

CAMPBELLFIELD HEIGHTS PRIMARY SCHOOL CHILD SAFETY RESPONDING AND REPORTING OBLIGATIONS (INCLUDING MANDATORY REPORTING) POLICY



“At CHPS we are committed to developing safe, respectful, responsible and successful learners by promoting a stimulating, positive and inclusive environment”

Purpose

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

Scope

This policy applies to all school staff, volunteers and school community members. It also applies to all staff and students engaged in any school and school council-run events, activities and services.

Policy

School staff have a duty of care to protect the safety, health and wellbeing of children in their care. All children have a right to feel safe and be safe, and to develop to their potential and have the right to protection in their best interests. All staff have a moral and social responsibility to respond to and report instances of serious incidences involving abuse and neglect of the children with whom we have contact.

Campbellfield Heights Primary School understands the important role our school plays in protecting children from different type's abuse including:

Physical Abuse – any non-accidental form of injury or serious physical harm inflicted on a child or young person by any person. Does not mean 'reasonable discipline', may result from excessive or inappropriate discipline. Can include beating, shaking, burning, and assault with implements. May also result from failure of a parent/caregiver to adequately ensure safety of child, exposing them to extremely dangerous/life threatening situations. Behaviour indicators include, unusual fear of physical contact, flinches, wearing unsuitable clothes for weather, wariness/fear of caregiver, no reaction/little emotion displayed when hurt, unexplained absences, overly compliant, shy withdrawn, unusually nervous, hyperactive, aggressive, disruptive, wetting themselves, excessively friendly with strangers, poor memory/concentration.

Sexual Abuse (including sexual exploitation) – occurs when a person uses their authority or power over a child/young person to engage sexual activity. May include fondling genitals, masturbation, oral sex, vaginal/anal penetration, voyeurism/exhibitionism, exploitation through pornography/prostitution. 'Grooming' is a criminal offence includes actions deliberately undertaken with the intention of befriending and establishing an emotional connection with a child, to lower their inhibitions and facilitate sexual conduct with the child. Communication technologies such as online gaming, instant messaging, email, voice over internet protocol, social media and mobile phones can also be used in the grooming process. In these cases, the grooming process may continue for months before the offender arranges a physical meeting. In line with obligations under the 'Failure to Disclose' offence and duty of care, any staff member who

suspects a child is being groomed by an adult should report their concerns to Victoria Police. Physical indicators include injury to genital/rectal area, vaginal/anal bleeding, inflammation, STI, bruising to breast/buttocks/thighs and UTI's. Behaviour indicators disclosure, inappropriate sexual activity, a fear of home, specific adult, poor self-care/personal hygiene, complaining of headaches/stomach aches, rocking, sucking or biting, sleeping issues, wetting themselves, depression aggressive behaviour, self-injury.

Emotional abuse - occurs when a child is repeatedly rejected, isolated or frightened by threats or by witnessing family violence. It also includes hostility, derogatory name-calling and put-downs, and persistent coldness from a person, to the extent that the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired. Emotional abuse may occur with or without other forms of abuse. Physical indicators include speech disorders, developmentally delayed, failure to thrive. Behaviour indicators include overly compliant, passive, extremely demanding, aggressive, attention seeking, poor self-image, low tolerance, non-age appropriate behaviours (overly adult/overly infantile), emotional delays, violent drawings/writing.

Neglect - includes a failure to provide the child with an adequate standard of nutrition, medical care, clothing, shelter or supervision to the extent that the health or physical development of the child is significantly impaired or placed at serious risk. Physical indicators may include, appearing consistently dirty and unwashed, being consistently inappropriately dressed for weather conditions, being at risk of injury or harm due to consistent lack of adequate supervision from parents, being consistently hungry, tired and listless, having unattended health problems and lack of routine medical care, having inadequate shelter and unsafe or unsanitary conditions, showing signs of failure to thrive (without an organic cause). Behavioural indicators may include,

gorging when food is available or inability to eat when extremely hungry, begging for or stealing food, appearing withdrawn, listless, pale and weak, aggressive behaviour, irritability, acts of vandalism, little positive interaction with parent, carer or guardian, poor socializing habits, excessive friendliness towards strangers, indiscriminate acts of affection, poor, irregular or non-attendance at school, self-destructive behaviour, taking on an adult role of caring for parent.

Family violence is behaviour by a person towards a family member that may include, physical violence or threats of violence, verbal abuse, including threats, emotional or psychological abuse, sexual abuse, financial and social abuse. Physical indicators of family violence may include, speech disorders, delays in physical development, bruises cuts or welts on facial areas, and other parts of the body including back, bottom, legs, arms and inner thighs, any bruises or welts (old or new) in unusual configurations, or those that look like the object used to make the injury (such as fingerprints, handprints, buckles, iron or teeth). Behavioural indicators of family violence may include, extremely demanding, attention-seeking behaviour, overly compliant, shy, withdrawn, passive and uncommunicative behaviour, anti-social, destructive behaviour, aggressive or inappropriate behaviour with other children or adults, low tolerance or frequent frustration, wariness or distrust of adults, demonstrated fear of parents, carers or guardians, and of going home, depression, anxiety.

Grooming is a way of getting someone ready for abuse and involves tricks that offenders of sexual abuse use to manipulate their victim, the victim's family or community over time. This can be a very sneaky and slow in its process.

The staff at our School are required by law to comply with various child safety reporting obligations. For detailed information about each obligation, please refer to [Identifying and Responding to All Forms of Abuse in Victorian Schools –DET Website](#). At Campbellfield Heights Primary 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.

Mandatory Reporting

Principals, registered teachers, registered medical practitioners, nurses, all members of the police force, registered psychologists and school counsellors are all mandatory reporters.

All mandatory 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 '**Belief on Reasonable Grounds**' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

For example, there may be reasonable grounds when:

- a child states they have been physically or sexually abused
- a child states that they know someone who has been physically or sexually abused

A report should also be made to DHHS - Child Protection when a child/young person is exhibiting sexually abusive behaviour towards others. Children between the ages of 10-15 can be made subject to Therapeutic Treatment Orders.

A mandatory reporter who fails to comply with this legal obligation may be committing a criminal offence. It is important for all staff at Campbellfield Heights Primary 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 another member of staff (including Principal) does not share their belief that a report is necessary.

If there are times when two or more school staff members, for example a teacher and a Principal, have formed a belief about the same child on the same occasion and based on the same information. In this situation it is sufficient that only one of the staff members make a report. The other is obliged to ensure that the report has been made and that all the grounds for their own belief were included in the report made by the other person.

At our school, all mandated and non-mandated DET employed school staff must undertake the *Mandatory Reporting and Other Obligations eLearning Module* annually.

Staff will be informed of Mandatory Reporting responsibilities/procedures during their induction and reminded annually. They will also be provided with training and supporting documentation throughout the school year.

Child in need of protection

Any person can make a report to DHHS Child Protection (1300 664 977) (131 278 – 24 hour service) if they believe on reasonable grounds that a child is in need of protection. At Campbellfield Heights Primary School we also encourage all staff to make a referral to Child FIRST when they have significant concern for a child's wellbeing.

All staff (even those who are NOT Mandated) **MUST** report **ALL** concerns (regardless if reported to DHHS/Police/Child First) for a student's safety and/or well-being and any disclosures made by students that may place them at risk of significant harm to the Child Safe Officer or in their absence the Principal, Assistant Principal. In their absence concerns should be reported to OIC.

REMEMBER IT IS NOT UP TO STAFF TO PROVE A CHILD IS IN NEED OF PROTECTION, OR THAT ABUSE HAS TAKEN PLACE OR TO INVESTIGATE CONCERNS

Reportable Conduct

Our school will notify the Department's Employee Conduct Branch (9637 2594) if we become aware of an allegation of 'reportable conduct'.

There is an allegation of reportable conduct 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 Department, through the Employee Conduct Branch, has a legal obligation to inform the Commission for Children and Young People when an allegation of reportable conduct is made.

Our principal must notify the Department's Employee Conduct Branch of any reportable conduct allegations involving current or former teachers, contractors, volunteers (including parents), allied health staff and school council employees.

If school staff become aware of reportable conduct by any person in the above positions, they should notify the school **Child Safe Officer - Maritsa Rousalis or Principal** immediately. If the allegation relates to the principal, they should notify the Regional Director.

Other legal obligations

- Under the criminal offence of 'Failure to Protect', people in positions of authority such as principals must take action to protect children where they know that a person associated with their organization poses a substantial risk of sexually abusing children under the age of 16. A report is required to Victoria Police.
- Under the 'Failure to disclose' offence, adults must disclose child sexual abuse to police. This offence applies to all adults, not just professionals who work with children. Any adult who holds a reasonable belief that a sexual offence has been committed by an adult against a child in Victoria must report that belief to police, unless they have a reasonable excuse for not reporting.
- The 'Grooming for sexual conduct with a child under the age of 16' offence applies where an adult communicates, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvement in sexual conduct, either with the groomer or another adult. Grooming does not necessarily involve any sexual activity or even discussion of sexual activity – for example, it may only involve establishing a relationship with the child, parent or carer for the purpose of facilitating sexual activity at a later time.

Review

This policy will be reviewed annually by the school's Child Safe Officer and Principal

This document to be read in conjunction with the following CHPS/DET Policies & Documents

- CHPS Child Safety Policy
- CHPS Code of Conduct
- CHPS Student Child Safe Code of Conduct
- CHPS Visitors & Volunteers Policies
- The Identifying & Responding to All forms of Abuse in Victorian Schools guide (DET website)
<https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/default.aspx>
- Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse
https://www.education.vic.gov.au/Documents/about/programs/health/protect/FourCriticalActions_ChildAbuse.pdf
- Four Critical Actions for Schools: Responding to Student Sexual Offending
https://www.education.vic.gov.au/Documents/about/programs/health/protect/FourCriticalActions_SSO.pdf

- Protecting Children — Reporting and Other Legal Obligations <https://www2.education.vic.gov.au/pal/protecting-children/policy>

This document has been reviewed by Child Safe Officer Maritsa Rousalis & Principal Jo Howard and ratified by School Council 15/07/2020

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This policy was last ratified by School Council on the **15th July 2020**

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- *Signed by:*

- *School Council President:* _____ *Faye Khalil*

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- *Principal:* _____ *(Jo Howard)*

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- *Date: 15th July 2020*