



PENLEIGH AND ESSENDON GRAMMAR SCHOOL

If you require access to this policy in a language other than English, please contact the Principal's office on 9016 2000

Procedures for protection of children: contractors, volunteers and visitors

Penleigh and Essendon Grammar School is committed to creating and maintaining a child safe and child-friendly school by implementing Victorian Child Safe Standards in accordance with Ministerial Order No 1359 (Vic 2022). Our **Child Safety Policy** describes these undertakings. The wellbeing of everyone in our community is protected under our **Policy of Mutual Respect and Behaviour Management** which sets out our expectations of respectful interactions.

As described in our Child Safety Policy all volunteers and others involved in **child-connected work** will:

- participate in child safety and wellbeing induction and training provided by the school and always follow the school's child safety and wellbeing policies and procedures;
- act in accordance with our Code of Conduct for staff, volunteers and others who interact with students;
- identify and raise concerns about child safety issues in accordance with our Procedures for Protection of Children.

The following material is designed to inform contractors, volunteers and visitors to our school who may be involved in **child-connected work** of their obligations.

Please refer to the extended **Procedures for Protection of Children** for additional information.

Our **Volunteers Policy** and **Visitors Policy** also provide additional information.

A. Community obligations to protect children

Under the *Crimes Act 1958 (Vic)* and the *Crimes Amendment (Protection of Children) Act 2014 (Vic)* adults are required to protect children from harm and are liable to criminal action if the following offences are identified:

- i. failure to disclose a sexual offence,
- ii. grooming for sexual conduct, and
- iii. failure to protect a child from sexual offence.

i. Disclosure of a sexual offence

In Victoria any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under the age of 16, is obliged to report the matter

to Victoria Police or contacting the local police station as soon as it is practicable to do so unless the person has a reasonable excuse for not doing so.

- To assist anyone associated with our school community to do this, any adult who suspects that a child is in need of protection should inform their supervisor, the Head of Section, Vice Principal or Principal of their concerns.
- In circumstances where a report has NOT already been made to Child Protection by school authorities, a report should be made to Victoria Police on 000 or Moonee Ponds Police Station on 9373 5200.

ii. Protection from grooming for sexual conduct of a child under the age of 16 years

Grooming targets predatory conduct undertaken to prepare a child for sexual activity at a later time. Grooming can be conducted in person or online, for example via social media, web forums and emails. It may also consist of communication with another person having care, supervision or authority over the child who is the intended victim of the sexual offence.

Any member of the school community aged 18 or over who becomes aware of grooming behaviour conducted by a person aged 18 or over should notify the Principal and/or the police immediately.

iii. Protection of a child from criminal sexual abuse

Any person who knows of a substantial risk that a child will become a victim of a sexual offence should notify the Principal as soon as is reasonably practicable.

- The Principal will remove the accused person from any child-related role pending an investigation.
- The person making the allegation is free to report to the appropriate authorities if they are not satisfied by the conclusion reached by the school's investigation of the incident.

Refer to Appendix 1: **Four Critical Actions for Schools**

B. Reportable conduct

Schools have obligations to report allegations of child abuse and misconduct involving children, against workers or volunteers, to the Commission for Children and Young People (CCYP).

- **Reportable conduct** might include sexual misconduct or offences, grooming, sexting, inappropriate physical contact with a child or other conduct that crosses professional boundaries concerning children.
- Inform the Principal of any allegation of child abuse or misconduct towards children made against any person associated with the school: worker, volunteer or student 18 years or over.
- The Principal is required to manage any information provided in a confidential and secure manner and to report the outcomes of the investigation undertaken by the school to the Commission for Children and Young People.

Keeping records

Schools are accountable for collection, disclosure, storage and disposal of personal records in a responsible manner. Our **Privacy Policy** sets out the manner in which we collect, use, disclose and manage personal information.

- If an incident is suspected you are encouraged to make notes to be shared when the incident is reported. These should be passed on to the Principal, Vice Principal or Head of Section for storage in a confidential manner.
- Any records of an incident are confidential and should be shared only with school authorities and the Police.
- Students may wish to access their records in the future and any notes about the incident should be written with that in mind.
- The school has information sharing arrangements under the Child Information Sharing Scheme or Family Violence Information Sharing Scheme so that information about an event may be shared with family services and other member bodies.

Further information

a. Forming a belief that a sexual offence has been committed

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:

- an incident in which a child has been at risk of being abused is witnessed;
- signs of sexual abuse having occurred are observed;
- 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;
- signs of sexual abuse led to a belief that the child has been sexually abused.

b. Failure to disclose is a criminal offence

Failure to disclose a reasonable belief of physical or sexual abuse against a child is a criminal offence. A person will not be guilty of the offence if they have a reasonable excuse for not disclosing the information. A reasonable excuse includes:

- the informant holds a reasonable fear for their own or another person's safety (other than the perpetrator);
- a reasonable belief exists that the information has already been reported to Victoria Police or Child Protection authorities and the person has no new information to add to the disclosure;
- the information is disclosed in confidence to a counsellor or registered medical practitioner;
- the victim is 16 years or older and requests confidentiality;
- the informant is a child when they form a reasonable belief;
- the information would be privileged;
- the information is in the public domain.
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Definitions

1. Reportable conduct

Reportable Conduct is defined as:

- a sexual offence, sexual misconduct or physical violence committed against, with or in the presence of a child;
- behaviour causing significant emotional or psychological harm to a child;
- significant neglect of a child, or misconduct involving any of the above.

Source: Child Wellbeing and Safety Act 2005 (Vic.)

2. Child-connected work: work performed by an adult in a school environment (including online) when children are present or reasonably expected to be present. Occasional direct or indirect contact with children that is incidental to the work may occur.

Note: Schools may choose to require suitability checks (including Working with Children clearance) for visitors and volunteers engaging in child-connected work.

Source: Ministerial Order 1359

Four Critical Actions for Schools

FOUR CRITICAL ACTIONS FOR SCHOOLS

Responding to Incidents, Disclosures and Suspicions of Child Abuse

YOU MUST TAKE ACTION

You **must** act, by following the Four Critical Actions, as soon as you witness an incident, receive a disclosure or form a reasonable belief* that a child has, or is at risk of being abused.

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 (eg. 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.

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.

You **must also** report **internally** to:

- **GOVERNMENT SCHOOLS**
School principal and/or leadership team
- Employee Conduct Branch
- DET Incident Support and Operations Centre.
- **CATHOLIC SCHOOLS**
School principal and/or leadership team
- Diocesan education office.
- **INDEPENDENT SCHOOLS**
School principal and/or school chaplain
- 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**.

WITHIN THE FAMILY OR COMMUNITY

DHHS CHILD PROTECTION
You **must** report to DHHS Child Protection if a child is considered to be:

- 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.

VICTORIA POLICE
You **must also** report all instances of suspected sexual abuse (including grooming) to Victoria Police.

You **must also** report **internally** to:

- **GOVERNMENT SCHOOLS**
School principal and/or leadership team
- DET Incident Support and Operations Centre.
- **CATHOLIC SCHOOLS**
School principal and/or leadership team
- Diocesan education office.
- **INDEPENDENT SCHOOLS**
School principal and/or chairperson.

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.

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

<p>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</p> <p>AFTER HOURS After hours, weekends, public holidays 13 12 78</p> <p>CHILD FIRST https://services.dhhs.vic.gov.au/referral-and-support-team</p> <p>ORANGE DOOR https://www.vic.gov.au/family-violence/the-orange-door.html</p>	<p>VICTORIA POLICE 000 or your local police station</p> <p>DET INCIDENT SUPPORT AND OPERATIONS CENTRE 1800 126 126</p> <p>INCIDENT MANAGEMENT AND SUPPORT UNIT 1800 126 126</p> <p>EMPLOYEE CONDUCT BRANCH (03) 9637 2595</p> <p>DIOCESAN OFFICE Melbourne (03) 9267 0228 Ballarat (03) 5337 7185 Sale (03) 5222 0600 Sandhurst (03) 5443 2377</p>	<p>INDEPENDENT SCHOOLS VICTORIA (03) 9825 7200</p> <p>THE LOOKOUT The LOOKOUT has a service directory, information, and evidence based guidance to help you respond to family violence: http://www.lookout.org.au Family violence victims/survivors can be referred to 1800 Respect for counselling, information and a referral service: 1800 737 732</p>
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Related Policies

- Child Safety Policy

- Policy of Mutual Respect and Behaviour Management
- Privacy Policy
- Procedures for Protection of Children
- Visitors Policy
- Volunteers Policy

Published: June 2022
To be reviewed: June 2024