



HEATHMONT
COLLEGE

CHILD SAFETY RESPONDING AND REPORTING OBLIGATIONS (INCLUDING MANDATORY REPORTING) POLICY AND PROCEDURES



Help for non-English speakers

If you need help to understand this policy, please contact Heathmont College at – (03) 9871 4888.

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 Heathmont College. 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.

DEFINITIONS

Child abuse

Child abuse includes:

- Physical violence inflicted on a child
- Sexual offences committed against a child
- Grooming of a child by an adult
- Family violence committed against or in the presence of a child
- Serious emotional or psychological harm to a child
- Serious neglect of a child

The definition of child abuse is broad and can include student incidents and concerns, as well as behaviour committed by an adult.

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.

POLICY

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

Heathmont College 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 Heathmont College 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 Heathmont College 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.

Information 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 Heathmont College, they should start with their Mentor Group Teacher or House Leader.
- Students can also self-refer to the school's Wellbeing Team

Identifying child abuse

To ensure we can respond in the best interest of students and children when complaints or concerns relating to child abuse are raised, all staff and relevant volunteers must:

- Understand how to identify signs of child abuse and behavioural indicators of perpetrators- for detailed information on identifying child abuse and behavioural indicators of perpetrators refer to [Identifying child abuse](#).
- Understand their various legal obligations in relation to reporting child abuse to relevant authorities – for detailed information on the various legal obligations refer to Appendix A.

- Follow the below procedures for responding to complaints or concerns relating to child abuse, which ensure our school acts in the best interests of students and children and complies with both our legal and Department policy obligations.

At Heathmont College, we recognise the diversity of the children, young people, and families at our school and take account of their individual needs and backgrounds when considering and responding to child safety incidents and concerns.

Procedures for reporting suspicions, disclosures, or incidents of child abuse

Responsibilities of all school staff

If a Heathmont College 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 the college distress line on 98714898. If emergency services are required, the administration team will indicate this and ask you to remain on the line as they do so.
- Speak to a member of the principal or wellbeing teams as soon as possible, who will follow the [Four Critical Actions](#).
- Make detailed notes of the incident or disclosure using the [Responding to Suspected Child Abuse: Template](#) and ensure that those notes are kept and stored securely in the student's locked file.
- 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. A member of the principal class or the wellbeing must also be notified, preferably in time to support the report being made.
- Our Student Wellbeing and Engagement Policy and Bullying Prevention Policy for complaints and concerns relating to student physical violence or other harmful student behaviours.
- If you are uncertain if an incident, disclosure, allegation, or suspicion gives rise to a concern about child abuse you must always err on the side of caution and report the concern to either a principal class member or the Wellbeing Coordinator.
- If the concerns relate to the conduct of the principal, then notify the regional office for the Outer East who must then take on responsibility for ensuring our school follows these procedures.

Refer to Appendix B for guidance on how to respond to a disclosure of child abuse.

- 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. A member of the principal class or the wellbeing leader must also be notified, preferably in time to support the report being made.

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 the principal team

The principal team 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 team is also responsible for responding appropriately to a child who makes or is affected by an allegation of child abuse.

If the principal team 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 using the [Responding to Suspected Child Abuse: Template](#) and ensure that those notes are kept and stored securely in the student's locked file. 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 Heathmont College, the principal team 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, any member of the principal team or the wellbeing coordinator will take on the role and responsibilities described in this section.

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

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.

Additional requirements for all staff

All staff play an important role in supporting student safety and wellbeing and have a duty of care to take reasonable steps to prevent reasonably foreseeable harm to students.

Fulfilling the roles and responsibilities in the above procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse. This means

that if, after following the actions outlined in the procedure, a staff member reasonably believes that a child remains at risk of abuse, they must take the following steps:

- If they are concerned that the school has not taken reasonable steps to prevent or reduce the risk, raise these concerns with the principal in the first instance, and escalate to the regional office if they remain unsatisfied.
- Report the matter to the relevant authorities where they are unable to confirm that the information has been reported by another staff member

Staff must refer to Appendix A for further information on their obligations relating to reporting to authorities.

Communication

This policy will be communicated to our school community in the following ways:

- Available publicly on our school's website
- Included in staff induction processes and annual staff training
- Included in volunteer induction processes and training for relevant volunteers
- Discussed an annual staff briefing or meetings
- Included on the Staff Information Portal
- Hard copy available from school administration upon request

Further information

For more information about these offences and reporting obligations see: [Protecting Children — Reporting and OthNoer Legal Obligations](#).

RELATED POLICIES AND FURTHER INFORMATION

- Child safety policy
- Child safety code of conduct

POLICY REVIEW AND APPROVAL

Policy last reviewed	November 2023
Consultation	Discussed at November school council meeting in 2023 and in whole staff meeting in April 2024
Approved by	Kerryn Sandford
Next scheduled review date	October 2025

APPENDIX A

CHILD SAFETY RESPONDING AND REPORTING PROCEDURES AT HEATHMONT COLLEGE

The following information outlines the various legal obligations relating to the reporting of child abuse to relevant authorities.

It is important to note that the procedures outlined in the above policy ensure compliance with the below reporting obligations and include additional steps to ensure compliance with Department policy and our school's duty of care obligations.

Mandatory Reporting

The following individuals are mandatory reporters under the *Children, Youth and Families Act 2005* (Vic):

- Victorian Institute of Teaching (VIT) registered teachers, including principals
- School staff who have been granted permission to teach by the VIT
- registered medical practitioners and nurses
- registered psychologists
- all members of the police force
- People in religious ministry
- Staff who provide direct support to students for mental, emotional or psychological wellbeing, including (but not limited to) school health and wellbeing staff, primary welfare coordinators, student wellbeing coordinators, mental health practitioners, chaplains, and Student Support Services staff

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 staff at Heathmont College 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. We also encourage all other staff to undertake this module, even where they are not mandatory reporters.

For more information about Mandatory Reporting see the Department's *Policy and Advisory Library: [Protecting Children — Reporting and Other Legal 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 there has been:

- 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 *Policy and Advisory Library: Reportable Conduct*.

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.

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.

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 *Policy and Advisory Library*: [Protecting Children – Reporting and Other Legal Obligations](#) and [Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#).

At Heathmont College 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 *Policy and Advisory Library*: [Protecting Children – Reporting and Other Legal Obligations](#) .

Further information

For more information about the offences and reporting obligations outlined in this fact sheet refer to: [Protecting Children – Reporting and Other Legal Obligations](#).

APPENDIX B: MANAGING DISCLOSURES OF CHILD ABUSE

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 nonsuggestive 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 a member of the principal team or the wellbeing leader or should make the required reports to DHHS Child Protection and/or Victoria Police as necessary.

At our school the 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.

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 team and / or wellbeing leader 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.

Record Keeping

The Wellbeing Coordinator will ensure that:

- detailed notes of the incident, disclosure, allegation or suspicion are taken using the [Responding to Suspected Child Abuse: Template](#) or the [Responding to Student Sexual Offending: template](#) including, where possible, by the staff member or volunteer who reported the incident, disclosure, or suspicion to them
- detailed notes are taken of any immediate or ongoing action taken by the school to respond to the incident, disclosure, allegation, or suspicion.
- all notes and other records relating to the incident, disclosure, allegation, or suspicion, including the schools immediate and ongoing actions, are stored securely in locked filing cabinet in the Wellbeing Office and the student's confidential file at the front office.