

# Procedures for Responding to and Reporting Allegations of Child Abuse



Victory Lutheran College aims to provide a caring and safe learning environment, where the love of Jesus Christ governs all interactions and relationships. Members of the Victory Lutheran College community have a responsibility to ensure children and young people are safe in all school environments and school related activities.

## Procedures for Responding to and Reporting Allegations of Child Abuse

Child abuse can take many forms. The abuser may be a parent, carer, staff member, volunteer, another adult or even another child. Unfortunately, the nature of child abuse is complex. The abuse may occur over time and potential risk indicators are often difficult to detect. Even our legal obligations for reporting allegations of child abuse can vary depending on the circumstances of the incident.

The College will take appropriate, prompt action in response to all allegations or disclosures of abuse, neglect, inappropriate behaviour or concerns about child safety by reporting all matters to the Victorian Child Protection Service or the Police, depending on the allegation or disclosure made.

Victory Lutheran College has established simple and accessible procedures for anyone to report, if appropriate, a child abuse concern internally to one of the College's Child Safety Officers. Please be aware that consulting with a Child Safety Officer does not change any obligation you have under legislation to report to an external authority.

Victory Lutheran College has developed and implemented procedures for Council Members, Staff and Volunteers for responding to allegations and disclosures of child abuse, or suspected child abuse, including procedures for support following a disclosure by a student. Reporting procedures for Third Party Contractors, External Education Providers, Parents/Guardians and other community members are also included in our Child Protection and Safety Policy.

The College's work systems, practices, policies and procedures for responding to and reporting allegations of child abuse both internally and externally include:

- Managing Your Initial Response to a Child Protection Incident
- Responding to an Emergency
- Reporting a Child Abuse Concern Internally
- General Legal Obligations to "Act to Protect" and to Report Child Sexual Abuse
- Mandatory Reporting
- Reportable Conduct of Staff, Volunteers and Others
- Responding to Other Concerns About the Wellbeing of a Child
- Conduct that is Reportable to the Victorian Institute of Teaching (VIT)
- Communication with Parents/Guardians
- Support for Students Interviewed at the College
- Making Additional Reports
- Child Protection Complaints Management
- Confidentiality & Privacy
- Child Protection Record Keeping

All of the College's procedures for reporting and responding to allegation of child abuse are designed and implemented taking into account the diverse characteristics of the College community.

A summary of these procedures are made publicly available on the College's website through our Child Protection and Safety Policy and are accessible to all children, staff and the wider community.

The College will respond to all allegations of child abuse in an appropriate manner including:

- informing the appropriate authorities and fully cooperating with any resulting investigation
- protecting any child connected to the allegation until it is resolved and providing ongoing support to those affected
- taking particular measures in response to an allegation that concerns a culturally diverse child or a child with a disability, and
- securing and retaining records of the allegation and the College's response to it.

### **General Legal Obligations to Report Child Sexual Abuse and "Act to Protect"**

In Victoria there are specific criminal offences which impose general obligations on persons:

- aged 18 years or over to report any belief that a sexual offence has been committed, against a child under the age of 16 years, by a person over the age of 18 years (Crimes Act 1958 (Vic) s327); and,
- in authority within a school to act to remove or reduce a substantial risk that a sexual offence will be committed against a child (Crimes Act 1958 (Vic) s490).

Details of these obligations are set out in the following sections of CompliSpace.

- The Obligation to Report a Sexual Offence
- The Obligation to Act to Protect

### **Managing Your Initial Response to a Child Protection Incident – Responding to an Emergency**

All Teaching Staff, Non-Teaching Staff, Council Members, Volunteers, Third Party Contractors and External Education Providers **must act** as soon as they witness a child protection incident or form a reasonable belief that a child has been or is at risk of being abused.

***If a child is at immediate risk you must ensure their safety by:***

- Separating alleged victims and others involved;
- Administering first aid;
- Calling 000 for urgent medical assistance or Police assistance to address immediate health and safety concerns; and
- Briefing the Senior Child Safety Officer to be the future liaison with the Police on the matter.

The following list outlines the **six ways** that you may become aware that a child may be experiencing abuse.

- Witnessing a Child Protection Incident
- Observation of Risk Indicators
- Private Disclosure by a Child
- Public Disclosure by a Child
- Third Party Disclosure
- Disclosure by a Former Student
- Support Following Disclosure

Further details on the **six ways** you may become aware that a child may be experiencing abuse including strategies for managing each situation and supporting and assisting children involves in the disclosure or report are found in **CompliSpace**.

### **Reporting a Child Abuse Concern Internally**

Child abuse situations can be very complex, not only from the perspective of ascertaining whether abuse has occurred but also in understanding what steps to take to protect a child.

It is important to remember at all times that the safety and welfare of the child are paramount.

Therefore, if you have a concern that a child may be experiencing abuse, whether or not you have formed a belief on reasonable grounds that the abuse has occurred, you should immediately raise your concerns with one of the College's Child Safety Officers. The College's Child Safety Officers will be able to assist you in clarifying your concerns and managing the next steps.

Lists of Child Safety Officers, including our Senior Child Safety Officer are displayed around the College and provided to Staff, Students, Volunteers and others.

***Please note that reporting the matter internally does not release you from other legal and regulatory reporting obligations you may have, namely:***

- The Obligation to Report a Sexual Offence
- The Obligation to Act to Protect
- The Obligation to Make a Mandatory Report
- The Obligation to Notify Reportable Conduct

In addition, these reporting obligations apply even if the Principal, a Council Member or a Child Safety Officer advises you not to proceed with reporting the suspected abuse.

### **Preserving Evidence**

When an incident of suspected child abuse occurs at the \*School/College\*, consider all of the following:

- environment: do not clean up the area and preserve the sites where the alleged incident occurred
- clothing: take steps to ensure that the person who has allegedly committed the abuse and the child who has allegedly been abused remain in their clothing. If this is not possible, ensure the clothes are not washed, handled as little as possible and stored in a sealed bag
- other physical items: ensure that items such as weapons, bedding and condoms are untouched
- potential witnesses: reasonable precautions must be taken to prevent discussion of the incident between those involved in the alleged incident.

## Observation of Risk Indicators

The different types of child abuse and their key risk indicators are set out in detail in CompliSpace in the Child Abuse – Definition and Key Risk Indicators section.

The process of identifying child abuse purely through observation of risk indicators can be complex and may occur over time. The complexity is magnified by the fact that many of the key risk indicators described may also occur as a result of other factors, not related to child abuse.

If you form a concern that a child may be being abused, you should make written notes of your observations recording both dates and times. You should also report the matter internally to a Child Safety Officer.

## Private Disclosure by a Child

If a student discloses a situation of abuse or neglect to you privately, you should stay calm and not display expressions of panic or shock.

You should reassure and support the child. You can do this by:

- Starting clearly that the abuse is not the Child's fault
- Reassuring the Child that you believe them, and
- Telling the Child that disclosing the matter is the right thing to do.

You should be patient, allow the Child to talk at their own pace. When responding you should use the Child's language and vocabulary.

Sometimes a Student may try to elicit a promise from you that you will not tell anyone about the allegations. You **must not** make this promise, as you are responsible for reporting the matter.

Finally, remember that your role is not to investigate the allegation. You should not interrogate the Child and pressure them to tell you more than they want to.

Once a disclosure is made you must report the matter internally to a College Child Safety Officer as soon as possible. You should also make written notes of the circumstances of the disclosure recording both dates and times.

Following a disclosure of abuse or neglect by a Student, Staff should follow the steps set out in the College's

- ***Making a Child Protection Report – The Process***
- ***Four Critical Actions for Schools***
- ***VLC Child Protection Incident Report.***

## Public Disclosure by a Child

Public Disclosure occurs where you observe a Child disclosing abuse to another Child, or group of Children.

In this circumstance you should use a strategy of "protective interrupting".

The aim of "protective interrupting" is to prevent a Child from disclosing details of abuse in front of the other Children, whilst at the same time providing the Child with the opportunity to disclose later, in a safe and confidential manner.

You can do this by:

- asking the Child if you can talk privately; and
- moving the child away from the other students to a quiet space, and then following the guidelines and steps set out in the following documents:
  - ***Making a Child Protection Report – The Process***
  - ***Four Critical Actions for Schools***
  - ***VLC Child Protection Incident Report.***

## Third Party Disclosure

A third party such as a friend of the child, a relative or another parent may provide you with information relating to child abuse.

In this situation you should:

- listen to the person's concerns seeking clarification where required
- thank the person for raising their concerns
- advise the person that you will discuss their concerns with the relevant authorities

As with Private Disclosure, you should reassure and support the person providing the information.

Sometimes a person may try to elicit a promise from you that you will not tell anyone about the allegations. You **must not** make this promise, as you are responsible for reporting the matter.

Finally, remember that your role is not to investigate the allegation. You should not interrogate the Child and pressure them to tell you more than they want to.

Once a disclosure is made you must report the matter internally to a College Child Safety Officer as soon as possible. You should also make written notes of the circumstances of the disclosure recording both dates and times.

Following a disclosure of abuse or neglect by a Student, Staff should follow the steps set out in the College's

- ***Making a Child Protection Report – The Process***
- ***Four Critical Actions for Schools***
- ***VLC Child Protection Incident Report.***

## Disclosure by a Former Student

A former Student of the College may come forward to a current member of the College Council, a Staff Member, or a Volunteer, and disclose past abuse from their time at the College. If you receive a disclosure from a former Student about historical abuse, you must act.

If the former student is still of school age in Victoria and currently attending a Victorian school, you must follow the ***Procedures for Responding to and Reporting Allegations of Child Abuse*** in ***CompliSpace***, specifically the obligations you may have under the following policies:

- Obligations to Act to Protect
- Obligations to Report Child Sexual Abuse
- Conduct that is Reportable to the Victorian Institute of Teaching (VIT)

Once a disclosure is made you must report the matter as soon as possible. You should also make written notes of the circumstances of the disclosure using the steps set out in the College's

- ***Making a Child Protection Report – The Process***
- ***Four Critical Actions for Schools***
- ***VLC Child Protection Incident Report***

If the former Student is no longer of School age or attending a school in Victoria, you must still act. For example, if the disclosure includes an allegation against a current staff member or teacher at the College this may trigger obligations under the Obligations to Act to Protect policy to remove the risk of abuse to other Students.

## Support Following Disclosure

You should take the following steps to support and assist a child after a disclosure of child abuse or neglect is made.

The range of measures employed will depend on:

- the degree of severity of the situation;
- the risk of harm to the child; and
- the capability and willingness of the parent/guardian to protect the child from harm.

After a disclosure is made:

- Try and separate the child from any other children discreetly and listen to them carefully.
- Let the child use their own words to explain what has occurred.
- Reassure the child that you take what they are saying seriously and it is not their fault and that they are doing the right thing.
- Explain to them that this information may need to be shared with others such as with their parent/guardian, specific people in your organisation or the police.
- Do not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- Do not leave the child in a distressed state. If they seem at ease in your company, stay with them.
- Tell the child what you plan to do next.
- Do not confront the person believed to be the perpetrator.
- Complete an incident report, completing it together if you think the child is able to do this.
- As soon as possible after the disclosure, record the information using the child's own words.
- Report the disclosure to one of College Child Safety Officers.
- The Principal or Senior Child Safety Officer must follow the process and actions for responding to disclosures of child abuse.
- Whenever there are concerns that a child is in immediate danger the Police should be called on 000.
- The Senior Child Safety Officer will ensure there is immediate support for the child and any other persons impacted by the disclosure

## Support for Staff and Volunteers

Witnessing a child protection incident or receiving a disclosure or allegation of abuse can be a stressful experience for Staff and Volunteers involved. The College provides support to impacted Staff and Volunteers to access necessary support through our Employee Assistance Program AccessEAP 24-hour help line: 1800 818 728.

## Child Protection Complaints Management

To ensure that any child protection-related feedback, comments or complaints from College community members and relevant stakeholders are captured, analysed and acted upon where appropriate.

This may include feedback about certain staff members or volunteers, or the College's Child Protection Program.

When a complaint is made to the College it is important for the College to consider whether the complaint raises any concerns about unreported abuse and/or risk of abuse at the College.

All Council Members, staff including the Principal, Volunteers, Third Party Contractors and External Education Providers must follow the steps set out in the College's ***Procedures for Responding to and Reporting Allegations of Child Abuse*** if any information received with a complaint leads to new grounds for a reasonable belief or suspicion that a student may be subject to, or at risk of, any unreported abuse.

- ***Making a Child Protection Report – The Process***
- ***Four Critical Actions for Schools***
- ***VLC Child Protection Incident Report.***

## Confidentiality & Privacy

Anyone who has access to information regarding a case of suspected child abuse must keep such information confidential and secure and must only disclose or discuss this information with those involved in managing the situation.

You must not provide undertakings that are inconsistent with your reporting obligations in the College's Child Protection Program. In particular, you must not promise a student that you will not tell anyone about the student's disclosure.

Students and any other parties who become involved in the investigation (this may include other students) should be informed of the reporting process and be required to maintain confidentiality.

Inappropriate disclosure will be subject to disciplinary action.

All Council Members, staff including the Principal, Volunteers, Third Party Contractors and External Education Providers must follow the steps set out in the College's ***Procedures for Responding to and Reporting Allegations of Child Abuse*** and the documents listed below when sharing information regarding a case of suspected child

- ***Making a Child Protection Report – The Process***
- ***Four Critical Actions for Schools***
- ***VLC Child Protection Incident Report.***

Further details regarding how to record observations, disclosures or allegations relating to Child Protection Matters refer to ***CompliSpace***.

## Child Protection Record Keeping

It is critical that all Staff, Council Members, Volunteers, Third Party Contractors and External Education Providers keep clear and comprehensive notes relating to incidents, disclosures and allegations of child abuse. This information may be sought at a later date if the matter is the subject of court proceedings. Your notes may also assist you later if you're required to provide evidence to support your decisions regarding the handling of child protection incidents.

All Council Members, staff including the Principal, Volunteers, Third Party Contractors and External Education Providers must follow the steps set out in the College's ***Procedures for Responding to and Reporting Allegations of Child Abuse*** and the documents listed below.

- ***Making a Child Protection Report – The Process***
- ***Four Critical Actions for Schools***
- ***VLC Child Protection Incident Report.***

Further details regarding how to record observations, disclosures or allegations relating to Child Protection Matters refer to ***CompliSpace***.