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# Child Protection Reporting Obligations incl. Mandatory Reporting Procedure

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## Purpose

This procedure contains all the information and requirements for reporting and responding to an incident of child abuse. They are designed and implemented by taking into account the diverse characteristics of school communities.

## Scope

This policy applies to school staff, including school employees, volunteers, contractors and clergy.

## Legislative Context

- *Children, Youth and Families Act 2005 (Vic)*
- *Child Wellbeing and Safety Act 2005 (Vic)* and the Child Safe Standards (Vic)
- *Crimes Act 1958 (Vic)*
- *Education and Training Reform Act 2006 (Vic.)*
- *Equal Opportunity Act 2010 (Vic.)*
- *Privacy Act 1988 (Cth)*
- VRQA Guidelines to Minimum Standards 2015
- *Working with Children Act 2005 (Vic)*

## Definitions

A complete list of definitions relevant to this procedure is contained within the Child Protection Reporting Obligations Policy.

## Actions

Monivae College has a moral, legal and mission-driven responsibility to create nurturing school environments where children and young people are respected, their voices heard and where they are safe and feel safe.

Every person involved in Monivae College has a responsibility to understand the important and specific role they have individually and collectively to ensure that the wellbeing and safety of all children and young people is at the forefront of all they do and every decision they make.

It is Catholic Education Melbourne's policy that all schools display the *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse* diagram in staff rooms and other strategic areas of the school, to ensure all school staff are aware of the actions to take as soon as they witness a child protection incident, receive a disclosure or form a reasonable belief that a child has been, or is at risk of being, abused.

## Responding to and Reporting Child Protection Concerns

The approach to responding and reporting child protection concerns in the joint protocol incorporates the *Four Critical Actions for Schools. (Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse)*

Before the Four Critical Actions can be followed, a school staff member must first be made aware of a child protection incident that will determine if they must take action to protect a child.

## Becoming Aware of a Child Protection Incident

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

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### Witnessing an incident:

If you witness an incident where you believe a child has been subjected to abuse you must first take immediate action to protect the safety of the child or children involved and then go straight to the [Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#).

### Forming a suspicion:

All suspicions that a child has been, is being, or is at risk of being abused must be taken seriously, including suspicions that the abuse is taking or may take place outside school grounds or areas. If your suspicion develops into a reasonable belief you must act and refer to the [Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#).

### Receiving a disclosure about or from a current student:

All disclosures must be treated seriously. You should immediately refer to the [Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#).

### Receiving a disclosure about or from a former student:

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

If the former student is no longer of school age or attending a Victorian school, you must still report the disclosure to [DHHS Child Protection](#).

### Notes & Records

Staff members are to keep clear and comprehensive notes relating to incidents, disclosures and allegations of child abuse using the [Responding to Suspected Child Abuse: A Template for all Victorian Schools](#).

For strategies on how to manage a disclosure refer to [Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools](#).

### The Four Critical Actions

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

1. Responding to an Emergency
2. Reporting to Authorities
3. Contacting Parents/Carers
4. Providing Ongoing Support

#### Critical Action 1: Responding to an Emergency

This first step is only applicable if a child has just been abused or is at immediate risk of harm.

If this is not the case, go straight to Critical Action 2: Reporting to authorities.

If the child has just been abused or is at immediate risk of harm you must take reasonable steps to protect the child, including:

- separating the alleged victim and others involved, ensuring that if the parties involved are all present at the school that they are supervised separately by a school staff member
- arranging and providing urgent medical assistance where necessary, including administering first aid or calling 000 for an ambulance

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- calling 000 for urgent police assistance if the person who is alleged to have engaged in the abuse poses an immediate risk to the health and safety of any person.

If the child protection incident has occurred at the school, school staff should also ensure that reasonable steps are taken to preserve the environment, the clothing and other items and prevent any potential witnesses from discussing the incident until the Police or relevant authorities arrive on the premises.

### Critical Action 2: Reporting to Authorities

All forms and instances of suspected or alleged child abuse must be reported to the appropriate authority.

As soon as critical health and safety concerns have been addressed the staff member must take steps to report the child protection incident, suspicion or disclosure as soon as practicable.

DHHS Child Protection is the Victorian government agency that protects children at risk of significant harm. All incidents, suspicions and disclosures of child abuse must be reported to DHHS Child Protection except where the incident involves sexual abuse or grooming, in which case it must be reported to the Police.

Failure to report physical or sexual abuse of a child is a criminal offence. For more information, refer to the *Failure to disclose* section of this policy.

There are different reporting procedures and authorities who must be notified depending on whether the source of the suspected or alleged abuse came from within the school or within the family or community of the child. The DHHS and DET have deliberately set a low threshold for the formation of a 'reasonable belief'.

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

### How to Make a Mandatory Report

The table 'Making a Mandatory report' describes the information to include when making a mandatory report about child abuse or child protection concerns. If a child is at immediate risk of harm, contact the Police immediately.

Making a Mandatory Report	
Steps	Description
1. Keep Notes	<p>Keep comprehensive notes that are dated and include the following information:</p> <ul style="list-style-type: none"> <li>a description of the concerns (e.g. physical injuries, student behaviour)</li> <li>the source of those concerns (e.g. observation, report from child or another person)</li> <li>the actions taken as a result of the concerns (e.g. consultation with the principal, report to DHHS Child Protection, etc.).</li> </ul>
2. Discuss Concerns	<p>Due to the complexity of child abuse incidents, disclosures and suspicions, it is recommended that concerns and observations regarding suspected physical or sexual abuse of a child are discussed with the principal or a member of the Leadership Team and/or Catholic Education Melbourne's Student Wellbeing Information Line.</p> <p>This is not a legal requirement, however will help to ensure support is provided to all involved in matters of this nature. The confidentiality of these discussions must be maintained.</p> <p>You should then make your own assessment about whether you are required to make a report about the child or young person and to whom the report should be made.</p>

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	<p>It is important to remember that the duty to report abuse or suspicions of abuse exists even if the principal, member of the Leadership Team or a representative of Catholic Education Melbourne advises you not to proceed with reporting suspected abuse.</p>
3. Gather & Document Information	<p>Gather the relevant information necessary to make the report. This should include the following information:</p> <ul style="list-style-type: none"> <li>▪ full name, date of birth and residential address of the child or young person</li> <li>▪ the details of the concerns and the reasons for those concerns</li> <li>▪ your involvement with the child or young person</li> <li>▪ details of any other agencies which may be involved with the child or young person.</li> </ul> <p>This information should be collected and documented using the <a href="#">Responding to Suspected Child Abuse: A Template for all Victorian Schools</a>. The template is to be used to record as much information as possible to provide when you make your report to either the Police or DHHS Child Protection.</p> <p>It is critical that completing the template does not impact on reporting times – if a child is in immediate danger school staff need to report the matter immediately to the Police.</p>
4. Make the Report	<p>To report concerns which are life-threatening phone 000 or the local police station.</p> <p>Where the source of the abuse comes from within the school; that is, the suspected or alleged abuse involves a staff member, volunteer or contractor at the school:</p> <ul style="list-style-type: none"> <li>▪ contact the Police. The Police will, in this case, contact DHHS Child Protection when appropriate.</li> <li>▪ you must also report internally to: <ul style="list-style-type: none"> <li>▪ The principal, or the Leadership Team if the principal is involved in the allegation</li> <li>▪ Catholic Education Melbourne’s Student Wellbeing Information Line (9267 0228).</li> </ul> </li> </ul> <p>Where the source of the suspected or alleged abuse comes from within the child’s family or community, you must:</p> <ul style="list-style-type: none"> <li>▪ report sexual abuse and grooming to the Police</li> <li>▪ report the matter to <a href="#">DHHS Child Protection</a> if you consider the child to be in need of protection due to child abuse, or has been, is being or is at risk of being harmed due to any form of abuse. If after hours call the Child Protection Crisis Line on 13 12 78.</li> <li>▪ report internally to: <ul style="list-style-type: none"> <li>▪ the principal, or a member of the Leadership Team if the principal is unavailable</li> <li>▪ Catholic Education Melbourne’s Student Wellbeing Information Line (9267 0228)</li> </ul> </li> </ul>
5. Document Written Records of Report	<p>Make a written record of the report including the following information:</p> <ul style="list-style-type: none"> <li>▪ the date and time of the report and a summary of what was reported</li> </ul>

	<ul style="list-style-type: none"> <li>the name and position of the person who made the report and the person who received the report.</li> </ul> <p>The information initially recorded in the <a href="#">Responding to Suspected Child Abuse: A Template for all Victorian Schools</a> and any additional information provided to either the Police or DHHS Child Protection is to be stored securely and maintained for a minimum of seven (7) years by the school, to ensure that records are accessible upon request by external authorities investigating the matter.</p>
6. Additional Steps for Overseas Students	Where a child protection incident, disclosure or suspicion involves an international student at the school and the school has issued a Confirmation of Appropriate Accommodation and Welfare (CAAW) letter for that student (thereby assuming responsibility for the child's accommodation, support and general welfare) the school will also need to contact the VRQA.

### ChildFIRST

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 to or seeking advice from ChildFIRST.

ChildFIRST is the Family Information Referral Support Team run by a registered community service in a local area that can receive confidential referrals about a child of concern. It does not have any statutory powers to protect a child but can refer matters to family services.

You should make a report to ChildFIRST if:

- you have a significant concern for a child's wellbeing
- your concerns are about circumstances that have a low-to-moderate impact on the child
- the child's immediate safety is not compromised
- you and the school have discussed the referral to Child FIRST with the child's parents/carers, and all parties are supportive of this decision.

Where you believe that the child's parents/carers will not be supportive of the referral, you may refer the matter to DHHS Child Protection.

If you are unsure of what action to take in response to your concerns about a child, speak to the principal or a member of the school's Leadership Team, or contact DHHS Child Protection or ChildFIRST for further advice.

For more information refer to [Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools](#).

### Making Additional Reports

After you have made a report, you may continue to suspect that a child is at risk and in need of protection. Any further observations should continue to be recorded and a report made on each separate occasion where a belief has been formed – on reasonable grounds – that a child is likely to be at risk and in need of protection.

If there is any suspicion that this relates to a sexual offence involving a person over 18 and a child under 16 then it must be reported to the Police. For more information, refer to the *Failure to disclose* section of the Child Protection Reporting Obligations Policy.

Where a staff member is aware that another staff member has formed a reasonable belief about the same child on the same occasion, or based on the same indicators of abuse, and has made a report to the appropriate authority, the first staff member need not make a further report.

However, if the first staff member has formed a reasonable belief of abuse or a significant risk of abuse to

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the child based on different observations, further indicators or additional information, a further report must be made to the appropriate authority detailing this additional information.

### Critical Action 3: Contacting Parents/Carers

Where it is suspected that a child at the school has been, or is at risk of being abused, it is critical that parents/carers of the child are notified as soon as practicable after a report is made to the authorities.

The school must always seek advice from the Police or DHHS Child Protection, to ensure that it is appropriate to contact the parents/carers.

Advice from the Police or DHHS Child Protection will depend on a number of factors, including:

- whether the parents/carers of the child are alleged to have engaged in the abuse
- whether a disclosure to the parents/carers may result in further abuse to the child
- where the child is a mature minor (at least 17 years of age and assessed to be sufficiently mature and intelligent to make decisions for themselves) and has requested that their parents/carers not be notified – the school should insist that another responsible adult is notified in lieu of the parents/carers
- whether notifying parents/carers would adversely affect an investigation of the matter by external authorities. Where the suspicion of abuse or risk of abuse has not yet warranted a reasonable belief, parents/carers should also be notified promptly after the school has carefully considered the factors listed above.

For detailed guidance on how to have this conversation with a parent or carer, refer to [Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools](#).

### Critical Action 4: Providing Ongoing Support

Staff members who witness a child protection incident, receive a disclosure or develop a suspicion of child abuse have a critical role to play in supporting students impacted by the child protection matter, to ensure that they feel supported and safe at the school.

Support provided to students at the school includes:

- regular communication with the student and their parents/carers where appropriate
- convening a Student Support Group of school wellbeing staff and teachers to plan, support and monitor affected students
- the development of Student Support Plans for students impacted by the incident to ensure appropriate levels of care and support are provided depending on their involvement.

You should contact the Catholic Education Melbourne’s Student Wellbeing Information Line (9267 0228) for a description of the range of school-based support services that may be available.

Where external authorities are investigating a report of abuse or risk of abuse, it is the role of the principal to ensure that students are supported throughout interviews at the school. For more information on this topic, refer to [School Guidelines 2.19a: Police and DHHS Interview Protocols](#).

The school has a duty to ensure that school staff members are supported following the witnessing of an incident or disclosure, or who have made a report to external authorities about a reasonable belief of child abuse. Staff members requiring wellbeing support can contact the school’s Employee Assistance Program (EAP) provider.

The school should conduct a review of the reporting process 4–6 weeks after a report has been made to identify if any follow-up support actions are needed. Refer to [Responding to Suspected Child Abuse: A Template for all Victorian Schools](#) for more information.

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## Potential Consequences of Making a Report

This table describes the potential consequences of making a report.

Potential Consequences of Making a Report	
Potential Consequence	Description
Confidentiality	<p>The identity of a reporter must remain confidential unless:</p> <ul style="list-style-type: none"> <li>▪ the reporter chooses to inform the child, young person or parent of the report</li> <li>▪ the reporter consents in writing to their identity being disclosed</li> <li>▪ a court or tribunal decides that it necessary for the identity of the reporter to be disclosed, to ensure the safety and wellbeing of the child</li> <li>▪ a court or tribunal decides that, in the interests of justice, the reporter is required to provide evidence.</li> </ul>
Professional Protection	<p>If a report is made in good faith:</p> <ul style="list-style-type: none"> <li>▪ it does not constitute unprofessional conduct or a breach of professional ethics on the part of the reporter</li> <li>▪ the reporter cannot be held legally liable in respect of the report.</li> </ul>
Interviews	<p>DHHS Child Protection and/or the Police may conduct interviews of children and young people at the school without their parent's knowledge or consent.</p> <ul style="list-style-type: none"> <li>▪ Interviewing children and young people at school should only occur in exceptional circumstances and if it is in the best interests of the child to proceed in this manner.</li> <li>▪ DHHS Child Protection and/or the Police will notify the principal or a member of the Leadership Team of their intention to interview the child or young person on the school premises.</li> <li>▪ When DHHS Child Protection practitioners/police officers come to the school premises, the principal or a member of the leadership team should request to see identification before permitting them to have access to the child or young person.</li> <li>▪ When a child or young person is being interviewed by DHHS Child Protection and/or the Police, school staff must arrange to have a supportive adult present with the child or young person.</li> </ul> <p>For more information on these requests and school responsibilities, see Catholic Education Melbourne's <i>School Guidelines 2.19a: Police and DHHS Interview Protocols</i>.</p>
Support for the Child of Young Person	<p>The roles and responsibilities of school staff in supporting children who are involved with DHHS Child Protection may include the following:</p> <ul style="list-style-type: none"> <li>▪ acting as a support person for the child or young person attending DHHS Child Protection case-planning meetings</li> <li>▪ observing and monitoring the child's behaviour</li> <li>▪ liaising with professionals.</li> </ul>
Requests for Information	<p>DHHS Child Protection and/or Child FIRST and/or the Police may request information about the child or family for the purpose of investigating a report and assessing the risk to the child or young person.</p> <p>In certain circumstances, DHHS Child Protection can also direct school staff to provide information or documents about the protection or development of the child. Such directions should be in writing and only be made by authorised persons within DHHS Child Protection. Refer to <a href="#">Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools</a>.</p>
Witness Summons	<p>If DHHS Child Protection makes a Protection Application in the Children's Court of Victoria, any party to the application may issue a Witness Summons to produce documents and/or to give evidence in the proceedings. See Catholic Education</p>

## Responding to Complaints or Concerns

The school may receive concerns or complaints about school staff management of a child protection incident. These concerns or complaints may be voiced by parents/carers or others within the school community.

The school should follow its internal complaints handling process to ensure that all concerns, complaints or feedback on school policies or processes are effectively captured and appropriately managed.

It is important that, as a first step, the school ensures that the complaint does not raise concerns that child abuse or a risk of child abuse has gone unreported.

If this is the case, the school should follow the [Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#) to ensure that any new information received through a complaint or concern from a member of the school community is reported to authorities where required.

## Further Information

Catholic Education Melbourne's **Student Wellbeing Information Line (9am – 5pm daily)**  
**(03) 9267 0228**

The Student Wellbeing Information Line seeks to:

- address matters that impact the wellbeing and educational outcomes of young people arising in Catholic school communities using a solution-focused framework
- act as a conduit between the school and family to promote effective communication and resolution of enquiries
- empower and enhance the capacity, competence and confidence of stakeholders to address matters related to the wellbeing of young people.

## Supporting Documents

- Child Protection Reporting Obligations Policy
- Child Safety Policy
- Child Safety Procedures

## References

### Catholic Education Melbourne

- [Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools](#)
- [Four Critical Actions for Schools Responding to Incidents, Disclosures and Suspicions of Child Abuse](#)
- [Responding to Suspected Child Abuse: A Template for all Victorian Schools](#)
- Catholic Education Melbourne's School Guidelines [2.19a: Police and DHHS Interview Protocols](#)
- [Catholic Schools Operational Guide](#) (CEVN website)
- [Privacy Compliance Manual](#) (CEVN website):
  - updated by the Catholic Education Commission of Victoria Ltd (CECV) December 2015
  - this manual may be used by schools and systems which are represented by the CECV.

### Victorian Government

- [Ministerial Order 870: Child Safe Standards](#)

### Department of Education and Training (DET)

- [The School Policy and Advisory Guide \(SPAG\)](#)

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- [Mandatory Reporting eLearning Module.](#)

#### Department of Health and Human Services

- [Child Protection](#)
- [ChildFIRST](#)

#### Victoria Police

- [Victoria Police Sexual Offences and Child Abuse Investigation Teams\(SOCIT\).](#)

#### Department of Justice and Regulations

- [Failure to disclose offence](#)
- [Failure to protect offence](#)
- [Grooming offence.](#)

#### Other resources

- [Daniel Morcombe Child Safety Curriculum](#)
- Parents, see [Daniel Morcombe Child Safety Curriculum Parent Guides – Queensland Department of Education, Training and Employment.](#)

## Responsibility

- The Board Directors (*as the Approval Authority*) are responsible for monitoring the implementation, outcomes and scheduled review of this procedure.
- The Deputy Principal (*as the Policy Sponsor*) is responsible for maintaining the content of this procedure as delegated by the above title.
- The Compliance and Risk Manager is responsible for the administration support for the maintenance of this procedure as directed by the above title.

## Promulgation

The Child Protection Reporting Obligations Procedure will be communicated throughout the School community in the form of:

1. Policies section of the Monivae website to alert the School-wide community of the approved Policy;
2. distribution of e-mails to all staff.

## Implementation

The Child Protection Reporting Obligations Procedure will be implemented throughout the School via:

1. Policies section of SIMON knowledge banks to alert the School-wide community of the approved Policy;
2. Staff briefing sessions
3. Training sessions

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