

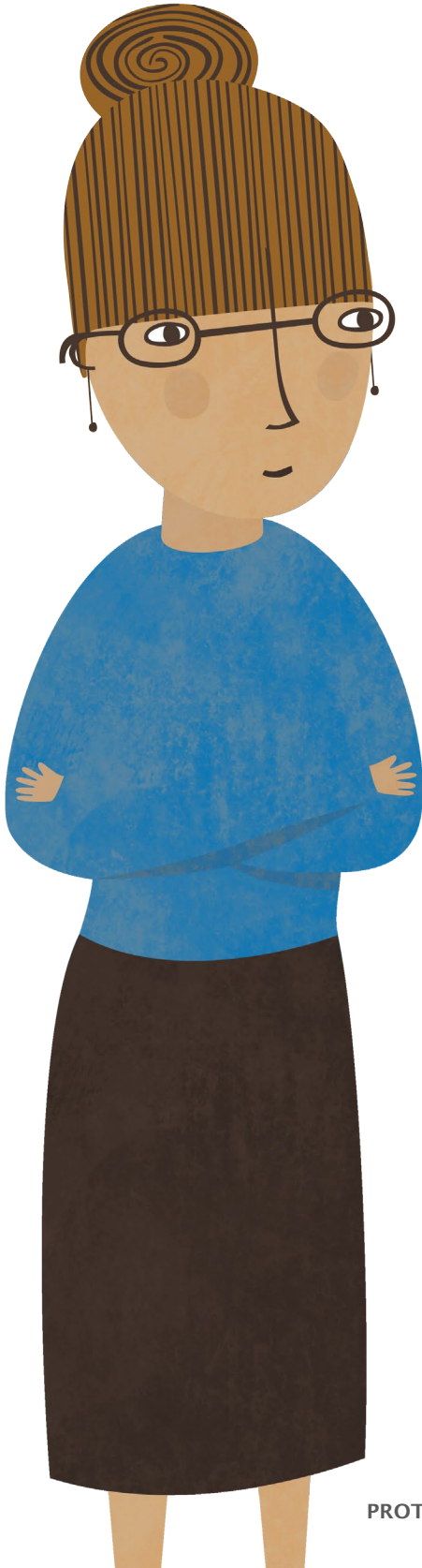


# PROTECT

## Identifying and Responding to All Forms of Abuse in Victorian Schools



# Introduction



This content has been developed to support all school staff (principals, teachers, education support staff, allied health professionals, contractors and administrative staff etc.) in all Victorian schools (government, Catholic and independent) to take action if they suspect, or are witness to any form of child abuse.

As professionals who work with children, you play a vital role in protecting children from abuse by responding and reporting any incidents, disclosures or suspicions. You are often best placed to identify signs and behaviours that may indicate that a child\* has been subject to abuse, or that a school community member or a school staff member may be a perpetrator of abuse.

This policy applies to all employees, contractors, and service providers and includes specific advice on:

- Understanding your Obligations to Protect Children
- Identifying Signs of Child Abuse
- Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse
- Reporting Concerns About the Wellbeing of a Child.

*\*This resource uses the term child to refer to any person under the age of 18.*

# Introduction

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# Understanding Your Obligations

## CRITICAL INFORMATION

- All school staff members have a moral and legal obligation and a Duty of Care to protect any child under their care from foreseeable harm (not just staff who are classified as mandatory reporters)
- As a school staff member, you must respond to any reasonable suspicion that a child has been, or is at risk of being abused by following the Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse
- Recent changes to Victorian legislation create additional legal obligations in relation to reporting suspected sexual child abuse. Failing to meet these obligations can constitute a criminal offence, including:
  - failure to disclose a sexual offence
  - failure to protect a child (where it is known that a person associated with their organisation poses a substantial risk of sexually abusing children).

As members of a community, we all have a moral obligation to protect any child under our care and supervision from foreseeable harm.

As school staff members, you play an especially critical role in protecting children (including identifying, responding and reporting child abuse) and must meet a range of legal obligations to do so.

The easiest way to comply with your legal and moral obligations is to remember that you must report any reasonable suspicion that a child has been abused, or is at risk of being abused by following the **Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse** (pg. 21).

This includes abuse that has, or is suspected to have taken place within or outside of school grounds and hours.

This section sets out your legal obligations in further detail, including:

- Duty of Care Obligations
- Mandatory Reporting Obligations
- New Criminal Offences
- Ministerial Order No. 870 - Child Safe Standards - Managing the Risk of Child Abuse in Schools.

Please note that for School Councils operating a licensed or approved early childhood education or care service (including an Outside Hours School Care service), if an incident, disclosure or suspicion of child abuse is formed within this service setting, schools must also comply with the *National Quality Framework* and its corresponding legislation.

Please see *Identifying and Responding to All Forms of Abuse in Victorian Early Childhood Settings* for advice on meeting these requirements, including advice on when to contact the regulator (Quality Assessment and Regulation Division).

## DUTY OF CARE OBLIGATIONS

As a school staff member you have a duty to take reasonable steps to protect children under your care and supervision from harm that is reasonably foreseeable (this applies to ALL school staff).

The question of what constitutes “reasonable steps” will depend on the individual circumstances of each case.

You may breach your duty of care towards a student if you fail to act in the way a reasonable or diligent professional would have acted in the same situation. In relation to suspected child abuse, reasonable steps may include (but are not necessarily limited to):

- acting on concerns and suspicions of abuse as soon as practicable
- seeking appropriate advice or consulting with other professionals or agencies when the school staff member is unsure of what steps to take
- reporting the suspected child abuse to appropriate authorities such as the Victoria Police and DHHS Child Protection
- arranging counselling and/or other appropriate welfare support for the child
- providing on-going support to the child – this may include attending DHHS Child Protection Case Planning meetings, and convening regular Student Support Group meetings
- sharing information with other school based staff who will also be responsible for monitoring and providing on-going support to the child.

You must follow the [Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse](#) (pg. 21), to ensure that you fulfil your duty of care obligations for all children who are involved in, or affected by, the suspected child abuse.

Your duty of care also extends to students who are:

### ■ aged 17 years and over

In circumstances where you suspect that a student over the age of 17 is subject to abuse you should still follow the [Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse](#) (pg. 21). Although DHHS Child Protection work with children under 17 they can still be contacted with concerns relating to students 17 and over for referral and advice.

### ■ involved in student sexual offending

You have a duty of care towards all students involved in student sexual offending, including the alleged victim, assailant and any other students in the school who may have witnessed and/or been affected by the abusive behaviour.

## MANDATORY REPORTING

There are certain classes of professionals, who are classified as “mandatory reporters”. Within a school mandatory reporters include all:

- Victorian Institute of Teaching (VIT) registered teachers (including Principals)
- staff who have been granted permission to teach by the VIT
- registered doctors and nurses.

All mandatory reporters must make a report to Victoria Police and/or 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.

It is a criminal offence not to report in these circumstances.

Mandatory reporters must also follow the [Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse](#) (pg. 21) to ensure they fulfil all of their legal obligations.

## NEW CRIMINAL OFFENCES

In response to the *Betrayal of Trust Report*, the Victorian Government has introduced new criminal offences to protect children from sexual abuse. Under these reforms a failure to report, or take action in relation to suspected child sexual abuse can now constitute a criminal offence, including a:

### ■ Failure to disclose

This offence applies to all adults (not just professionals who work with children) who form a reasonable belief that another adult may have committed a sexual offence against a child under 16 years of age and fail to report this information to the Victoria Police.

*Failing to disclose a sexual offence based on concerns for the interests of the perpetrator or organisation (e.g. concerns about reputation, legal liability or financial status) will not be regarded as a reasonable excuse.*

### ■ Failure to protect

This offence applies to a person in a position of authority within an organisation who:

- knows of a substantial risk that a child under the age of 16, under the care, supervision or authority of the organisation will become a victim of a sexual offence committed by an adult associated with the organisation (e.g. employee, contractors, volunteer, visitor); and
- negligently fails to remove or reduce the risk of harm.

*Within a school setting, a position of authority includes Principals and Assistant Principals and staff in institutional management positions (for example in government schools this includes Regional Directors and other senior managers).*

For further information on these offences, please refer to:

- *Failure to Protect offence:* <http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence>
- *Failure to disclose offence:* <http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence>
- Government’s responses to the recommendations of the *Betrayal of Trust Report:* <http://www.justice.vic.gov.au/home/safer+communities/protecting+children>





## MINISTERIAL ORDER NO. 870 - CHILD SAFE STANDARDS

All Victorian schools must comply with the new *Ministerial Order No. 870 - Child Safe Standards - Managing the Risk of Child Abuse in Schools* in order to be registered, and remain registered with the Victorian Registration and Qualifications Authority (VRQA).

The Order comes into effect on 1 August, 2016 and specifies how every Victorian schools must:

- embed a culture of 'no tolerance' for child abuse
- comply with the prescribed seven minimum child safe standards.

In meeting the requirements of *Ministerial Order No. 870*, schools must be inclusive of the needs of all children, particularly students who are vulnerable due to age, family circumstances, abilities, or indigenous, cultural or linguistic background.

This resource will support schools to meet their obligations under the Order (Standard 5 - Section 11), by assisting them to develop clear procedures for responding to allegations of suspected abuse.

School governing authorities (which includes government School Councils, Principals and nominated school leaders) will have responsibility for ensuring that schools meet all of the obligations set out within the Order.



# Identifying Signs of Child Abuse

## CRITICAL INFORMATION

As a school staff member:

- it is critical to be able to recognise the physical or behavioural signs of child abuse (in many circumstances they may be the only indication that a child is subject to abuse)
- you may be the best-placed or only adult in a position to identify and respond to suspected abuse.

If indicators lead you to form a reasonable belief that a child is being abused, you must follow the Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse (pg. 21). These actions will support you to immediately report your suspicion to DHHS Child Protection, and/or to Victoria Police.

### Trigger Warning

This section includes explicit descriptions of abuse and may be distressing to engage with for some staff members.

If you need to talk to someone it is recommended that you speak to your school leadership team about arranging appropriate support. You can also talk to your GP or another allied health professional.

Government school staff can also contact the Employee Assistance Program on 1300 361 008.

As a school staff member, you play a critical role in protecting children from child abuse. In some cases you may be the best-placed, or only adult in a child's life who is in a position to identify and respond to signs that a:

- child is being abused, or is at risk of abuse
- school community member (including a school staff member) may be a perpetrator of child abuse.

This section will help you to understand the different types of abuse and recognise the possible physical and behavioural indicators of:

- physical abuse
- sexual abuse
- grooming
- emotional or physiological harm
- neglect
- family violence.

When identifying child abuse, it is critical to remember that:

- the trauma associated with child abuse can significantly impact upon the wellbeing and development of a child
- all concerns about the safety and wellbeing of a child, or the conduct of a staff member, contractor or volunteer must be acted upon as soon as practicable.

If physical and/or behavioural indicators lead you to suspect that a child has or is being abused, or is at risk of abuse, you must respond as soon as practicable by following the **Four Steps: Responding to Incidents, Disclosures or Suspicions of Child Abuse** (pg. 21).

If you believe that a student is not being abused, but you still hold concerns for their safety or wellbeing, refer to advice about Responding to Other Concerns About the Wellbeing of a Child (pg. 41) to determine who to consult with, when to make a report and when to engage other wellbeing professionals.

## PHYSICAL CHILD ABUSE

### CRITICAL INFORMATION

- Physical child abuse is any non-accidental infliction of physical violence on a child by any person.
- If you suspect that a child has been or is being physically abused, or is at risk of physical abuse, you must respond by following the Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse (pg. 21).

### What is physical child abuse?

Physical child abuse can consist of any non-accidental infliction of physical violence on a child by any person. Examples of physical abuse may include beating, shaking or burning, assault with implements and female genital mutilation (FGM).

### What are the physical indicators of physical child abuse?

#### PHYSICAL indicators of physical child abuse include (but are not limited to):

- bruises or welts on facial areas and other areas of the body, e.g. back, bottom, legs, arms and inner thighs
- bruises or welts in unusual configurations, or those that look like the object used to make the injury, e.g. fingerprints, handprints, buckles, iron or teeth
- burns from boiling water, oil or flames or burns that show the shape of the object used to make them, e.g. iron, grill, cigarette
- fractures of the skull, jaw, nose and limbs (especially those not consistent with the explanation offered, or the type of injury possible at the child's age of development)
- cuts and grazes to the mouth, lips, gums, eye area, ears and external genitalia
- bald patches where hair has been pulled out
- multiple injuries, old and new
- effects of poisoning
- internal injuries.



## What are the behavioural indicators of physical child abuse?

### BEHAVIOURAL indicators of physical child abuse include (but are not limited to):

- disclosure of an injury inflicted by someone else (parent, carer or guardian), or an inconsistent or unlikely explanation or inability to remember the cause of injury
- unusual fear of physical contact with adults
- aggressive behaviour
- disproportionate reaction to events
- wearing clothes unsuitable for weather conditions to hide injuries
- wariness or fear of a parent, carer or guardian
- reluctance to go home
- no reaction or little emotion displayed when being hurt or threatened
- habitual absences from school without reasonable explanation
- overly compliant, shy, withdrawn, passive and uncommunicative
- unusually nervous, hyperactive, aggressive, disruptive and destructive to self and/or others
- poor sleeping patterns, fear of the dark or nightmares and regressive behaviour, e.g. bed-wetting
- drug or alcohol misuse, suicide or self-harm.

Please note that physical harm may also be caused by student fights and/or bullying.

## For online advice

- on bullying please visit *Bully Stoppers*: <http://www.education.vic.gov.au/about/programs/bullystoppers/Pages/default.aspx>
- on student fights visit:
  - *Student Engagement and Inclusion Guidance - Student Fights* (government schools)
  - *Catholic Schools - Archdiocese of Melbourne search for Student Behaviour Guidelines - Policy 2.26 Pastoral Care of Students* at [www.cem.edu.au](http://www.cem.edu.au).

Government schools can contact the DET Security Services Unit on (03) 9589 6266 to report a student fight and for advice on an appropriate response.

Catholic schools can also contact their Diocesan education office, specifically:

- Archdiocese of Melbourne: Student Wellbeing Information Line on (03) 9267 0228.
- Diocese of Sale: Senior Education Consultant on (03) 5622 6600.
- Diocese of Ballarat: Student Wellbeing on (03) 5337 7135.
- Diocese of Sandhurst: Team Leader Pastoral Wellbeing on (03) 5443 2377.
- Independent Schools can contact Independent Schools Victoria on (03) 9825 7200.



## CHILD SEXUAL ABUSE

### CRITICAL INFORMATION

Child sexual abuse:

- is when a person uses power or authority over a child to involve them in sexual activity
- can include a wide range of sexual activity including fondling the child's genitals, oral sex, vaginal or anal penetration by a penis, finger or other object, or exposure of the child to pornography
- does not always involve physical contact or force.

You must follow the Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse if you suspect that a:

- child has, or is being sexually abused, or is at risk of sexual abuse
- school staff member, contractor or volunteer may be engaging, or are at risk of engaging in sexual behaviour with a child/children.

Unwanted sexual behaviour toward a student by a child 10 years or over can constitute a sexual offence and is referred to as student-to-student sexual offending. All incidents, suspicions and disclosures of student sexual offending must be responded to by following the Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse. (pg. 21)

### What is child sexual abuse?

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- is when a person uses power or authority over a child to involve them in sexual activity
- can include a wide range of sexual activity including fondling the child's genitals, oral sex, vaginal or anal penetration by a penis, finger or other object, or exposure of the child to pornography.

Child sexual abuse may not always include physical sexual contact (e.g. kissing or fondling a child in a sexual way, masturbation, oral sex or penetration) and can also include non-contact offences, for example:

- talking to a child in a sexually explicit way
- sending sexual messages or emails to a child
- exposing a sexual body part to a child
- forcing a child to watch a sexual act (including showing pornography to a child)
- having a child pose or perform in a sexual manner (including child sexual exploitation).

Child sexual abuse does not always involve force.

In some circumstances a child may be manipulated into believing that they have brought the abuse on themselves, or that the abuse is an expression of love, through a process of grooming.

### What is child sexual exploitation?

Child sexual exploitation is also a form of sexual abuse where offenders use their power, (physical, financial or emotional) over a child to sexually or emotionally abuse them.

It often involves situations and relationships where young people receive something (food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money etc.) in return for participating in sexual activities.

Child sexual exploitation can occur in person or online, and sometimes the child may not even realise they are a victim.

## Who is most at risk of child sexual abuse?

Any child can be victim to sexual abuse, however children who are vulnerable, isolated and/or have a disability are much more likely to become victim, and are disproportionately abused.

## Who are the common perpetrators of child sexual abuse?

Child sexual abuse is most commonly perpetrated by someone who is known to, and trusted by the child, and often someone highly trusted within their families, communities, schools and/or other institutions. See advice on identifying perpetrators of child sexual abuse (pg. 14).

Perpetrators can include (but are not limited to):

- a family member (this is known as intra family abuse and can include sibling abuse)
- a school staff member, coach or other carer
- a peer/child 10 years or more in age\*
- a family friend or stranger
- a person via a forced marriage (where a student is subject to a marriage without their consent, arranged for by their immediate or extended family - this constitutes a criminal offence and must be reported).

*\*Unwanted sexual behaviour toward a student by a person 10 years or over can constitute a sexual offence and is referred to as student-to-student sexual offending.*

*Please note that a child who is under 10 years of age is not considered to be capable of committing an offence. Any suspected sexual behaviours by children under 10 is referred to as problem sexual behaviour.*

## What are the physical and behavioural indicators of child sexual abuse?

### PHYSICAL indicators of sexual abuse include (but are not limited to):

- injury to the genital or rectal area, e.g. bruising, bleeding, discharge, inflammation or infection
- injury to areas of the body such as breasts, buttocks or upper thighs
- discomfort in urinating or defecating
- presence of foreign bodies in the vagina and/or rectum
- sexually-transmitted diseases
- frequent urinary tract infections
- pregnancy, especially in very young adolescents
- anxiety-related illnesses, e.g. anorexia or bulimia.

### BEHAVIOURAL indicators of sexual abuse include (but are not limited to):

- disclosure of sexual abuse, either directly (from the alleged victim) or indirectly (by a third person or allusion)
- persistent and age-inappropriate sexual activity, e.g. excessive masturbation or rubbing genitals against adults
- drawings or descriptions in stories that are sexually explicit and not age-appropriate
- fear of home, specific places or particular adults
- poor/deteriorating relationships with adults and peers
- poor self-care or personal hygiene.
- complaining of headaches, stomach pains or nausea without physiological basis
- sleeping difficulties
- regressive behaviour, e.g. bed-wetting or speech loss
- depression, self-harm, drug or alcohol abuse, prostitution or attempted suicide
- sudden decline in academic performance, poor memory and concentration
- promiscuity
- wearing layers of clothing to hide injuries and bruises.

## How can I identify perpetrators of child sexual abuse?

In addition to identifying the physical and behavioural signs of abuse within children, you can play a critical role in identifying signs that a member of the school community may be engaging in child sexual abuse, or grooming a child for the purpose of engaging in sexual activity.

Most critically you must follow the **Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse** (pg. 21) if you:

- feel uncomfortable about the way an adult interacts with a child/children
- suspect that the adult may be engaging in sexual abuse of a child/children
- suspect that the adult is grooming the child/children for the purpose of engaging in sexual activity
- reasonably believe that the adult is at risk of engaging in sexual behaviour with a child/children.

You must report suspected abuse, or risk of abuse regardless of any concerns about the risk to the reputation of the suspected perpetrator or school. A failure to report can result in criminal charges and your report could prove critical to protecting children in your care.

## What are the behavioural indicators for perpetrators of child sexual abuse?

In many cases the signs that an adult is sexually abusing (or grooming a child with the intent of sexually abusing them) may not be obvious. However there are a number of signs to look for.

### **BEHAVIOURAL indicators for perpetrators of child sexual abuse include (but are not limited to):**

#### **Family Member (adult)**

- attempts by one parent to alienate their child from the other parent
- overprotective or volatile relationship between the child and one of their parents/family members
- reluctance by the child to be alone with one of their parents/family members.

#### **Family Member (sibling)**

- the child and a sibling behaving like boyfriend and girlfriend
- reluctance by the child to be alone with a sibling
- embarrassment by siblings if they are found alone together.

#### **School staff member, coach or other carer**

- touching a child inappropriately
- bringing up sexual material or personal disclosures into conversations with a student/s
- inappropriately contacting the student/s, e.g. calls, emails, texts, social media
- obvious or inappropriate preferential treatment of the student/s (making them feel “special”)
- giving of gifts to a student/s
- having inappropriate social boundaries, e.g. telling the potential victims about their own personal problems etc.
- offering to drive a student/s to or from school
- inviting themselves over to their homes, calling them at night
- befriending the parents themselves and making visits to their home
- undermining the child’s reputation (so that the child won’t be believed).

## GROOMING

### CRITICAL INFORMATION

- Grooming is when a person engages in predatory conduct to prepare a child for 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.
- If you suspect that a child is being groomed, you must follow the Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse. (pg. 21)

### What is grooming?

Grooming is when a person engages in predatory conduct to prepare a child for 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.

Sometimes it is hard to see when someone is being groomed until after they have been sexually abused, because some grooming behaviour can look like “normal” caring behaviour.

Examples of grooming behaviours may include:

- giving gifts or special attention to a child or their parent or carer (this can make a child feel special or indebted to an adult)
- controlling a child through threats, force or use of authority (this can make a child fearful to report unwanted behaviour)
- making close physical contact sexual, such as inappropriate tickling and wrestling
- openly or pretending to accidentally expose the victim to nudity, sexual material and sexual acts (this in itself is classified as child sexual abuse but can also be a precursor to physical sexual assault).

### What is online grooming?

Online grooming is a criminal offence and occurs when an adult uses electronic communication (including social media) in a predatory fashion to try to lower a child’s inhibitions, or heighten their curiosity regarding sex, with the aim of eventually meeting them in person for the purposes of sexual activity. This can include online chats, sexting, and other interactions. Any incidents of suspected grooming must be reported by following the follow the **Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse.** (pg.21)

Online grooming can also precede online child exploitation, a form of child exploitation where adults use the internet or a mobile to communicate sexual imagery with or of a child (e.g. via a webcam). Any incidents of suspected child exploitation must be reported.

### For more information about:

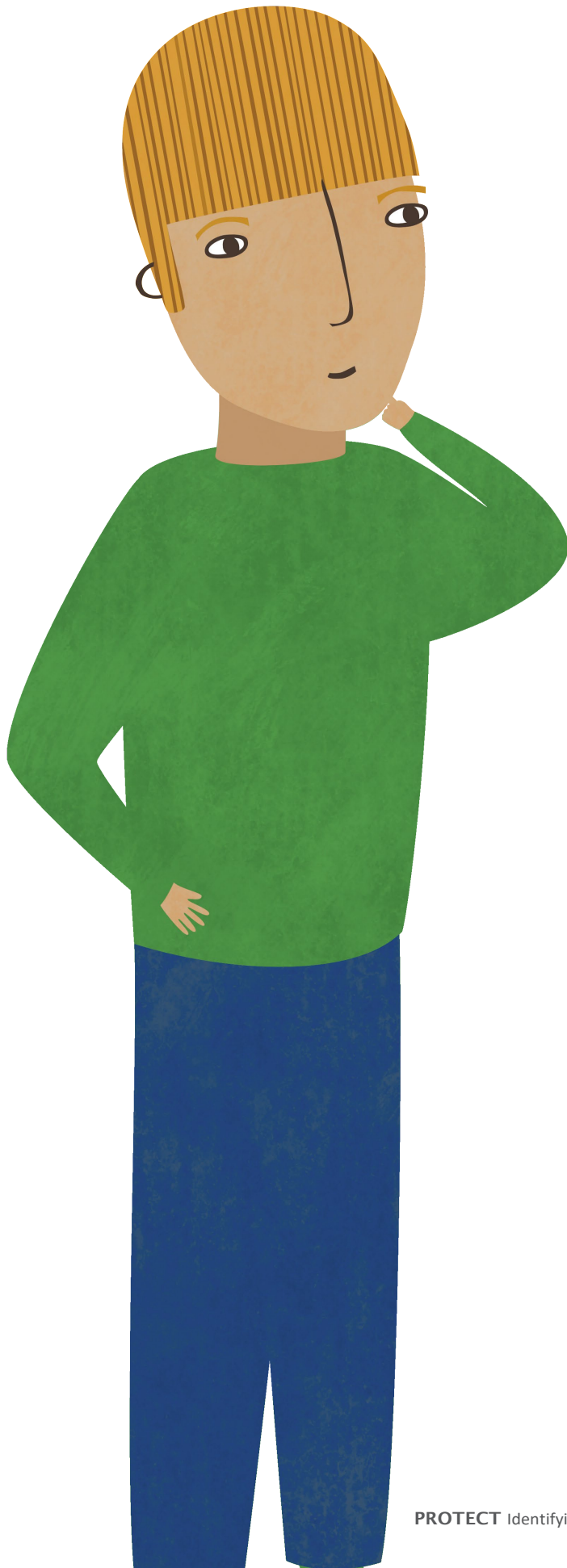
- online grooming please visit: <http://www.education.vic.gov.au/about/programs/bullystoppers/Pages/adviceonlinegrooming.aspx>
- sexting and the transmission of sexual images between students please visit: <http://www.education.vic.gov.au/about/programs/bullystoppers/Pages/advice sexting.aspx>

## What are the behavioural indicators that a child may be subject to grooming?

**BEHAVIOURAL indicators that a child may be subject to grooming include (but are not limited to):**

- developing an unusually close connection with an older person
- displaying mood changes (hyperactive, secretive, hostile, aggressive, impatient, resentful, anxious, withdrawn, depressed)
- using street/different language; copying the way the new 'friend' may speak; talking about the new 'friend' who does not belong to his/her normal social circle
- possessing jewellery, clothing or expensive items given by the 'friend'
- possessing large amounts of money which he/she cannot account for
- using a new mobile phone (given by the 'friend') excessively to make calls, videos or send text messages
- being excessively secretive about their use of communications technologies, including social media
- frequently staying out overnight, especially if the relationship is with an older person
- being dishonest about where they've been and whom they've been with
- using drugs; physical evidence includes spoons, silver foil, 'tabs', 'rocks'
- assuming a new name; being in possession of a false ID, stolen passport or driver's license provided by the 'friend' to avoid detection
- being picked up in a car by the 'friend' from home/school or 'down the street'.

See Behavioural indicators for perpetrators of child sexual abuse (pg. 14) for information on the indicators to look for in suspected perpetrators.





## EMOTIONAL CHILD ABUSE

### CRITICAL INFORMATION

- Emotional child abuse occurs when a child is repeatedly rejected, isolated or frightened by threats, or by witnessing family violence.
- If you suspect that a child has suffered, or is likely to suffer, emotional or psychological harm, or harm, you must follow the Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse (pg. 21).

### What is emotional abuse?

Emotional child abuse occurs when a child is repeatedly rejected, isolated or frightened by threats, or by witnessing family violence.

It also includes hostility, derogatory name-calling and put-downs, and persistent coldness from a person, to the extent that the child suffers, or is likely to suffer, emotional or psychological harm to their physical or developmental health.

Emotional abuse may occur with or without other forms of abuse.

### What are the physical and behavioural indicators of emotional child abuse?

#### PHYSICAL indicators of emotional abuse include (but are not limited to):

- speech disorders such as language delay, stuttering or selectively being mute (only speaking with certain people or in certain situations)
- delays in emotional, mental or physical development.

#### BEHAVIOURAL indicators of emotional abuse include (but are not limited to):

- overly compliant, passive and undemanding behaviour
- extremely demanding, aggressive and attention-seeking behaviour or anti-social and destructive behaviour
- low tolerance or frustration
- poor self-image and low self-esteem
- unexplained mood swings, depression, self-harm or suicidal thoughts
- behaviours that are not age-appropriate, e.g. overly adult, or overly infantile
- fear of failure, overly high standards, and excessive neatness
- poor social and interpersonal skills
- violent drawings or writing
- lack of positive social contact with other children.

## NEGLECT

### CRITICAL INFORMATION

- Serious neglect significantly impairs the health or physical development of the child, or places this development at serious risk.
- If you suspect that a child is experiencing neglect, you must follow the Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse.
- If you have low to moderate concerns for the wellbeing of a child, such as concerns due to conflict within a family, parenting difficulties, isolation of a family or a lack of apparent support) the Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse (pg. 21) can support you to determine whether to make a report and what other action to take to support the child.

### What is neglect?

Neglect includes a failure to provide the child with an adequate standard of nutrition, medical care, clothing, shelter or supervision to the extent that the health or physical development of the child is significantly impaired or placed at serious risk.

In some circumstances the neglect of a child:

- can place the child's immediate safety and development at serious risk
- may not immediately compromise the safety of the child, but is likely to result in longer term cumulative harm.

Both these forms of neglect must be responded to via the **Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse** (pg. 21).

### What are the physical and behavioural indicators of neglect?

#### PHYSICAL indicators of neglect include (but are not limited to):

- appearing consistently dirty and unwashed
- being consistently inappropriately dressed for weather conditions
- being at risk of injury or harm due to consistent lack of adequate supervision from parents
- being consistently hungry, tired and listless
- having unattended health problems and lack of routine medical care
- having inadequate shelter and unsafe or unsanitary conditions.

#### BEHAVIOURAL indicators of neglect include (but are not limited to):

- gorging when food is available or inability to eat when extremely hungry
- begging for or stealing food
- appearing withdrawn, listless, pale and weak
- aggressive behaviour, irritability
- involvement in criminal activity
- little positive interaction with parent, carer or guardian
- poor socialising habits
- excessive friendliness towards strangers
- indiscriminate acts of affection
- poor, irregular or non-attendance at school
- staying at school for long hours and refusing or being reluctant to go home
- self-destructive behaviour
- taking on an adult role of caring for parent.



## FAMILY VIOLENCE

### CRITICAL INFORMATION

- Family violence can include physical violence or threats, verbal abuse, emotional and physical abuse, sexual abuse and financial and social abuse.
- If you suspect that a child is exposed to family violence (including witnessing family violence), or is at risk of family violence you must follow the Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse. (pg. 21)

### What is family violence?

Family violence is behaviour towards a family member that may include:

- physical violence or threats of violence
- verbal abuse, including threats
- emotional or psychological abuse
- sexual abuse
- financial and social abuse.

A child's exposure to family violence constitutes child abuse. This exposure can be very harmful and may result in long-term physical, psychological and emotional trauma. Action must be taken to protect the child, and to mitigate or limit their trauma.

The longer a child experiences or is exposed to family violence, the more harmful it is. This is why it is critical to follow the **Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse** (pg. 21) if you suspect a child is exposed to, or at risk of being exposed to family violence.

## What are the physical indicators of family violence?

### PHYSICAL indicators of family violence include (but are not limited to):

- speech disorders
- delays in physical development
- failure to thrive (without an organic cause)
- bruises, cuts or welts on facial areas, and other parts of the body including back, bottom, legs, arms and inner thighs
- any bruises or welts (old or new) in unusual configurations, or those that look like the object used to make the injury (such as fingerprints, handprints, buckles, iron or teeth)
- internal injuries.

## What are the behavioural indicators of family violence?

### BEHAVIOURAL indicators of family violence include (but are not limited to):

- violent/aggressive behaviour and language
- depression and anxiety and suicidal thoughts
- appearing nervous and withdrawn, including wariness of adults
- difficulty adjusting to change.
- psychosomatic illness
- bedwetting and sleeping disorders.
- 'acting out', such as cruelty to animals
- extremely demanding, attention-seeking behaviour
- participating in dangerous risk-taking behaviours to impress peers
- overly compliant, shy, withdrawn, passive and uncommunicative behaviour
- taking on a caretaker role prematurely, trying to protect other family members
- embarrassment about family
- demonstrated fear of parents, carers or guardians, and of going home
- disengagement from school and/or poor academic outcomes
- parent-child conflict.

### For older children and young people indicators can also include:

- moving away/running away from home
- entering a relationship early to escape the family home
- experiencing violence in their own dating relationships
- involvement in criminal activity
- alcohol and substance abuse.

For more information about family violence please visit: <http://www.dhs.vic.gov.au/for-individuals/children,-families-and-young-people/family-violence/what-is-family-violence>

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

## FOUR CRITICAL ACTIONS

- 1 RESPONDING TO AN EMERGENCY** PAGE 26
- 2 REPORTING TO AUTHORITIES** PAGE 27
- 3 CONTACTING PARENTS/CARERS** PAGE 32
- 4 PROVIDING ON-GOING SUPPORT** PAGE 34


This section outlines four critical actions which must be taken when responding to an incident, disclosure or suspicion of child abuse.

It includes critical detail and links to supporting documents (including the [Responding to Suspected Child Abuse: Template](#), which must be completed when responding to any form of suspected abuse).

For easy reference a summary of these actions is available at [www.education.vic.gov.au/protect](http://www.education.vic.gov.au/protect) as a printable PDF A3 Poster. We recommend that this resource is displayed in a prominent position for all staff members to access.

### FOUR CRITICAL ACTIONS FOR SCHOOLS

## Responding to Incidents, Disclosures and Suspicions of Child Abuse



**YOU MUST TAKE ACTION**

As a school staff member, you play a critical role in protecting children in your care.

- You must act, by following the 4 critical actions, as soon as you witness an incident, receive a disclosure or form a reasonable belief that a child has, or is at risk of being abused.
- You must act if you form a suspicion/reasonable belief, even if you are unsure and have not directly observed child abuse (e.g. if the victim or another person tells you about the abuse).
- You must use the *Responding to Suspected Child Abuse* template to keep clear and comprehensive notes.

\*A reasonable belief is a deliberately low threshold. This enables authorities to investigate and take action.

**1 RESPONDING TO AN EMERGENCY**

If there is no risk of immediate harm go to Action 2.

If a child is at immediate risk of harm you must ensure their safety by:

- separating alleged victims and others involved
- administering first aid
- calling 000 for urgent medical and/or police assistance to respond to immediate health or safety concerns
- identifying a contact person at the school for future liaison with Police.

Where necessary you may also need to maintain the integrity of the potential crime scene and preserve evidence.

**2 REPORTING TO AUTHORITIES**

As soon as immediate health and safety concerns are addressed you **must** report all incidents, suspicions and disclosures of child abuse as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.

*Q: Where does the source of suspected abuse come from?*

**WITHIN THE SCHOOL**

**VICTORIA POLICE**  
You must report all instances of suspected child abuse involving a school staff member, contractor or volunteer to Victoria Police.

You must also report internally to:

**GOVERNMENT SCHOOLS**

- School Principal and/or leadership team
- Employee Conduct Branch
- DET Security Services Unit

**CATHOLIC SCHOOLS**

- School Principal and/or leadership team
- Diocesan education office

**INDEPENDENT SCHOOLS**

- School Principal and/or school chairperson

**WITHIN THE FAMILY OR COMMUNITY**

**DHHS CHILD PROTECTION**  
You must report to DHHS Child Protection if a child is considered to be:

- in need of protection from child abuse
- at risk of being harmed (or has been harmed) and the harm has had, or is likely to have, a serious impact on the child's safety, stability or development.

**VICTORIA POLICE**  
You must also report all instances of suspected sexual abuse (including grooming) to Victoria Police.

You must also report internally to:

**GOVERNMENT SCHOOLS**  
You must also report to:

- School Principal and/or leadership team
- DET Security Services Unit

**CATHOLIC SCHOOLS**  
You must also report to:

- School Principal and/or leadership team
- Diocesan education office

**INDEPENDENT SCHOOLS**  
You must also report to:

- School Principal and/or chairperson

If you believe that a child is not subject to abuse, but you still hold significant concerns for their wellbeing you must still act.

This may include making a referral or seeking advice from Child FIRST (in circumstances where the family are open to receiving support), or to DHHS Child Protection or Victoria Police.

**3 CONTACTING PARENTS/CARERS**

Your Principal must consult with DHHS Child Protection or Victoria Police to determine what information can be shared with parents/carers. They may advise:

- not to contact the parents/ carer (e.g. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and does not wish for their parent/carer to be contacted)
- to contact the parents/carers and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion).

**4 PROVIDING ONGOING SUPPORT**

Your school must provide support for children impacted by abuse. This should include the development of a *Student Support Plan* in consultation with wellbeing professionals. This is an essential part of your duty of care requirements.

Strategies may include development of a safety plan, direct support and referral to wellbeing professionals.

You must follow the *Four Critical Actions* every time you become aware of a further instance or risk of abuse. This includes reporting new information to authorities.

**CONTACT**

<p><b>DHHS CHILD PROTECTION AREA</b></p> <p>North Division 1300 664 9777</p> <p>South Division 1300 655 795</p> <p>East Division 1300 360 391</p> <p>West Division (Rural) 1800 075 599</p> <p>West Division (Metro) 1300 664 9777</p> <p><b>AFTER HOURS</b></p> <p>After hours, weekends, public holidays 13 12 78</p> <p><b>CHILD FIRST</b></p> <p>www.dhs.vic.gov.au</p> <p><b>VICTORIA POLICE</b></p> <p>000 or your local police station</p>	<p><b>DET SECURITY SERVICES UNIT</b></p> <p>(03) 9589 6266</p> <p><b>STUDENT INCIDENT AND RECOVERY UNIT</b></p> <p>(03) 9637 2934</p> <p><b>EMPLOYEE CONDUCT BRANCH</b></p> <p>(03) 9637 2595</p> <p><b>DIOCESAN OFFICE</b></p> <p>Melbourne (03) 9267 0228</p> <p>Ballarat (03) 5337 7135</p> <p>Sale (03) 5622 6600</p> <p>Sandhurst (03) 5443 2377</p> <p><b>INDEPENDENT SCHOOLS VICTORIA</b></p> <p>(03) 9825 7200</p>
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## YOU MUST ACT

### CRITICAL INFORMATION

- As a school staff member, you **must** act as soon as you witness an incident or form a reasonable belief that a child has been, or is at risk of being abused.
- You **must** act if you form a suspicion/ reasonable belief, even if you are unsure and have not directly observed child abuse (e.g. if the victim or another person tells you about the abuse).
- You should make sufficient enquiries to form a reasonable belief and to determine a child's immediate needs. However, once a reasonable belief has been formed, it is not your role to investigate. This is the role of DHHS Child Protection or Victoria Police.
- Child abuse includes any instance of physical or sexual abuse (including grooming), emotional or psychological harm, serious neglect and family violence involving a child.
- If you hold significant concerns for a child's wellbeing, which do not appear to be a result of child abuse you must still act (see Responding to Other Concerns About the Wellbeing of a Child on pg. 41).

This section steps you through when and how to respond if you:

- Witness an Incident
- Form a Suspicion
- Receive a Disclosure (Current Student)
- Receive a Disclosure (Former Student).

It also outlines the threshold for Forming a Reasonable Belief.

If, after considering this content you:

- are unsure whether a witnessed incident, suspicion or disclosure should lead you to form a reasonable belief that child abuse has, or is at risk of occurring you should seek further advice from:
  - DHHS Child Protection and/or Victoria Police
  - DET Security Services Unit (Government schools only)
  - Diocesan Education Office (Catholic schools only).
- hold significant concerns for a child's wellbeing, which do not appear to be a result of child abuse you should still act (see Responding to Other Concerns About the Wellbeing of a Child (pg. 41), which will support you in making appropriate referrals to Child FIRST, DHHS Child Protection and Victoria Police).

### Witnessing an Incident

If you witness an incident where you believe a child has been subject to abuse you must take immediate action to protect the safety of children involved. Go straight to:

- **Action 1: Responding to an Emergency** (pg. 26) if there is an immediate risk to health and safety
- **Action 2: Reporting to Authorities** (pg. 27) if there is no immediate risk to health and safety.

## Forming a Suspicion

All suspicions that a child has been, or may be in danger of being abused must be taken seriously. This includes abuse that is suspected to have occurred outside of school grounds and hours.

If you form a reasonable belief that a child has been, or may be at risk of being abused, you **must** act, even if you have not directly witnessed the child abuse.

## Receiving a Disclosure (Current Student)

If a child discloses that they have been, are being, or are in danger of being abused, you must treat the disclosure seriously and take immediate action by following the [Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse](#). (pg. 21)

If another child or adult, discloses that they believe another child has been, is being, or is at risk of being abused, you must also treat these disclosures seriously and take immediate action.

For further guidance on managing the disclosure see [Strategies for Managing a Disclosure](#) (pg. 24).

### Documenting your actions

As a school staff member, you must keep clear and comprehensive notes relating to incidents, disclosures and allegations of child abuse using the [Responding to Suspected Child Abuse: Template](#).

Your aim should be to provide as much information within the template as possible. These records will be helpful in making a report of the abuse to the relevant authorities.

This information may be sought at a later date if the matter is the subject of Court proceedings. These notes may also later assist you if you are required to provide evidence to support their decisions (see [Responding to Subpoenas or Court Attendance](#) on pg. 41 for further information).

## Receiving a Disclosure (Former Student)

If you receive a disclosure from a former student of your school about historical abuse you **must** act.

If the former student is currently of school age and attending a Victorian school you **must** follow the [Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse](#). (pg. 21)

If the former student is no longer of school age or attending a Victorian school you must also still act.

Please visit: <http://www.education.vic.gov.au/about/contact/Pages/reportingabuse.aspx>.

This guidance will support you to:

- report any allegations of abuse, by contacting your local Victoria Police station and/ or by contacting the SANO Task Force at [sanotaskforce@police.vic.gov.au](mailto:sanotaskforce@police.vic.gov.au)
- respond to a belief that you or another person is at immediate risk by contacting Victoria Police on 000.

This guidance will also support:

- government schools to report to relevant areas within the Department (this may include the Principal of the school, the regional office, and the Security Services Unit)
- Catholic schools to contact their Diocesan education office
- independent schools to notify their School Board.

## Strategies for Managing a Disclosure

When managing a disclosure of abuse, it is important that you respond in an appropriate and supportive manner. All disclosures of abuse must be taken seriously and addressed immediately by following the [Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse](#) (pg. 21).

It is the role of school staff members to listen and respond appropriately to a child's concerns. When a disclosure of abuse is made and/or you are concerned that a child has been abused or is at risk of being abused, you must inform the student that their confidentiality cannot be maintained.

This should be done in language appropriate to the student's age and stage of development.

For example:

- To a younger student: 'I am not going to be able to keep your story a secret. I really have to tell someone who is going to be able to help you.'
- To an older student: 'The information you have given me has made me very concerned for your welfare and I need to tell you that it is my responsibility to report this information to the Department of Education and Training and the Department of Health and Human Services to help you get some assistance'.

You must document any disclosures within the [Responding to Suspected Child Abuse: Template](#). This may be critical for further investigations and/or legal proceedings.

The tables below include advice on how best to manage a disclosure and what to avoid.

### When managing a disclosure, staff should:

- listen to the child and allow them to speak
- stay calm and not display expressions of panic or shock
- use a neutral tone with no urgency and where possible use the child's language and vocabulary
- be patient and non-judgmental throughout
- highlight to the child that they are doing the right thing in telling you about what has happened and that it is not their fault
- do not ask leading questions, but instead, 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
- not pressure the child into telling you more than they want to
- reassure the child that you believe them and that disclosing the matter was the right thing to do
- use verbal facilitators such as, "Okay, 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
- tell the child you are required to report to the relevant authority to help stop the abuse, and explain the role of these authorities if appropriate.

### When managing a disclosure, staff should AVOID:

- 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 time and time again (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).





### Forming a Reasonable Belief

If you have witnessed behaviour, have a suspicion, or received a disclosure of child abuse, you will need to determine whether you have formed a 'reasonable belief' or a 'belief on reasonable grounds' that a child has or is being abused or is at risk of being abused.

A reasonable belief is a deliberately low threshold:

- so that people are encouraged to report suspected abuse to the relevant authorities and agencies, enabling authorities to investigate the allegations and take further action to prevent or stop any further abuse
- which does not require proof, but does require something more than a mere rumour or speculation
- is met if a reasonable person in the same position would have formed the belief on the same grounds.

Most of the reporting provisions in the *Children Youth and Families Act 2005* and *Crimes Act* require people to report suspected child abuse that has occurred, is occurring, or is at risk of occurring where they have formed a 'reasonable belief' or 'a belief on reasonable grounds'.

Forming a belief on reasonable grounds may include:

- a child stating that they have been abused
- any person telling you they believe someone has been abused (sometimes the child may be talking about themselves)
- physical indicators of abuse such as non-accidental or unexplained injuries; persistent neglect, or inadequate care and supervision lead you to believe that the child has been abused (see *Identifying Signs of Abuse* pg. 9)
- behavioural indicators of abuse lead you to believe that the child has been abused (see *Identifying Signs of Abuse* pg. 9)
- other signs such as family violence, parental substance misuse, psychiatric illness or intellectual disability that is impacting on the child's safety, stability or development.

# 1

## ACTION 1: RESPONDING TO AN EMERGENCY

### CRITICAL INFORMATION

If a child has just been abused, or is at immediate risk of harm you must take reasonable steps to protect them.

These include:

- separating the alleged victim and others involves, ensuring both parties are supervised by a school staff member
- arranging and providing urgent medical assistance where necessary by:
  - administering first aid assistance
  - calling 000 for an ambulance and following any instructions from emergency service officers/paramedics.
- 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 (you should also identify a contact person at the school for future liaison with police).

Take reasonable steps to preserve the environment, the clothing, other items, and potential witnesses until the police or other relevant authorities arrive on the premises.

### Ensuring Immediate Safety

If a child has just been abused, or is at immediate risk of harm you must take reasonable steps to protect them. These include:

- separating the alleged victim and others involved, ensuring all parties are supervised by a school staff member
- arranging and providing urgent medical assistance where necessary by:
  - administering first aid assistance
  - calling 000 for an ambulance and following any instructions from emergency service officers/paramedics.

- 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, (you should also identify a contact person at the school for future liaison with police).

### Preserving evidence

Where an incident of suspected child abuse occurs at the school, you may need to take action to preserve any items that may amount to evidence of the abuse. Consider all of the following:

#### ■ Environment

Do not clean up the area and preserve the sites where the alleged incidents occurred. Cordon off the relevant area/room/building and take reasonable steps to ensure that no one enters these areas.

#### ■ Clothing

If sexual abuse/physical abuse is suspected you may also need to ensure that the person who has allegedly committed the abuse and the child who has allegedly been abused remain in their clothing and, if this is not possible, ensure that the clothes are not washed, are handled as little as possible, and stored in a sealable bag.

#### ■ Other physical items

If there is any other items that may amount to evidence, e.g. weapons, bedding, condoms, try and ensure that these things remain untouched.

#### ■ Potential witnesses

Reasonable precautions must be taken to prevent discussion of the incident between those involved in the alleged incident (including any other children who may have witnessed the incident). If the incident involves:

- two or more students, a staff member should be allocated to remain with each student involved in separate rooms
- a staff member, they should be asked to remain with a member of the school's leadership team and be instructed not to discuss the incident with any staff/student/s carers/family members.

## ACTION 2: REPORTING TO AUTHORITIES

### CRITICAL INFORMATION

As soon as immediate health and safety concerns are addressed you must report all incidents, suspicions and disclosures of child abuse as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.

If the source of suspected abuse comes from within the school (this includes any forms of suspected child abuse involving a school staff member, contractor or volunteer) you must:

- contact Victoria Police (via your local police station)
- ALSO report internally to:
  - School Principal/Leadership Team (all instances)
  - Government Schools: Employee Conduct Branch and Security Services Unit
  - Catholic Schools: Diocesan education office.

If the source of suspected abuse comes from within the family or community you must:

- report to DHHS Child Protection (see contact details on pg. 51) if a child is considered to be:
  - in need of protection due to child abuse
  - at risk of being harmed (or has been harmed) and the harm has had, or is likely to have, a serious impact on the child's safety, stability or development.

- ALSO report suspected sexual abuse (including grooming) to Victoria Police
- ALSO report internally to:
  - School Principal and/or leadership team (all instances)
  - Government Schools: DET Security Services Unit
  - Catholic Schools: Diocesan education office
  - Independent Schools: School Principal and/or school chairperson.

You should consider reporting to Child FIRST if you have other reasonable concerns for the wellbeing of a child, such as concerns due to conflict within a family, parenting difficulties, isolation of a family or a lack of apparent support.

You must identify a contact person at the school for future liaison with Victoria Police and/or DHHS Child Protection and seek advice about contacting parents/carers (see **Action Three** (pg. 32)).

Following any incident, suspicion or disclosure of child abuse you **must** make a report as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.

This section steps you through the process for:

- Reporting when the source of the suspected abuse is within the school
- Reporting when the source of suspected abuse is within the family or community
- Making Additional Reports (in circumstances where a report has already been made).

### Reporting when the source of suspected abuse is within the school

If the source of suspected abuse comes from within the school (this includes any forms of suspected child abuse involving a school staff member, contractor or volunteer) you must:

- contact Victoria Police via your local police station (it is important that you first contact your local Police station, where appropriate they will refer you onto the local Sexual Offences and Child Abuse Investigation Team)
- ALSO report internally\* to:
  - School Principal/Leadership Team (all instances)
  - Government Schools: Employee Conduct Branch and Security Services Unit
  - Catholic Schools: Diocesan education office.

You **must** also identify a contact person at the school for future liaison with DHHS Child Protection and Victoria Police and seek advice about contacting parents/carers (see [Action 4](#) on pg. 34).

*\*Please note that reporting internally does not mean that mandatory reporting obligations have been met. The staff member who has formed a reasonable belief regarding child abuse or neglect must also report to DHHS Child Protection or Victoria Police if the child is in immediate risk of harm.*

## Reporting when the source of suspected abuse is within the family or community

If the source of suspected abuse comes from within the family or community you **must**:

- report to DHHS Child Protection (see contact details on pg. 51) if a child is considered to be:
  - in need of protection due to child abuse
  - at risk of being, harmed (or has been harmed), and the harm has had, or is likely to have, a serious impact on the child's safety, stability or development.
- ALSO report suspected sexual abuse (including grooming) to Victoria Police
- ALSO report internally\* to:
  - School Principal and/or leadership team (all instances), highlighting:
    - the details of the suspected child abuse or risk of abuse including the name/s of those involved
    - any immediate actions taken to protect the safety of the child
    - your report or intention to report to DHHS Child Protection, Victoria Police and/ or Child FIRST
    - possible steps that can be taken to contact parents (if appropriate) and support the student.
  - Government Schools: DET Security Services Unit on (03) 9637 2934.
  - Catholic Schools: Diocesan education office, including:
    - Archdiocese of Melbourne: Office of Professional Conduct, Ethics & Investigation on (03) 9267 0228
    - Diocese of Sale: Child Protection Officer on (03) 5622 6600
    - Diocese of Ballarat: Child Safety on (03) 5337 7135
    - Diocese of Sandhurst: Child Protection Officer on (03) 5443 2377.
  - Independent Schools: School Principal and/ or school chairperson.

If you believe that a child is not subject to abuse, but you still hold significant concerns for their wellbeing e.g. concerns due to conflict within the family, you should consider making a referral to Child FIRST. In some circumstances you may still need to contact DHHS Child Protection and/or Victoria Police e.g. extreme risk taking behaviour, harm to an unborn baby. For further advice see Responding to Other Concerns about the Wellbeing of a Child on pg. 41).

*\*Please note that reporting internally does not mean that mandatory reporting obligations have been met. The staff member who has formed a reasonable belief regarding child abuse or neglect must also report to DHHS Child Protection or Victoria Police if the child is in immediate risk of harm.*

### Reporting if the Incident, Suspicion or Disclosure Relates to an International Student

If the incident, suspicion or disclosure relates to an international student you will most likely be required to make an additional report:

- Government schools must also contact International Education Division on (03) 9637 2990
- Catholic and independent schools will need to contact the VRQA on (03) 9637 2806 or via email at [vrqa.schools@edumail.vic.gov.au](mailto:vrqa.schools@edumail.vic.gov.au) if your school has issued a Confirmation of Appropriate Accommodation and Welfare (CAAW) letter in relation that student (thereby assuming responsibility for the for approving the child's accommodation, support and general welfare).

### How to Proceed if the Principal/ Leadership Team Advise You Not to Report

In some circumstances the Principal and/or leadership team may advise you not to proceed with reporting suspected abuse.

Regardless of this advice, if you hold a reasonable belief that a child has been, or is at risk of being abused you **must** still make a report to DHHS Child Protection and/or Victoria Police. This report may be critical in protecting a child from abuse.

If you fail to report you may not discharge your duty of care and in some circumstances you may be subject to criminal charges.

If you decide not to report, this decision should be documented within the [Responding to Suspected Child Abuse: Template](#).



## Making additional reports

### Reporting further reasonable grounds for belief

You must make a new report in any circumstance where you become aware of any further reasonable grounds for the belief. Every report is critical to protecting a child by building evidence and enabling authorities to gain a clearer understanding of the risks.

This means that you **must** make a report to protect a child even if:

- DHHS Child Protection, or Victoria Police were previously involved or are already involved with the child and/or their family
- staff are aware that another party, such as a family member, has already raised concerns with the relevant authorities.

### What if another person has already made a report?

Once you form a reasonable belief that a child has been, or is at risk of being abused, your obligation to report is separate from the obligations or actions of other people.

In addition, it is important to consider that other people may not have access to the specific detail you have. The information you provide through your report may assist the relevant authority to take further action to protect the child.

However, there may be times when two or more school staff members, for example a teacher and a Principal, have formed a belief about the same child on the same occasion and based on the same information. In this situation it is sufficient that only one of the staff members make a report. The other is obliged to ensure that the report has been made and that all the grounds for their own belief were included in the report made by the other person.

In instances where two staff members form different views about whether or not to make a report, if one staff member continues to hold a reasonable belief that a child is in need of protection, then they are legally obliged to make a report.

### What if you don't think the child is at risk of abuse but you still hold concerns about a student's wellbeing?

If you believe that a child is not subject to child abuse, but you still hold "significant concerns for their wellbeing you may still need to contact DHHS Child Protection and/or Victoria Police and/or make a referral to Child FIRST. For further advice see Responding to other concerns about the Wellbeing of a Child (pg. 41).

# 3 ACTION 3: CONTACTING PARENTS/CARERS

## CRITICAL INFORMATION

In many cases where it is suspected that a child has been, or is at risk of being abused, it is extremely important that parents/carers are notified as soon as practicable.

However before contacting parents, Principals **must** seek advice from DHHS Child Protection or Victoria Police (depending on who the report was made to).

This is critical to ensure the safety of the child as well as to avoid any compromise to the investigations being conducted by the relevant authorities or agencies.

Where advised 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 many cases where it is suspected that a child has been, or is at risk of being abused, it is extremely important that parents/carers are notified as soon as practicable. This enables parents/carers to take steps to:

- prevent or limit their child's exposure to further abuse
- ensure that their child receives the support that they require.

However there are some circumstances where contacting parents/carers may place a child at greater risk.

This is why before contacting parents/carers, your Principal (or delegate) must contact Victoria Police or DHHS Child Protection (depending on who the report has been made to). They will advise your Principal (or delegate) about whether it is appropriate to contact parents/carers at this stage.

Your Principal (or delegate) will be advised not to contact the parents in circumstances where:

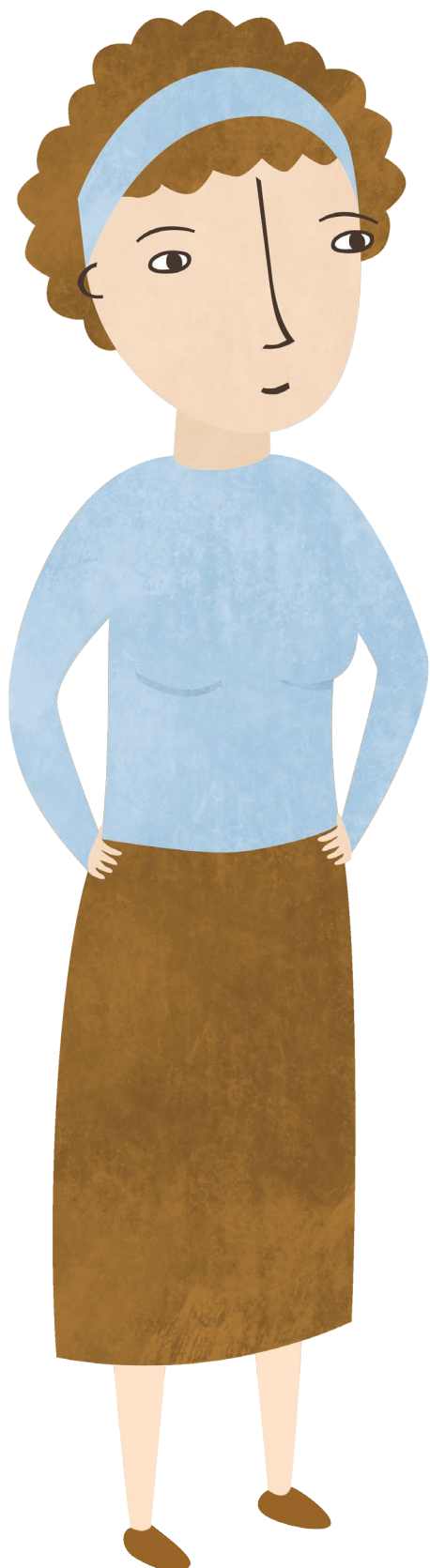
- the parents are alleged to have engaged in the abuse
- a disclosure to the parents/carers may subject the child to further abuse.
- the child is a mature minor (assessed to be sufficiently mature and intelligent to make such decisions on his or her own behalf) and have requested that their parents/carers not be notified (in these circumstances ideally the child will nominate another responsible adult be contacted)
- the notification is likely to adversely affect the investigation of the incident by the relevant authorities.

Where advised 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.

For advice and support on contacting parents:

- Government schools can contact the Student Incident and Recovery Unit on (03) 9637 2934
- Catholic schools can contact their Diocesan education office including:
  - Archdiocese of Melbourne: Legal Services on (03) 9267 0228
  - Diocese of Sale: Child Protection Officer on (03) 5622 6600
  - Diocese of Ballarat: Legal Services on (03) 5337 7135
  - Diocese of Sandhurst: Assistant to the Director: Legal, Industrial & Human Resources on (03) 5443 2377
- Independent schools can contact Independent Schools Victoria on (03) 9825 7200.





**Where advised to be appropriate the Principal and/or reporting staff member (ideally together) should inform the parents/carers of the child impacted by the suspected child abuse. During this conversation it is important to:**

- Remain calm
- Be empathetic to feelings
- Validate concerns
- Provide appropriate details of the incident, disclosure and/or suspicion of child abuse
- Outline the action the school staff have taken to date
- Inform them of who the incident, disclosure and/or suspicion has been reported to
- Provide the name and contact phone number of DHHS Child Protection and/or the police officer who is investigating
- Provide information on whether they are likely to be contacted by DHHS Child Protection or Victoria Police (if known)
- Inform them that the investigation may take some time and ask what further information they would like and how school staff can assist them
- Assure them that school wellbeing staff can provide support to the child. Victorian Government school staff can make referrals to Student Support Services or other wellbeing staff based at the school
- Invite the parents/carers to attend a Student Support Group meeting where a Student Support Plan can be prepared to ensure that appropriate support can be provided for their child.

For more information on what information can be shared please refer to information on Privacy and Information Sharing (pg. 43).

# ACTION 4: PROVIDING ONGOING SUPPORT

## CRITICAL INFORMATION

- In addition to reporting suspected abuse, as a school staff member you have a critical role in supporting students impacted by abuse and have a Duty of Care to ensure that the students feels safe and supported at school.
- Support can include direct support and referral to wellbeing professionals and community services and should involve the development of a Student Support Plan.
- Principals are responsible for ensuring students are supported during interviews at school conducted by Victoria Police or DHHS Child Protection and you may be required to respond to subpoenas to attend court.
- Support must be provided to any impacted staff members.

Experiences of child abuse can cause trauma and significantly impact on the mental health and wellbeing of children. In addition to reporting and referral into relevant authorities, as a school staff member you play a central role in addressing this trauma and have a duty of care (pg. 6) to ensure that the students feels safe and supported at school.

This section outlines actions that schools must take, where deemed appropriate, to support students who are impacted by child abuse, including:

- Working Together and Planning Support
- Engaging Allied Health and Wellbeing Supports
- Referring to Non-School Based Supports
- Providing Developmentally and Culturally Appropriate Support
- Providing Support for Impacted School Staff Members
- Supporting Students in Interviews Conducted at School
- Complying with Subpoenas or Court Attendance
- Responding to Complaints or Concerns.

In the context of student-to-student offending school staff have a duty of care to support all students who are impacted by the abuse – this will include the students who were subjected to the abuse, the students who perpetrated the abuse, and any students who witnessed or were otherwise impacted by the abuse.

## Working together and planning support

Providing holistic support to address the trauma and wellbeing issues associated with child abuse is best achieved through careful planning and working in partnership with wellbeing professionals, parents/carers and educators.

If a student is impacted by suspected abuse, and it is deemed appropriate, school staff must:

- establish regular communication between staff and the child's parent/guardian/carer (if this is appropriate) to discuss a child's progress wellbeing and the effectiveness of planned strategies
- convene a Student Support Group to plan on-going monitoring, support, and follow-up of the child's health and wellbeing (Student Support Groups usually comprise school wellbeing staff, teachers, allied health professionals and where appropriate the student and/or their parent/carer)
- develop and implement a Student Support Plan, which documents the planned support strategies and includes timeframes for review (where possible, these support strategies should be informed by allied health and wellbeing professionals with expertise in addressing child abuse and trauma).

## Engaging allied health and wellbeing professionals

Where appropriate school staff should engage allied health and wellbeing supports and services to meet the wellbeing needs of the child impacted by abuse, including:

- Student Support Services (government schools only)
- wellbeing staff members
- allied health and wellbeing professionals engaged by the student and families.

Allied health and wellbeing professionals can provide:

- intensive support to children and their families
- critical input into Student Support Plans
- advice to school staff members on how to appropriately support the student.

Government schools can contact their Regional Office (pg. 50) and also refer to the *Continuum of Supports* (at [education.vic.gov.au](http://education.vic.gov.au)) for a description of the range of school based support services that may be locally available.

Catholic schools can contact their Diocesan education office for further detail, specifically:

- Archdiocese of Melbourne: Student Wellbeing Information Line on (03) 9267 0228
- Diocese of Sale: Child Protection Officer on (03) 5622 6600
- Diocese of Ballarat: Child Safety on (03) 5337 7135
- Diocese of Sandhurst: Team Leader, Pastoral Wellbeing on (03) 5443 2377.



### Referring to external supports

School staff can also refer to the wide range of non-school based support services, which specialise in providing tailored support and advice for children impacted by abuse.

For example the Centres Against Sexual Assault (CASA) provide expert support for victims of sexual assault and HeadSpace can provide tailored support for children whose mental health is impacted by exposure to abuse.

See *Counselling/Support Organisations* (pg. 48) for details on where to go for further support.

All schools can contact their local government for advice on available local services.

Government schools can contact their Regional Office (pg. 50) for advice on local and specialised services.

Catholic schools can contact their Diocesan education office for further detail, including:

- Archdiocese of Melbourne: Student Wellbeing Information Line on (03) 9267 0228
- Diocese of Sale: Child Protection Officer on (03) 5622 6600
- Diocese of Ballarat: Child Safety on (03) 5337 7135
- Diocese of Sandhurst: Team Leader, Pastoral Wellbeing on (03) 5443 2377.

Independent schools can contact Independent Schools Victoria on (03) 9825 7200.

## Providing developmentally and culturally appropriate support

Whilst a child's background should not impact on a decision to report suspected abuse, school staff need to be sensitive to a child's individual circumstances when providing support and working with families impacted by abuse.

It is a requirement under the Ministerial Order 870 that school governing authorities must "take account of the diversity of all children", including (but not limited to) the needs of:

### Children with disabilities

When supporting a child with a disability who has been impacted by child abuse it is critical to consider the child's:

- chronological age, developmental age and their cognitive functioning in order to tailor developmentally appropriate support strategies
- vulnerability to on-going abuse (children with disabilities disproportionately fall prey to child abuse, in particular child sexual abuse) when considering the need to make a further report and/or implement risk mitigation strategies.

### Aboriginal and Torres Strait Islander Children

When supporting an Aboriginal or Torres Strait Islander child who has been impacted by child abuse it is essential that school staff provide culturally appropriate support.

Principals from Government schools must notify their Regional Office (pg. 50) to ensure that the Koorie Engagement Support Officer can arrange appropriate support for the child and/or advise on culturally appropriate support strategies.

Principals from Catholic schools must notify their Diocesan education office (pg. 50) to ensure that the Diocesan Aboriginal and Torres Strait Islander Education Officer can arrange appropriate support for the child and advise on culturally appropriate support strategies.

Principals from Independent schools may choose to contact Independent Schools Victoria for advice.

### Children from Culturally and Linguistically Diverse (CALD) backgrounds

When supporting a child from CALD backgrounds who has been impacted by child abuse it is essential that schools provide culturally appropriate support. However this should not detract from ensuring the child's safety and wellbeing.

Where possible schools should work with relevant cultural support services (ensuring that the confidentiality of the student and family is maintained) and engage an interpreter when communicating with the student's family if needed.

### Students with refugee backgrounds

When working with children from refugee backgrounds who have been impacted by child abuse it is important to recognise that they (and their families) may also be experiencing trauma, dislocation and loss. This trauma may significantly affect family wellbeing and parenting capacity and whilst these issues also require sensitive consideration, they should not detract from ensuring the child's safety and wellbeing (or impact on decisions to report suspected abuse).

School staff should consider contacting services that specialise in providing support to refugees (ensuring that the confidentiality of the child and their family is maintained).

Schools should also engage an interpreter when communicating with the student's family if needed.

### International students

Principals must ensure appropriate measures are taken for the welfare of international students. This may require additional support given that the child's family may not be present to provide support within the home environment.

See Reporting if the Incident, Disclosure or Suspicion Involves an International Student (pg. 29) for details on who must be contacted in the event that an international student is involved in suspected abuse.

## Providing Support for Other Impacted Children

It can be stressful for other children involved in any incidents, disclosures or suspicions of child abuse. Principals must ensure that other impacted children are offered and provided appropriate support.

## Providing Support for Impacted School Staff Members

It can also be stressful for staff involved in any incidents, disclosures or suspicions of child abuse. Principals must support impacted staff members to access necessary support.

School staff requiring wellbeing support can contact:

- Government Schools: DET Employee Assistance Program (EAP) on 1300 361 008
- Catholic Schools:
  - Archdiocese of Melbourne: School's Employee Assistance Program (EAP) provider and/or seek further advice from Office of Professional Conduct, Ethics & Investigation on (03) 9267 0228
  - Diocese of Sale: ACCESS EAP on 1300 66 77 00
  - Diocese of Ballarat: Child Safety on (03) 5337 7135
  - Diocese of Sandhurst: ACCESS EAP on 1800 222 125.
- Independent schools can contact Independent Schools Victoria on (03) 9825 7200.

## Supporting Children who are Interviewed at School

All children (including children who are alleged to have perpetrated abuse) must be independently supported in any interviews conducted by Victoria Police or DHHS Child Protection at school.

Where possible and appropriate the child's parents/carers should be present for these interviews. However if this is not appropriate or practicable the Principal (or delegate) may be identified as the independent person or support person for the child for the purpose of the interview.

### Police interviews

In the event Victoria Police schedule an interview with a child at the school, the Principal (or delegate) must advise the child's parents/carers (where advised to be appropriate) as well as:

- Government schools:
  - Student Incident and Recovery Unit on (03) 9637 2934
  - Koorie Engagement Support Officer if the child is Aboriginal or Torres Strait Islander
  - International Division if the child is an international student on (03) 9637 3990.
- Catholic schools:
  - Archdiocese of Melbourne: Policy 2.19a Police and Department of Human Services Interview Protocols at [www.cem.edu.au](http://www.cem.edu.au) and Student Wellbeing Information Line on (03) 9267 0228
  - Diocese of Sale: Child Protection Officer on (03) 5622 6600
  - Diocese of Ballarat: Child Safety on (03) 5337 7135
  - Diocese of Sandhurst: Assistant to the Director: Legal, Industrial & Human Resources on (03) 5443 2377.

The table below includes critical detail on when and how police interviews are conducted at school and what role the Principal or delegate should play if they are nominated as the support person.

#### Police interviews at school where the child is the alleged victim or witness

- Police should only interview children at school as a matter of urgency or necessity
- A request must be made to the Principal (or delegate) who must be advised of the reason for the interview.
- The child's parents/carers should be present where it is practical and appropriate to make these arrangements. If a parent/carer is not able to be present, an independent person must be present during the interview (the role of the independent person is to ensure the child understands what is happening and to provide support).
- Principals (or delegate) may if necessary, act as an independent person where the child is a victim, unless they believe it will place them in a conflict of interest to do so.
- As an independent person, school staff must refrain from providing their opinions or accounts for events during interviews.

#### Police interviews at school where a student has allegedly abused another child

- If the police need to speak with a student who has allegedly abused another child this should preferably be done in the presence of the parents/carers, or another independent person that is not a school staff member.

#### DHHS Child Protection interviews

DHHS Child Protection may conduct interviews of children at Victorian schools without parental knowledge or consent of the parents/carers (although this will only occur in exceptional circumstances and if it is in the child's best interests to proceed in this manner). The table below includes critical detail on when and how DHHS Child Protection interviews are conducted at school and what role the Principal or delegate should play if they are nominated as the support person.

#### DHHS Child Protection interviews at School

- DHHS Child Protection will notify the school staff of any intention to interview a child at the school. This may occur regardless of whether the school staff member is the source of the report to DHHS Child Protection.
- When DHHS Child Protection practitioners arrive at the school, the school Principal or their nominee should ask to see their identification before allowing DHHS Child Protection to have access to the child. For further advice on Visitors in Schools, see: <http://www.education.vic.gov.au/school/principals/spag/safety/Pages/visitorsinschool.aspx>
- Children should be advised of their right to have a supportive adult present during interviews. If the child is too young to understand the significance, a supportive adult should be provided even though the child may not have consented or requested this to occur.
- A staff member may be identified as a support person for the child during the interview. Prior to the commencement of the interview, the DHHS Child Protection practitioner should always authorise the staff member of the school to receive information regarding DHHS Child Protection's investigation. This could be conducted verbally or in writing using the relevant DHHS Child Protection proforma.
- As an independent person, school staff must refrain from providing their opinions or accounts for events during interviews.

## Complying with Subpoenas or Court Attendance

A subpoena/witness summons is a Court Order that compels you to produce documents, or attend Court and give evidence, or to do both of these things.

You are usually issued with a subpoena/witness summons because one of the parties to the legal proceedings believes that you may have information/documentation that is relevant to the legal proceeding.

If a government school staff member receives a subpoena/witness summons in the context of their employment with the DET, they should contact the Legal Division on (03) 9637 3146 for advice and assistance in meeting their legal obligations.

## Responding to Complaints or Concerns

There may be concerns or complaints about the school's staffs management of an incident, in particular by parents/carers. This is a very stressful time for parents/carers, and concerns that they do not believe have been dealt with fairly may quickly escalate.

As a first step school staff must consider whether the complaint raises any concerns about unreported abuse and/or risk of abuse. You must follow the [Four Critical Steps: Responding to Incidents, Disclosures or Suspicions of Child Abuse](#) (pg. 21) if any new information comes to light which leads you to believe that a child may be subject to, or at risk of any unreported abuse.

### Government school complaint process

Principals or delegates of government schools should follow the Department's standard parent complaints process, including:

- meeting the complainants to clarify their concerns (a face-to-face meeting with the Principal will often resolve the matter)
- documenting the concerns, clarifying the issues, explaining and gaining agreement to further action

- linking the complainants to the responsible Regional Office (e.g. the Regional Director) if the issues are not quickly resolved
- advising complainants of internal and external supports including the role of parent groups to provide independent advice and support
- advising complainants of their rights to:
  - escalate their complaint, in writing, to: Deputy Secretary Regional Services Group
  - write to the Victorian Government Ombudsman if they have exhausted the internal procedures and remain dissatisfied.

If the complaint related to sexual abuse, government school Principals or delegates should seek advice from the Student Incident and Recovery Unit on (03) 9637 2934 and the Legal Division on (03) 9637 3146.

For additional information on managing parent complaints please refer to: <http://www.education.vic.gov.au/school/Principals/spag/community/Pages/parentcomplaints.aspx>

### Catholic school complaint process

For support in managing complaints Catholic schools should contact:

- Archdiocese of Melbourne: Office of Professional Conduct, Ethics & Investigation on (03) 9267 0228
- Diocese of Sale: Senior Education Consultant on (03) 5622 6600
- Diocese of Ballarat: Child Safety on (03) 5337 7135
- Diocese of Sandhurst: Assistant to the Director: Legal, Industrial & Human Resources on (03) 5443 2377.

### Independent school complaint process

Independent schools should follow their own complaints process. If support is required, they can contact Independent Schools Victoria on (03) 9825 7200.



# Responding to Other Concerns About the Wellbeing of a Child

## CRITICAL INFORMATION

Regardless of the suspected cause, all concerns about the wellbeing of a child (or their unborn child) should be taken seriously and acted upon. This includes concerns about the wellbeing of a child, which do not appear to be the result of abuse.

You should make a referral to Child FIRST if:

- you have a significant concern for a child's wellbeing
- your concerns have a low-to-moderate impact on the child
- the child's immediate safety is not compromised
- you/your school has discussed the referral with the family and they are supportive of it.

You **must** contact Victoria Police if:

- there is any concern for a child's immediate safety and/or
- a child is partaking in any risk taking activity that is illegal and extreme in nature or poses a high risk to the child.

You should contact DHHS Child Protection if:

- after consideration of all of available information you form a view that the child is in need of protection
- you believe that the child's parent/carers will not be open to support from family services to address their child's wellbeing.

If you are unsure whether to take action, or what action to take you should discuss this with your leadership team and make contact with authorities for further advice.

Regardless of the suspected cause, all concerns about the wellbeing of a child (or their unborn child) should be taken seriously and acted upon. This includes concerns about the wellbeing of a child, which do not appear to be the result of abuse.

This section will support you to determine how to respond to concerns about the wellbeing of a child which do not appear to be the result of child abuse, with information on:

- When to Report Wellbeing Concerns to Child FIRST
- When to Report Wellbeing Concerns to Victoria Police
- When to Report Wellbeing Concerns to DHHS Child Protection.

In addition to reporting and referring wellbeing concerns to relevant authorities, you also have a duty of care to ensure that students feel safe and supported at school. See [Action 4: Providing On-going Support](#) (pg. 34) for advice on how to engage relevant allied health professionals and plan and document support strategies via a Student Support Planning process.

## WHEN TO REPORT WELLBEING CONCERNS TO CHILD FIRST

Child FIRST (Family Information, Referral and Support Team) is a community-based referral point into Family Services.

In addition to reporting suspected abuse to appropriate authorities, you should make a referral to Child FIRST if:

- you have a significant concern for a child's wellbeing
- your concerns have a low-to-moderate impact on the child
- the child's immediate safety is not compromised
- you/your school has discussed the referral with the family and they are supportive of it.

Examples of concerns that school staff should report to Child FIRST include instances when a child's care or development is significantly impacted on by:

- parenting problems
- family conflict or family breakdown
- pressure due to a family member's physical/mental illness, substance abuse, or disability
- vulnerability due to youth, isolation or lack of support
- significant social or economic disadvantage.

## WHEN TO REPORT WELLBEING CONCERNS TO VICTORIA POLICE

In addition to reporting suspected abuse to appropriate authorities, you **must** contact Victoria Police on 000 if the:

- child's immediate safety is compromised
- child is partaking in any risk taking activity that is illegal and extreme in nature or poses a high risk to the child.

## WHEN TO REPORT WELLBEING CONCERNS TO DHHS CHILD PROTECTION

In addition to reporting suspected abuse to appropriate authorities, you should contact DHHS Child Protection if you believe a child is in need of protection.

This includes all concerns that:

- have a serious impact on a child's safety, stability or development (including abandonment, death or incapacity, extreme risk-taking behaviour, or harm to an unborn child)
- are persistent and entrenched and likely to have a serious impact on a child's safety, stability or development
- relate to a parent/s who cannot or will not protect the child from significant harm
- include a belief that the family is likely to be uncooperative in seeking assistance.

### Common grounds for protection include:

#### Abandonment

The child's parents have abandoned the child and after reasonable inquiries, the parents cannot be found, and no other suitable person can be found who is willing and able to care for the child.

#### Death or incapacity of parent/carer

The child's parents are dead or incapacitated and there is no other suitable person willing and able to care for the child.

#### Extreme Risk-taking behaviour

The child is displaying extreme risk taking behaviour, which has potentially severe or life threatening consequences. Examples include severe alcohol or drug use; unsafe sexual activity including prostitution; solvent abuse and chroming, and violent or dangerous peer group activity.

In addition to contacting DHHS Child Protection, it may also be necessary to contact Victoria Police where the risk taking activity is illegal and extreme in nature or poses a high risk to the child.

#### Harm to an Unborn child

There is a threat of harm to an unborn child, including circumstances where a parent has previously demonstrated an inability to safely parent.

The *Children Youth and Families Act 2005* allows DHHS Child Protection to receive and respond to reports about an unborn child, which provides an important opportunity for earlier intervention and prevention. Prenatal reports may be particularly helpful to the unborn child in family violence situations, or where there are mental health concerns or drug or alcohol misuse during pregnancy.

# Privacy and Information Sharing

## CRITICAL INFORMATION

As a school staff member you are permitted to share certain information about a child who has been impacted (or is suspected to have been impacted) by abuse with:

- other staff members in order to enable staff to best support and protect that child
- an officer from DHHS Child Protection, if the information requested may be of assistance to DHHS Child Protection in their investigation of protective concerns
- Victoria Police if the information may assist in the investigation of potential criminal offences, or may aid in the immediate protection and safety of the child.

This section provides detail on the specific information sharing requirements, including:

- Information Sharing with School Staff
- Information Sharing with DHHS and Victoria Police
- Information Sharing with Family Services
- Information Sharing with the School Community.

Government school Principals can contact the Department's Legal Division on (03) 9637 3146 for advice and assistance if they are unsure of when information can be shared.

Catholic school Principals can contact:

- Archdiocese of Melbourne: Student Wellbeing Information Line on (03) 9267 0228
- Diocese of Sale: Child Protection Officer on (03) 5622 6600
- Diocese of Ballarat: Child Safety on (03) 5337 7135
- Diocese of Sandhurst: Assistant to the Director: Legal, Industrial & Human Resources on (03) 5443 2377.

Independent school Principals can contact Independent Schools Victoria on (03) 9825 7200.

## INFORMATION SHARING WITH SCHOOL STAFF

Privacy laws allow school staff to share a child's personal and health information to enable other school staff to:

- support the education of the student, plan for individual needs and address any barriers to learning
- support the social and emotional wellbeing and health of the student
- fulfil duty of care obligations to the student, other students, staff and visitors
- make reasonable adjustments if the student has a disability, including a medical condition or mental illness
- provide a safe and secure workplace.

Therefore as a school staff member you are permitted to share certain information about a child with other staff members, without the consent of a parent/guardian and without breaching privacy laws.

The type of information that may be appropriate to share with other school staff about a child who is impacted, or suspected to be impacted by child abuse may include:

- that the child is in a difficult situation
- that the child should be monitored and may need support
- the content of any *Student Support Plan*, including any signs or symptoms that the child may display when they are in need of support, and any strategies or support services that have been put in place to support the child while they are at school.

## INFORMATION SHARING WITH DHHS AND VICTORIA POLICE

As a school staff member, privacy legislation permits you to disclose personal information about a child to DHHS Child Protection if it is authorised or permitted by law, or if it is necessary to lessen or prevent a serious and imminent risk to health, safety or welfare of any person.

Reporting suspected child abuse to DHHS Child Protection or Victoria Police does not constitute a breach of Victorian or Commonwealth privacy laws because these disclosures are specifically permitted under the *Children Youth and Families Act 2005* and the *Privacy and Data Protection Act 2014*.

Disclosure of information to DHHS Child Protection in good faith does not constitute unprofessional conduct or a breach of professional ethics.

This means that you cannot be successfully sued or suffer formal adverse consequences in your work.

If you've made a report or referral your identity will be protected, unless you consent to its disclosure or the disclosure is specifically authorised by a Court/tribunal.

If you receive a request from an officer from DHHS Child Protection or Victoria Police for information relating to a child who has been impacted (or is suspected to have been impacted) by child abuse, you should:

- obtain the request for information in writing
- ensure that the written request includes the following information:
  - the name of the officer, the organisation in which they work, and their contact details
  - description of the information and documents that are being sought
  - the reasons why the information and documents are being sought
  - what authority the person or their organisation believes that they have to access the requested information and documents.

In these cases, you may be permitted to share the requested information and documents but you are not compelled to do so.

## INFORMATION SHARING WITH FAMILY SERVICES

Once a family service (or other service agency) commences providing services to a child and their family, as a school staff member you can only share information with this agency with the consent of the child's parents (and the child if they are old enough to consent).

This is because service provision in these circumstances is by voluntary agreement between the family and the service provider.

Family services are allowed to consult with DHHS Child Protection at any time, if necessary.

## INFORMATION SHARING WITH THE SCHOOL COMMUNITY

Planning and care should be taken before providing any information about child abuse to the school community. You and your Principal should be aware that that even confirming the existence of an allegation can lead to the identification of a victim.

If Principals are uncertain about how to respond to a particular request for information and documentation, they can contact:

- Government schools: Legal Division on (03) 9637 3146
- Catholic schools:
  - Archdiocese of Melbourne: Student Wellbeing Information Line on (03) 9267 0228
  - Diocese of Sale: Child Protection Officer on (03) 5622 6600
  - Diocese of Ballarat: Child Safety on (03) 5337 7135
  - Diocese of Sandhurst: Assistant to the Director: Legal, Industrial & Human Resources on (03) 5443 2377
- Independent schools can contact Independent Schools Victoria on (03) 9825 7200.

See *Requests for Information About Students* for the Department's detailed policy on information sharing at <http://www.education.vic.gov.au/school/principals/spag/safety/Pages/requestinfo.aspx>

# Contact Details and More Information

## SUPPORT ROLES WITHIN THE DEPARTMENT OF EDUCATION AND TRAINING

Within the Department of Education and Training, there are a number of supports available to Victorian government schools responding to incidents, disclosures or suspicions of child abuse, including:

### Security Services Unit (SSU)

The Security Services Unit provides a 24-hour communications centre for schools and Departmental staff to report a range of incidents. On receiving notification of an incident involving child abuse the Security Services Unit immediately alerts the Student Incident and Recovery Unit (SIRU) and relevant staff within the Central and Regional Office.

### Regional Offices

Principals of Victorian government schools are required to maintain on-going contact with their Regional Office throughout any incidents, disclosures or suspicions of child abuse.

Each region has an emergency management contact/s. These officers can provide initial advice and support to Victorian government schools during and after incidents, and assists schools to minimise the effects of trauma and enhance recovery.

### Student Incident and Recovery Unit (SIRU)

The Student Incident and Recovery Unit (SIRU) works with Victorian Government schools following incidents of a sexual nature to ensure appropriate advice and supports are in place that prioritises the health and wellbeing of the children involved. The SIRU is notified by the Security Services Unit as soon as an incident involving sexual abuse (or problem sexual behaviour) is reported.

The SIRU will:

- provide timely and appropriate advice to Victorian Government schools
- support regions and Victorian Government schools to respond to critical incidents of a sexual nature
- advise Victorian Government schools to meet their legal obligations and duty of care responsibilities
- assist Principals and senior school staff from Victorian Government schools to manage incidents of a sexual nature in a manner that ensures adverse impact on the school community is minimised
- monitor the progress of school management of such incidents.
- provide advice on appropriate response measures, such as counselling and management strategies to support those involved in allegations of sexual offending or problem sexual behaviour
- provide advice on the provision of a suitable level of support to school staff and members of the school community on whom the incident has impacted.

The SIRU works closely with other key agencies, such as Victoria Police SOCIT and the DHHS, and with organisations such as the Centre against Sexual Assault (CASA) to support student wellbeing in Victorian Government schools.

## Student Support Services

The role of the Student Support Services is to provide support to Victorian Government schools including:

- establishing a relationship with students and possibly their families
- providing a supportive, calm approach and acknowledging the issues raised
- clarifying the needs of the child
- evaluating the child's present strengths and resources
- evaluating possible ways of accommodating the child's identified needs, such as referral for specialist counselling and school-based supports
- documenting information and actions
- identifying the process for follow up and review
- ascertaining which intervention programs are most appropriate in meeting an individual child's needs
- working with the school staff on the appropriate strategies and supports needed for individual children.

## Employee Conduct Branch

The Employee Conduct Branch is responsible for the implementation of policy and the provision of advice on complaint resolution procedures, unsatisfactory performance, serious misconduct (which would include allegations of child abuse), criminal records checks and police liaison, as it relates to Victorian Government school and DET employees.

The branch also manages discipline matters involving members of the teaching service (including Principal Class Officers) and public servants. A key role of the branch is to support Principals or designated officers in their management of processes, and provide advice to them concerning legislative and procedural frameworks.

The Employee Conduct Branch must be contacted on all issues of alleged serious misconduct including allegations of child abuse and grooming which involve a staff member employed by the Department. This includes teachers and Principals.

## Legal Division

The Department's Legal Division provides specific advice to government school Principals in relation to incidents, disclosures and suspicions of child abuse.

## Communications Division

The Department's Communications Division manages all Departmental media liaison, and can support Principals of Victorian government schools in responding to media enquiries relating to incidents, disclosures and suspicions of child abuse.

## SUPPORT ROLES WITHIN CATHOLIC EDUCATION AND INDEPENDENT SCHOOLS

### Catholic Education

Within Catholic education, there are a number of supports available to schools when responding to incidents, disclosures or suspicions of child abuse. Catholic schools should contact their Diocesan education office for support and advice.

- Archdiocese of Melbourne: Student Wellbeing Information Line on (03) 9267 0228
- Diocese of Sale: Child Protection Officer on (03) 5622 6600
- Diocese of Ballarat: Child Safety on (03) 5337 7135
- Diocese of Sandhurst: Child Protection Officer on (03) 5443 2377.

### Independent Schools

Independent Schools Victoria can provide guidance and support to independent schools and can be contacted on (03) 9825 7200.



## ROLES OF OTHER RELEVANT AUTHORITIES

### DHHS Child Protection

Under the *Children Youth and Families Act 2005* the Department of Health and Human Services (DHHS) has a responsibility to provide child protection services for all children and young people under the age of 17 years, or where a protection order is in place, for children under the age of 18.

The main functions of DHHS Child Protection are to:

- receive reports from people who believe that a child is in need of protection or have significant concerns about the wellbeing of a child
- provide consultation and advice to people making reports
- investigate matters where it is believed that a child is at risk of significant harm
- refer children and families to services that assist in providing for the on going safety and wellbeing of children.

DHHS Child Protection will also intervene and bring cases before the Children's Court if a child's safety cannot be managed without intervention. DHHS Child Protection has a responsibility to provide adequate supervision, care and protection for children in accordance with orders granted by the Children's Court.

### Child FIRST

Child and Family Information, Referral and Support Teams (Child FIRST) were introduced to give families an opportunity to obtain family services earlier at their own request or following a referral from others, including school staff.

Child FIRST is staffed by family services practitioners who are experienced in assessing the needs of vulnerable children and their families. Child FIRST teams work closely with community-based DHHS Child Protection workers.

The role of Child FIRST includes:

- providing a point of entry to a local network of family services
- receiving reports about vulnerable children where there are significant concerns about their wellbeing

- undertaking an initial identification and assessment of the risks to the child and the child's needs in consultation with DHHS Child Protection and other services
- identifying appropriate service responses for families.

### Victoria Police

Both DHHS and Victoria Police have statutory responsibilities under the *Children Youth and Families Act 2005* in relation to the protection of children. DHHS Child Protection is the lead agency responsible for the care and protection of children, while Victoria Police is responsible for criminal investigations into alleged child abuse.

Members of Victoria Police are protective interveners and mandatory reporters under the *Children, Youth and Families Act 2005*. The predominant role of police in child abuse incidents is to detect and investigate alleged child physical and sexual abuse and to initiate legal proceedings where appropriate, against the alleged offender/s.

The key responsibilities of Victoria Police in relation to child abuse are to:

- ensure all police members are aware of relevant legislation and their responsibilities
- ensure all police accept and carry out their responsibilities under the Act
- conduct all investigations on the basis that the safety and welfare of the child are paramount
- plan investigations in collaboration with other, relevant agencies
- work with other agencies in accordance with agreed work practices
- provide information to other, relevant agencies
- provide training for staff, and, jointly, with relevant agencies.

Victoria Police Sexual Offences and Child Abuse Investigation Teams (SOCIT) have been established to ensure that appropriately trained and qualified police officers are available to respond to and investigate allegations of child abuse and sexual offences.



## COUNSELLING/SUPPORT ORGANISATIONS

### The Centre Against Sexual Assault

There are 15 Centres Against Sexual Assault, which work to ensure that women, children and men who are victim/survivors of sexual offending have access to comprehensive and timely support and intervention to address their needs.

<http://www.casa.org.au/>

1800 806 292

### Gatehouse Centre, Royal Children's Hospital

Provides support and assistance to children and young people affected by sexual offending or problem sexual behaviours.

[http://ww2.rch.org.au/gatehouse/index.cfm?doc\\_id=1151](http://ww2.rch.org.au/gatehouse/index.cfm?doc_id=1151)

### Children's Protection Society

Provide advice and support to children and families to help them break out of the cycle of abuse, neglect, poverty and disadvantage through a creative portfolio of programs, resources and services.

<http://www.cps.org.au/>

(03) 9450 0900

### Australian Childhood Foundation

Provide recognised programs that counsel and support children to recovery; help professionals who work with children to better support at risk children; raise awareness of the causes and consequences of abuse.

<http://www.childhood.org.au/home/>

1800 176 453

### Victorian Aboriginal Legal Service

The Victorian Aboriginal Legal Service Co-operative Limited provides legal advice and representation for the Koorie community.

[www.vals.org.au](http://www.vals.org.au)

(03) 9322 3555 or country toll free on 1800 015 188

### Child Wise

Child Wise is Australia's leading international child protection charity committed to the prevention and reduction of sexual abuse and exploitation of children around the world.

<http://www.childwise.org.au/>

(03) 9695 8900

### Aboriginal Family Violence Prevention and Legal Services

Provides assistance to victims of family violence and sexual offending and to work with families and communities affected by violence.

<http://www.fvpls.org/>

### Headspace

Headspace is the National Youth Mental Health Foundation providing early intervention mental health services to 12-25 year olds, along with assistance in promoting young peoples' wellbeing. This covers four core areas: mental health, physical health, work and study support and alcohol and other drug services.

Information and services for young people, their families and friends as well as health professionals can be accessed through this website, headspace centres, online counselling service eheadspace, and postvention suicide support program headspace School Support.

<http://headspace.org.au/>

## CONTACT INFORMATION

### 24 Hour Services

Victoria Police	000
Department of Health and Human Services Child Protection	131 278
Department of Education and Training Security Services Unit	(03) 9589 6266

### Department of Education and Training

Security Services Unit	(03) 9589 6266
Student Incident and Recovery Unit	(03) 9637 2934 or (03) 9637 2487
Legal Division	(03) 9637 3146
Employee Assistance Program	1300 361 008
Employee Health	(03) 9637 2395
Employee Conduct Branch	(03) 9637 2595
Privacy Unit	(03) 9637 3601
International Division	(03) 9651 3976
Communications Division	(03) 9637 2871

### Catholic Education

Archdiocese of Melbourne: <ul style="list-style-type: none"> <li>■ Office of Professional Conduct, Ethics &amp; Investigation</li> <li>■ Legal Services</li> <li>■ Student Wellbeing Information Line</li> <li>■ Communications &amp; Marketing Unit (Media Advisor)</li> </ul>	(03) 9267 0228
Diocese of Sale	(03) 56 22 6600
Diocese of Ballarat	(03) 5337 7135
Diocese of Sandhurst	(03) 5443 2377

### Independent Schools

Independent Schools Victoria	(03) 9825 7200
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### Regional

<b>North Eastern Victoria</b>	
General enquiries	1300 333 231
Benalla office	03 8392 9500
Glen Waverley office	03 8392 9300
<b>North Western Victoria</b>	
Bendigo office	03 5337 8444
Coburg office	03 9488 9488
<b>South Eastern Victoria</b>	
Dandenong office	03 8765 5600
Moe office	03 5127 0400
<b>South Western Victoria</b>	
General enquiries	1300 333 232
Ballarat office	(03) 5337 8444
Footscray office	(03) 8397 0300
Geelong office	(03) 5225 1000
Horsham office	(03) 5310 5300
Warrnambool office	1300 333 232

## Department of Health and Human Services Child Protection

Region	Local Government Areas (LGAs)	Phone No
Northern and western suburban LGAs	Banyule, Brimbank, Darebin, Hobsons Bay, Hume, Maribyrnong, Melbourne, Melton, Moonee Valley, Moreland, Nillumbik, Whittlesea, Wyndham, Yarra.	1300 664 977
Eastern suburban LGAs	Boroondara, Knox, Manningham, Maroondah, Monash, Whitehorse, Yarra Ranges.	1300 360 391
Southern suburban LGAs	Bayside, Cardinia, Casey, Frankston, Glen Eira, Greater Dandenong, Kingston, Mornington Peninsula, Port Phillip, Stonnington.	1300 655 795
West Rural and Regional LGs	Ararat, Ballarat, Golden Plains, Hepburn, Hindmarsh, Horsham, Moorabool, Northern Grampians, Pyrenees, West Wimmera, Yarriambiack, Colac-Otway, Corangamite, Glenelg, Greater Geelong, Moyne, Queenscliffe, Southern Grampians, Surf Coast, Warrnambool.	1800 075 599
North-western rural and regional LGAs	Buloke, Campaspe, Central Goldfields, Gannawarra, Greater Bendigo, Loddon, Macedon Ranges, Mildura, Mount Alexander, Swan Hill.	1800 675 598
North-eastern rural and regional LGAS	Alpine, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Strathbogie, Towong, Wangaratta, Wodonga.	1800 650 227
Eastern and south-eastern rural and regional LGAs	Bass Coast, Baw Baw, East Gippsland, Latrobe, South Gippsland, Wellington.	1800 020 202

## Child First

Alpine	1800 705 211
Ararat	1300 783 341
Ballarat	1300 783 341
Banyule	03) 9450 0955
Bass Coast	(03) 5662 5150
Baw Baw	1800 339 100
Bayside	1300 367 441
Benalla	1800 705 211
Boroondara	1300 762 125
Brimbank	1300 138 180
Buloke	1300 665 218
Campaspe	1800 260 338
Cardinia	(03) 9705 3939
Cardinia - Aboriginal children and families	(03) 9794 5973
Casey	(03) 9705 3939
Casey - Aboriginal children and families	(03) 9794 5973
Central Goldfields	1800 260 338
Colac-Otway	(03) 5232 5500
Corangamite	(03) 5232 5500
Darebin	(03) 9450 0955
East Gippsland	(03) 5152 0052
Frankston	1300 721 383
Gannawarra	1300 665 218
Glen Eira	1300 367 441
Glenelg	1300 543 779
Golden Plains	1300 783 341
Greater Bendigo	1800 260 338
Greater Dandenong	(03) 9705 3939
Greater Dandenong - Aboriginal children and families	03) 9794 5973
(Greater Geelong	1300 551 948
Greater Shepparton	1300 854 944
Hepburn	1300 783 341
Hindmarsh	1800 195 114
Hobson's Bay	1300 775 160
Horsham	1800 195 114
Hume	1300 786 433
Indigo	1800 705 211
Kingston	1300 367 441
Knox	1300 369 146
La Trobe	1800 339 100
Loddon	1800 260 338
Macedon Ranges	1800 260 338

Manningham	1300 762 125
Mansfield	1800 705 211
Maribyrnong	1300 775 160
Maroondah	1300 369 146
Melbourne	1300 775 160
Melton	1300 138 180
Mildura	1300 625 533
Mitchell	1800 663 107
Moira	1300 854 944
Monash	1300 762 125
Moonee Valley	1300 775 160
Macedon Ranges	1300 783 341
Moorabool	1300 786 433
Moreland	1300 721 383
Mornington Peninsula	1800 260 338
Mount Alexander	1300 543 779
Moyne	1800 663 107
Nillumbik	(03) 9450 0955
Northern Grampians	1800 195 114
Port Phillip	1300 367 441
Pyrenees	1300 783 341
Queenscliff	1300 551 948
South Gippsland	(03) 5662 5150
Southern Grampians	1300 543 779
Stonnington	1300 367 441
Strathbogie	1300 854 944
Surf Coas	1300 551 948
Swan Hill	1300 665 218
Towong	1800 705 211
Wangaratta	1800 705 211
Warrnambool	1300 543 779
Wellington	(03) 5144 7777
West Wimmera	1800 195 114
Whitehorse	1300 762 125
Whittlesea	(03) 9450 0955
Wodonga	1800 705 211
Wyndham	1300 775 160
Yarra	(03) 9450 0955
Yarra Ranges	1300 369 146
Yarriambiak	1800 195 114

### Other Services

Centres Against Sexual Assault (CASA) – Emergency Counselling & Support Line 1800 806 292	1800 806 292
Australian Childhood Foundation	1800 176 453
Children’s Protection Society	(03) 9450 0900
Child Wise	(03) 9695 8900
Vic Aboriginal Education Association	(03) 9481 0800
Child Safety Commission	1300 782 978
Office of the Children’s eSafety Commissioner	1800 880 176
Victorian Aboriginal Child Care Agency (VACCA)	(03) 9287 8800
Victorian Aboriginal Community Controlled Health Organisation (VACCHO)	(03) 9411 9411

### Sexually Abusive Behaviour Treatment Services Providers:

Aust Childhood Foundation	(03) 9874 3922
Children’s Protection Society	(03) 9450 0900
Berry St	(03) 5822 8100
Mallee Sexual Assault	(03) 5025 5400
South Eastern CASA	(03) 9928 8741
Ballarat CASA	(03) 5320 3933
Barwon CASA	(03) 5222 4318
Campaspe CASA	(03) 5441 0430
Gippsland CASA	(03) 5134 3922
Goulburn Valley CASA	(03) 5831 2343
Upper Murray CASA	(03) 5722 2203
Wimmera CASA	(03) 5381 927

