

OLSH College Child Protection Reporting Responsibilities Policy

Rationale

Protecting children and young people from harm is a shared responsibility between the family, schools, the general community, community agencies, professionals working with children, police and government. Each has a significant role to play in ensuring the safety and wellbeing of children and young people and in helping prevent harm from occurring.

Our Lady of the Sacred Heart College Bentleigh (OLSH College) has a mission-driven, moral and legal responsibility to provide a safe, inclusive and secure environment for students where their voices are heard and where every reasonable precaution is taken to protect them from all forms of abuse. Our College works in partnership with the community to ensure that we reduce or remove risks to the personal safety and wellbeing of our students and all children and young people.

This policy assists OLSH College staff members and associates to understand and comply with Victoria's Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises, Ministerial Order No. 1359. It has a particular focus on Standard 7, which requires schools and boarding premises to have child-focused complaints processes and clear procedures for responding to and reporting incidents of suspected child abuse."

Legislative Context

Child safety obligations fall under separate pieces of legislation that include:

- *Children, Youth and Families Act 2005* (Vic.)
- *Education and Training Reform Act 2006* (Vic.) and the *Education and Training Reform Regulations 2017* (Vic.)
- *Child Wellbeing and Safety Act 2005* (Vic.)
- *Family Violence Protection Act 2008* (Vic.)
- *Wrongs Act 1958* (Vic.)
- *Crimes Act 1958* (Vic.)
- *Worker Screening Act 2020* (Vic.)

Ministerial Order No. 1359, *Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises*, was made under the *Education and Training Reform Act 2006* (Vic.). The Order came into effect on 1 July 2022 and supersedes the earlier Child Safe Standards (Ministerial Order No. 870, 2016). Ministerial Order 1359 sets out the specific actions that all Victorian schools must take to meet the requirements of the 11 Child Safe Standards.

Under the *Crimes Act 1958*, three criminal offences pertaining to child safety were introduced in 2016. They are:

1. Failure to disclose offence: Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.
2. Failure to protect offence: This offence will apply where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
3. Grooming offence: This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails.

The Reportable Conduct Scheme, Created in 2016 under the *Child Wellbeing and Safety Act 2005* (Vic.), requires schools to notify the Social Services Regulator (SSR) if an allegation of reportable conduct (a reportable allegation) is made against one of their employees or other covered workers or volunteers.

Also under the *Child Wellbeing and Safety Act 2005* (Vic.), a school, as a prescribed Information Sharing Entity (ISE), is able to share confidential information with other ISEs to promote child wellbeing or safety. OLSH College is a prescribed ISE, meaning that, where legislated requirements are met, the College is able to share confidential information with other ISEs via the Child Information Sharing Scheme (CISS) or the Family Violence Information Sharing Scheme (FVISS).

All of the legislative obligations described above exist in addition to moral and duty of care obligations, which require College community members to protect any student, child or young person under their care and supervision from foreseeable harm.

Guiding Principles

- OLSH College is committed to the prevention of abuse in all its forms.
- All OLSH College staff members and associates have a responsibility to care for students, to positively promote their welfare, and to protect them from any kind of harm.
- All children and young people, regardless of their gender, race, religious beliefs, disability, sexual orientation or social background, have the right to personal safety, including safety in relationships and protection from all forms of abuse and neglect.

OLSH College is committed to nurturing a culturally safe and inclusive community which values diversity and difference and which protects the right of each student to feel safe and be safe at school. This commitment has particular application to Aboriginal students and students from culturally and/or linguistically diverse backgrounds, as well as the safety of students with a

disability, those unable to live at home, international students, and lesbian, gay, bisexual, transgender intersex and queer (LGBTIQ+) students.

- OLSH College is committed to working in partnership with families and community agencies to reduce or remove risks to the personal safety and wellbeing of our students and all children and young people.
- OLSH College policies and practices for the care, wellbeing and protection of our students demonstrate compliance with legislative requirements and cooperation with the Church, governments, the police and human services agencies. They are embedded in honest, respectful and trusting relationships between adults and all young people and children.
- Every person involved with OLSH College has a responsibility to understand the important and specific role they have, individually and collectively, to promote and protect the wellbeing and safety of our students and all children and young people.
- All OLSH College students have the right to a thorough and systematic education in all aspects of personal safety, in partnership with their parents, guardians or caregivers.
- OLSH College staff members, associates, parents, guardians, carers and students should feel free to raise concerns about child safety, knowing these will be taken seriously by College leadership.
- Early identification and effective intervention can lessen the initial and long-term effects of abuse and promote recovery of the student and family concerned.
- Harm to students, children and young people is minimised by allegations or suspicions of abuse being dealt with promptly and with:
 - high measures of confidentiality
 - adherence to agreed procedures
 - provision of appropriate emotional support and pastoral care.
- All persons involved in situations where harm is suspected or disclosed must be treated with sensitivity, dignity and respect. Appropriate confidentiality will be maintained, with information being provided to those who have a right or a need to be informed, either for pastoral reasons or legal requirements (including under legislated information sharing schemes such as the Child Information Sharing Scheme (CISS), the Family Violence Information Sharing Scheme (FVISS)).
- All OLSH College staff members and associates will have appropriate and regular training and briefings regarding this policy and related College policies and procedures pertaining to child safety.

Definitions

In this policy, the following definitions apply:

Associates means Board members, volunteers, contractors, other service providers, religious and chaplains involved with OLSH College.

Child abuse includes any act committed against a child or young person involving:

- a sexual offence
- grooming
- physical violence
- serious emotional or psychological harm
- serious neglect.

Child and Young Person: A child is legally defined as a person under the age of 16/18 years. A young person is any person who comes under or may come under the care, supervision or authority of the school.

Child Protection means the Victorian Child Protection Service within the Department of Families, Fairness and Housing (DFFH), being the statutory authority responsible for receiving and investigating reports of children who may be in need of protection.

Child safety encompasses matters related to protecting all children from abuse, managing the risk of abuse, providing support to a child at risk of abuse, and responding to incidents or allegations of abuse.

Family violence is defined under the *Family Violence Protection Act 2008* (Vic.) to include behaviour that causes a child to hear, witness or be exposed to the effects of family violence such as abusive, threatening, controlling or coercive behaviour. While family violence does not form part of the official definition of 'child abuse' in the *Child Wellbeing and Safety Act 2005* (Vic.), the impact of family violence on a child can be a form of child abuse, for example, where it causes serious emotional or psychological harm to a child. A child can also be a direct victim of family violence.

Grooming refers to predatory conduct undertaken by an adult (18 years or over) to prepare a child for sexual activity at a later time. It is a sexual offence under section 49M of the *Crimes Act 1958* (Vic.).

Mandatory report is a report made to Child Protection, by a person mandated under the *Children, Youth and Families Act* (2005), that is based on a reasonable belief that a child is in need of protection from injury that results from abuse or neglect or harm caused as a result of abuse (emotional, physical or sexual) or neglect, including medical neglect.

Mandatory reporter. Person(s) required under the *Children, Youth and Families Act* (2005) to make a report to Child Protection if they believe a child is in need of protection from physical injury or sexual abuse (emotional, physical or sexual) or neglect, including medical neglect. Mandatory reporters include VIT registered school teachers or principals and registered nurses. include (among others) registered medical practitioners, registered nurses and midwives, VIT registered teachers and early childhood teachers, school principals, school counsellors, police officers, registered psychologists, and persons in religious ministry.

Non-mandatory report. A report of an incident, disclosure or suspicion made by a person who is not subject to a mandatory reporting obligation.

Non-mandatory reporter. Person(s) who is not subject to a mandatory reporting obligation but who holds professional, moral (and sometimes legal) obligations to report a child protection incident, disclosure or suspicion.

Physical violence. Physical violence occurs when a child suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person. Physical violence can be inflicted in many ways including beating, shaking, burning or using weapons (such as belts and paddles). Physical harm may also be caused during student fights.

Reasonable belief. When a person is concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a 'reasonable belief'. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

Reportable conduct. Reportable conduct covers allegations or convictions of child abuse or misconduct toward children where the source of the misconduct or conviction is an employee of an organisation. It is defined under the *Child Wellbeing and Safety Act 2005* (Vic.) to mean a sexual offence, sexual misconduct or physical violence committed against, with or in the presence of a child, behaviour causing significant emotional or psychological harm to a child, or significant neglect of a child.

Reportable conduct employee allegation. Means any information that leads a person to form a reasonable belief that an employee has engaged in reportable conduct or misconduct that may involve reportable conduct, whether or not the conduct or misconduct is alleged to have occurred within the course of the person's employment.

Reportable Conduct Scheme. Created under the *Child Wellbeing and Safety Act 2005* (Vic.), the Scheme requires schools to notify the Social Services Regulator (SSR) if an allegation of reportable conduct (a reportable allegation) is made against one of their employees or other covered workers or volunteers. Employees, covered workers and volunteers can include a principal, teacher, board or school council member, contractor, volunteer, school doctor/nurse/medical professional, allied health staff member, or a minister of religion or religious leader.

School environment. Any physical or virtual place made available or authorised by the school for use by a child or young person during or outside school hours, including:

- a campus of the school
- online school environments

- locations used for school camps, sporting events, excursions, competitions, and other events.

Serious emotional or psychological harm. Serious emotional or psychological abuse may occur when a child is repeatedly rejected, isolated or frightened by threats or the witnessing of family violence. It also includes hostility, derogatory name-calling and put-downs, or persistent coldness from a person, to the extent where the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired. Serious emotional or psychological harm could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.

Serious neglect. Neglect includes a failure to provide a child with an adequate standard of nutrition, medical care, clothing, shelter or supervision. Significant neglect causes harm to a child that is more than trivial or temporary. Serious neglect is when the child is exposed to an extremely dangerous or life-threatening situation and there is a continued failure to provide a child with the basic necessities of life.

Sexual offences. A sexual offence occurs when a person involves a child in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to the child's age and development. Sexual offences are governed by the *Crimes Act 1958* (Vic.). Sexual abuse can involve a wide range of sexual activity and may include fondling, masturbation, oral sex, penetration, voyeurism and exhibitionism. It can also include exploitation through pornography or prostitution.

Student. Refers to a child or young person enrolled at OLSH College Bentleigh.

Student-to-Student Abuse and Harmful Sexual Behaviour. Refers to abuse perpetrated by one student against another student, including sexual abuse and harmful sexual behaviour. Harmful sexual behaviour includes behaviour that is developmentally inappropriate, may cause harm to the child or others, or may constitute a sexual offence.

Procedures

Reporting Authorities

There are different reporting authorities depending on whether the source of the suspected or alleged abuse comes from within the College, or within the family or community of the child or young person. The type of abuse will also inform which reporting agency is to be notified.

Child Protection. The Department of Families, Fairness and Housing (DFFH) has responsibility for child protection, housing, disability, the prevention of family violence, multicultural affairs, LGBTIQ+ equality, veterans, women and youth. This government agency has statutory powers and can use these to protect children.

The Orange Door. A family information referral Support Team run by a registered community service in a local area that can receive confidential referrals about a child or young person of concern. It does not have any statutory powers to protect a child but can refer matters to DFFH.

Social Services Regulator (SSR). The SSR is the reporting authority for reportable allegations involving workers and volunteers who work with children and young people.

Victoria Police. Victoria Police is the reporting authority when the source of the abuse comes from within the school and/or where a suspicion, belief or disclosure relates to grooming. Where the source of suspected or actual abuse comes from within the family or community, both Child Protection and Victoria Police are notified.

Appendix 1 provides contact details for these authorities.

Becoming aware of a Child Protection concern or incident

All disclosures and/or suspicions that a student, child or young person 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 College grounds or areas.

If your suspicion develops into a reasonable belief, you must act and refer to the **Protect: Four Critical Actions** summarised below (in section *The Four Critical Actions*).

A reasonable belief might be formed if:

- A student, child or young person states that they have been physically or sexually abused;
- Any person tells you that they believe someone has been abused; this may include a student, child or young person who is talking about themselves;
- You observe physical or behavioural indicators of abuse;
- A student, child or young person exhibits sexually abusive or age-inappropriate behaviour(s);
- Professional observations of the student, child or young person's behaviour or development cause you to form a belief that they have been physically or sexually abused or is likely to be abused.

It is important to understand that there are many indicators of abuse and neglect. The presence of a single indicator, or even several indicators, does not prove that abuse or neglect has occurred. However, the repeated occurrence of an indicator, or the occurrence of several indicators together, should alert staff members and associates to the possibility of abuse and neglect.

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, Guardians or Carers
4. Providing Ongoing Support.

Critical Action 1: Responding to an Emergency

This first step is only applicable if a student, child or young person has just been abused or is at risk of immediate harm. If this is not the case, go straight to Critical Action 2: Reporting to Authorities.

If the student, child or young person has just been abused or is at risk of immediate harm, staff members and associates must take reasonable steps to protect the student, child or young person, including:

- separating the alleged victim and others involved, ensuring that if the parties involved are all present at the College, they are supervised separately by a staff member;
- arranging and providing urgent medical assistance where necessary, including administering first aid or calling 000 for an ambulance;
- calling 000 for urgent police assistance if the person who is alleged to have engaged in the abuse poses an immediate risk to the health and safety of any person.

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

Critical Action 2: Reporting to Authorities

There are different reporting procedures depending on whether the source of the suspected or alleged abuse comes from within the College or within the family or community of the student, child or young person. The type of abuse will also influence the reporting procedures and the selection of a reporting authority.

- **Employee (Reportable Conduct) Allegation.** Any reportable conduct allegation involving a person engaged by the College (including a volunteer) and within the scope of the Reportable Conduct Scheme, must be reported to the Principal, or, if the Principal is involved in the allegation, the Child Safety Leader. Depending on the nature of the allegation, the Principal may also notify Victoria Police, the Social Services Regulator (SSR), and, if the allegation involves a teacher, the VIT.
- **Sexual abuse or grooming.** Where the suspicion, belief or disclosure relates to sexual abuse or grooming, it must be reported to Victoria Police.
- **Protection from harm that is not believed to involve sexual abuse.** Where the source of the abuse comes from within the family (e.g. family violence) or community and is not sexual abuse or grooming, it must be reported to Child Protection.

- **Neglect, emotional or psychological abuse.** If staff members or associates believe that a student, child or young person is not subject to abuse, including family violence, but still hold significant concerns for their wellbeing (e.g. risk-taking behaviour, parenting difficulties, isolation from family or lack of support), they must still act. This may include making a referral to or seeking advice from The Orange Door.

They should make a report to The Orange Door if:

- they have a significant concern for a student, child or young person's wellbeing
- their concerns are about circumstances that have a low-to-moderate impact on the student, child or young person
- the student, child or young person's immediate safety is not compromised
- they have discussed the referral to The Orange Door with the parents, guardians or carers of the student, child or young person, and all parties are supportive of this decision. Where staff members or associates believe that the parents, guardians or carers will not be supportive of the referral, or the student, child or young person is partaking in any risk-taking activity that is illegal and extreme in nature, they may refer the matter to Child Protection.

If staff members or associates believe there are reasonable grounds to make a report to an external authority, they are strongly advised to discuss this belief with the Principal or the College's Child Safety Leader and to continue to inform them of developments. The Child Safety Leader at OLSH College is the Deputy Principal Student Wellbeing. It is important to note, however, that a report can be made without the prior knowledge of the Child Safety Leader.

All OLSH staff members and associates are encouraged to review the additional information provided in **Appendix 2**, 'How to Make a Mandatory Report' and **Appendix 3**, 'Reporting Allegations of Reportable Conduct'. If requested, the Deputy Principal Student Wellbeing, in their role as a Child Safety Leader will support staff members and associates to make reports and, also if requested, will manage the reporting process.

Critical Action 3: Contacting Parents, Guardians or Carers

Where it is suspected that a student, child or young person has been, or is, at risk of being abused, it is critical that parents, guardians or carers of the student, child or young person are notified as soon as practicable after a report is made to the authorities. The College must always seek advice from Victoria Police or Child Protection to ensure that it is appropriate to contact the parents, guardians or carers.

Advice from Victoria Police or Child Protection may depend on a number of factors, such as:

- The parents, guardians or carers of the student, child or young person are alleged to have engaged in the abuse (including in circumstances of suspected family violence);

- A disclosure to the parents, guardians or carers may result in further abuse to the student, child or young person;
- The student, child or young person 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, guardians or carers not be notified. The College should insist that another responsible adult is notified in lieu of the parents, guardians or carers;
- The notification of parents, guardians or 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, guardians or carers should be notified promptly.

In circumstances of family violence, the College will:

- take care not to inadvertently alert the alleged perpetrator by notifying parents, guardians or carers as it could increase risk of harm to the student, child or young person, other family members or College staff members or associates;
- seek advice from Child Protection or The Orange Door before alerting parents, guardians or carers about safe strategies for communicating with a parent, guardian or carer who is experiencing family violence.

Critical Action 4: Providing Ongoing Support

Student Support

OLSH College staff members and associates who witness a child protection incident, receive a disclosure or develop a suspicion of child abuse (including exposure to family violence) have a critical role to play in supporting the student, child or young person impacted by the matter to ensure that they feel supported and safe at the College. Staff members also play a critical role in building students' resilience and protective factors, which can reduce the long-term impacts of child abuse by providing them with the opportunity to be supported and heard by adults they trust.

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 College.

Staff Support

The College has a duty to provide support to staff members and associates who have witnessed an incident or received a disclosure, or who have made a report to external authorities about a reasonable belief of child abuse. All who act in accordance with this policy can rest assured that the Principal and College staff members who are privy to the notification will provide every support possible.

Other Reporting Considerations and Obligations

Disclosures. It is the role of OLSH staff members and associates to reassure and support a student, child or young person who makes a disclosure of abuse. However, staff members and associates should never promise to keep any disclosures confidential, as all disclosures of abuse must be reported. This applies if disclosures are made by a parent, guardian, carer or a sibling, or if disclosures involve family violence.

Shared staff concerns. If more than one staff member or associate has formed a belief about the same student, child or young person, it is sufficient for one professional to make a report. The other is obliged to ensure the report has been made and that all grounds for their own belief are included in the report made by the other colleague. If one colleague directs the other(s) not to make a report, and one colleague continues to hold the belief that a student, child or young person is in need of protection, then that colleague is legally obliged to make a report to Child Protection.

Additional/ongoing reports. After making a report, staff members and associates may continue to suspect that a student, child or young person 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 that the student, child or young person is likely to be at risk and in need of protection. Additional reports should be to the same reporting authority.

Reporting implications. Reporting to Child Protection does not commit the staff member or associate reporting abuse to a full judicial response. The identity of the reporting person(s) will remain confidential unless:

- Staff members or associates choose to inform the student, child or young person or parents, guardians or carers of the report;
- Staff members or associates consent in writing to their identity being disclosed;
- a Court or Tribunal decides that it necessary for the identity of the staff members or associates to be disclosed to ensure the safety and wellbeing of the student, child or young person;
- a Court or Tribunal decides that, in the interests of justice, the staff members or associates are required to provide evidence.

Receiving a disclosure about or from a former student. If staff members or associates receive a disclosure from a former student about historical abuse, they must act. If the former student is currently of school age and attending a Victorian school, they must immediately refer to the Four Critical Actions described above (in 3). If the former student is no longer of school age or attending a Victorian school, they must still act.

They are encouraged to report the disclosure to the Principal and seek advice about other appropriate reporting authorities to be notified.

Notes and records. Staff members and associates must keep clear and comprehensive notes relating to incidents, disclosures and allegations of abuse. Even if a decision is taken not to make a report to an external authority, these records may become helpful if a later report is made to the relevant authorities. The records may also be sought at a later date if the matter is the subject of Court proceedings. Notes and records must be kept securely on College grounds and must not be destroyed. Refer to the College's *Child Safety Record Keeping Policy*.

Student-to-Student Abuse and Harmful Sexual Behaviour

Once a child is 10 years or over, some sexual behaviour by that child can constitute a sexual offence. A sexual offence includes rape, sexual assault, indecent acts and other unwanted sexualised touching, all of which are offences under the *Crimes Act 1958*.

It is widely recognised that determining whether a student's sexual behaviour amounts to sexual offending may be difficult. School staff are advised of the importance of considering the context of any alleged sexual behaviour of students, taking into consideration their developmental age and cognitive functioning, so that an informed decision about appropriate action can be made.

The current PROTECT guidance relating to student-to-student abuse and harmful sexual behaviour includes procedures and guidance on:

- Identifying student-to-student abuse
- Identifying harmful sexual behaviour
- Knowing Your Obligations
- Four Critical Actions for student-to-student abuse.

The key obligations of staff members in relation student-to-student abuse and harmful sexual behaviour are summarised below based on current PROJECT guidance:

- *As a school staff member, you must act as soon as there is an incident, allegation, disclosure or suspicion that a student has experienced abuse from another student, or that a student has engaged in harmful sexual behaviour.*
- *You must act even if you have not directly observed the behaviour.*
- *If you are unsure whether a behaviour constitutes student -to-student abuse or harmful sexual, seek advice and follow the Four Critical Actions.*
- *You must also act if you form a reasonable belief that a student's harmful behaviour may be linked to underlying child 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 Child Protection or Victoria Police.*

OLSH staff members and associates must report their concerns of student-to-student abuse and harmful sexual behaviour to the Principal and/or Child Safety Leader. The Principal has primary responsibility for managing the College's response. However, it is important to note that reporting internally does not mean that all reporting obligations have been met. In some

circumstances, staff members and associates must also report to Victoria Police or the Department of Families, Fairness and Housing.

Appendices

1. Reporting Authorities: Contact Information
2. How to Make a Mandatory Report
3. Reporting Allegations of Reportable Conduct

Related College Policies

- Child Safety Code of Conduct
- Child Safety and Wellbeing Policy
- Child Safety Student Rights and Responsibilities Policy
- Child and Family Violence Information Sharing Schemes Policy
- Complaints Resolution Policy
- Cyber Safety Policy
- Privacy Policy
- Respectful Relationships Policy
- Bullying Prevention Policy

References and Resources

- State of Victoria, [Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises](#): Ministerial Order No. 1359, made under the *Education & Training Reform Act 2006* (Vic).
- PROTECT Identifying and Responding to Child Abuse in Victorian Schools.
- PROTECT – Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse.
- PROTECT – Student-to-Student Abuse and Harmful Sexual Behaviour Guidance.
- Reportable Conduct Scheme Guidance (Social Services Regulator)

Policy History and Review

At OLSH College, we are committed to continuous improvement of our child safety systems and practices. We intend this policy to be a dynamic document that will be regularly reviewed to ensure it is working in practice and updated to accommodate changes in legislation or circumstance.

Responsibility	Principal and College Board Policy Committee
Reviewed and revised	September 2018, July 2022, July 2026
Next review date	July 2028

Appendix 1:

Child Protection Reporting Agencies – Contact Details

Child Protection

OLSH College is located in the DFFH Southern Suburban LGA Region. T: 1300 555 526

Emergency After Hours Service – 13 12 78

(Toll free for all Victorians, 24 hours, 7 days a week)

The Orange Door

OLSH College is located in the Bentleigh / Bayside Peninsula region of The Orange Door referral services. The contact number is 1800 319 353 and email is bpa@orangedoor.vic.gov.au

Victoria Police

Call **000** if a child/young person is in imminent danger.

The local Sexual Offences and Child Abuse Investigation Team (SOCIT) is located at: Moorabbin Police Station

1011 Nepean Highway

Moorabbin VIC 3189

T: (03) 9556 6125 (Direct)

T: (03) 9556 6565 (Moorabbin Police)

Social Services Regulator (SSR)

T: 1300 310 778

E: contact@ssr.vic.gov.au.

W: <https://www.vic.gov.au/social-services-regulator>

Student Wellbeing Unit and/or

Professional Conduct, Ethics and Investigations

Appendix 2: How to make a Mandatory Report

The table below 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 Victoria Police immediately.

Making a Mandatory Report

Step	Description
1. Keep notes	Keep comprehensive notes that are dated and include the following information: - a description of the concerns (e.g. physical injuries, student behaviour) - the source of those concerns (e.g. observation, report from child or another person) - the actions taken as a result of the concerns (e.g. consultation with the principal, report to Child Protection). OLSH staff members and associates can use the template provided in <i>PROTECT: Responding to Suspected Child Abuse: A Template for all Victorian Schools</i> to record their notes.
2. Discuss concerns	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. This is not a legal requirement; however, it will help to ensure support is provided to all involved in matters of this nature. The confidentiality of these discussions must be maintained. 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. 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 advises you not to proceed with reporting suspected abuse.
3. Gather and document information	Gather the relevant information necessary to make the report. This should include the following: - full name, date of birth and residential address of the child or young person - details of the concerns and the reasons for those concerns - your involvement with the child or young person

Step	Description
	• details of any other agencies which may be involved with the child or young person. This information should be collected and documented using <i>PROTECT: Responding to Suspected Child Abuse: A Template for all Victorian Schools</i>. The template is to be used to record as much information as possible to provide when you make your report to either Victoria Police or Child Protection. It is critical that completing the template does not impact on reporting times – if a child is in immediate danger, OLSH staff members and associates need to report the matter to Victoria Police immediately.
4. Make the report	To report concerns which are life-threatening, phone 000 or the local police station. Where the source of the abuse comes from within the College, that is, the suspected or alleged abuse involves an OLSH College staff member or associate: • contact Victoria Police, which will contact Child Protection when appropriate • report internally to the Principal, or the Leadership Team if the Principal is involved in the allegation Where the source of the suspected or alleged abuse comes from within the child's family or community, you must: • report sexual abuse and grooming to Victoria Police • report the matter to Child Protection if you consider the child to be in need of protection due to child abuse, or that they have been, are being or are at risk of being harmed due to any form of abuse, including family violence. If after hours, call the Child Protection Emergency Service on 13 12 78 • report internally to the Principal, or a member of the Leadership Team if the Principal is unavailable.
5. Document written records of report	Make a written record of the report, including the following information: • the date and time of the report, and a summary of what was reported • the name and position of the person who made the report, and the person who received the report. The information initially recorded in <i>PROTECT: Responding to Suspected Child Abuse: A Template for all Victorian Schools</i> and any additional information provided to either Victoria Police or Child Protection are to be stored securely and maintained indefinitely by the College to ensure that records are accessible upon request by external authorities investigating the matter.

Step	Description
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 Victorian Registration and Qualifications Authority (VRQA).

NOTE: Reporting that is non-mandatory

OLSH College staff members and associates who are not mandatory reporters are reminded that they have professional and moral (and sometimes legal) obligations to report a child protection incident, disclosure or suspicion. You are advised to seek the assistance of OLSH's Child Safety Leader in making a report.

Appendix 3: How to make a Mandatory Report

Reportable Conduct

Reportable Conduct is defined as:

- a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded
- sexual misconduct, committed against, with or in the presence of, a child
- physical violence committed against, with or in the presence of, a child
- any behaviour that causes significant emotional or psychological harm to a child
- significant neglect of a child.

Reportable Conduct Scheme

The Reportable Conduct Scheme is a child protection scheme that requires Victorian education providers to notify the Social Services Regulator (SSR) if there is an allegation of 'reportable conduct' made against one of its employees (including a Principal, teacher, College Council/Board member, contractors, chaplain, volunteers, or allied health staff members). The College Policy extends to others including workers and volunteers supplied by labour-hire agencies, companies and other providers (e.g. casual relief teachers, some student teachers – depending on arrangements), secondees and directors and office holders of companies performing services for OLSH if they are supplied to OLSH by labour-hire agencies, companies and other providers, or they are seconded to OLSH.

The Reportable Conduct Scheme does not change a person's mandatory reporting or other reporting obligations. For example, staff members and associates must still contact Victoria Police if they suspect a criminal offence involving a child has occurred.

Reportable Conduct Allegations

There is an allegation of 'reportable conduct' where a person has a 'reasonable belief' that there has been:

- a sexual offence, sexual misconduct or physical violence committed against, with or in the presence of a child/young person; OR
- behaviour causing significant emotional or psychological harm to a child/young person; OR
- significant neglect of a child/young person; OR
- misconduct involving any of the above.

The scope of 'reportable conduct' is wide, and includes information about something that is alleged to have occurred outside the course of the person's employment or engagement with the school, which may include family violence committed by a school staff member in front of their own child.

It extends to allegations of historical conduct involving staff members or associates no longer employed or engaged at the College.

Reporting Process

The table below describes the information to include when making an allegation of reportable conduct about an employee. Note that any allegations of criminal conduct, including physical violence, significant emotional or psychological abuse, sexual offences and significant neglect must be reported to Victoria Police as the priority.

Making an Allegation of Reportable Conduct

Step	Description
1. Keep notes	Keep comprehensive notes that are dated and include the following information: - a description of the concerns (e.g. physical injuries, student behaviour) - the source of those concerns (e.g. observation, report from child or another person) - any actions taken as a result of the concerns (e.g. consultation with the Principal, report to Child Protection).
2. Make the report	As soon as a person forms a reasonable belief that an employee has engaged in reportable conduct or misconduct that may involve reportable conduct, you must report this allegation to the Principal or, if the Principal is involved in the allegation, the Child Safety Leader.
3. Timeframe	The Principal or, if the Principal is involved in the allegation, the Child Safety Leader, must notify the regulator within three business days of becoming aware of a reportable allegation.