

CHILD PROTECTION REPORTING POLICY

Rationale

Teachers and Principals are mandated by law under section 184 of the *Children Youth and Families Act 2005* (CYFA) to make a report to child protection.

A mandatory reporter who, in the course of practicing his or her profession or carrying out the duties of his or her office, position or employment as set out in section 182, forms the belief on reasonable grounds that a child is in need of protection must report to the Department of Human Services, Child Protection as soon as practicable after forming the belief and after each occasion on which they become aware of any further reasonable grounds for the belief.

Separate from mandatory reporting requirements, a teacher has a concurrent duty of care to protect a student from harm that is reasonably foreseeable. A breach of this duty of care may lead to legal action being taken against the individual teacher or teachers concerned. A breach of this duty of care will be established if a teacher or principal failed to take timely and positive steps after having acquired actual knowledge or formed a belief that there are indicators of or a foreseeable risk that a child is being abused or neglected including sexual abuse.

Aims

To protect children and young people from abuse and neglect by ensuring Whittlesea Secondary College staff:

- understand their mandatory reporting responsibilities and duty of care obligations to protect children and young people from child abuse including physical, sexual, emotional abuse and neglect
- know how to make a mandatory report to the Department of Human Services (DHS) Child Protection when they have formed a belief on reasonable grounds that a child or young person is at risk of significant harm
- are able to identify and be aware of the indicators of abuse.

Implementation

Child Safety

- As a result of the Royal Commission into Institutional Responses to Child Sexual Abuse, the Victorian Government introduced a range of measures to better protect children. These measures include:
 - The Child Safe Standards
 - Reportable Conduct Scheme
 - Organisational Duty of Care
- Whittlesea Secondary College (WSC) uphold our Statement of Commitment to Child Safety (refer to the WSC Child Safe Environment Policy, Appendix A).
- All staff, volunteers, contractors, and any other member of the school community involved in child-related work will be informed about, and expected to adhere to, the Whittlesea Secondary College Child Safety Code of Conduct (refer to the WSC Child Safe Environment Policy, Appendix B).
- The Child Safety Code of Conduct applies in all school situations, including school camps and in the use of digital technology and social media.

Mandatory Reporters

The following professionals are prescribed as mandatory reporters under section 182 of the CYFA:

- primary and secondary school teachers and principals (including students in training to become teachers)

- registered medical practitioners (including psychiatrists)
- nurses (including school nurses)
- Police.

There may be times when two or more mandated staff members, for example a teacher and a principal, have formed a belief about the same child or young person on the same occasion. In this situation,

- it is sufficient for only one of the mandated staff members to make a report.
- The other staff member is obliged to ensure that the report has been made and that all of the grounds for their own belief were included in the report made by the other staff member.

Non-mandated Staff Members

- Section 183 of the CYFA states that any person, who believes on reasonable grounds, that a child is in need of protection, may report their concerns to Child Protection.
- This means that any person, including non-mandated school staff, is able to make a report to Child Protection when they believe that a child or young person is at risk of harm and in need of protection, and the child's parents are unable or unwilling to protect the child.

Types of Child Abuse

- Physical
- Emotional
- Neglect
- Medical neglect
- Sexual abuse
- Family violence
- Female genital mutilation
- Risk-taking behaviour that cannot be managed and compromises the child's safety
- Child abuse can have a significant effect on a child's physical or emotional health, development and wellbeing.
- Students with disabilities can be at increased risk and the younger a child is, the more vulnerable they are likely to be and the more damaging the effects are likely to be.

Child in Need of Protection

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:

- 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 significant harm as a result of sexual abuse and their 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
- child displaying sexually abusive behaviours and in need of therapeutic treatment
- reasonable belief that a sexual offence has been committed by an adult against a child under 16.

The Role of Whittlesea Secondary College Staff

Whittlesea Secondary College policies stipulate how teaching staff fulfil their duty of care towards children and young people in their school.

- Teachers of Whittlesea Secondary College are encouraged to discuss any concerns about the safety and wellbeing of students with the principal or a member of the school leadership or wellbeing team.
- If a principal or member of the leadership team does not wish to make a mandatory report, this does not discharge the teacher's obligation to do so if they have formed a reasonable belief that abuse may have occurred.
- If the teacher's concerns continue, even after consultation with the principal or member of the leadership team, that teacher is still legally obliged to make a mandatory report of their concerns.
- Whittlesea Secondary College staff has a duty of care to protect and preserve the safety, health and wellbeing of children and young people in their care and staff must always act in the best interests of those children and young people.
- If a staff member has any concerns regarding the health, safety or wellbeing of a child or young person it is important to take immediate action.
- The roles and responsibilities of staff in supporting children and young people who are involved with Child Protection may include acting as a support person for students, attending Child Protection case plan meetings, observing and monitoring students' behaviour, and liaising with professionals.

Forming a Belief on Reasonable Grounds

- There are many indicators of child 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 teachers to the possibility of child abuse and neglect.
- It is not the role of school staff to make a judgement as to whether abuse is happening.
- Staff are mandated to report to Child Protection if indicators are present.

A person may form a belief on reasonable grounds that a child is in need of protection after becoming aware that a child or young person's health, safety or wellbeing is at risk and the child's parents are unwilling or unable to protect the child.

There may be reasonable grounds for forming such a belief if:

- a child or young person states that they have been physically or sexually abused
- a child or young person states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves)
- someone who knows the child or young person states that the child or young person has been physically or sexually abused
- a child shows signs of being physically or sexually abused
- the staff member is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on the child's or young person's safety, stability or development
- the staff member observes signs or indicators of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision
- a child's actions or behaviour may place them at risk of significant harm and the child's parents are unwilling or unable to protect the child.

Teachers may observe:

- one or several indicators are displayed
- indicators occur repeatedly
- changes in relation to the child's behaviour.

Staff members of Whittlesea Secondary College may form a professional judgement or belief, in the course of undertaking their professional duties, based on:

- warning signs or indicators of harm that have been observed or inferred from information about the child
- legal requirements, such as mandatory reporting
- knowledge of child and adolescent development
- consultation with colleagues and other professionals

- professional obligations and duty-of-care responsibilities
- established protocols
- internal policies and procedures in an individual licensed children's service or school
- there are indications that a child is being groomed. for information see [Dept Justice Grooming Offence](#)

Reporting a Belief

- Any person who is registered as a teacher under the Education and Training Reform Act 2006, or any person who has been granted permission to teach under that Act, including principals, is mandated to make a report to Child Protection.
- In the course of undertaking their professional duties, mandated staff members are required to report their belief, when the belief is formed on reasonable grounds that a child is in need of protection from significant harm as a result of sexual abuse or physical injury.
- Whittlesea Secondary College staff members, whether or not mandated, need to report their belief when the belief is formed in the course of undertaking their professional duties.
- A report must be made as soon as practicable after forming the belief and on each occasion on which they become aware of any further reasonable grounds for the belief.
- If one staff member has a different view from another staff member about making a report and the staff member continues to hold the belief that a child is in need of protection, that person is obliged to make a report to Child Protection.

Types of Reports

The CYFA allows for two types of reports to be made in relation to significant concerns for the safety or well being of a child - a report to Child FIRST, or a referral to Child Protection. The circumstances of your concerns determine which service to contact. Refer to Appendix A: A step- by-step guide to making a report to Child Protection or Child FIRST.

Making a Report to Child Protection

Where, during the course of carrying out their normal duties, a Whittlesea Secondary College staff member forms the belief on reasonable grounds that a child is in need of protection, the staff member must make a report to Child Protection regarding this belief and the reasonable grounds for it as soon as practicable.

- In case of emergency or if a child is in immediate danger contact Triple Zero (000) or the local police station.
- Alternatively, to report concerns about the immediate safety of a child within their family unit to the Department of Human Services (DHS) Child Protection, call the Child Protection Crisis Line on 13 12 78 (24 hours 7 days, toll free)
- A report to Child Protection should be considered if, after taking into account all of the available information, the staff member forms a view that the child or young person is in need of protection because:
 - The harm or risk of harm has a serious impact on the child's immediate safety, stability and development.
 - The harm or risk of harm is persistent and entrenched and is likely to have a serious impact on the child's safety, stability or development.
 - The child's parents cannot or will not protect the child or young person from harm.
- When making a report staff should gather the relevant information necessary. This should include the following information:
 - full name, date of birth, and residential address of the child or young person
 - your relationship with the child
 - the details of the concerns and the reasons for those concerns
 - the individual staff member's involvement with the child and young person
 - details of any other agencies who may be involved with the child or young person, if known.
- Upon receipt of a report, Child Protection may seek further information, usually from professionals who may also be involved with the child or family, to determine whether further action is required.

- In most circumstances, Child Protection will inform the reporter of the outcome of the report. When the report is classified by Child Protection as a Wellbeing Report, Child Protection will, in turn, make a referral to Child FIRST.
- The role of investigating an allegation of child abuse rests solely with Child Protection and/or Victoria Police.

Protecting the Identity of the Reporter

Confidentiality is provided for reporters under the CYFA. The CYFA prevents disclosure of the name or any information likely to lead to the identification of a person who has made a report in accordance with legislation, except in specific circumstances.

The identity of a reporter must remain confidential unless:

- the reporter chooses to inform the child, young person or family of the report
- the reporter consents in writing to their identity being disclosed
- a court or tribunal decides that it is necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child
- a court or tribunal decides that, in the interests of justice, the reporter is required to attend court to provide evidence.

Information provided during a protective investigation may be used in a court report if the risks to the child or young person require the case to proceed to court. In these circumstances, the source of the information may be required to provide evidence to the court.

If Child Protection decides that the report is about a significant concern for the wellbeing of a child, they may refer the report to a community-based child and family service and disclose the identity of the reporter to that service. However, the CYFA provides that neither Child Protection nor the community based child and family service may disclose the reporter's identity to any other person without the reporter's consent.

Professional Protection for Reporters

If a report is made in good faith:

- it does not constitute unprofessional conduct or a breach of professional ethics on the part of the reporter
- the reporter cannot be held legally liable in respect of the report.

This means that a person who makes a report in accordance with the legislation will not be held liable for the eventual outcome of any investigation of the report.

Failure to Report

A failure by mandated professionals and staff members to report a reasonable belief that a child is in need of protection from significant harm as a result of physical or sexual abuse may result in the person being prosecuted and a court imposing a fine under the CYFA.

Confidentiality

- Information about the identity of a person making a report to Child Protection must be kept confidential unless the reporter consents to the disclosure of their identity. If the staff member wishes to remain anonymous, this information should be conveyed at the time that the reporter makes the mandatory report.
- Whittlesea Secondary College (WSC) staff must respect confidentiality when dealing with a case of suspected child abuse and neglect, and may discuss case details and the identity of the child or the young person and their family only with those involved in managing the situation.
- When a child or young person has moved to another school, professional judgement should be exercised as to what information needs to be passed on. This will be guided by usual procedures for passing on information about a child's general wellbeing or special needs, and the role of the school in any ongoing care plans.

Interviews at Victorian Schools

Child Protection:

- may conduct interviews of children and young people at WSC without parental knowledge or consent. However, a child will be interviewed at a Victorian school only in exceptional circumstances and if it is in the child's best interests to proceed in this manner.
- will notify the school of any intention to interview a child or young person. This may occur regardless of whether the school is the source of the report to Child Protection.

When Child Protection practitioners arrive at the school, the principal or their nominee must ask to see their identification before allowing Child Protection to have access to the child or young person.

Support Persons

- Children and young people should be advised of their right to have a supportive adult present during interviews. If a child is too young to understand the significance of the interview, a staff member should make arrangements for a supportive adult to attend with the child.
- A staff member may be identified as a support person for the child or young person during the interview.
- Prior to the commencement of the interview, the Child Protection practitioner should always authorise the Whittlesea Secondary College staff member to receive information regarding Child Protection's investigation.
 - This may occur verbally or in writing using the relevant Child Protection pro-forma.
- Independent persons must refrain from providing their opinions or accounts of events during interviews.
- A principal or their delegate may act as an independent person when the child or young person is to be interviewed, unless they believe that doing so will create a conflict of interest.

Advising Parents/Carers

- Whittlesea Secondary College staff **do not require** the permission of parents, carers or guardians to make a report to Child Protection, nor are they required to tell parents, carers or guardians that they have done so.
- It is the responsibility of Child Protection to advise the parents, carers or guardians of the interview at the earliest possible opportunity. This should occur either before, or by the time the child arrives home.

Ensuring that a Child Protection Interview Takes Place

- Whittlesea Secondary College does not have the power to prevent parents, carers or guardians from removing their children from the school and should not attempt to prevent the parents, carers or guardians from collecting the child.
- If a parent/carer or guardian removes a child before a planned interview has taken place, the principal and/or their nominee should contact Child Protection or Victoria Police immediately.

Staff Training and Professional Learning

- Whittlesea Secondary College staff will be informed of Mandatory Reporting requirements as part of their initial induction to the school and will be provided with supporting documentation in their staff handbook.
- The Department of Education and Training online Mandatory Reporting eLearning module must be completed by all staff. www.elearn.com.au/det/protectingchildren
Username: education Password: employee

School Staff Seeking Consultation

Consult with:

- School leadership or wellbeing staff
- Network support staff (Student Support Services)
- Regional wellbeing staff
- Department of Human Services (DHS) Child Protection
- Emergency Management on: (03) 9589 6266

- Student Critical Incident Advisory Unit on (sexual assault): (03) 9637 2934 (03) 9637 2487

Related Legislation and Policies

- *Children Youth and Families Act (CYFA) 2005* http://austlii.edu.au/au/legis/vic/consol_act/cyafa2005252/
- [Ministerial Order No. 870](#)
- [Dept. of Justice and Regulation Betrayal of Trust](#)
- [Dept. Justice WWC checks](#)
- [DET Child Safety Policy](#)
- [DET Child Protection](#)
- [Dept Justice Grooming Offence](#)
- [Dept Human Services - Making a Report to Child Protection](#)
- [Dept Human Services - Making a Report to Child FIRST](#)
- Partnering Agreement for Children in Out-of-Home Care:
www.education.vic.gov.au/Documents/school/teachers/health/a4partnering.pdf
- A step by step guide to making a report to Child Protection or Child First
www.education.vic.gov.au/Documents/school/principals/spag/safety/makingareportchild.pdf
[DET Making a Report - Step by step guide](#)
- Victoria Police Sexual Offences and Child Abuse Investigation Teams (SCOIT):
http://www.police.vic.gov.au/content.asp?Document_ID=36222
- WSC Child Protection Reporting Policy
 - WSC Statement of Commitment to Child Safety (Appendix A)
 - WSC Child Safety Code of Conduct (Appendix B)
- WSC Working with Children Checks Policy
- WSC Privacy Policy
- WSC Camps Policy
- WSC Day Excursions Policy
- WSC Duty of Care Policy
- WSC External Providers Policy
- WSC ICT Acceptable Use Policy Procedures and Agreement
- WSC Visitors and Volunteers Policy

Appendices

Appendix A: A step-by-step guide to making a report to Child Protection or Child FIRST

Evaluation

This policy will be reviewed as part of the school's three-year review cycle.

This Policy was last ratified by School Council in: 2017

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APPENDIX A

Source: Department of Education and Training, [DET Making a Report - Step by step guide](#)

A step-by-step guide to making a report to Child Protection or Child FIRST

Protective concerns

You are concerned about a child because you have:

- received a disclosure from a child about abuse or neglect
- observed indicators of abuse or neglect
- been made aware of possible harm via your involvement in the community external to your professional role.

At all times remember to:

- record your observations
- follow appropriate protocols
- consult notes and records
- consult with appropriate colleagues if necessary
- consult with other support agencies if necessary

STEP 1	RESPONDING TO CONCERNS	STEP 2	STEP 3	STEP 4
	<p>1. If your concerns relate to a child in need of immediate protection; or you have formed a belief that a child is at significant risk of harm*. Go to Step 4</p> <p>2. If you have significant concerns that a child and their family need a referral to Child FIRST for family services. Go to Step 3</p> <p>3. In all other situations Go to Step 2.</p> <p>* Refer to Appendix 2: Definitions of child abuse and indicators of harm in the Protocol – <i>Protecting the safety and wellbeing of children and young people</i></p>	<p>1. Consider the level of immediate danger to the child. Ask yourself:</p> <p>a) Have I formed a belief that the child has suffered or is at risk of suffering significant harm? YES / NO and</p> <p>b) Am I in doubt about the child's safety and the parent's ability to protect the child? YES / NO</p> <p>2. If you answered yes to a) or b) Go to Step 4</p> <p>3. If you have significant concerns that a child and their family need a referral to Child FIRST for family services. Go to Step 3</p>	<p>Child Wellbeing Referral</p> <p>1. Contact your local Child FIRST provider.</p> <ul style="list-style-type: none"> • See over for contact list for local Child FIRST phone numbers. <p>2. Have notes ready with your observations and child and family details.</p>	<p>Mandatory/Protective Report*</p> <p>1. Contact your local Child Protection Intake provider immediately.</p> <ul style="list-style-type: none"> • See over for contact list for local Child Protection phone numbers. • For After Hours Child Protection Emergency Services, call 131 278. <p>2. Have notes ready with your observations and child and family details.</p> <p>* <i>Non-mandated staff members who believe on reasonable grounds that a child is in need of protection are able to report their concerns to Child Protection</i></p>

Contact Numbers

Department of Education and Early Childhood Development

METROPOLITAN REGIONS	
Eastern	(03) 9265 2400
Northern	(03) 9488 9488
Western	(03) 9291 6500
Southern	(03) 9794 3555
RURAL REGIONS	
Barwon South Western	5225 1000
Gippsland	5127 0400
Grampians	5337 8444
Hume	5761 2100
Loddon Mallee	5440 3111

Office for Children and Licensed Children's Services:

METROPOLITAN REGIONS	
Eastern	(03) 9265 2400
Northern	(03) 9412 5333
Western	(03) 9275 7000
Southern	(03) 9096 9555
RURAL REGIONS	
Barwon South Western	5225 1000
Gippsland	5127 0400
Grampians	5337 8444
Hume	5761 2100
Loddon Mallee	5440 3111

Important information for government schools

Principals of Victorian Government schools must report all incidents to the Emergency and Security Management Unit on 03 9589 6266.

Victorian Government schools should contact the Student Critical Incident Advisory Unit (SCIAU), Student Wellbeing Division, for advice and support when responding to allegations of student sexual assault or inappropriate sexual behaviours.

The SCIAU can be contacted on 03 9637 2934 or 03 9637 2487.

Victorian Government School Principals should refer to the flowchart – *Responding to Allegations of Student Sexual Assault Compulsory Actions for Principals* at:

<http://www.education.vic.gov.au/healthwellbeing/safety/childprotection/childprotection.htm>

Department of Human Services Child Protection

METROPOLITAN REGIONS		METROPOLITAN REGIONS	
Intake Unit		Regional Office	
Eastern	1300 360 391	Box Hill	(03) 9843 6000
North and West	1300 664 977	Preston	1300 664 977
		Footscray	1300 360 462
Southern	1300 655 795	Dandenong	(03) 9213 2111
RURAL REGIONS			
Intake Unit		Regional Office	
Barwon South Western			
	1800 075 599	Geelong	(03) 5226 4540
Gippsland	1800 020 202	Traralgon	(03) 5177 2500
Grampians	1800 000 551	Ballarat	(03) 5333 6530
Hume	1800 650 227	Wangaratta	(03) 5722 0555
		Wodonga	(02) 6055 7777
Loddon Mallee	1800 675 598	Bendigo	(03) 5434 5555

After hours Child Protection Emergency Services (AHCPEs)

Statewide number for all emergency child protection matters outside of normal business hours (24 hours, 7 days a week): **131 278**

Victoria Police **000**

Catholic Education Offices

Catholic Education Office, Melbourne	(03) 9267 0228
Catholic Education Office, Ballarat Diocese	5337 7135
Catholic Education Office, Sale Diocese	5622 6600
Catholic Education Office, Sandhurst Diocese	5443 2377

Independent Schools Victoria (03) 9825 7200

Other

Victorian Aboriginal Education Association, Inc.	(03) 9481 0800
Victoria Police Sexual Offences and Child Abuse Unit	(03) 9247 6666
Centre Against Sexual Assault	1800 806 292
Gatehouse Centre, Royal Children's Hospital (for specialist counselling and medical assistance)	(03) 9345 6391
Child Safety Commissioner	(03) 8601 5884
Victorian Aboriginal Child Care Agency	(03) 8388 1855

CHILD FIRST

Local Catchment Area	Contact
Barwon South Western	Greater Geelong, Queenscliff, Surf Coast Colac – Otway, Corangamite Warrambool, Moyne, Glenelg, Southern Grampians 1300 551 948 5232 5500 1300 889 713
Gippsland	East Gippsland Wellington La Trobe, Baw Baw South Gippsland, Bass Coast 5152 0052 5144 7777 1800 339 100 5662 5150
Grampians	Northern Grampians, West Wimmera, Hindmarsh, Yarrambat, Horsham Ararat, Pyrenees, Hepburn, Ballarat, Golden Plains, Moorabool 1800 195 114 1300 783 341
Hume	Wodonga, Towong, Indigo Alpine, Benalla, Mansfield, Wangaratta Greater Shepparton, Strathbogie, Moira Mitchell, Murrindindi 1800 705 211 1800 705 211 1300 854 944 1800 663 107
Loddon Mallee	Greater Bendigo, Campaspe, Central Goldfields, Loddon, Macedon Ranges, Mount Alexander Buloke, Goonawarra, Swan Hill, Mildura 1800 260 338 1800 625 533 1800 MALLEE
Eastern Metropolitan	Yarra Ranges, Knox, Maroondah Monash, Whitehorse, Manningham, Booroondarra 1300 369 146 1300 762 125
North and West Metropolitan	Nilumbik, Whittlesea, Banyule, Yarra and Darebin Brimbank, Melton Hume, Moreland Hobson's Bay, Maribyrnong, Melbourne, Moonee Valley and Wyndham (03) 9450 0955 1300 138 180 1300 786 433 1300 786 433
Southern Metropolitan	Casey, Cardinia, Greater Dandenong Aboriginal children and families (Casey, Cardinia and Great Dandenong) Frankston, Mornington Peninsula Kingston, Bayside, Glen Eira, Stonington, Port Phillip (03) 9705 3939 (03) 9794 5973 1300 721 383 1300 367 441