

<b>Goulburn Ovens Institute of TAFE</b>  <b>Procedure no. PRSS-186</b>	<b>Title: Child Safe Reporting Procedure</b> <i>Innovation, Learning and Quality Committee approved: 14/02/2017</i> <i>Reviewed/Approved: 1/05/2017</i> <b>Innovation, Learning and Quality Committee approved: 12/09/2017</b>  <b>Responsible Officer: Manager Student Services</b> <b>Authorising Officer: Group Manager Education Support</b> <b>Review: Annual (14<sup>th</sup> February 2018)</b>
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## CHILD SAFE REPORTING PROCEDURE

### 1. PURPOSE

To define the roles and responsibilities of GOTAFE staff, students, volunteers and visitors in protecting the safety and wellbeing of children and young people.

To identify the indicators of a child or young person who may be in need of protection.

To ensure that appropriate internal and external processes are followed when making a report of a child or young person who may be in need of protection, and ensure while compliance with reporting obligations under child protection and criminal law.

### 2. SCOPE

All members of the GOTAFE community share a responsibility to ensure the welfare of all children, young people and students. This procedure has specific application to children/young people.

This procedure applies to GOTAFE staff, students, visitors, contractors, parents and guardians.

### 3. DEFINITIONS

Term	Definition
<b>Child/Young person</b>	Means all students 17 years of age and under.
<b>Child Abuse</b>	Includes any act committed against a child involving: <ul style="list-style-type: none"> <li>• A sexual offence</li> <li>• A grooming offence</li> <li>• The infliction on a child of physical violence, serious emotional or psychological harm or serious neglect.</li> </ul> Child Abuse includes but is not limited to Child Sexual Abuse.
<b>Child Safety</b>	Encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.
<b>GOTAFE environment</b>	Means any physical or virtual place made available or authorised by GOTAFE for use by a child during or outside school hours including: <ul style="list-style-type: none"> <li>• a campus</li> <li>• online learning environments (including email and intranet systems), and</li> <li>• other locations provided by GOTAFE for a child or young person's use (including, without limitation, locations used for learning i.e. camp's, sporting events, excursions, competitions, and other events).</li> </ul>

Term	Definition
<b>Child FIRST</b>	The Family Information Referral Support Team run by a registered community service in a local area.
<b>Child Protection Services</b>	The Government Authority which takes responsibility for the protection of children and to whom reports are made.
<b>Commission for Children and Young People (CCYP)</b>	Has oversight and regulatory responsibility for both Child Safe Standards and the Reportable Conduct Scheme. Both the Child Safe Standards and the Reportable Conduct Scheme strengthen the capacity of organisations to prevent and respond properly to allegations of child abuse.
<b>DHHS</b>	Department of Health and Human Services
<b>Mandatory Notifier</b>	In the context of GOTAFE our teaching and training staff, and any Registered Nurses on staff are Mandatory Notifiers.
<b>Mandatory Reporting</b>	Requirement imposed on a Mandatory Notifier to report to government authorities, as required under Section 182 of the Children, Youth and Families Act 2005 (Vic), in the event that the Mandatory Notifier forms a belief on reasonable grounds that a child has suffered, or is likely to suffer significant harm as a result of physical or sexual abuse in circumstances where the parents have not protected, or are unlikely to protect, the child from that harm.
<b>Failure to disclose</b>	Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police. The offence applies to all adults, not just professionals who work with children.
<b>Failure to protect</b>	People of authority in the organisation will commit an offence if they know of a substantial risk of child sexual abuse by someone in the organisation and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
<b>Grooming offences</b>	A grooming offence is now in effect to target individuals who communicate with a child or their parents with the intent of committing child sexual abuse.
<b>Reportable Conduct Scheme</b>	Was introduced to enable an independent body, the Commission for Children and Young People (CCYP), to have oversight over an organisation's systems and processes to prevent and respond to allegations of child abuse.
<b>Reasonable Grounds</b>	The concept of 'reasonable grounds' requires consideration of whether another person, when faced with similar information, would also draw the same conclusion. It does not mean reporters are required to be certain, but rather reporters should ensure their concerns are well founded and based on information from a reliable source.
<b>Reasonable Belief</b>	<p>A reasonable belief is formed if a reasonable person in the same position would have formed the belief on the same grounds. Factors contributing to reasonable belief may be (but are not limited to):-</p> <ul style="list-style-type: none"> <li>• a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)</li> <li>• behaviour consistent with that of an abuse victim is observed</li> <li>• someone else has raised a suspicion of abuse but is unwilling to report it</li> <li>• observing suspicious behaviour</li> </ul>

	<ul style="list-style-type: none"> <li>• observing grooming behaviour</li> <li>• knowledge of inappropriate gifts</li> <li>• inappropriate online behaviour and/ or inappropriate boundaries</li> <li>• knowledge of secretive relationships</li> </ul>
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**The Child Safe Standards**

The Victorian Child Safe Standards comprise seven (7) Standards and three (3) Principles.

The seven (7) Standards are as follows:

- Standard 1: Strategies to embed an organisational culture of child safety, including through effective leadership arrangements.
- Standard 2: A child safe policy or statement of commitment to child safety.
- Standard 3: A code of conduct that establishes clear expectations for appropriate behaviour with children.
- Standard 4: Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel.
- Standard 5: Processes for responding to and reporting suspected child abuse.
- Standard 6: Strategies to identify and reduce or remove risks of child abuse.
- Standard 7: Strategies to promote the participation and empowerment of children.

In addition to the seven (7) Standards, GOTAFE is required to take into consideration the following three (3) Principles as part of its response to each Standard:

- Principle 1: Promoting the cultural safety of Aboriginal and Torres Strait Islander children;
- Principle 2: Promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds; and
- Principle 3: Promoting the safety of children with a disability.

**4. PROCEDURE**

This Procedure assists staff, volunteers, visitors, students and families to:

- identify the indicators of a child or young person who may be in need of protection;
- understand how a ‘reasonable belief’ is formed;
- make a report of a child or young person who may be in need of protection;
- comply with mandatory reporting obligations under child protection law and their legal obligations relating to criminal child abuse and grooming under criminal law.

This procedure must be followed in line with reporting obligations and recommendations within the Child safe standards when there are reasonable grounds to suspect an abuse is or has taken place against a child or young person.

**4.1 Identifying a potential child safe issue**

When a staff member, volunteer, visitor or student are concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a ‘reasonable grounds’. A ‘reasonable grounds’ or a ‘belief on reasonable grounds’ is not the same as having proof but is more than mere rumour or speculation.

- A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. If a staff member, volunteer, visitor or student is concerned that a child or young person that is a student or client aged 16 or under is at risk of or, is experiencing sexual or other criminal abuse, they have a responsibility to report the matter.
- If the child is at immediate risk, call 000.
- GOTAFE has internal reporting processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a child or young person. GOTAFE maintains a formal process for reporting and responding to child safety concerns, disclosures or breaches of the Child Safety Code of Conduct.

## 4.2 Reporting Requirements

### a) Mandatory Reporting.

There are mandatory reporting requirements under the Victorian Children, Youth & Families Act (2005). Where staff members who 'form a belief on reasonable grounds' that a child or young person:

- Is in need of protection, GOTAFE staff must report their concerns immediately to their GOTAFE manager and a Child Safety Officer before contacting the DHHS Child Protection, Child FIRST or Victoria Police.
- Is displaying sexually abusive behaviours and is in need of therapeutic treatment, GOTAFE staff must inform their concerns to their GOTAFE manager and Child Safety Officer before contacting DHHS Child Protection, Child FIRST or Victoria Police.
- If staff members have significant and immediate concerns for the wellbeing of a student or young person they must report their concerns immediately to DHHS Child Protection or Child FIRST. The reporting GOTAFE staff member should then report that notification has occurred to their GOTAFE Manager and Child Safety Officer.

### b) Reporting Suspected Sexual Offences

- Three new criminal offences have been introduced under the Crimes Act 1958 (Vic.):
  - **Failure to disclose offence**, which requires adults to report to police their belief on reasonable grounds that a sexual offence has been committed against a child.

Any adult who forms a belief on reasonable grounds that a sexual offence has been committed by an adult against a child under 16 **must disclose that information**. Failure to disclose the information to police is a criminal offence under the Crimes Act 1958 and applies to all adults 18 years and over in Victoria, not just professionals who work with children

- **Failure to protect offence**, which applies to people within organisations who knew of a risk of child sexual abuse and had the authority to reduce or remove the risk, but failed to do so.

Any GOTAFE member in a position of authority who forms a belief on reasonable grounds that an adult has performed sexual abuse to a child under 16 who is in their care or supervision **must take all reasonable steps to reduce or remove that risk**.

Failure to take reasonable steps to protect a child from the risk of sexual abuse from an adult associated with the school is a criminal offence Under the Crimes Act 1958 (Vic.).

- **Grooming offence**, which targets communication with a child or their parents with the intent of committing child sexual abuse.

The offence of grooming prohibits predatory conduct designed to prepare or ‘groom’ a child for future sexual activity and is contained in section 49B (2) of the Crimes Act 1958 (Vic.). The offence applies to communication with children under 16 years.

Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails. The offence can be committed by any person aged 18 years or over. It does not apply to communication between people who are both under 18 years of age.

- **Reportable Conduct Scheme** In situations in which allegations of abuse are made by children and young people against GOTAFE staff or employees, including volunteers and contractors, the Chief Executive Officer or the General Manager Education of GOTAFE, under the Victorian Reportable Conduct Scheme must:
  - notify the Commissioner Children and Young People (CCYP) of ‘reportable allegations’ within 3 business days of being aware of them;
  - give the CCYP further, detailed information about the allegation within 30 days; and
  - after the investigation has concluded, give the CCYP information regarding the investigation outcomes, including the investigation findings.

**c) Cultural, children and young people with disability**

Appropriate cultural awareness is required to understand that people from culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police, and communicating in English may be a barrier for some. Sensitivity to these issues and meeting people’s needs, such as having an interpreter present (who could be a friend or family member) may be required.

If an allegation of abuse involves an Aboriginal child, it is important to ensure a culturally appropriate response. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal elder or GOTAFE’s Aboriginal Liaison Officer.

Some children with a disability may experience barriers disclosing an incident. For example, children with hearing or cognitive impairments may need support to help them explain the incident, including through sign language interpreters. Advice on communicating with people with a disability can be gained through GOTAFE’s Student Welfare Unit.

One of GOTAFE’s Child Safe Officers can assist with your understanding of appropriate cultural sensitivities throughout the reporting process.

**4.3 How to Make a Report**

This table describes how to make a mandatory report, to report child abuse or child protection concerns.

**Appendix 1** of this procedure is the GOTAFE poster for child safety and also outlines the critical actions required.

Step	Action	Who
1	In case of emergency or if a child is in immediate danger contact Triple Zero (000) or the local police station.	The GOTAFE staff member who

	Alternatively, to report concerns about the immediate safety of a child within their family unit to DHHS Child Protection, call the Child Protection Crisis Line on 13 12 78 (24 hours 7 days, toll free)	identified a potential child safe issue
2	<p>Keep comprehensive notes that are dated and include the following information:</p> <ul style="list-style-type: none"> <li>Information that has led to concerns about the child's safety (e.g. physical injuries, student behaviour)</li> <li>Initiate GOTAFE's Four Critical Actions flow chart and Child and Young Person Incident/Disclosure Report form.</li> <li>The source of this information (e.g. observation of behaviour, report from child or another person)</li> <li>The actions taken as a result of the concerns (e.g. consultation with in line management, Child Safe Officer, DHHS Child Protection etc.).</li> </ul>	The GOTAFE staff member who identified a potential child safe issue
3	Discuss any concerns about the safety and wellbeing of students with your GOTAFE manager and a Child Safety Officer. The individual staff member and Child Safety Officer will make a determination regarding the need for reporting and to whom the report should be made.	The GOTAFE staff member who identified a potential child safe issue, and Child Safety Officer.
4	<p>Gather the relevant information necessary to make the report using the GOTAFE Child and Young Person Incident/Disclosure Report in <b>Appendix 1</b>, and should include the following information:</p> <ul style="list-style-type: none"> <li>Full name, date of birth, and residential address of the child or young person</li> <li>The details of the concerns and the reasons for those concerns</li> <li>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.</li> </ul>	GOTAFE Child Safety Officer, with information provided by the GOTAFE staff member who identified the potential child safe issue
5	<p>Make a report to the relevant Agency:</p> <ul style="list-style-type: none"> <li>Report concerns that are life threatening (Phone 000) or via the local police station.</li> <li>Sexual offences need to be reported to the nearest Victoria Police Sexual Offences and Child Abuse Investigation Unit.</li> <li>To report concerns about the immediate safety of a child within their family unit to DHHS Child Protection, via the Child Protection Crisis Line on 13 12 78 (24 hrs 7 days, toll free)</li> <li>Notify the Commissioner Children and Young People (CCYP) of reportable allegations within three (3) business days if the allegations are made in relation to GOTAFE staff, employees, contractors or volunteers</li> </ul>	GOTAFE Child Safety Officer

6	<p>Make a written record of the report which includes the following information:</p> <ul style="list-style-type: none"> <li>• The date and time of the report and a summary of what was reported</li> <li>• The name and position of the person who made the report and the person who received the report</li> </ul> <p>The need for this information has been included in the GOTAFE Child and Young Person Incident/Disclosure Report form.</p>	GOTAFE Child Safety Officer
7	<p>Notify relevant staff and/or Department staff of a report to DHHS Child Protection or Child FIRST.</p> <p>Allegations and all instances must be reported to:</p> <ul style="list-style-type: none"> <li>• GOTAFE management through the organisational structure, on a “need to know” basis</li> <li>• GOTAFE Child Safe Officer, who will advise senior management that a report via GOTAFE has been made.</li> <li>• The relevant authorities</li> </ul>	GOTAFE Child Safety Officer

**4.4 Reporter Liability**

A person who makes a mandatory report in accordance with the Children, Youth and Families Act (2005) will not be held liable for the eventual outcome of any investigation. If a report is made in good faith it does not constitute a breach of professional ethics or conduct.

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

- a child states they have been physically or sexually abused;
- a child states that they know someone who has been physically or sexually abused;
- someone who knows the child states that the child 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 a child's safety, stability or development;
- the staff member observes signs 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;

Grounds for belief include matters of which a person has become aware and any opinions based on those matters.

The table below outlines some concerns that may arise in relation to the reporting of child safety issues and a description of processes.

Concern	Description
Confidentiality	The identity of a reporter must remain confidential unless:

	<ul style="list-style-type: none"> <li>• The reporter chooses to inform the child, young person or parent of the report.</li> <li>• The reporter consents in writing to their identity being disclosed.</li> <li>• A Court or Tribunal decides that it necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child.</li> <li>• A Court or Tribunal decides that, in the interests of justice, the reporter is required to provide evidence</li> </ul>
<p><b>Professional Protection</b></p>	<p>If a report is made in good faith:</p> <ul style="list-style-type: none"> <li>• It does not constitute unprofessional conduct or a breach of professional ethics on the part of the reporter.</li> <li>• The reporter cannot be held legally liable in respect of the report.</li> </ul>
<p><b>Interviews</b></p>	<p>DHHS Child Protection and/or Victoria Police may conduct interviews of children and young people at GOTAFE without the parent’s knowledge or consent.</p> <ul style="list-style-type: none"> <li>• Interviewing children and young people on GOTAFE premises only occurs in exceptional circumstances and if it is in the best interests of the child to proceed in this manner.</li> <li>• DHHS Child Protection and/or Victoria Police will notify the GOTAFE Chief Executive Officer, General Managers or a Child Safe Officer of their intention to interview the child or young person on GOTAFE premises.</li> <li>• When officers from DHHS Child Protection or Victoria Police come onto GOTAFE premises, staff must request to see identification before permitting them access to the child or young person.</li> <li>• When a child or young person is being interviewed by DHHS Child Protection and/or Victoria Police, GOTAFE must arrange a Student Welfare unit team member as a supportive adult present with the child or young person.</li> </ul>
<p><b>Support For The Child Or Young Person</b></p>	<p>The roles and responsibilities of GOTAFE in supporting students and young people who are involved with DHHS Child Protection may include the following. These activities will be facilitated by the GOTAFE Student Welfare unit team:</p> <ul style="list-style-type: none"> <li>• Acting as a support person for the child or young person</li> <li>• Attending DHHS Child Protection case planning meetings</li> <li>• Observing and monitoring the child’s behaviour</li> <li>• Liaising with professionals.</li> </ul>
<p><b>Requests for Information</b></p>	<p>DHHS Child Protection and/or Child FIRST and/or Victoria Police may request information about the student or young person or family for the purpose of investigating a report and assessing the risk to the child or young person.</p>

	In certain circumstances, DHHS Child Protection can also direct staff to provide information or documents about the protection or development of the child. Such directions should be in writing and only be made by authorised persons within DHHS Child Protection.
<b>Witness Summons</b>	If DHHS Child Protection makes a Protection Application in the Children's Court of Victoria, any party to the application may issue a Witness Summons to produce documents and/or to give evidence in the proceedings. GOTAFE must comply with these Summons.

**4.5 Child Safety Officer**

GOTAFE is committed to the safety of children and young person and will uphold a zero tolerance approach to all forms of abuse.

When confronted with a situation or knowledge of a child being abused this can be confronting and frightening and met with an initial reaction of shock or disbelief. GOTAFE has appointed, trained and supportive people titled Child Safe Officers (CSO) who will assist stakeholders from the alleged incident and report requirements through to after incident care welfare needs.

A Child Safety Officer will:

- Act as a source of support, advice and expertise to staff on matters of child and young person safety.
- Provide guidance on the rights and responsibilities of stakeholders, referral to appropriate authority, monitor the wellbeing of stakeholders and refer appropriately.
- Ensure GOTAFE’s policies are known and used appropriately.
- Encourage among all staff a culture of listening to children and young people, taking account of their wishes and feelings in any measures to protect them. However the child or young person’s wishes, whilst considered, do not over-ride GOTAFES responsibility to report child safe issues and action appropriately.
- Lead the development of a child safety culture, including being a child safety champion and providing coordination in communicating, implementing, monitoring, enhancing and reporting on strategies to embed a culture of child safety

The contact details of our Child Safe Officers can be found in [Four Critical Actions and Reporting Process re Child Abuse ODSS-16](#)

**5. DOCUMENTATION**

**Appendix 1 – GOTAFE Child and Young Person Incident/Disclosure Report**

**Legislation**

- Children, Youth and Families Act 2005 (Victoria)
- Crimes Act, 1958 (Victoria)
- Working with Children Act 2005 (Victoria)

**GOTAFE Policies and Procedures**

- [Four Critical Actions and Reporting Process re Child Abuse ODSS-16](#)
- [Duty of care of Minors procedure PRSS-151](#)
- [Duty of care Policy POSS-02](#)
- [Child Safe Policy POHR15](#)
- [Student Code of Conduct Procedure E6-P27](#)
- [Employee Code of Conduct Policy POHR14](#)

**Resources**

<http://www.dhs.vic.gov.au/for-service-providers/children%2c-youth-and-families/child-protection/specialist-practice-resources-for-child-protection-workers/child-development-and-trauma-specialist-practice-resource>

[http://www.dhs.vic.gov.au/\\_data/assets/pdf\\_file/0007/586465/information-guide-registered-teachers-principals.pdf](http://www.dhs.vic.gov.au/_data/assets/pdf_file/0007/586465/information-guide-registered-teachers-principals.pdf)

<http://www.dhs.vic.gov.au/for-individuals/children,-families-and-young-people/child-protection/about-child-abuse>

## Appendix 1

### GOTAFE Child and Young Person Incident/Disclosure Report

All incident reports must be stored securely.

#### Incident details

Name of person disclosing	
Date of incident:	
Time of incident:	
Location of incident:	
Name(s) of child/children/young person involved:	
Name(s) of staff/volunteer involved:	

If you believe a child is at immediate risk of abuse phone 000.

#### Is the child identified as Out of Home Care?

(Mark with an 'X' as applicable)

YES

NO

#### Does the child identify as Aboriginal or Torres Strait Islander?

(Mark with an 'X' as applicable)

NO

YES, Aboriginal

YES, Torres Strait Islander

#### Does the child or young person have a Disability?

(Mark with an 'X' as applicable)

NO

YES

#### Does the child or young person come from a culturally and/or linguistically diverse background?

NO

YES

Are the allegations of abuse been made against a staff member/volunteer/contractor of GOTAFE?

NO

YES

If Yes:

Inform the CEO and/or the GME immediately who will compile a report to inform the CCYP within 3 working days.

Further information of the allegations must be provided by the CEO/GME within 30 days

All findings and investigation outcomes must be provided to the CCYP upon closing the investigation.

Please categorise the incident

Physical violence

Sexual offence

Serious emotional or psychological abuse/self-harm

Serious neglect

Other:

Please provide detail

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## Please describe the incident

When did it take place? Exact time	
Where did it take place? (Refer to map if needed)	
Who was involved?	
What did you see?	
What were you told? (if 3 <sup>rd</sup> hand information)	
Other information	

## Parent/carer notification (only if the parent/carer is not the alleged perpetrator):

Date parent notified:	
Time parent notified:	
Notes on messages left:	
Name of parent report was made to:	
Name(s) of staff member who spoke to parent:	

## Office use:

Date incident report received:	
CSO member managing incident:	
Follow-up date:	

## Has the incident been reported?

Child protection/DHHS 1300 360 391 977	
Police/ Sexual Offences and Child Abuse Investigation Team 000	
Manager Student Welfare Unit for student related concerns.	
Executive Manager Wellbeing for staff related concerns.	

Child First 1800 705 211	
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### Have supports been put in place?

Student Welfare Unit	
Child Adolescence Mental Health Services	
Employee Assistance Program	

Please outline any other responses to this incident

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### Conversation Record

Date	Time	Name of person spoken to and organisation	Notes

