



MANDATORY REPORTING PROCEDURE

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| Document Title | Mandatory Reporting Procedure Appendix 2 to Child Safety Policy |
| Date | August 2016 |
| Author | Mandatory Reporting Procedure IR |
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This procedure is an appendix to the Avila College Child Safety Policy. This procedure outlines the steps to be taken to make a report to Department of Health & Human Services (DHHS) when an employee, direct contact contractor or direct contact volunteer forms a belief, on reasonable grounds that a child is in need of protection because of physical injury and/or sexual abuse.

Relevant Legislation

Children, Youth and Families Act 2005 (Vic)
Crimes Amendment (Protection of Children) Act 2014

People Mandated to make a Notification

Principals, teachers and nurses are mandatory reporters as reference in the Children, Youth and Families Act 2005. Reporters are required to make a report to DHHS (Child Protection) as soon as practicable after forming a belief on reasonable grounds as referenced above.

Non Mandated Employees

Section 183 of the Children Youth and Families Act 2005 states that a person who believes on reasonable grounds that a child is in need of protection can report their concerns to Department of Health & Human Services (Child Protection).

Sexual Offences Against a Child

Any adult aged 18 and over who holds a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child (aged under 16 years) is required to disclose this information to police (unless they hold a reasonable excuse) under the Crimes Amendment (Protection of Children) Act 2014.

If an employee, direct contact contractor or direct contact volunteer, clergy or College Board member receives a disclosure, or suspects physical or sexual abuse from a student or about a student, the following procedure is followed:

Discussion: Arrange a meeting with the Deputy Principal Student Wellbeing and/or College counsellor (Child Safe Team) to discuss the information received. This discussion may assist the employee, direct contact contractor or direct contact volunteer, clergy or College Board member to clarify the formation of the belief that abuse has occurred, the grounds on which this belief has been formed and the needs of the child for protection from further significant harm.

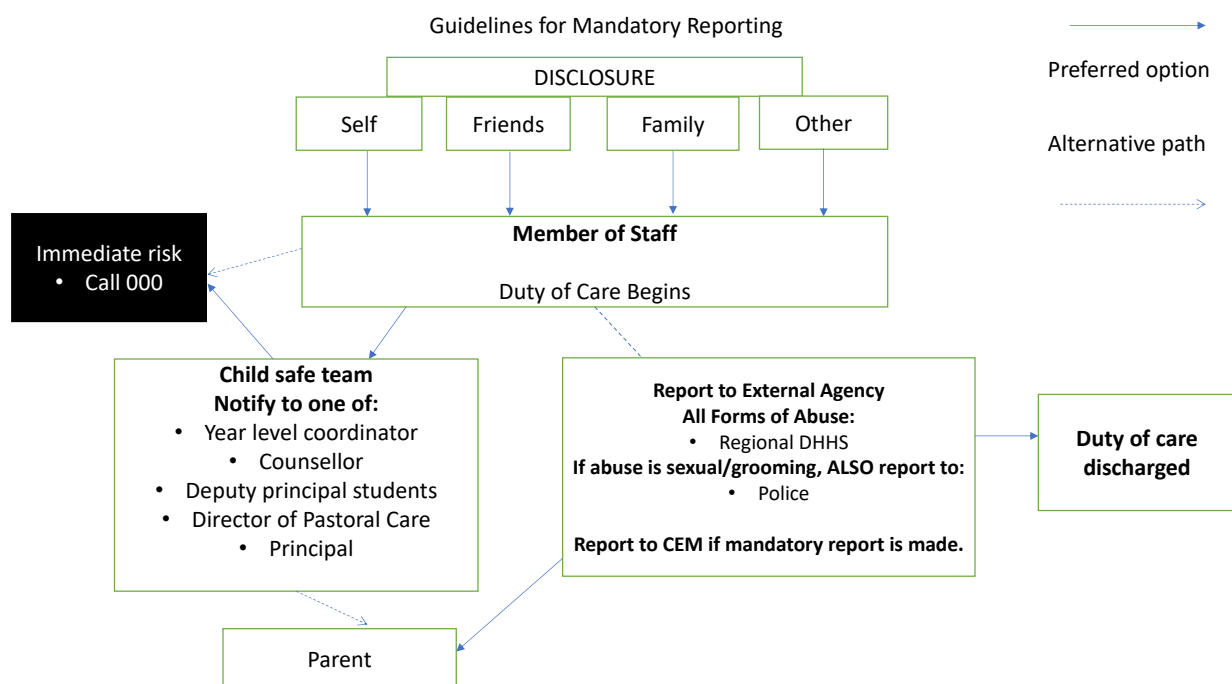
If Belief is Formed: If after the discussion there is belief on reasonable grounds that a child needs protection, the Deputy Principal Student Wellbeing, counsellor or teacher will notify the Principal of their intent to report. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than 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. Notifications should be recorded on the 'Protect – Responding to Suspected Child Abuse' form (enclosed with this document). A subsequent report must be made on each occasion on which the mandatory reporter becomes aware of further reasonable grounds for the belief and even if the reporter knows that another report has been made concerning the same child and suspected abuse. The threshold for reporting child protection incidents, disclosures, concerns or suspicions has been set deliberately low by the joint protocol [Protect: Identifying and Responding to All forms of Abuse in Victorian Schools](#). This protocol focuses on [Four Critical Actions](#) (refer to Appendix 1) that all school staff must take if they form a suspicion or reasonable belief that child abuse has occurred, or that a child is at risk of suffering abuse.

Notification: The notifier will call the appropriate DHHS office and record the details of the notification, conversation and the directions from the DHHS worker. Proposed action of DHHS agents must be reported to Deputy Principal Students and Principal. Strict confidentiality must be maintained in relation to all communication regarding these matters.

If Belief is Not Formed: If after the discussion the Child Safe Team has not yet formed a belief that abuse has occurred, or the student is not at risk of abuse, it is important that the employee documents the initial concern on Simon under Confidential Behaviour Tracking or provide a written report if the employee does not have access to Behaviour Tracking. The Child Safe Team may put in place practices to monitor the child.

If there is any doubt it is better to notify and allow DHHS (Child Protection) to make an assessment.

If an individual teacher does not agree with the decision of the Child Safe Team not to report, they must state this and they will be supported to make a notification to DHHS.



How to Make a Report

In conjunction with Deputy Principal Student Wellbeing, ring appropriate DHHS Regional Office (*refer to DHHS Contact Details at end of this document*) and advise:

- Name, date of birth, age and address of the student
- Reason for suspecting the abuse
- Is the student in immediate danger? If so what form of danger?
- Provide all relevant details and observations
- Location of the student at the time of making this report
- Any other relevant information (family background etc)

Wherever there are concerns that a student is in immediate danger please call the Police on 000.

Procedure for Interviews by DHHS Protective Services Workers.

- Protective services workers can interview students at school without parent permission if the student agrees for example in the circumstances where there are concerns about the ongoing safety of a student at home.
- The Department of Human Services (DHHS) (Child Protection) are required to inform parents or carers that an interview has taken place with the student
- The Principal or nominee should be present when a student is interviewed. A written record should be kept of the interview.
- If the Protective services workers request to interview a teacher, the principal or his nominee should be present at the interview. A written record should be kept of the interview.

All records of notification to DHHS or Police must be filed in the MANDATORY REPORTING folder in the Deputy Principal Student Wellbeing Office using the 'Protect – Responding to Suspected Child Abuse' form (refer to copy at end of this document).

Monitoring of Reports Made

After a Child Protection Notification is made DHHS will advise and the person who made the report will be advised.

If the person making the report is not advised, the Deputy Principal Student Wellbeing may request from DHHS information about what action is proposed.

Protection of Individuals, Confidentiality and Management of Communication (including documentation)

Police and the Department of Health & Human Services (Child Protection) are responsible for all investigations once a report has been made.

The Principal or her delegate is the only authorised representative of the school able to make comments to the media.

Support

It is essential that the student who is the cause of the concern, the employee or individual making the report and anyone else affected are assisted with respect and with care and that appropriate support is provided.

Access to the College's counselling program, Access Counselling phone number 1300 66 77 00 is available and the Child Safe Team will monitor the wellbeing of employees involved and any other individual involved.

Related Resources

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):
 - o updated by the Catholic Education Commission of Victoria Ltd (CECV) December 2015
 - o 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)
- [Mandatory Reporting eLearning Module](#).

Department of Health and Human Services

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

Related legislation

- *Children, Youth and Families Act 2005* (Vic.)
- *Crimes Act 1958* (Vic.)
- *Education and Training Reform Act 2006* (Vic.)
- *Victorian Institute of Teaching Act 2001* (Vic.)

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](#).

Further information

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

The Student Wellbeing Information Line seeks to:

- address matters that impact on the wellbeing and educational outcomes of young people arising in Catholic school communities across the Archdiocese of Melbourne using a solution-focused framework
- act as a conduit between the school and the 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.

VERSION HISTORY

| Version | Date Issued | (Minor, Major Change) |
|--------------|----------------|-----------------------|
| August 2016 | August 2016 | |
| July 2018 | July 2018 | Minor |
| October 2018 | November 2018 | |
| June 2019 | December 2019 | Minor |
| August 2020 | September 2020 | Minor |

| | |
|--|---|
| Document approved by Principal and ratified by the Avila College Advisory Board 2016 | |
| Next Review Date | August 2021 |
| Person/s Responsible | Deputy Principal Student Wellbeing Principal |
| Related Documents | |
| References | As above |

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 Four 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).

■ It is strongly recommended that you use the *Responding to Suspected Child Abuse template* to keep clear and comprehensive notes, even if you make a decision not to report.

* 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/ REFERRING TO SERVICES

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, volunteer or visitor 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
- Commission for Children and Young People on **1300 782 978**.

All allegations of 'reportable conduct' **must** be reported as soon as possible to:

GOVERNMENT SCHOOLS

- Employee Conduct Branch

CATHOLIC SCHOOLS

- Diocesan education office

INDEPENDENT SCHOOLS

- Commission for Children and Young People on **1300 782 978**.

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

- School principal and/or leadership team
- DET Security Services Unit.

CATHOLIC SCHOOLS

- School principal and/or leadership team
- Diocesan education office.

INDEPENDENT SCHOOLS

- School principal and/or chairperson.

OTHER CONCERNS

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/ The Orange Door (in circumstances where the family are open to receiving support)
- DHHS Child Protection
- 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)
- **how to communicate** with all relevant parties with consideration for their safety.

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 and support.

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

DHHS CHILD PROTECTION

AREA

North Division **1300 664 9777**
South Division **1300 655 795**
East Division **1300 360 391**
West Division (Rural) **1800 075 599**
West Division (Metro) **1300 664 9777**

AFTER HOURS

After hours, weekends, public holidays **13 12 78**.

CHILD FIRST

<https://services.dhhs.vic.gov.au/referral-and-support-teams>

ORANGEDOOR

<https://www.vic.gov.au/familyviolence/the-orange-door.html>

VICTORIA POLICE

000 or your local police station **DET SECURITY SERVICES UNIT**
(03) 9589 6266

STUDENT INCIDENT AND RECOVERY UNIT
(03) 9651 3622

EMPLOYEE CONDUCT BRANCH
(03) 9637 2595

DIOCESAN OFFICE

Melbourne (03) 9267 0228
Ballarat (03) 5337 7135
Sale (03) 5622 6600
Sandhurst (03) 5443 2377

INDEPENDENT SCHOOLS VICTORIA

(03) 9825 7200

THE LOOKOUT

The LOOKOUT has a service directory, information, and evidence based guidance to help you respond to family violence: <http://www.lookout.org.au>

Family violence victims/ survivors can be referred to **1800 Respect** for counselling, information and a referral service: **1800 737 732**.



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PROTECT

THE EDUCATION STATE

VICTORIA State Government Education and Training

CECVC catholic education commission of victoria ltd

Independent Schools Victoria

COUNSELLING/SUPPORT ORGANISATIONS

The Lookout

The Lookout is a Victorian Government initiative in partnership with the Domestic Violence Resource Centre Victoria, providing information, evidence-based resources and services to help professionals respond to family violence (including professionals in mainstream services, like schools).

The Lookout includes a service directory, with a lookup function, where you can enter a postcode and identify locally available family violence support services.

www.thelookout.org.au

Safe Steps

Safe Steps offers free access to professional support to women and their children living with family violence, through a comprehensive range of services to enable them to become – and stay – free from violence.

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

1800 015 188 (24/7 advice line)

1800 RESPECT

1800 RESPECT (1800 737 732), is a 24 hour, seven day a week National Sexual Assault and Domestic Violence hotline. Victims of family violence and/or sexual assault are encouraged to talk or chat online to a counsellor from the service.

www.1800respect.org.au

1800 RESPECT (1800 737 732)

Centres 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.

<https://www.rch.org.au/gatehouse/>

(03) 9345 6391

After hours: (03) 9345 5522

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

Djirra

Djirra is an Aboriginal community controlled organisation, providing support to Aboriginal and Torres Strait Islander victims/survivors of family violence and sexual assault. They work directly with families affected by violence.

<https://djirra.org.au/>

1800 105 303

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/>

1800 991 099

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 post-vention suicide support program headspace School Support.

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

0458 037 955



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) 9651 3622 |
| 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: ■ Office of Professional Conduct, Ethics & Investigation ■ Legal Services ■ Student Wellbeing Information Line ■ Communications & Marketing Unit (Media Advisor) | (03) 9267 0228 |
| Diocese of Sale | (03) 5622 6600 |
| Diocese of Ballarat | (03) 5337 7135 |
| Diocese of Sandhurst | (03) 5443 2377 |

Independent Schools

| | |
|------------------------------|----------------|
| Independent Schools Victoria | (03) 9825 7200 |
|------------------------------|----------------|

Regional

| | |
|-------------------------------|----------------|
| North Eastern Victoria | |
| General enquiries | 1300 333 231 |
| Benalla office | (03) 8392 9500 |
| Glen Waverley office | (03) 8392 9300 |
| North Western Victoria | |
| Bendigo office | (03) 5440 3111 |
| Coburg office | (03) 9488 9488 |
| South Eastern Victoria | |
| Dandenong office | (03) 8765 5600 |
| Moe office | (03) 5127 0400 |
| South Western Victoria | |
| 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 LGAs | Ararat, Ballarat, Golden Plains, Hepburn, Hindmarsh, Horsham, Moorabool, Northern Grampians, Pyrenees, West Wimmera, Yarriambiack, Colac-Otway, Corangamite, Glenelg, Greater Geelong, Moyne, Queenscliff, 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 |

PROTECT

Recording your actions: Responding to suspected child abuse

A TEMPLATE FOR VICTORIAN SCHOOLS

When to use this template

School staff should use this template to document any incident, disclosure or suspicion that a child has been, or is at risk of being abused, including exposure to family violence. This template should be used in conjunction with the following:

Four Critical Actions For Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse.

Completing this template should not impact on reporting times. If a child is in immediate danger, school staff should report immediately to Victoria Police.

Whilst you may need to gather the information to make a report, remember it is not the role of school staff to investigate abuse, leave this to Victoria Police and/or DHHS Child Protection.

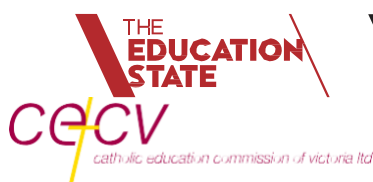
This template should also be used if you make a decision not to report, to record your rationale for this decision and any other related follow up actions you take to support the child.

Why record this information?

When completing this template your aim should be to provide as much information as possible. This information will be critical to any reports and 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 any decisions.

It is a requirement under *Ministerial Order No. 870- Child Safe Standards- Managing the risk of child abuse in schools* for schools to keep clear and comprehensive notes on all observations, disclosures and other details that led them to suspect the abuse.

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Education
and Training



RESPONDING TO AN INCIDENT, DISCLOSURE OR SUSPICION OF CHILD ABUSE

IF YOU ARE MAKING A REPORT TO DHHS CHILD PROTECTION OR VICTORIA POLICE YOU MUST SEEK ADVICE BEFORE CONTACTING PARENTS/CARERS SO AS NOT TO COMPROMISE ANY INVESTIGATION OR PLACE A CHILD AT FURTHER RISK – THIS IS PARTICULARLY CRITICAL IN INSTANCES OF FAMILY VIOLENCE.

STAFF MEMBER LEADING THE RESPONSE

NAME:

OCCUPATION:

LOCATION (SCHOOL ADDRESS):

RELATIONSHIP TO CHILD:

CRITICAL ACTION 1: IMMEDIATE RESPONSE TO AN INCIDENT

If anyone is in immediate danger school staff should report immediately to Victoria Police on 000.

See Action 1 of [Four Critical Actions For Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#)

RESPONDING TO AN EMERGENCY

DID THE CHILD REQUIRE FIRST AID? PROVIDE DETAILS IF 'YES'.

WHO ADMINISTERED THIS? (NAME AND TITLE)

DID THE CHILD REQUIRE FURTHER IMMEDIATE MEDICAL ASSISTANCE?

CURRENT LOCATION AND SAFETY STATUS:

E.G. ARE ALL IMPACTED STUDENTS SAFE AND NOT IN ANY IMMEDIATE DANGER?

IF A CHILD IS IN IMMEDIATE DANGER SCHOOL STAFF SHOULD REPORT IMMEDIATELY TO VICTORIA POLICE ON 000.

CHILD’S INFORMATION

PERSONAL DETAILS

| | |
|---|----------------|
| NAME: | GENDER: |
| YEAR LEVEL/CLASS: | DATE OF BIRTH: |
| RESIDENTIAL ADDRESS: | |
| PARENT/CARER NAME/S: | |
| PARENT/CARER CONTACT: | |
| LANGUAGE(S) SPOKEN BY CHILD: | |
| DISABILITIES, MENTAL OR PHYSICAL HEALTH ISSUES: | |

CHILD'S BACKGROUND

CULTURAL STATUS AND RELIGIOUS BACKGROUND

IF THE CHILD IS OF ABORIGINAL OR TORRES STRAIT ISLANDER BACKGROUND, GOVERNMENT SCHOOLS MUST CONTACT THEIR KOORIE ENGAGEMENT SUPPORT OFFICER, AND CATHOLIC SCHOOLS MUST CONTACT THE DIOCESAN EDUCATION OFFICE TO ARRANGE CULTURALLY APPROPRIATE SUPPORT. IF THE CHILD IS AN INTERNATIONAL STUDENT YOU MUST NOTIFY THE INTERNATIONAL EDUCATION DIVISION ON (03) 9637 2990.

ANY KNOWN PREVIOUS HISTORY OF SUSPECTED ABUSE (INCLUDING EXPOSURE TO FAMILY VIOLENCE) PRIOR TO THIS INCIDENT, DISCLOSURE OR SUSPICION, OR INVOLVEMENT WITH AGENCIES:

FAMILY BACKGROUND

FAMILY COMPOSITION (IF KNOWN):

LIST PARENTING OR CARE ARRANGEMENTS AND SIBLING NAMES AND AGES

ANY OTHER PEOPLE LIVING WITH THE CHILD (IF KNOWN):

FAMILY BACKGROUND

DISABILITY, MENTAL OR PHYSICAL HEALTH ISSUES IN FAMILY (IF KNOWN):

LIKELY REACTION TO A REPORT BEING MADE (IF KNOWN):

DETAILS OF THE INCIDENT, DISCLOSURE OR SUSPICION

GROUNDINGS FOR YOUR BELIEF THAT A CHILD HAS BEEN ABUSED, OR IS AT RISK OF ABUSE

INDICATORS OR INSTANCES WHICH LED YOU TO BELIEVE A CHILD/CHILDREN ARE SUBJECT TO CHILD ABUSE, OR AT RISK OF ABUSE INCLUDING EXPOSURE TO FAMILY VIOLENCE:

DETAIL ANY DISCLOSURES OR INCIDENTS OR SUSPICIONS (INCLUDING NAMES, TIMES AND DATES DOCUMENTING A CHILD'S EXACT WORDS AS FAR AS POSSIBLE). INCLUDE SPECIFIC DETAIL HERE ON WHAT LED YOU TO FORM A REASONABLE BELIEF THAT A CHILD HAS BEEN, OR IS AT RISK OF BEING ABUSED

ANY PHYSICAL INDICATORS OF ABUSE:

ANY BEHAVIOURAL INDICATORS OF ABUSE:

ANY PATTERNS OF BEHAVIOUR OR PRIOR CONCERNS LEADING UP TO AN INCIDENT,
DISCLOSURE OR SUSPICION:

DETAILS OF PERSONS ALLEGED TO HAVE COMMITTED THE ABUSE (IF KNOWN)

NAME:

GENDER:

DATE OF BIRTH:

RELATIONSHIP TO CHILD:

NOTING IF THEY ARE WITHIN THE SCHOOL OR WITHIN THE FAMILY AND COMMUNITY (THIS WILL IMPACT WHO YOU REPORT TO)

ADDRESS:

CONTACT DETAILS:

CRITICAL ACTION 2: REPORTING

See Action 2 of [Four Critical Actions For Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#)

REPORTING TO AUTHORITIES

TICK THE AUTHORITIES YOU HAVE REPORTED TO:

- ☐ VICTORIA POLICE
- ☐ DHHS CHILD PROTECTION
- ☐ CHILD FIRST
- ☐ DECISIONNOTTOREPORT

IF YOU'VE DECIDED NOT TO REPORT, LIST YOUR REASONS HERE. ALSO INCLUDE ANY FOLLOW-UP ACTIONS UNDERTAKEN BY YOU BELOW:

PROVIDE DETAILS OF YOUR DISCUSSIONS WITH ANY OF THE ABOVE AUTHORITIES:

DATE:

TIME:

AUTHORITY:

OUTCOMES FROM THE REPORT:

REPORTING INTERNALLY

PROVIDE DETAILS OF YOUR DISCUSSION WITH SCHOOL LEADERSHIP:

TIME:

DATE:

NAMES:

DISCUSSION OUTCOMES:

PROVIDE DETAILS OF YOUR INTERNAL DISCUSSIONS TO EITHER OF THE FOLLOWING:

***GOVERNMENT SCHOOL STAFF MUST REPORT TO SECURITY SERVICES UNIT AND ALSO TO THE EMPLOYEE CONDUCT BRANCH
IF THE INCIDENT, DISCLOSURE OR SUSPICION INVOLVES A STAFF MEMBER, CONTRACTOR OR VOLUNTEER***

CATHOLIC SCHOOL STAFF MUST REPORT TO THEIR CATHOLIC DIOCESAN EDUCATION OFFICE

TIME:

DATE:

NAMES:

DISCUSSION OUTCOMES:

CRITICAL ACTION 3: CONTACTING PARENTS/CARERS

See Action 3 of **Four Critical Actions For Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse**

| ACTIONS TAKEN |
|--|
| <p>PROVIDE DETAILS OF YOUR DISCUSSION WITH PARENTS/CARERS (IF APPROPRIATE):</p> <p><i>SCHOOL STAFF MUST CONSULT WITH VICTORIA POLICE AND/OR DHHS CHILD PROTECTION TO DETERMINE IF IT IS APPROPRIATE TO CONTACT PARENTS, IF IT IS, PARENTS MUST BE CONTACTED AS SOON AS POSSIBLE (PREFERABLY ON THE SAME DAY OF THE INCIDENT, DISCLOSURE OR SUSPICION). THIS IS PARTICULARLY CRITICAL IN INSTANCES OF SUSPECTED FAMILY VIOLENCE.</i></p> |
| <p>HAVE YOU SOUGHT ADVICE FROM DHHS CHILD PROTECTION OR VICTORIA POLICE?</p> <div><input type="checkbox"/> NO</div> <div><input type="checkbox"/> YES</div> |
| <p>IS IT APPROPRIATE TO CONTACT PARENT/CARER?</p> <div><input type="checkbox"/> NO</div> <div><input type="checkbox"/> YES</div> |
| <p>LIST REASONS IF IT IS NOT APPROPRIATE TO CONTACT PARENT/CARER:</p> <div></div> |
| <p>IF CONTACTING PARENT/CARER, PROVIDE THE FOLLOWING DETAILS:</p> |
| <p>NAME OF STAFF MEMBER MAKING THE CALL:</p> <div></div> |
| <p>NAME OF PARENT/CARER RECEIVING THE CALL:</p> <div></div> |

DISCUSSION OUTCOMES:

CRITICAL ACTION 4: PROVIDING ONGOING SUPPORT

See Action 4 of [Four Critical Actions For Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#)

| PLANNED ACTIONS |
|---|
| <i>INCLUDE DETAIL OF WHAT FOLLOW-UP ACTIONS HAVE OCCURRED TO SUPPORT THE STUDENT (FOR EXAMPLE REFERRAL TO WELLBEING PROFESSIONALS AND OTHER SPECIALISED SERVICES, THE CONVENING OF A STUDENT SUPPORT GROUP AND DEVELOPMENT OF SUPPORT PLANS):</i> |
| FOLLOW-UP ACTIONS: |
| SUPPORT: |
| REFERRAL(S): |

PROCESS OF REVIEW

COMPLETE THIS SECTION BETWEEN 4- 6 WEEKS AFTER AN INCIDENT, SUSPICION OR DISCLOSURE OF ABUSE IN CONJUNCTION WITH YOUR SCHOOL LEADERSHIP TEAM.

THIS WILL SUPPORT YOU AND YOUR SCHOOL TO CONTINUE TO PROTECT CHILDREN IN YOUR CARE AND TO REFLECT ON YOUR PROCESSES AND THE NEED FOR ANY FOLLOW-UP ACTIONS.

SAFETY AND WELLBEING

CURRENT SAFETY AND WELLBEING OF THE CHILD

IS THE CHILD SAFE FROM ABUSE AND HARM, INCLUDING EXPOSURE TO FAMILY VIOLENCE?

- ☐ NO
☐ YES

IF NOT CONSIDER THE NEED TO MAKE A FURTHER REPORT.

DOES THE CHILD HAVE ANY WELLBEING ISSUES THAT ARE NOT CURRENTLY BEING ADDRESSED?

- ☐ NO
☐ YES

IF SO, CONSIDER HOW THESE CAN BE ADDRESSED AND CAPTURED WITHIN A STUDENT SUPPORT PLAN.

CURRENT WELLBEING OF OTHER CHILDREN WHO MAY BE IMPACTED BY THE ABUSE

ARE THERE ANY OTHER CHILDREN WHO MAY BE IMPACTED BY THE ABUSE?

- ☐ NO
☐ YES

IF SO HAVE THEIR WELLBEING NEEDS BEEN MET?

- ☐ NO
☐ YES

CURRENT WELLBEING OF IMPACTED STAFF MEMBERS

DOES THE STAFF MEMBER WHO MADE THE REPORT/WITNESSED AN INCIDENT, FORMED A SUSPICION OR RECEIVED A DISCLOSURE REQUIRE ANY SUPPORT?

- ☐ NO
☐ YES

IF SO HAS THIS BEEN RECEIVED?

- ☐ NO
☐ YES

REVIEW OF ACTIONS TAKEN

HAVE SCHOOL STAFF FOLLOWED THE FOUR CRITICAL ACTIONS FOR SCHOOLS: RESPONDING TO INCIDENTS, DISCLOSURES OR SUSPICIONS OF CHILD ABUSE?

WAS AN APPROPRIATE DECISION MADE
IN RELATION TO WHEN TO ACT?

- ☐ NO
☐ YES

COULD THE SUSPECTED ABUSE HAVE BEEN
DETECTED EARLIER?

- ☐ NO
☐ YES

ACTION 1

DID THE SCHOOL TAKE APPROPRIATE ACTION
IN AN EMERGENCY?

- ☐ NO
☐ YES

ACTION 2

WAS A REPORT MADE TO THE APPROPRIATE
AUTHORITIES AND INTERNALLY?

- ☐ NO
☐ YES

WERE SUBSEQUENT REPORTS MADE IF
NECESSARY?

- ☐ NO
☐ YES

ACTION 3

DID THE SCHOOL CONTACT THE
PARENTS/CARERS ASAP?

- ☐ NO
☐ YES

HAVE THE PARENTS CONTINUED TO BE
ENGAGED IF APPROPRIATE?

- ☐ NO
☐ YES

ACTION 4

HAS THE SCHOOL PROVIDED ADEQUATE
SUPPORT FOR THE STUDENT?

- ☐ NO
☐ YES

HAS A STUDENT SUPPORT PLAN BEEN
ESTABLISHED, IMPLEMENTED & REVIEWED?

- ☐ NO
☐ YES

HAS A STUDENT SUPPORT GROUP
BEEN ESTABLISHED?

- ☐ NO
☐ YES

WAS THE STUDENT APPROPRIATELY
SUPPORTED IN ANY INTERVIEWS?

- ☐ NO
☐ YES

HAVE ANY COMPLAINTS BEEN RECEIVED?

- ☐ NO
☐ YES

HAVE THE COMPLAINTS BEEN RESOLVED?

- ☐ NO
☐ YES

OTHER LEARNINGS

School Guidelines 2.19a

Police and DHHS Interview Protocols

*These Guidelines are to be read in conjunction with **Policy 2.19 PROTECT: Identifying and responding to abuse – Reporting obligations (updated March 2019)**.*

Catholic Education Melbourne is committed to supporting schools to take a proactive role in the care, wellbeing and protection of children and young people.

Purpose

These Guidelines are designed to assist principals to:

- understand and comply with their legal requirements when a request is made by Victoria Police or Department of Health and Human Services (DHHS) Child Protection workers to interview students regarding child protection incidents
- cope with what are often stressful and delicate situations.

Background

As law enforcement officers, Victoria Police has broad powers to investigate, question, search and detain. For the most part, Victoria Police will conduct interviews of witnesses and suspects at the police station. However, there will be rare urgent circumstances in which Victoria Police may wish to interview a student under the age of 18 at school. How this should be approached will depend upon whether the student concerned is:

- a victim
- a witness
- a suspect.

Victoria Police should only interview children at school as a matter of urgency or necessity. DHHS Child Protection workers also have wide powers to investigate and obtain information that is relevant to the protection or development of a child.

Interviews by DHHS Child Protection workers would normally be carried out in the home with parents/carers present but, as for Victoria Police, there will be occasions when DHHS Child Protection workers need to interview a child at school as a matter of urgency or necessity.

General Protocols

Principals **must**:

- facilitate interviews requested by Victoria Police or DHHS Child Protection workers
- advise children or young people of their right to have an independent supportive adult, parent or carer present at such an interview.

Note: An independent supportive adult may be the principal or a teacher as long as a conflict of interest does not exist. From a practical perspective, this might include a situation where the principal or teacher is related to the perpetrator of the child protection incident, the child is a family member, or the principal or teacher may be the perpetrator

- arrange for the child to choose an independent supportive adult to be present
- balance their obligation to protect the rights of students with their obligation to assist Victoria Police and DHHS Child Protection in their exercise of duty
- ensure there is someone acting as an independent supportive adult for students interviewed at school by Victoria Police or DHHS Child Protection workers
- observe confidentiality at all times in the management of a mandatory reporting or criminal case.

If legal assistance is required, contact Catholic Education Melbourne's Legal Services unit in the first instance.

Important: Neither Victoria Police nor DHHS Child Protection are permitted to interview a student at school unless someone is acting as an independent supportive adult for that student.

Contacting parents/carers prior to Victoria Police or DHHS Child Protection interviews

Before contacting parents/carers, principals must seek advice from Victoria Police or DHHS Child Protection (depending on who the report was made to) to determine if parents/carers should be present at an interview.

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 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, the **principal (or delegate) must contact Victoria Police or DHHS Child Protection** (depending on who the report was made to). They will advise the principal (or delegate) about whether it is appropriate to contact parents/carers at this stage.

Student as a victim or witness

When principals allow interviews to take place involving students who may be victims or witnesses, they should:

- support and encourage the student to provide as much information as possible
- inform the student that a note of the circumstances and the content of the interview will be made and communicated to their parents/carers as soon as possible, unless doing so causes a risk of abuse (including family violence).

If Victoria Police asks to speak with a student who has allegedly been abused by another child, this should preferably be done in the presence of the student's parents/carers or another independent supportive adult who is not a school staff member.

By 'independent adult', this means a person aged 18 or over who is not directly connected to the school or to the case being investigated by Victoria Police. For example, a social worker, doctor or nurse, volunteer from the local community (e.g. a youth leader) or legal representative.

If the matter is urgent and the school is unable to find an independent adult, or if the school is unsure about who an independent adult may be in a particular context, the school should call Catholic Education Melbourne's **Student Wellbeing Information Line (9 am – 5 pm weekdays)** on **9267 0228**.

The following table describes how principals should determine when to grant an interview request with a student who may be a victim or witness.

| When the principal: | Then the principal should: |
|---|--|
| <ul style="list-style-type: none">• is asked to allow a child or young person to be interviewed at school | <ul style="list-style-type: none">• ensure that the child's parents/carers are present where it is practical and appropriate to make these arrangements. If a parent/carer cannot be present, an independent supportive adult must be present during the interview |

| When the principal: | Then the principal should: |
|--|--|
| <ul style="list-style-type: none"> is asked to allow a child or young person to be interviewed at school without the parents/carers present | <ul style="list-style-type: none"> allow the interview if there are reasonable grounds to exclude the parents/carers from the interview. Example: The interview relates to an allegation of abuse involving parents, carers, siblings or other members of the student's family, or a person with some relationship to the family, and the student is supported by an independent adult |
| <ul style="list-style-type: none"> is satisfied that immediate action is necessary and cannot contact the parents/carers or the parents/carers do not agree | <ul style="list-style-type: none"> allow the interview, with the principal or suitable delegate representing the parents/carers, so long as a conflict of interest does not exist. If a conflict exists, an independent supportive adult must be present – this may be a senior staff member at the school |
| <ul style="list-style-type: none"> is not satisfied that immediate action is required | <ul style="list-style-type: none"> only allow the interview when a parent/carer or their nominee is present, or the parents/carers authorise the principal to act as their representative |
| <ul style="list-style-type: none"> is informed that a number of students need to be interviewed in order to identify potential witnesses | <ul style="list-style-type: none"> only allow the interview: <ul style="list-style-type: none"> to identify witnesses for further interviews to take place with a parent/carer or suitable delegate authorised by the parents/carers (such as the principal) to act as their representative. |

Student as a suspect

If a student under 18 years of age is suspected of having committed a crime, Victoria Police cannot question the student unless a parent or carer is present. If a parent or carer is not available and the principal is satisfied the matter is urgent, an independent supportive adult must be present.

If Victoria Police asks to speak with a student under the age of 18 who has allegedly abused another child, this should be done in the presence of the student's parents/carers or another independent supportive adult who is not a school staff member.

By 'independent adult', this means a person aged 18 or over who is not directly connected to the school or to the case being investigated by Victoria Police. For example, a social worker, doctor or nurse, volunteer from the local community (e.g. a youth leader) or legal representative.

If the matter is urgent and the school is unable to find an independent adult, or if the school is unsure about who an independent adult may be in a particular context, the school should call Catholic Education Melbourne's **Student Wellbeing Information Line (9 am – 5 pm weekdays)** on **9267 0228**.

A student suspect must be given the chance to talk to their parent/carer or an independent adult in a place where they won't be overheard (section 464E of the *Crimes Act 1958* (Vic.)).

However, Victoria Police does not have to wait until the parent, carer or independent adult is present where:

- communication would result in the escape of an accomplice or the destruction of evidence
- the safety of other people means that questioning should not be delayed.

A student suspected of perpetrating abuse will only be interviewed by Victoria Police at school without a parent or carer present in very urgent and extreme situations.

When approached by Victoria Police and advised that a student suspect is to be interviewed, the principal must:

- try to advise the parents/carers of the situation
- inform the student that a note of the circumstances and the content of the interview will be made and communicated to their parents/carers as soon as possible
- ensure that an independent supportive adult is present at the interview if the student's parents/carers are unavailable.

In cooperating with a legitimate request from Victoria Police, the principal should always consider:

- their duty of care to the student
- their duty of care to all other students at the school
- the rights of the parents/carers.

Acting in the absence of parents/carers

This table provides guidance on how the principal should act in the absence of parents/carers.

| When the parents/carers: | Then the principal should allow the interview if the questioning or investigation: |
|--|---|
| <ul style="list-style-type: none"> • cannot be present because they: <ul style="list-style-type: none"> ○ cannot be contacted ○ have not authorised the principal or their delegate to act as their representative | <ul style="list-style-type: none"> • is urgently necessary to avert injury to others or a miscarriage of justice |
| <ul style="list-style-type: none"> • do not agree to the interview | <ul style="list-style-type: none"> • is so urgent for the safety of other people that it should not be delayed. |

Duties of employees as parent/carers representatives

The table below provides guidance on how employees should conduct themselves when acting as a support person for students during interviews.

| When | The employee should: |
|----------------------|---|
| At all times | <ul style="list-style-type: none"> • support the student • ensure the student understands what is happening • ensure the student understands their rights |
| Before the interview | <ul style="list-style-type: none"> • be aware that: <ul style="list-style-type: none"> ○ in more serious cases, the most appropriate advice may be that there is no compulsion to answer police questions and the student should seek legal advice ○ in less serious cases, the most appropriate advice may be to cooperate fully with Victoria Police • inform the student that, although it is advisable to do so, they are not legally obliged to provide their name and address to Victoria Police unless: <ul style="list-style-type: none"> ○ they are driving a motor vehicle ○ Victoria Police has reasonable grounds to believe that the student has committed or is about to commit an offence, or the student can assist in the investigation of an indictable offence |

| When | The employee should: |
|----------------------|---|
| | <ul style="list-style-type: none"> o Victoria Police or an officer authorised under the <i>Transport (Compliance and Miscellaneous) Act 1983</i> (Vic.) has reasonable grounds to believe that the student has committed or is about to commit an offence against the Transport Act or its Regulations, such as travelling on a train without a valid ticket |
| During the interview | <ul style="list-style-type: none"> • focus on supporting the student • refrain from providing their own opinions or account of events • refrain from asking the student questions about the offence or their guilt, or acting as an authority figure • ensure that they will be in a position to give an accurate account of the interview in any court proceedings, either by taking notes during the interview or making a note immediately afterwards. |

Complying with subpoenas or court attendance

A subpoena or witness summons is a court order that compels an individual to either produce documents or attend court and give evidence, or both.

The principal or another school staff member will usually be issued with a subpoena or witness summons because a party to legal proceedings believes that the school, the principal or a staff member has information or documents that are relevant to the proceedings.

For advice and support in relation to complying with subpoenas or witness summons, the school can contact Catholic Education Melbourne's **Legal Services unit** on **9267 0228**.

Further Information

Catholic Education Melbourne's **Student Wellbeing Information Line** can be contacted between **9 am and 5 pm weekdays** on **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 across the Archdiocese of Melbourne 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.

| | |
|---------------------|---------------|
| Approval date | March 2019 |
| Date of next review | December 2020 |

| POLICY DATABASE INFORMATION | |
|-----------------------------|--|
| Related documents | <ul style="list-style-type: none"> • Policy 2.19 – PROTECT: Identifying and responding to abuse – Reporting obligations • School Template – PROTECT: Identifying and responding to abuse – Reporting obligations |

