

Reporting Child Abuse Procedure

1. Purpose

TAFE Gippsland is committed to providing an environment where children are protected from abuse including physical violence, sexual offences, serious emotional or psychological abuse and serious neglect. There are reporting requirements for suspected and actual abuse which must be followed to ensure compliance with legislation and ensure the safety of the child. This procedure includes information on how to make a report and what to do when an allegation of abuse is made.

2. Scope

This procedure applies where a staff member, contractor, volunteer or board member is advised of or suspects a case of child abuse.

3. Scheduled Review Date

1st March, 2020

4. References

- Victorian Child Safety Standards
- Sections 182(1) a–e, 184 and 162 c–d of the Children, Youth & Families Act 2005 (Vic)
- Crimes Act 1958 – Section 321
- Education and Training Reform Act 2006
- Victoria Institute of Teaching Act 2001
- <http://www.justice.vic.gov.au>
- <https://ccyp.vic.gov.au/reportable-conduct-scheme/for-organisations/>

5. Definitions

Child means a person under the age of 18.

Mandatory reporting – means the term used to describe the legislative requirement imposed on selected classes of people to report cases of child abuse and neglect to government authorities. Mandated roles include: teachers, principals, doctors, nurses, midwives and police officers. All adults are required to report to police if they know or reasonably believe that a sexual offence has been committed by an adult against a child under the age of 16.

Child Safe Contact Officer – means the following members of the Human Resources Team – Katelyn Isles (Workplace Health, Safety and Wellbeing Manager) or Sally Dinsdale (Senior HR Advisor).

6. Procedure

Section 1 – What to do when an allegation of Child abuse is made.

If a child or young person discloses an incident of abuse to you:

- Let them explain in their own words what has occurred.
- Reassure them that what they are saying is taken seriously, it is not their fault and they are doing the right thing.
- Explain that this information may be shared with others, such as their parent / carer, people specific in TAFE or the police.
- Do not make promises, except that you will do your best to keep them safe.
- Do not leave them in a distressed state, stay with them.
- Advise TAFE Gippsland Safe Contact Officer of the incident/allegation. The Child Safe Contact officer will complete the Child Safe Incident Report form.

If a parent / carer says their child has been abused here at TAFE Gippsland or raises a concern:

- Explain that TAFE Gippsland has processes to ensure all abuse allegations are taken very seriously.
- Ask about the wellbeing of the child / young person.
- Allow the parent / carer to talk through the incident in their own words.
- Advise the parent / carer that you will take notes during the discussion to capture all details.
- Explain to them the information may need to be repeated to authorities or other, such as the TAFE Gippsland Child Contact Officer, the Police or child protection.
- Do not make promises, except that you will do your best to keep the child safe.
- Provide them with a child safe incident report form to complete, or complete it together.
- Ask them what action they would like to take and advise them of what the immediate next steps will be.
- Advise the TAFE Gippsland Child Safe Contact Officer of the incident/allegation and provide them with a copy of the Child Safe Incident Report form.

In addition to the above, the following needs to be considered:**Does the Child have a Language Barrier?**

- Some children may face barriers in reporting allegations of abuse and may experience anxiety when talking with police, and communicating in English may be a barrier
- Be sensitive to the cultural and linguistic backgrounds and where possible have an interpreter present (who could be a friend or family member).

Is the Child Aboriginal?

- Ensure a culturally appropriate response which could include engaging with the parents, local Aboriginal communities, an Aboriginal community controlled organisation or an Aboriginal Liaison Officer on campus.

Does the Child have a Disability?

- Be mindful they may experience barriers disclosing the incident. (e.g. a child with a hearing or cognitive impairment may need support to help them explain the incident, including through sign language interpreters
- See Appendix 3- Communicating with People with a Disability

If a child or young person is at immediate risk of abuse call 000

Section 2 – What are the next steps?

Action	When	Responsibility
Record the information using the child / young person's own words and report the disclosure to the TAFE Gippsland Child Safe Contact Officer (telephone number) or email (email address).	As soon as possible after the disclosure	Staff member / adult
If the abuse occurred within the organisation: the Child Safe Contact Officer must ensure the disclosure is recorded accurately and advise the CEO and the Director of People and Culture of the reportable allegation.	As soon as possible after the disclosure	Child Safe Contact Officer
Report the reportable allegation to the Commission for Children and Young People (CCYP) using the online reporting tool.	Within three (3) business days	CEO
Determine if an internal investigation will be instigated (or if an external investigation in progress) and where applicable, conduct an investigation into the reportable allegation	As soon as possible after the disclosure	CEO / Director of People and Culture
Note: an investigation will be instigated at the instruction of the CEO. Consideration will be given to any external investigations (i.e.: DHHS or Police investigation).		
Provide updates to the CEO		Child Safe Contact Officer / Director of People and Culture
Provide update reports to the CCYP using the online reporting tool).	Within thirty (30) days and at the completion of any investigation	CEO / Director of People and Culture
If the abuse occurred within the family or community the Child Safe Contact Officer will contact DHHS, Child First and/or Victoria Police	As soon as possible after the disclosure	Child Safe Contact Officer
In all instances: Where a student is returning to / continuing with TAFE Gippsland a Student Support Plan will be developed.	Ongoing	Child Safe Contact Officer
Ensure all records are stored securely.	Ongoing	Child Safe Contact Officer

7. Record Retention and Archiving

Record Title	Retention Requirement	Location of Storage/Archive/Other Requirements
Documentation related to mandatory reporting notifications. Including: Incident Reporting Form Student Support Plan	Disposal ban on the disposal of all records relating to suspicious allegations, reports, investigations and responses to child abuse regardless of format (documents, photos, notes, electronic, etc.) are in place.	Until further notice.

8. Appendices

Appendix 1 – What should be reported and who should/must report it?

Appendix 2 – Responding to Incidents, Disclosures and Suspicions of Child Abuse

Appendix 3 – Communicating with People with a Disability

Record of Revision

Document Version Control Table

Item	Summary of Update	Version Control	Revised Date
1	Original document	V1.	18/03/2019

Appendix 1 - What should be reported and who should/must report it

What am I Concerned About?	Who Should / Must Report Note: ** Indicates Mandatory Reporting
<p>A belief on reasonable grounds that a child or young person is in need of protection, as a result of physical injury or sexual abuse, and the child's parents are unable or unwilling to protect the child.</p> <p>Know or reasonably believe that a sexual offence has been committed by an adult against a child under the age of 16.</p>	<p>**All Teachers registered to teach or an early childhood educator who have permission to teach pursuant to the Education and Training Reform ACT 2006 (Vic) and other mandated occupations.</p> <p>All adults (18 years and over)</p> <p>Any person</p>
<p>Know or reasonably believe that a sexual offence has been committed by an adult against a child under the age of 16.</p> <p>except where:</p> <ul style="list-style-type: none"> • The victim is 16 years of age or older and does not have an intellectual disability that limits his/her capacity to make an informed decision; and he/she does not want the information reported to the police. • The victim has disclosed the information in confidence in the course of a therapeutic relationship with you as a registered medical practitioner or counsellor. 	<p>**All Teachers registered to teach or an early childhood educator who have permission to teach pursuant to the Education and Training Reform ACT 2006 (Vic) and other mandated occupations.</p> <p>**All adults (18 years and over)</p> <p>Any person</p>
<p>Any person may make a report if they believe on reasonable grounds that a child is in need of protection for any of the following reasons;</p> <ul style="list-style-type: none"> • The child has been abandoned and there is no other suitable person who is willing and able to care for the child • The child's parents are dead or incapacitated and there is no other suitable person who is willing and able to care for the child • The child has suffered or is likely to suffer significant harm as a result of physical injury and the parents are unable or unwilling to protect the child. • The child has suffered or is likely to suffer emotional or psychological harm and the parents are unable or unwilling to protect the child • The child's physical development or health has been, or is likely to be significantly harmed and the parents are unable or unwilling to provide basic care, or effective medical or other remedial care. <p>Reports can be made to DHHS Child Protection - 1300 360 391 and/or Child FIRST 1800 705 211</p> <p>For further guidance on determining risk factors that may impact on the decision to notify, contact the Child Safe Contact Officer(s): (Katelyn Isles – 0418 463 182 k.isles@federationtraining.edu.au Or Sally Dinsdale – 0413 843 295, s.dinsdale@federationtraining.edu.au).</p>	

Appendix 2 – Responding to Incidents, Disclosures and Suspicions of Child Abuse

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

2 REPORTING TO AUTHORITIES / REFERRING TO SERVICES

3 CONTACTING PARENTS/CARERS

4 PROVIDING ONGOING SUPPORT

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.

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.

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.

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 1278**

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

ORANGE DOOR
<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

CHILD FIRST
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**.



Appendix 3 – Communicating with People with a Disability

General Tips for communicating with people with a disability

- Speak to a person with a disability as you would speak to anyone else. Speak in an age-appropriate tone.
- If a person with a disability is accompanied by another person such as a carer, address your questions directly to the person with a disability.
- Put the person first, not their disability e.g. use the term 'a person with a disability' not a 'disabled person'.
- Try to avoid negative phrases e.g. use the phrase 'people who use a wheelchair' not 'wheelchair bound'.

Tips for communicating with people with:

A physical disability

- Remember that a person's personal space can include their wheelchair and crutches. Do not touch or push a person's wheelchair or move their crutches or walking stick without their permission.
- When speaking with a person who uses a wheelchair, try to find something to sit on in order to be at eye level with them.

A vision impairment

- Always address the person by name and introduce yourself by name.
- Speak clearly and in a normal voice. There is no need to raise your voice.
- Make sure you verbalise any thoughts and feelings.
- If a person is accompanied by a guide dog, do not pat it, feed or otherwise distract it while it is in a harness as it is working.
- When you enter or leave a room, say something that indicates your presence or that you are leaving.

A hearing impairment:

- Gain the person's attention before speaking: try a gentle tap on the shoulder, a wave or some other visual signal to gain attention.
- Face the person directly and maintain eye contact.
- Make sure your mouth is visible and remember not to cover your mouth with your hand or any other object as you talk.
- Look directly at the person while speaking and speak evenly, not too fast or slow.
- Don't exaggerate your mouth movements, as this will make it more difficult to lip-read.
- Use short sentences.

- Keep your volume up and natural; don't shout.

An intellectual disability:

- Before talking, ensure you have the person's attention. Try using their name or eye contact to make sure you have their attention.
- Keep your questions simple and your answers easy to understand.
- Remember that your body language is important, as people with an intellectual disability often rely on visual cues.