

Scope

Definitions

Child abuse

- x physical violence inflicted on a child
- x sexual offences committed against a child
- x grooming of a child by an adult
- x family violence committed against or in the presence of a child
- x serious emotional or psychological harm to a child
- x serious neglect of a child.

The definition of child abuse is broad and can include student to student incidents and concerns, as well as by an adult committing

serious emotional connection with the child or their parent or carer.

School staff member

For the purpose of this policy a school staff member includes a contractor engaged by the school or school related to perform work.

Policy

Identifying child abuse

To ensure we can respond in the best interests of students and children when complaints or concerns relating to child abuse arise and relevant volunteers must:

- x understand how to identify signs of child abuse and behavioural indicators of perpetrators – for detailed information on identifying child abuse and behavioural indicators of perpetrators refer to [Identify child abuse](#)
- x understand their various legal obligations in relation to reporting child abuse to relevant authorities – for detailed information on the various legal obligations refer to Appendix A
- x follow the below procedures for responding to complaints or concerns relating to child abuse which ensure our school acts in the best interests of students and children

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

- x Hard copy available from school administration upon request

Further Information and Resources

The following Department of Education and Training policies and guidance are relevant to this policy:

- x [Child Safe Standards](#)
- x [Protecting Children Reporting and Other Legal Obligations](#)
- x [Managing and Reporting School Incidents](#)
- x [Reportable Conduct](#)
- x [Restraint and Seclusion](#)
- x [Identify child abuse](#)
- x [Report child abuse in schools \(including four critical actions\)](#)
- x [Identify and respond to student sexual offending](#)

The following school policies are relevant to this policy:

- x Child Safety Policy
- x Child Safety Code of Conduct
- x Statement of Values and School Philosophy
- x Student Wellbeing and Engagement Policy
- x Volunteer Policy
- x Duty of Care Policy
- x Inclusion and Diversity Policy

Policy Review and Approval

Policy last reviewed	22 June 2022
Consultation	Consultation on this policy is mandatory. School Council were consulted 2022.
Approved by	Karen HarriB, Principal
Next scheduled review date	2024 (2 years)

APPENDIX A

Legal Obligations Relating to Reporting Child Abuse

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

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

- x physical violence against, with or in the presence of, a child
- x behaviour that causes significant emotional or psychological harm to a child
- x significant neglect of a child.

A reportable conduct allegation is made where a person makes an allegation, based on a reasonable belief, that a worker or volunteer has committed reportable conduct or misconduct that may involve reportable conduct.

If school staff or volunteers become aware of reportable conduct by any current or former employee, contractor or volunteer, they must notify the school principal immediately. If the allegation relates to the principal, they must notify the Regional Director.

The principal or regional director must notify the Department's Employee Conduct Branch of any reportable conduct allegations involving current or former employees of the school (including Department, allied health, casual and school council employees), contractors and subcontractors and parent volunteers (including parent volunteers).

- x Employee Conduct Branch: 03 7022 0005 or employee.conduct@education.vic.gov.au

The Department's Secretary, through the Manager, Employee Conduct Branch, has a legal obligation to inform the Children and Young People when an allegation of reportable conduct is made.

For more information about reportable conduct see the Department's Policy and [Advisory Library: Reportable Conduct](#) and the [Commission for Children and Young People website](#)

Failure to disclose offence

Reporting child sexual abuse is a community responsibility. All adults (ie persons aged 18 years and over), not just professionals who work with children, have a legal obligation to report to Victoria Police, as soon as practicable, where they form a 'reasonable belief' that an offence has been committed by an adult against a child under the age of 16 in Victoria.

Failure to disclose information to Victoria Police (by calling 000, local police station or the Police Assistance Line 131 444) as soon as practicable may amount to a criminal offence unless a person has a 'reasonable excuse' or exemption from doing so.

"Reasonable belief" is not the same as having proof. A 'reasonable belief' is formed if a reasonable person would have formed the belief on the same grounds.

For example, a 'reasonable belief' might be formed when:

- x a child states that they have been sexually abused
- x a child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves)
- x someone who knows a child states that the child has been sexually abused
- x professional observations of the child's behaviour or development leads a mandated professional to form a belief that the child has been sexually abused
- x signs of sexual abuse leads to a belief that the child has been sexually abused.

"Reasonable excuse" is defined by law and includes:

- x fear for the safety of any person including yourself or the potential victim (but not including the alleged perpetrator) or another person
- x where the information has already been disclosed to Victoria Police and you have no further information to add (for example, a mandatory report to DFFH Child Protection or a report to Victoria Police from another member of school staff).

Failure to protect offence

This reporting obligation applies to school staff in a position of authority. This can include principals, assistant principals and other staff. Any staff member in a position of authority who becomes aware that an adult associated with their school (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the age of 16 under their care, authority or supervision, must take all reasonable steps to remove or reduce that risk.

This may include removing the adult (ie persons aged 18 years and over) from working with children pending an investigation and reporting concerns to Victoria Police.

If a school staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a failure to protect offence.

Further information

For more information about the offences and reporting obligations outlined in this policy see the [Department of Education's Reporting and Other Legal Obligations](#)

APPENDIX B Managing Disclosures Of Child Abuse

Important information for staff

When managing a disclosure relating to child abuse you should:

- x listen to the student and allow them to speak
- x stay calm and use a