

Responding and Reporting Policy and Procedure

Ratification Date: RNS Board 01/09/2021	Next Review: By 1 July 2022 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:
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1.0 PURPOSE

River Nile School is a Specialist Reengagement Senior Secondary School for young women who are Humanitarian Refugees and new arrivals to Australia. As such they are extremely vulnerable and generally have experienced significant trauma in their lives.

The purpose of this policy is to ensure that all staff and members of the River Nile School community understand the various legal and other reporting obligations related to child safety that apply to the River Nile School. The specific procedures that are applicable at our River Nile School are contained at **Appendix A**.

2.0 SCOPE

This policy applies to all River Nile School staff, volunteers and community members and will be available on the River Nile School website.

3.0 IMPLEMENTATION

All children and young people have the right to protection in their best interests. River Nile School understands the important role the College plays in protecting children from abuse including:

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

The staff at River Nile School are required by law to comply with various child safety reporting obligations. For detailed information about each obligation, please refer to **DET Identifying and responding to All Forms of Abuse in Victorian Schools**. At the River Nile School we also recognise the diversity of the children and young people at our school and take account of their individual needs and backgrounds when considering child safety.

4.0 STUDENT & CHILD SAFE – STANDARDS OF CONDUCT

All staff at River Nile School are expected to behave appropriately and be proactive with our students by:

- Respecting their privacy
- Protecting them from violence, abuse, bullying, torment, ridicule and neglect
- Respecting the language and customs of their family
- Never using covert or overt sexual behaviours when interacting with them
- Maintaining appropriate physical and emotional boundaries when in their presence
- Refraining from using or possessing illegal drugs or alcohol when working with them
- Being positive role models
- Treating everyone with respect when in their presence
- Sharing any concerns with a staff member, particularly if a student tells you that they or another student/child has been abused &/or they are worried about their safety or the safety of another.
 - Promoting the emotional, physical & cultural safety of all children
 - Immediately reporting any allegations of child abuse to the Principal or WELFARE Coordinator
- Reporting any student/child safety concerns to the Principal or Welfare Coordinator
- Responding promptly if an allegation of child abuse is made and, as quickly as possible, ensuring that the students are safe
 - Encouraging students to have a voice and participate in all relevant school activities where possible, especially on issues that are important to them
 - Using online contact with students and their families **only** for educational or relevant school purposes; and adhering to the River Nile School's **RNS Digital Technologies Policy and Procedures**

5.0 MANDATORY REPORTING

Principals, registered teachers and early childhood teachers, registered medical practitioners, nurses, midwives, out of home care workers (excluding voluntary foster and kinship carers), early childhood workers, youth justice workers, registered psychologists, people in religious ministry and all members of the police force are mandated reporters under the Children, Youth and Families Act 2005 (Vic).

All mandated reporters must make a report to the Department of Health and Human Services (DHHS) Child Protection as soon as practicable if, during the course of carrying out their professional roles and responsibilities, they form a belief on reasonable grounds that:

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

A mandated reporter who fails to comply with this legal obligation may be committing a criminal offence. It is important for all staff at River Nile School to be aware that they are legally obliged to make a mandatory report on each occasion that they form a reasonable belief that a child is in need of protection and they must make a mandatory report even if the Principal (or the WELFARE Coordinator where the Principal is unable to perform their duties) does not share their belief that a report is necessary.

5.1 Child in need of protection

Any person can make a report to DHHS Child Protection (131 278 – 24 hour service) if they believe on reasonable grounds that a child is in need of protection.

All River Nile School staff who form a reasonable belief that a child is in need of protection will report their concerns to DHHS or Victoria Police, and discuss their concerns with the River Nile School leadership team.

Staff will be given all necessary information about making a report to DHHS Child Protection, including the guide RNS **Four Critical Actions for Schools**.

At River Nile School we also encourage all staff to make a referral to Child FIRST when they have significant concern for a child's wellbeing. For more information about making a referral to Child FIRST refer to the **Child FIRST Reporting Flowchart**.

Refer to **Appendix A** for detailed information on child safety reporting procedures.

6.0 REPORTABLE CONDUCT

Reportable conduct occurs where a person has formed a reasonable belief that there has been:

- A sexual offence (even prior to criminal proceedings commencing), sexual misconduct or physical violence committed against, with or in the presence of a child
- Behaviour causing significant emotional or physical harm to a child
- Significant neglect of a child; or
- Misconduct involving any of the above

The Principal (or the Welfare Coordinator where the Principal is unable to perform their duties) has a legal obligation to inform the Commission for Children and Young People (CCYP) within three days, when an allegation of reportable conduct is made. The Principal (or the WELFARE Coordinator where the Principal is unable to perform their duties) must notify the Commission of any reportable conduct allegations involving current or former teachers, contractors, volunteers (including parents), allied health staff and River Nile School Board members.

If River Nile School staff become aware of reportable conduct by any person in the above positions, they will notify the Principal (or the WELFARE Coordinator where the Principal is unable to perform their duties) immediately. If the allegation relates to the Principal, they will notify the Chair of the River Nile School Board.

7.0 FAILURE TO DISCLOSE OFFENCE

Reporting child sexual abuse is a community-wide responsibility. All adults (ie persons aged 18 years and over), not just professionals who work with children, have a legal obligation to report to Victoria Police, as soon as practicable, where they form a 'reasonable belief' that a sexual offence has been committed by an adult against a child under the age of 16 by another person aged 18 years or over.

Failure to disclose information to Victoria Police (by calling 000 or local police station) as soon as practicable may amount to a criminal offence unless a person has a 'reasonable excuse' or exemption from doing so.

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

"Reasonable excuse" is defined by law and includes:

- Fear for the safety of any person including yourself or the potential victim (but not including the alleged perpetrator or an organisation)
- Where the information has already been disclosed, for example, through a mandatory report to DHHS child protection

8.0 FAILURE TO PROTECT OFFENCE

This reporting obligation applies to River Nile School staff in a position of authority. Any staff member in a position of authority who becomes aware that an adult associated with their River Nile School (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the age of 16 under their care, authority or supervision, must take all reasonable steps to remove or reduce that risk.

This may include removing the adult (ie persons aged 18 years and over) from working with children pending an investigation and reporting your concerns to Victoria Police.

If a River Nile School staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence.

9.0 GROOMING

Grooming is a criminal offence under the Crimes Act 1958 (Vic). This offence targets predatory conduct undertaken by an adult to prepare a child, under the age of 16, to engage in sexual activity 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/carer.

10.0 ADDITIONAL INFORMATION

The River Nile School has a duty of care to ensure that the students involved with allegations of abuse feel safe and are supported at the College. College staff will be sensitive to a student's individual circumstances and take in account the "diversity" of the student when providing support and working with families impacted by abuse.

The Principal (or the WELFARE Coordinator where the Principal is unable to perform their duties) is also responsible for ensuring students are supported during interviews at the College conducted by Victoria Police or DHHS Child Protection.

If a student is impacted by suspected abuse, and it is deemed appropriate, the following supports will be considered (but not limited to):

- Establish regular communication between the College and the student's parent/carer (if this is safe and appropriate) to discuss the student's progress wellbeing and the effectiveness of planned strategies. This may be undertaken through convening a Student Support Group to plan ongoing monitoring, support, and follow-up of the student's health and wellbeing (Student Support Groups usually comprise College wellbeing staff, teachers, allied health professionals and where appropriate the student and/or their parent/carer)
- Develop and implement a Student Support Plan, which documents the planned support strategies and includes timeframes for review (where possible, these support strategies should be informed by allied health and wellbeing professionals with expertise in addressing child abuse and trauma).
- Engage allied health and wellbeing supports and services to meet the wellbeing needs of the child impacted by abuse, including exposure to family violence.
 - Refer to a wide range of non-school based support services (some of which are listed in **RNS Student Handbook** under External Services) which specialise in providing tailored support and advice for students impacted by abuse. For example, Family Violence Services
 - Centres Against Sexual Assault (CASA), who provide expert support for victims of sexual assault



- Headspace, who provide tailored support for children whose mental health is impacted by exposure to abuse.

Additional information on how the River Nile School protects and supports a child involved with allegations of abuse is available on the River Nile School website. Refer to: DET - Identifying and responding to All Forms of Abuse in Victorian Schools pages 44-58, 61 and 64.

11.0 ASSOCIATED DOCUMENTS

- RNS Digital Technologies Policy and Procedures
- RNS Student Handbook
- RNS Four Critical Actions for Schools.
- RNS Child Safe Incident Report Form
- DET - Identifying and Responding to All Forms of Abuse in Victorian Schools
- Child FIRST Reporting Flowchart
- Appendix A Child Safety Reporting Procedures at River Nile School

CHILD SAFETY REPORTING PROCEDURES AT RIVER NILE SCHOOL**For students**

- All students should feel safe to speak to any staff member to raise any concerns about their safety or any other concerns that they have.
- If a student does not know who to approach at River Nile School they should start with the Principal. If the Principal is not available approach the Welfare Coordinator.

Managing disclosures made by students

When managing a disclosure you should:

- Listen to the student and allow them to speak
- Stay calm and use a neutral tone with no urgency and where possible use the child's language and vocabulary (you do not want to frighten the child or interrupt the child)
- Be gentle, patient and non-judgmental throughout
- Highlight to the student it was important for them to tell you about what has happened
- Assure them that they are not to blame for what has occurred
- Do not ask leading questions, for example gently ask, "what happened next?" Rather than "why?"
- Be patient and allow the child to talk at their own pace and in their own words
- Do not pressure the child into telling you more than they want to, they will be asked a lot of questions by other professionals and it is important not to force them to retell what has occurred multiple times
- Reassure the child that you believe them and that disclosing the matter was important for them to do
- Use verbal facilitators such as, "I see", restate the child's previous statement, and use non-suggestive words of encouragement, designed to keep the child talking in an open-ended way ("what happened next?")
- Tell the child in age appropriate language you are required to report to the relevant authority to help stop the abuse, and explain the role of these authorities if appropriate (for a young child this may be as simple as saying "i will need to talk to people to work out what to do next to help you").

When managing a disclosure you should AVOID:

- Displaying expressions of panic or shock
- Asking questions that are investigative and potentially invasive (this may make the child feel uncomfortable and may cause the child to withdraw)
- Going over the information repeatedly (you are only gathering information to help you form a belief on reasonable grounds that you need to make a report to the relevant authority)
- Making any comments that would lead the student to believe that what has happened is their fault

- Making promises to the child about what will occur next or that things will be different given the process can be unpredictable and different for each child depending on their circumstances (instead reassure them that you and others will do your best to help).

General procedures

Our River Nile School will follow the **Four Critical Actions for Schools** when responding to incidents, disclosures and suspicions of child abuse.

All staff at our River Nile School who believe that a child is in need of protection, even if it doesn't meet the threshold required for mandatory reporting or the staff member is not a mandated reporter, should in the first instance, speak to the Principal (or the WELFARE Coordinator where the Principal is unable to perform their duties) or should make the required reports to DHHS Child Protection and/or Victoria Police as necessary. Follow the **Child FIRST Reporting Flowchart**.

At our River Nile School the Principal (or the WELFARE Coordinator where the Principal is unable to perform their duties) will be responsible for monitoring overall River Nile School compliance with this procedure. Nothing in this procedure prevents a staff member or any other person from reporting to the relevant authorities if they form a reasonable belief that a child is at risk of abuse.

Reporting suspicions, disclosures or incidents of child abuse

Responsibilities of all River Nile School staff

If a River Nile School staff member reasonably suspects or witnesses an incident of child abuse or receives a disclosure of child abuse, they must:

- If a child is at immediate risk of harm, separate alleged victims and others involved, administer first aid and call 000
- Speak to the Principal (or the WELFARE Coordinator where the Principal is unable to perform their duties) as soon as possible, who will follow the **Four Critical Actions for Schools**
- Make detailed notes of the incident or disclosure using the RNS **Child Safe Incident Report Form** and ensure that those notes are kept and stored securely in a locked office file room
- If the staff member is a mandated reporter and reasonably believes that a student has suffered physical and/or sexual abuse from which the child's parents have not protected the child, they must ensure that a report to DHHS Child Protection
- If the staff member has formed a 'reasonable belief' that a sexual offence has been committed by an adult against a child, they must ensure that a report is lodged with the Victoria Police

In circumstances where a member of the leadership team disagrees that a report needs to be made, but the staff member has formed a 'reasonable belief' that the child is in need of protection and/or has been the victim of sexual abuse, the staff member must still contact DHHS Child Protection and/or Victoria Police to make the report.

The Principal (or the Welfare Coordinator where the Principal is unable to perform their duties) is responsible for promptly managing the River Nile School's response to an incident, suspicion or disclosure of child abuse, and ensuring that the incident, suspicion or disclosure is taken seriously. The Principal (or the Welfare Coordinator where the Principal is unable to perform their duties) is also responsible for responding appropriately to a child who makes or is affected by an allegation of child abuse.

If the Principal (or the Welfare Coordinator where the Principal is unable to perform their duties) receives a report from a River Nile School staff member or member of the River Nile School community of a suspicion, disclosure or incident of child abuse, they must:

- Follow the **Four Critical Actions for Schools** as soon as possible, including:
 - Responding to an emergency
 - Reporting to authorities/referring to services
 - Contacting parents/carers and
 - Providing ongoing support
- Make detailed notes of the incident or disclosure, including actions taken using the Child Safe Incident Report Form and ensure that those notes are kept and stored securely in the locked office filing room. They are also responsible for ensuring that any staff member who reported the incident, disclosure or suspicion to them also makes and keeps notes of the incident
- At the River Nile School, the Principal (or the Welfare Coordinator where the Principal is unable to perform their duties) who has been allocated position of responsibility for disclosures, will be responsible for ensuring that there is a prompt response to the disclosure and that the child is appropriately supported.

Duty of care and ongoing support for students

Fulfilling the requirements in this procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of abuse.

All staff have a duty of care to take reasonable steps to prevent foreseeable harm to students. All staff must ensure that the Principal (or the Welfare Coordinator where the Principal is unable to perform their duties) is aware of any incidents, suspicions or disclosures of child abuse as soon as possible after they occur. This will allow appropriate supports to be put in place for the student affected.

For River Nile School visitors, volunteers and community members

All community members aged 18 years or over should be aware of their legal obligations – see Failure to Disclose Offence above in this policy.

Any person can make a report to DHHS Child Protection if they believe on reasonable grounds that a child is in need of protection.



There is no requirement for community members to inform the River Nile School if they are making a disclosure to DHHS Child Protection or the Victoria Police. However, where a community member is concerned about the safety of a child or children at the River Nile School, and where disclosure of that concern will not compromise any potential police investigation, the community member should report this concern to the Principal (or the Welfare Coordinator where the Principal is unable to perform their duties) so that appropriate steps to support the student can be taken.