outside school grounds or areas. If your suspicion develops into a reasonable belief, you must act and refer to *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse.*

3. Receiving a disclosure about or from a current student

All disclosures must be treated seriously. You should immediately refer to *Four Critical Actions*

for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse.

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

If the former student is no longer of school age or attending a Victorian school, you must still report the disclosure to DFFH Child Protection.

Notes and records

CES Ltd staff are to keep clear and comprehensive notes relating to incidents, disclosures and allegations of child abuse using *Protect: Responding to Suspected Child Abuse: A Template for all Victorian Schools.*

Even if a CES Ltd 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 *Protect: Responding to Suspected Child Abuse: A Template for all Victorian Schools.*

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

Disclosures

It is the role of CES Ltd 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 CES Ltd staff remains the same if disclosures are made by 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 All Forms of Abuse in Victorian Schools.*

The Four Critical Actions

There are *Four Critical Actions* which must be taken when responding to and reporting a child protection incident, disclosure or suspicion.

Critical Action 1: Responding to an Emergency

Critical Action 2: Reporting to Authorities

Critical Action 3: Contacting Parents/Carers

Critical Action 4: Providing On-going 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 a school, school staff should also ensure that reasonable steps are taken to preserve the environment, the clothing and other items and to prevent 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

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 at the school, it must be reported to Victoria Police.
- where the suspicion, belief or disclosure relates to sexual abuse or grooming, it must be reported to Victoria Police
- where the source of the abuse comes from within the family or community and is not

sexual abuse or grooming, it must be reported to DFFH Child Protection.

DFFH and 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.

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

Mandatory Reporting

For more information related to mandatory reporting see the CES Limited Mandatory Reporting Policy.

Reporting that is non-mandatory

All CES Ltd Staff (teachers, other school staff members, volunteers, contractors, other service providers and clergy) who are not mandatory reporters have professional and moral (and sometimes legal) obligations to report a child protection incident, disclosure or suspicion.

Please refer to *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse* in relation to reporting a child protection incident, disclosure or suspicion that is not the subject of a mandatory reporting obligation.

Critical Action 3: Contacting Parents/Carers

Where it is suspected that a child at a Sandhurst Catholic 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 is 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 risk of harm to the child, other family members or school staff.
- seek advice from DFFH Child Protection or Child FIRST/The Orange Door before alerting parents/carers about safe strategies for communicating with a parent/carer who is experiencing family violence and on recommending family violence support services.

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 (assessed to be sufficiently mature and intelligent to make such decisions on his or her own behalf) and has requested that their parents/carers not be notified (in these circumstances ideally the child will nominate another responsible adult to be contacted).
- the notification of parents/carers would adversely affect an investigation of the matter by

relevant authorities.

Where advice to be appropriate, schools should make sensitive and professional contact with parents as soon as possible on the day of the incident, disclosure or suspicion.

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 which may 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 the 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.

Where external authorities are investigating a report of abuse or risk of abuse, it is the role of the Sandhurst Catholic school principal to ensure that students are supported throughout interviews at the school. For more information on this topic, refer to Police and DFFH Interview Protocols.

The school has a duty to provide support to school staff members who have witnessed an incident or disclosure, or who have made a report to external authorities about a reasonable belief of child abuse. 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. School staff members requiring wellbeing support can contact the school's Employee Assistance Program (EAP) provider.

Information to support Sandhurst Catholic schools in understanding their obligation to employees and to provide suggestions of how to assist employees experiencing family and domestic violence may be found in the *CECV Family and Domestic Violence: A guide to supporting staff*.

The school should conduct a review of the reporting process four–six weeks after a report has been made to identify if any follow-up support actions are needed. Refer to *Protect: Identifying and Responding to all forms of abuse in Victorian Schools* and *Child Protection and Child Safe Standards*

(PROTECT) for more information.