

Mandatory Reporting Policy

Ratification Date: Update by RNS Principal 23/06/2022 This Policy was approved by the RNS Board 28/06/2022	Next Review: By 1 July 2024 or after an event or changes to the minimum standards as advised by the VRQA	Availability: <table><tr><td>Web</td><td>X</td></tr><tr><td>Office</td><td>X</td></tr><tr><td>On Request</td><td>X</td></tr></table>	Web	X	Office	X	On Request	X	Actions: Refer Child Safe Standards (for Ministerial Orders 1359) Action List for RNS.
Web	X								
Office	X								
On Request	X								

SCHOOL CONTEXT

River Nile School (RNS) is a specialist reengagement senior-secondary school for young women who are Humanitarian refugees and new arrivals to Australia. In general, our school's students are highly vulnerable with backgrounds of complex trauma in their lives. Most RNS students live as independent young adults, and those with parents/carers commonly have parents/carers who are also new to Australia, with low levels of English oracy and literacy and which are not yet well informed about child safety expectations and obligations in Australia. Some RNS students have significant responsibilities as young parents or carers/guardians of younger siblings.

PURPOSE

To define the roles and responsibilities of RNS staff in protecting the safety and wellbeing of students and to enable staff to:

- Identify indicators that a student/child or young person may be in need of protection.
- Make a report about a student/child or young person who may be in need of protection.
- Comply with reporting obligations under child protection law and criminal law and fulfil their duty of care in particular in reference to Children and Youth and Families (CYF) Act 2005 and implementing [Ministerial Order 1359](#) (MO 1359) Child Safe Standards

SCOPE

This policy applies to all RNS staff and will be available on the RNS website and on SharePoint.

POLICY

Child Safety Obligations

RNS staff members play an especially critical role in protecting children (including identifying, responding and reporting child abuse) and must meet a range of legal obligations to do so.

Minimum standards for school registration

Registered schools must meet the requirements of the Education and Training Reform Act 2006 and the Education and Training Reform Regulations 2017 (the Regulations).

Schedule 4, Clause 12 of the Regulations, state that a registered school must ensure that:

- The care, safety and welfare of all students attending the school is in accordance with any applicable State and Commonwealth laws; and
- All staff employed at the school are advised of their obligations under those laws

Ministerial Order No. 1359 - Child Safe Standards

All Victorian schools must comply with Ministerial Order No. 1359: Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises in order to be registered and remain registered with the Victorian Registration and Qualifications Authority (VRQA).

The Order came into effect on 1 July 2022 and specifies how every Victorian school must:

- Embed a culture of ‘no tolerance’ for child abuse, and
- Comply with the prescribed 11 minimum child safe standards.

In meeting the requirements of the order, schools must be inclusive of the needs of all children, particularly students who are vulnerable due to age, family circumstances, abilities, or indigenous, cultural or linguistic background, international students, students who are unable to live at home and lesbian, gay, bisexual, transgender and intersex (LGBTIQ+) students.

Child safety and protection

All children and young people have the right to protection in their best interests.

RNS understands the important role our school plays in protecting children and young people from abuse including:

- Physical abuse
- Sexual abuse (including sexual exploitation)
- Family violence
- Emotional abuse
- Human trafficking (including forced marriage)
- Neglect (including medical neglect)
- Grooming

The staff at RNS are required by law to comply with various child safety reporting obligations. We also recognise the diversity of the students at our school and take account of their individual needs and backgrounds when considering child safety.

Refer to **Appendix A** for further information on forms of abuse.

Mandated reporters

Under the Children, Youth and Families Act 2005, the following are mandatory reporters in Victoria:

- Registered teachers and early childhood teachers
- School principals
- Out of home care workers (excluding voluntary foster and kinship carers)
- Early childhood workers
- School counsellors
- Police officers
- Registered medical practitioners
- Nurses
- Midwives
- Youth justice workers
- Registered psychologists, and
- People in religious ministry.

At schools, mandatory reporters include:

- Victorian Institute of Teaching (VIT) registered teachers, including principal class

- Staff who have been granted permission to teach by the VIT
- Youth workers and
- School counsellors.

A 'school counsellor' is defined as "a person employed or engaged (other than on a voluntary basis), to provide direct support to school students, at or directly connected with a school, for mental, emotional or psychological wellbeing."

A school counsellor includes the following:

- Student support staff, including Education Support Staff
- Primary Welfare Officers
- Mental health practitioners in secondary schools
- Student Wellbeing Coordinators and
- School-based health and wellbeing staff, including allied health staff, such as social workers, speech pathologists, youth workers and school counsellors.

REPORTING CHILD PROTECTING CONCERNS

Mandated reporters, at the RNS, who believe on reasonable grounds that a student or young person is in need of protection from physical injury or sexual abuse, must report, as soon as is practicable, their concerns on each occasion that they form that belief, to Department of Families Fairness and Housing (DFFH) Child Protection or immediately to Victoria Police if they think there is immediate danger.

All RNS staff members who are mandated reporters and form a belief on reasonable grounds that a student or young person:

- Has suffered, or is likely to suffer, significant harm as a result of physical and/or sexual abuse, and
- Parents have not protected, or are unlikely to protect, the child from harm of that type.

In cases where RNS staff have concerns about a student or young person, they should also discuss their concerns with the Principal however, mandated reporters are required to report if they have formed that belief regardless of whether or not the Principal shares that belief. In circumstances where another mandated reporter has undertaken to make the report, it remains the responsibility of any other mandated reporter aware of the situation to ensure that the report has in fact been made.

RNS staff will be informed of mandatory reporting requirements as part of their initial induction to the River Nile School and will be provided with supporting documentation on SharePoint and the RNS Staff Handbook.

They will also need to complete the mandated online learning module: Protecting Children - Mandatory Reporting and Other Legal Obligations (for Government Schools, Non-Government Schools and the Early Childhood Sector).

Reportable Conduct Scheme

The Reportable Conduct Scheme is a child protection scheme that requires Victorian education providers to notify the Commission for Children and Young People (CCYP) if there is an allegation of 'reportable conduct' made against one of its employees (including a principal, teacher or non-teaching staff member), contractors, volunteers or School Board or Council members.

For more information about Reportable Conduct Scheme, refer to <https://ccyp.vic.gov.au/reportable-conduct-scheme/>

Criminal Offences - Failure to disclose

The failure to disclose child sexual abuse offence requires that any adult over 18 years who forms a reasonable belief, that a sexual offence has been committed in Victoria by an adult of or over the age of 18 years against a student/child under 16 years must disclose that information as soon as practicable to police. Failure to disclose the information to police is a criminal offence.

To report ring 000 or go to a Police Station

The offence differs from mandatory reporting under the CYF Act because:

- It applies to all adults, not just certain professionals who work with students/children
- It is limited to the reporting of sexual abuse. Mandatory reporters are required to report suspected physical and sexual abuse
- It requires the person to report a suspected crime to police, rather than reporting a concern about a student/child needing protection to DFFH (child protection); and
- The suspected sexual offence must be reported even if the student/child's parents are acting to protect the student/child.

Reasonable Belief

A 'reasonable belief' is not the same as having proof. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed when:

- A student/child states that they have been sexually abused
- A student/child states that they know someone who has been sexually abused (sometimes the student/child may be talking about themselves)
- Someone who knows a student/child states that the student/child has been sexually abused
- Professional observations of the student/child's behaviour or development leads a professional to form a belief that the child has been sexually abused
- Signs of sexual abuse leads to a belief that the student/child has been sexually abused

Reasonable Excuse Not to Disclose

A person will not be guilty of the offence if he or she has a reasonable excuse for not disclosing the information. A reasonable excuse includes:

- Fear for safety
- Where the information has already been disclosed

Fear for safety

A reasonable excuse exists in cases where a person has a reasonable fear for their own safety or the safety of another person (such as a student/child or another family member) and they do not report to police due to those circumstances. This defence may apply, for example, if a mother decides not to disclose information about her partner sexually abusing her child due to fear of violence to her or her child. The person's fear must be subjectively reasonable, that is, it must be reasonable from the perspective of that person in those circumstances. This recognises that the person in question is best placed to judge whether their safety is in danger. The court or jury will consider whether it was reasonable for the person not to report in the circumstances.

Where the information has already been disclosed

It is a reasonable excuse to not disclose where a person believes on reasonable grounds that the information has already been disclosed to police and they have no further information to add.

An important example of this exception is where the person has already made a report under the mandatory reporting obligation specified in the CYF Act 2005. This obligation requires teachers, doctors and other professionals to report concerns about student/child welfare to child protection authorities within the DFFH.

Under the existing mandatory reporting system, DFFH already passes on all allegations of student/child sexual abuse to police, so it will be a reasonable excuse for not reporting to police if a person has made a report to DFFH or reasonably believes a report has been made to DFFH. This ensures that people are not required to make multiple reports to different agencies.

PROTECTING STUDENTS FROM THE RISK OF SEXUAL ABUSE - FAILURE TO PROTECT OFFENCE

If the RNS Principal becomes aware that an adult associated with the School (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a student/child under the care, authority or supervision of the School, they are required to take all reasonable steps to remove or reduce that risk. This includes removing the adult from the child-related work pending investigation and from attending the RNS or having any contact with the child.

If the Principal fails to take reasonable steps in these circumstances, this may amount to a criminal offence. The offence applies only to **adults in a position of authority** within the River Nile School.

WHEN TO REPORT

All staff (teaching and non-teaching), volunteers and contractors working with our students have a moral and legal obligation and a duty of care to protect them from reasonably foreseeable harm and to report any incidents, disclosures or suspicions of child abuse.

Child abuse includes any instance of physical or sexual abuse (including grooming), emotional or psychological harm, serious or significant neglect and family violence involving a child or young person.

All RNS employed staff (teaching and non-teaching), volunteers and contractors must:

- Act as soon as they witness an incident, receive a disclosure or form a reasonable belief that a student/child has, or is at risk of being abused, neglected or exploited
- Act if they form a suspicion or reasonable belief, even if unsure and have not directly observed child abuse (for example, If the victim or another person tells you about the abuse)
- Make sufficient enquiries to form a reasonable belief and to determine a child's immediate needs
- Report any observations or suspicions of concerning behaviour that are in breach of this Policy and/or the Child Safety Code of Conduct or any other child safe related policy.

If a staff member, volunteer or contractor believes that a student/child is not subject to abuse, but still holds significant concerns for their wellbeing they must still act. This may include making a referral or seeking advice from Child First (in circumstance where the family are open to receiving support) or to DFFH Child Protection or Victoria Police.

It is important to note that even if other people, including the Principal or Child Safety Officer, do not share the same view, the staff member, volunteer or contractor is still required to make a report on each occasion they form a view that a student is at risk.

Where another mandated reporter undertakes to make the report, staff, volunteers and contractors are required to confirm that the report is made.

Responding to an Emergency – Immediate Harm

If a student is at immediate risk of harm, school staff must ensure their safety by:

- Separating the alleged victim(s) and others involved
- Administering first aid if required
- 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 the Police
- Maintaining the integrity of the potential crime scene and preserve evidence.

Responding to incidents, disclosures or suspicions of child abuse

RNS will follow the [Four Critical Actions for Schools](#): Responding to Incidents, Disclosures and Suspicions of Child Abuse (Four Critical Actions) **when responding to incidents, disclosures and suspicions of child abuse.**

The Four Critical Actions outlines steps to take and services to refer to depending on the assessment of the child's situation. Staff, volunteers and contractors must follow the Four Critical Actions, including reporting to Victoria Police or DFFH Child Protection, or referring to other services like Child FIRST, to ensure that they fulfil their duty of care obligations

The Four Critical Actions are:

1. Responding to an emergency
2. Reporting to authorities
3. Contacting parents/carers
4. Providing ongoing support

The steps to be taken for each action are described in **RNS Responding and Reporting Policy and Procedure**

Ongoing support

The School understands that our duty of care and moral and legal obligations to our students is ongoing for the duration of their enrolment.

The School will provide ongoing support for students/children impacted by abuse. This support may include:

- Referral to wellbeing professionals and other specialised services.
- The convening of a student care team
- Creation of a safety plan for individual student to ensure ongoing protection and outline clear processes for them to follow to ensure safety
- Development of support plans and
- Continued monitoring of students and their families (if applicable).

Confidentiality

Under the *Children, Youth and Families Act 2005*, your identity as a reporter remains confidential unless:

- You choose to inform the child and/or the child's parents or guardians of the notification yourself
- You consent in writing to your identity as the notifier being disclosed by family services
- The court decides that it needs the information provided in your report in order to ensure the safety and wellbeing of the child; or
- The court decides that it is satisfied that the interests of justice require that the evidence be given.

Under the Children, Youth and Families Act 2005, the identity of a person who makes a report to DFFH Child Protection or Child FIRST should remain confidential.

The Crimes Act 1958 also provides that the identity of persons who report their reasonable belief that a sexual offence has been committed by an adult against a child under the age of 16 years to Victoria Police should remain confidential.

This will usually mean that if there are court proceedings in relation to the child or young person, your identity as a reporter will not be disclosed, unless:

- The Court specifically permits your identity to be disclosed or
- You consent in writing to the disclosure of your identity.

In all cases, a report made in good faith to DFFH Child Protection, Child FIRST or Victoria Police:

- Does not for any purpose constitute unprofessional conduct or a breach of professional ethics on the part of the person making the report; and
- Does not make the person making the report subject to any liability.

Staff support and training

The School recognises that staff and volunteers will require support and training to ensure that they understand their legal obligations and have the necessary skills and knowledge to effectively manage an incident, disclosure or suspicion in a sensitive and respectful manner while ensuring that they meet all reporting requirements.

At River Nile School, all teaching staff and the Principal have received formal training in:

- Mandatory reporting
- First Aid

All staff, (teaching and non-teaching), volunteers and contractors (where applicable), are required to undertake/participate in the following training annually:

- Mandatory Reporting and Other Obligations eLearning Module
[Protecting Children – Mandatory Reporting and Other Legal Obligations](#)
- RNS Child Safety Policy and procedure refresher/update

All staff are given opportunities to undertake relevant additional training that may be offered by external providers (for example Mental Health First Aid or similar). The following resources are also made available to all staff:

- **Responding and Reporting Policy and Procedure**
- **Four Critical Actions for Schools:** Responding to Incidents, Disclosures and Suspicions of Child Abuse poster (located on SharePoint and copies provided upon request)
- Guide: Identifying and Responding to All Forms of Abuse in Victorian Schools, DET, 2018
- **Incident Report Form for Child Abuse**

All staff are encouraged to discuss any concerns they have regarding a student with the Principal or the Child Safety Officer.

It can be stressful for staff to be involved in responding to and supporting students affected by abuse. The School will provide the following support for reporters:

- Employee Assistance Program
- Process review
- Further training where required

CONTACT INFORMATION

24 Hour Services	
Victoria Police	000
Department of Families, Fairness and Housing Child Protection after school hours crisis line	13 12 78
Centres Against Sexual Assault (CASA) – Emergency Counselling & Support Line	1800 806 292
1800 Respect	1800 737 732
Safe Steps Family Violence Response Centre	1800 015 188
Kid's Help Line	1800 551 800

Other services	
Child FIRST/Orange Door	1800 319 353
Department of Families, Fairness and Housing Child Protection, North West Region Intake	1300 338 691
Australian Childhood Foundation	1800 176 453
Child Wise	1800 991 099
Children's Protection Society	(03) 9450 0900
Commission for Children and Young People	1300 782 978
Office of the eSafety Commissioner	1800 880 176
Victims of Crime Help Line: 7 days, 8am-11pm	1800 819 817
Victorian Aboriginal Child Care Agency (VACCA)	(03) 9287 8800
Victorian Aboriginal Community Controlled Health Organisation (VACCHO)	(03) 9411 9411
Victorian Aboriginal Education Association	(03) 9481 0800
DET International Education Division - for international student notifications	(03) 9637 2990

ASSOCIATED DOCUMENTS

- RNS Child Safe Code of Conduct
- RNS Child Safety Policy
- RNS Duty of Care Policy for the School Community
- RNS Duty of Care Policy for Staff
- RNS Responding and Reporting Policy and Procedure
- Making Mandatory Report Guide
- Incident Report Form for Child Abuse
- CCYP Flowchart Child Safety Reporting Process
- [Identifying and Responding to All Forms of Abuse in Victorian Schools](#)

Appendices and Attachments

- Appendix A: Child Abuse and Indicators of Harm
- DET Mandatory Reporting, January 2020 Changes – FAQ
- [Four Critical Actions for Schools.](#)

The River Nile School Inc.

ABN 20 382 591 724

Reg. Inc. Assoc. No. A0048482L

Endorsed Charity & Deductible Gift Recipient

Reg. School Number 2111

VCAA Provider 15457

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CHILD ABUSE AND INDICATORS OF HARM

The World Health Organization ([WHO], 2006, p. 9) defines child abuse and neglect as:

All forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

Child abuse can be a single incident, but usually takes place over time. Child abuse includes physical abuse, sexual abuse, emotional abuse, neglect and/or family violence.

Teachers and non-teaching staff, volunteers and contractors play a critical role in protecting children from child abuse. In some cases they may be the best-placed, or only, adult in a child or young person's life who is in a position to identify and respond to signs that a child/young person is being abused, or is at risk of abuse or that a school community member (including a school staff member) may be a perpetrator of child abuse.

Staff, volunteers, and contractors should pay attention to:

- Physical signs of abuse or neglect – these could include bruises, burns, fractures (broken bones), frequent hunger, sexually transmitted infections (STIs) or poor hygiene.
- Behavioural signs of abuse or neglect – these could include showing little or no emotion when hurt, wariness of their parents, alcohol or drug misuse, age-inappropriate sexual behaviour, stealing food, excessive friendliness to strangers or wearing long sleeves and trousers in hot weather (to hide bruises).
- Disclosure – if the student tells you they have been abused.

Forms and indicators of child abuse

Note: The information provided here is an overview only. For detailed information on forms of child abuse and the physical and behavioural indicators, refer to:

[PROTECT Identifying and Responding to All Forms of Abuse in Victorian Schools](#)

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 staff to the possibility of child abuse and neglect.

Physical abuse

Physical child abuse is any non-accidental infliction of physical violence on a child by any person.

Examples of physical abuse may include beating, shaking or burning, assault with implements and female genital mutilation.

Indicators of physical abuse may include recurrent bruising, sprains, cuts and scratches; fractured or broken bones; lack of emotion; unlikely explanations for injuries; fear, nervousness or aggression.

Sexual abuse

Child sexual abuse is when a person uses power or authority over a child to involve them in sexual activity and can include a wide range of sexual activity including fondling the child's genitals, oral sex, vaginal or anal penetration by a penis, finger or other object, or exposure of the child to pornography.

Child sexual abuse may not always include physical sexual contact and can also include non-contact offences, for example:

- Talking to a child in a sexually explicit way

- Sending sexual messages or emails to a child
- Exposing a sexual body part to a child
- Forcing a child to watch a sexual act (including showing pornography to a child)
- Having a child pose or perform in a sexual manner (including child sexual exploitation).

Child sexual abuse does not always involve force. In some circumstances a child may be manipulated into believing that they have brought the abuse on themselves, or that the abuse is an expression of love, through a process of grooming.

Many of the physical indicators of sexual abuse are only identifiable via a medical examination, for example sexually transmitted diseases, vaginal or anal bruising or scarring

Often the first indication the child gives is when they tell a person whom they trust that they have been sexually abused.

Behavioural indicators of sexual abuse may include suicidal and self-harm behaviour, regressive behaviour or aggression

Grooming

Grooming is a criminal offence and occurs when an adult engages in predatory conduct to prepare a child for sexual abuse at a later time. Grooming can include communicating and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/guardian.

Sometimes it is hard to see when someone is being groomed until after they have been sexually abused, because some grooming behaviour can look like “normal” caring behaviour.

Examples of grooming behaviours may include:

- Giving gifts or special attention to a child or their parent/guardian
- Controlling a child through threats, manipulation, force or use of authority
- Making close physical contact, such as inappropriate tickling and wrestling
- Making sexual comments or jokes

Grooming includes online grooming which occurs when an adult uses electronic communication (including social media) in a predatory fashion to try to lower a child’s inhibitions, or heighten their curiosity regarding sex, with the aim of eventually meeting them in person for the purposes of sexual activity. This can include online chats, sexting, and other interactions.

Emotional abuse

Emotional child abuse occurs when a child is repeatedly rejected, isolated or frightened by threats. It also includes hostility, derogatory name-calling and put-downs, and persistent coldness from a person, to the extent that the child suffers, or is likely to suffer, emotional or psychological harm to their physical or developmental health.

Indicators of emotional abuse may include low self-esteem, lack of trust in people, alcohol or drug abuse, self-harm, lack of social skills and attention seeking behaviour.

Family Violence

Family violence is violence or abuse used by the perpetrator to exert control over members of the immediate or extended family. It includes behaviour which results in physical harm, sexual assault and/or psychological trauma, forced isolation, economic deprivation or behaviour that causes the victim to live in fear.

Family violence also includes behaviour that causes a child to hear or witness, or otherwise be exposed to the effects of, any of these behaviours.

Indicators of family violence may include injuries, absenteeism, change in behaviour, fear of conflict, depression or fear of a parent.

Neglect

Neglect includes a failure to provide the child with an adequate standard of nutrition, medical care, clothing, shelter or supervision.

In some circumstances the neglect of a child:

- Can place the child's immediate safety and development at serious risk, or
- May not immediately compromise the safety of the child, but is likely to result in longer term cumulative harm.

Indicators of neglect may include poor personal hygiene, inadequate or inappropriate clothing, hunger, tired or falling asleep at inappropriate times, frequent lateness, early arrival or reluctance to leave school, drug and/or alcohol abuse in the home.

MANDATORY REPORTING: JANUARY 2020 CHANGES

Frequently Asked Questions

1. What is mandatory reporting?

Certain professionals must, by law, make a report to the Department of Families, Fairness and Housing (DFFH) Child Protection if they form a reasonable belief in the course of practising their profession or carrying out their work duties of their office, position or employment that:

- a child has suffered or is likely to suffer significant harm, as a result of physical or sexual abuse, and
- the child's parents have not protected or are unlikely to protect the child from harm of that type.

The report must be made 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. Failure to make a mandatory report is an offence, and penalties apply for failing to comply with your mandatory reporting obligations.

2. Who are mandatory reporters?

Within schools, classes of professionals who are mandatory reporters include:

- Victorian Institute of Teaching (VIT) registered teachers, including principal class
- Staff who have been granted permission to teach by the VIT
- Medical practitioners
- Nurses
- Early childhood workers
- Social workers
- Youth workers
- Registered psychologists
- School counsellors (from 31 January 2020).

3. What is a 'school counsellor'?

From 31 January 2020, 'school counsellors' will be mandatory reporters. For mandatory reporting purposes, the definition of a school counsellor is broad, meaning:

"a person employed or engaged (other than on a voluntary basis), to provide direct support to school students, at or directly connected with a school, for mental, emotional or psychological wellbeing."

This may include, but is not limited to, the following staff:

- | | |
|--|----------------------------------|
| • Student Support Service staff | • Student Wellbeing Coordinators |
| • Primary Welfare Officers | • Chaplains |
| • Mental Health Practitioners in secondary schools | • Speech pathologists |
| • Social workers | • Youth workers |

4. Are TAFE student counsellors 'school counsellors' under mandatory reporting laws?

A TAFE would not generally be considered a 'school', so TAFE student counsellors would not ordinarily fall within the above definition of 'school counsellors' for the purpose of mandatory reporting laws.

Exceptions to this would include where:

- the TAFE counsellor is a professional who has their own separate mandatory reporting obligations under law (for example, a nurse or psychologist). See Question 2 above; or
- part of the TAFE counsellor's role requires them to provide direct mental, emotional or psychological support to school students as part of their school studies (i.e. students who are enrolled at a primary or secondary school), for example, school students completing TAFE units as part of their secondary school studies and receiving support from the TAFE counsellor.

Regardless of whether they are mandatory reporters, TAFE student counsellors may still make a voluntary report to DFFH Child Protection if they believe on reasonable grounds that a child is in need of protection.

5. When will school counsellors be required to comply mandatory reporting obligations?

From 31 January 2020, school counsellors will be included as mandatory reporters. It is important that you understand your mandatory reporting obligations before that date, so you know how to make a mandatory report.

6. What training do I need to do as a mandatory reporter?

You must complete the Department's [online Mandatory Reporting module](#) and refresh your training every 12 months.

Go to <https://educationvic.elmotalent.com.au/> and select "Create an Account" to begin.

7. How do I make a mandatory report?

You can make a mandatory report by contacting the DFFH Child Protection intake service covering the Division where the child normally resides. The telephone numbers to make a report during business hours (8.45am-5.00pm), Monday to Friday, are listed below.

- | | |
|---|---|
| • North Division intake: 1300 664 977 | • West Division intake - rural and regional: 1800 075 599 |
| • South Division intake: 1300 655 795 | • After Hours: 13 12 78 |
| • East Division intake: 1300 360 391 | |
| • West Division intake - metropolitan: 1300 664 977 | |

This process is detailed in the [Four Critical Actions for Schools](#) on the [PROTECT website](#).

For more information, you can also visit the [DFFH Mandatory Reporting website](#).

8. When must I make a mandatory report?

If the child or anyone else is in immediate danger, you must call 000 immediately to report your concerns.

In addition, you must make a mandatory report to DFFH Child Protection as soon as practicable if you form a reasonable belief in the course of practising your profession or carrying out your duties that:

- a child has suffered or is likely to suffer significant harm, as a result of physical or sexual abuse, and
- the child's parents have not protected or are unlikely to protect the child from harm of that type.

You must also make additional reports every time you become aware of additional reasonable grounds for the above belief.

9. Will the family know I have made a report?

In accordance with relevant legislation, the identity of a reporter must remain confidential, unless:

- the reporter chooses to inform the child or family of the report
- the reporter consents in writing to their identity as the reporter being disclosed

- a court or tribunal decides it needs this information in order to ensure the safety and wellbeing of the child
- a court or tribunal decides that in the interests of justice the evidence needs to be given.

10. I have made a mandatory report. What else must I do?

After you make a mandatory report, you must inform the principal or school leadership of the situation and your actions, if you have not already done so. You must also keep detailed notes, and to assist you, the Department has developed the [Recording your actions: responding to suspected child abuse template](#).

There are a number of additional steps that school staff must take following a mandatory report, consistent with duty of care obligations. These are explained in the [Four Critical Actions for Schools](#), which must be followed in all situations requiring a mandatory (or non-mandatory) report to be made.

11. What if I have concerns that a child is being abused outside of school, but I don't think it is physical or sexual abuse (e.g. emotional child abuse, exposure to family violence, neglect)?

You must follow the [Four Critical Actions for Schools](#) and make a report to DFFH Child Protection in all situations where you believe on reasonable grounds that a child is:

- 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.

You must also report such concerns internally to:

- School principal and/or leadership team
- DET Incident Management and Support Unit (IMSU) on 1800 126 126.

12. What if another school staff member has already made a report - do I still have to make a report?

If you are satisfied that another school staff member has already made a report based on the same information, then you do not need to make an additional report of the same information. In this situation, it is sufficient that only one school staff member (who might also be a mandatory reporter) makes a report.

You must make additional reports every time you become aware of additional information that meets the threshold to require you to make a mandatory report, unless you are satisfied that another staff member has made the same additional report(s).

13. I have concerns about a student who attends my school but lives across the border in another state. What do I do?

If you have concerns about a student who attends your school but lives across the border in another state, you must report your concerns to that state's child protection service (see [New South Wales Child Protection Helpline](#) and [South Australia Reporting Child Abuse](#)). You must also continue to follow the other steps in the [Four Critical Actions for Schools](#), and provide the same supports to the student as it would a student who lived in Victoria.

14. What are the consequences of not making a mandatory report?

In addition to potentially placing a child at risk of abuse, if you do not comply with your mandatory reporting obligations, you may be charged with a criminal offence.

15. Where can I go for more information on mandatory reporting?

For more information on your mandatory reporting obligations, as well as how to identify and respond to child abuse, visit the [PROTECT website](#).

You can also:

- Undertake the [online mandatory reporting module](#)
- Visit the [DFFH Mandatory Reporting website](#)
- Read the [Child Protection - Reporting Obligations](#) page on the School Policy and Advisory Guide
- Speak to your principal/manager or school leadership for further information.

FOUR CRITICAL ACTIONS FOR SCHOOLS

Responding to Incidents, Disclosures and Suspensions of Child Abuse

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.

GOVERNMENT SCHOOLS

You **must also** report internally to:

- School principal and/or leadership team
- Employee Conduct Branch
- DET Incident Support and Operations Centre.

CATHOLIC SCHOOLS

School principal and/or leadership team

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**.

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.

For suspected student sexual assault, please follow the **Four Critical Actions: Student Sexual Offending**.

YOU MUST TAKE ACTION

As a school staff member, you play a **critical role** in protecting children in your care.

■ 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.

3 CONTACTING PARENTS/CARERS

Your principal **must** consult with DHHS Child Protection or Victoria Police to determine what information can be shared with parents/carers. They may advise:

- **not to contact** the parents/carer (e.g. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and does not wish for their parent/carer to be contacted)
- **to contact** the parents/carers and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion)
- **how to communicate** with all relevant parties with consideration for their safety.

4 PROVIDING ONGOING SUPPORT

Your school **must** provide support for children impacted by abuse. This should include the development of a **Student Support Plan** in consultation with wellbeing professionals. This is an essential part of your duty of care requirements.

Strategies may include development of a safety plan, direct support and referral to wellbeing professionals and support.

You **must** follow the **Four Critical Actions** every time you become aware of a further instance or risk of abuse. This includes reporting new information to authorities.

CONTACT

DHHS CHILD PROTECTION AREA

North Division **1300 664 977**
South Division **1300 655 795**
East Division **1300 360 391**
West Division (Rural) **1800 075 599**
West Division (Metro) **1300 664 977**

AFTER HOURS

After hours, weekends, public holidays **13 1278**.

CHILD FIRST

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

ORANGE DOOR

Melbourne **(03) 9257 0228**
Ballarat **(03) 5337 7195**
Sale **(03) 5622 6600**
Sandhurst **(03) 5443 2377**

VICTORIA POLICE

000 or your local police station

DET INCIDENT SUPPORT AND OPERATIONS CENTRE

1800 126 126

INCIDENT MANAGEMENT AND SUPPORT UNIT

1800 126 126

EMPLOYEE CONDUCT BRANCH

(03) 9637 2595

DIOCESAN OFFICE

Melbourne **(03) 9257 0228**
Ballarat **(03) 5337 7195**
Sale **(03) 5622 6600**
Sandhurst **(03) 5443 2377**

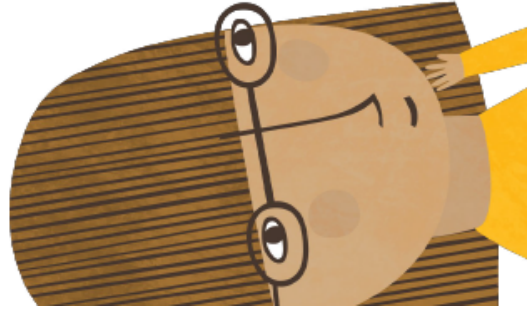
INDEPENDENT SCHOOLS VICTORIA

(03) 9625 7200

THE LOOKOUT

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

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



PROTECT

THE EDUCATION STATE

VICTORIA
Education
and
Wellbeing

cecv
Catholic education - contributor of evidence to

Department of Education and Training