



DANDENONG RANGES STEINER SCHOOL

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

The School will take appropriate, prompt action in response to **all** allegations or disclosures of abuse, neglect, inappropriate behaviour or concerns about child safety by reporting all matters to the Department of Families, Fairness and Housing (Child Protection), the Commission for Children and Young People (CCYP), or the Police, depending on the allegation or disclosure made.

Dandenong Ranges Steiner School has established simple and accessible procedures for anyone to report, if appropriate, a child safety and protection concern internally to one of the School's [Child Safety Officers](#). Please be aware that consulting with a Child Safety Officer does not change any obligation you have under legislation to report to an external authority.

Dandenong Ranges Steiner School has developed and implemented procedures for Board of Governors members, staff and Direct Contact Volunteers for responding to allegations and disclosures of child abuse, or suspected child abuse, including procedures for support following a disclosure by a student.

Reporting procedures for Third Party Contractors, External Education Providers, Indirect Contact Volunteers, parents/carers and other community members are also included in our [Child Safe Policy](#) which is available on our public website.

Age-appropriate reporting procedures for students are developed through our pastoral care program.

This section describes our work systems, practices, policies and procedures for responding to and reporting allegations of child abuse both internally and externally.

The School's policies and procedures for responding to and reporting allegations of suspected child abuse are made available to staff, students, parents/carers and the wider School community through the School's newsletter and by request.

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

A summary of these procedures is made publicly available on the School's website through our Child Safe Policy and is accessible to all children, School staff and the wider community.

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

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

### **Documenting Your Observations and Actions**

All teaching staff, non-teaching staff, Board of Governors members, Volunteers, Third Party Contractors and External Education Providers must keep clear and comprehensive notes relating to incidents, disclosures and allegations of child abuse. This information may be sought at a later date if the matter is the subject of court proceedings. Your notes may also assist you later if you're required to provide evidence to support your decisions regarding the handling of Child Safety incidents.

For more information about how to record observations, disclosures or allegations refer to the [Child Safety Record Keeping](#) section of this Program.

### **Preserving Evidence**

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

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

## **Managing Your Initial Response to a Child Safety Incident**

### **Responding to an Emergency**

All teaching staff, non-teaching staff, Board of Governors members, Volunteers, Third Party Contractors and External Education Providers must act as soon as they [witness a Child Safety incident](#) or form a reasonable belief that a child has been or is at risk of being abused.

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

- separating alleged victims and others involved
- administering first aid
- calling 000 for urgent medical assistance or Police assistance to address immediate health and safety concerns

- briefing the Senior Child Safety Officer to be the future liaison with the Police on the matter.

The following sections outline the ways that you may become aware that a child may be experiencing abuse and strategies for managing each situation and supporting and assisting children involved in the disclosure or report.

## Witnessing a Child Safety Incident

If you witness an incident where you believe a child has been subject to abuse you must take immediate action to protect the safety of the child or children involved.

Where there is an immediate risk to the health and/or safety of a child, follow the steps outlined in the [Responding to an Emergency](#) section of this Program.

The School's Procedures for Responding to and Reporting Allegations of Child Abuse should be followed after the health and safety of the child involved is ensured.

## Observation of Risk Indicators

The different types of child abuse and their key risk indicators are set out in detail in the [Definition and Key Risk Indicators of Abuse](#) section of this Program.

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

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

## Private Disclosure by a Child

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

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

- stating clearly that the abuse is not the child's fault
- reassuring the child that you believe them
- telling the child that disclosing the matter is the right thing to do.

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

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

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

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

Following a disclosure of abuse or neglect by a student, staff should follow the steps set out in the School's [Support Following Disclosure](#) policy.

## Public Disclosure by a Child

Public disclosure occurs where you observe a child disclosing abuse to another child or group of children.

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

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

You can do this by:

- asking the child if you can talk privately
- moving the child away from the other students to a quiet space

and then following the guidelines with respect to [managing a private disclosure](#).

Following a disclosure of abuse or neglect by a student, staff should follow the steps set out in the School's [Support Following Disclosure](#) policy.

## Third Party Disclosure

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

In this situation you should:

- listen to the person's concerns seeking clarification where required
- thank the person for raising their concern
- advise the person that we have procedures for dealing with situations like this
- advise the person that you will discuss their concerns with the relevant authorities.

As with [Private Disclosure](#), you should reassure and support the person providing the information.

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

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

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

## Disclosure by a Former Student

A former student of the School may come forward to disclose past abuse from their time at the School. If you receive a disclosure from a former student about historical abuse, you must act.

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

- [Failure to Protect](#)
- [Obligation to Report a Sexual Offence \(Failure to Disclose\)](#)
- [Mandatory Reporting](#)
- [Reportable Conduct](#)
- [Conduct that is Reportable to the Victorian Institute of Teaching](#)

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

## Support Following Disclosure

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

The range of measures employed will depend on:

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

### **After a disclosure is made:**

- do not promise the child that you will not tell anyone about the disclosure
- reassure the child that it was the right thing to do to tell an adult
- tell the child what you plan to do next
- do not confront the person believed to be the perpetrator
- report the matter to one of the Schools Child Safety Officers who will be able to assist you in developing additional support strategies
- whenever there are concerns that a child is in immediate danger the Police should be called on 000.

### **Support for Staff and Volunteers**

Witnessing a Child Safety incident or receiving a disclosure or allegation of abuse can be a stressful experience for staff and Volunteers involved. The School provides support to impacted staff and Volunteers to access necessary support.

## Reporting a Child Abuse Concern Internally

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

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

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

Contact details for our Child Safety Officers, including our Senior Child Safety Officer are set out [here](#).

Please note that reporting the matter internally does not release you from other legal and regulatory reporting obligations you may have under the following policies:

- [Obligation to Report a Sexual Offence \(Failure to Disclose\)](#)
- [Failure to Protect](#)
- [Mandatory Reporting](#)
- [Reportable Conduct](#)

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

## Student Sexual Offending

All staff, Volunteers, Third Party Contractors and External Education Providers must take action if they suspect, or are witness to, student sexual offending.

The [Four Critical Actions for Schools: Responding to Student Sexual Offending](#) must be applied in any circumstance where there is an incident, allegation, or you form a suspicion that, a student is victim to a student sexual offence and/or a student has committed a sexual offence.

This includes suspected sexual offending that may have taken place outside of School grounds and hours.

**What is student sexual offending?**

Student sexual offending refers to sexual behaviour by a student at the School, over 10 years of age, which amounts to a sexual offence. Sexual offences are defined in the Crimes Act 1958 (Vic) and include:

- rape
- sexual assault
- indecent acts
- other unwanted sexualised touching.

### **Sexual Behaviour in Children under 10 Years of Age**

Under the Crimes Act children under the 10 years of age cannot commit a sexual offence, however children under 10 may display problem sexual behaviour. This is behaviour that is developmentally inappropriate and/or aggressive sexual behaviour and includes self-focused sexual behaviour. Such behaviour may include:

- frequent, repeated sexual behaviour, for example compulsive masturbation
- sexual behaviour between children who do not know each other well
- high-frequency occurrences of sexual behaviour that interfere with normal childhood activities
- sexual behaviour associated with emotional distress
- sexual behaviour between children of different ages and development levels
- aggressive, forced and/or coerced interaction between children
- behaviour that does not stop once the child is told to stop, or occurs in secrecy
- behaviour that causes harm to the child or other children.

If you suspect that a student under 10 years of age has engaged in concerning sexual behaviour, notify the Education Facilitator who will advise the parents/carers of the child. The School will work with the parents/carers to ensure that the child is aware that their behaviour is not appropriate in a school environment.

In the event of very concerning sexual behaviour advice should be sought from Child Protection on 131 278.

For any students affected by concerning sexual behaviour, the School will develop a Student Support Plan and offer School-based support or refer the student to appropriate external support services.

### **Responding to Incidents of Student Sexual Offending**

There are four main ways to become aware of student sexual offending:

- witnessing an incident
- forming a suspicion through observing risk indicators
- receiving a disclosure from or about a current student
- receiving a disclosure from or about a former student

For more information about how to respond in the first instance refer to [Managing Your Initial Response to a Child Safety Incident](#).

When you become aware of, or suspect, student sexual offending, or that a student is at risk of perpetrating or suffering student sexual offending, you must follow the Four Critical Actions for Schools: Responding to Student Sexual Offending:

1. Responding to an Emergency
2. Reporting to Authorities
3. Contacting Parents/Carers
4. Providing Ongoing Support

## Action 1: Responding to an Emergency

As soon as you become aware of student sexual offending, you must take steps to protect all affected students, including:

- separating the alleged victim and others involved, ensuring all affected students are supervised by a staff member
- arranging and providing any necessary urgent medical care by either administering first aid or calling 000 for an ambulance
- calling 000 for urgent Police assistance if the alleged student offender poses an immediate health or safety risk to any person at the School
- taking [reasonable steps to preserve the environment](#), clothing, other items or potential witnesses until the Police arrive.

You must record all immediate action taken in the Student Sexual Offending Record Keeping Template available in the [Child Safety Record Keeping](#) section of this Program.

## Action 2: Reporting to Authorities

### Report to Victoria Police

After the immediate health and safety of all students involved has been addressed, you must report incidents, allegations, disclosures and suspicions of student sexual offending to Victoria Police on 000.

### Report to Child Protection

Additionally, you must report the incident to Child Protection if you reasonably believe that:

- the victim's parents/carers are unable to protect the child
- the student who is alleged to have engaged in student sexual offending is:
  - over 10 and under 15 years of age and may be in need of therapeutic treatment (see below) to address their sexually abusive behaviours
  - displaying [physical and behavioural indicators](#) which lead you to reasonably believe that they may have been a victim of abuse, neglect or grooming.

When reporting to Child Protection, you must identify a contact person at the School for future liaison with Child Protection about the incident. This can be the Education Facilitator or the Senior Child Safety Officer for example. Additionally, you should seek advice from Child Protection about contacting parents/carers.

### Report to the Education Facilitator and/or the College of Teachers

Following any incident, allegation, disclosure or suspicion of student sexual offending you must report the matter to the Education Facilitator and/or to the College of Teachers. When reporting to the Education Facilitator and/or the College of Teachers include:



- the details of the suspected student sexual offending, including the names of those involved
- any immediate actions taken to protect the safety of the students involved
- your report to Victoria Police and/or Child Protection
- possible steps that can be taken to contact parents/carers to support the students impacted by the incident, where appropriate.

If you have notified the Education Facilitator before making an external report to Victoria Police or Child Protection, and they advise you not to make an external report, you must disregard this advice if you have formed a reasonable belief that student sexual offending has occurred, and you must make a report to the Police and, where appropriate, Child Protection.

A failure to report student sexual offending may amount to a criminal offence under the [Obligation to Report a Sexual Offence \(Failure to Disclose\)](#).

If you decide not to report externally, you must record the reasons for this decision in the Student Sexual Offending Record Keeping Template available in the [Child Safety Record Keeping](#) section of this Program.

The Education Facilitator has additional responsibilities in coordinating the School's response to the incident. Refer to the Principal's Checklist developed by Child Protection [here](#).

### **Child in Need of Therapeutic Treatment**

Any person may report concerns to Child Protection about a child's (aged over 10 years and under 15 years) sexually abusive behaviour. Child Protection may then make an application to the Children's Court for a therapeutic treatment order if it assesses that the child is in need of therapeutic treatment, and the child, or the child's parents/carers, are unable or unwilling to access treatment.

Note that reporting to Child Protection in relation to a child in need of therapeutic treatment does not replace your requirement to report student sexual offending to Victoria Police. All instances of student sexual offending must be reported to the Police.

### **Making Additional Reports**

Every report is critical to protecting a child by building evidence and providing more information to authorities. Therefore, you must make a new report in any circumstances where you become aware of any further incidents, allegations, disclosures, or form a new suspicion, of student sexual offending.

Even where Child Protection or Victoria Police have been involved or notified regarding the same incident, you must report all new information.

Your reporting obligations are separate from others' obligations, so even where you think that another person at the School might make a report about an incident based on their own information, you too must report your suspicion or knowledge of student sexual offending. It's important to remember that others may not have the specific detail that you have regarding the incident.

Where you and another staff member have formed a reasonable belief of student sexual offending involving the same child, based on the same events or information, you can discuss

who is best placed to report the matter to Victoria Police or Child Protection, however the non-reporter must ensure that the report has been made.

### **Reporting Student Sexual Offending and Other Reporting Obligations**

The obligation for staff, Volunteers, Third Party Contractors and External Education Providers to report student sexual offending to Victoria Police and, where appropriate, Child Protection is separate and distinct from other legal reporting obligations.

However, there are times when more than one reporting obligation will apply.

For example, an incident of student sexual offending may give rise to the obligation to report to Victoria Police under these student sexual offending requirements, the [Mandatory Reporting](#) scheme and the [Obligation to Report a Sexual Offence \(Failure to Disclose\)](#).

The offence of [Failure to Protect](#) a child from a substantial risk of becoming a victim of a sexual offence committed by an adult associated with the School does not apply to student sexual offending, unless you form a reasonable belief that an adult associated with the School may have also engaged in the offence.

## **Action 3: Contacting Parents-Carers**

Following an incident, allegation, disclosure or suspicion of student sexual offending, communicating with the parents/carers of students involved is critical.

However, it is equally important that before contacting parents/carers, advice is sought from Victoria Police and/or Child Protection to ensure that communication is the correct decision and also to confirm what should be communicated.

Sometimes communication with parents/carers is not appropriate because:

- a disclosure to the parent/carer may subject the child to abuse
- the student is an adult (aged 18 years or over) and has requested that their parent/carer not be notified
- the student is a mature minor (assessed to be sufficiently mature and intelligent to make such decisions on their own behalf) and has requested that their parent/carer not be notified (in these circumstances it is preferable that the child nominate another responsible adult to be contacted)
- contacting the parents/carers is likely to adversely affect a Victoria Police or Child Protection investigation of the student sexual offending.

If the Police or Child Protection have advised that it is appropriate to contact the parents/carers, remember to:

- remain calm, be empathetic, and acknowledge their concerns
- provide appropriate details of the incident of student sexual offending
- outline the action the School has taken to date, including who the incident has been reported to
- provide the name and contact number of the Police officer or Child Protection worker who is investigating the matter

- provide information on whether they are likely to be contacted by the Police or Child Protection
- inform them that the investigation may take some time and ask what further information or assistance the School can provide
- assure them that the School's wellbeing staff can provide support to the student.

All communication with parents/carers must be recorded using the Student Sexual Offending Record Keeping Template available in the [Child Safety Record Keeping](#) section of this Program.

## Action 4: Providing Ongoing Support

Instances of student sexual offending can cause trauma and significantly impact on the mental health and wellbeing of students involved, and School community members.

In addition to reporting incidents of student sexual offending, and communication with parents/carers, the School must provide ongoing support to students, staff, Volunteers and other members of the School community affected by the incident.

Support for affected students (including victims of the offending, or those who engaged in the offending) can include direct support from wellbeing professionals including the School Carer, referral to external wellbeing professionals, support during any [Police or Child Protection interviews](#) with the student, and should also include the development of a Student Support Plan.

Where appropriate, this ongoing support should be provided in partnership with affected students' parents/carers.

Whilst a child's background should not impact on a decision to report alleged or suspected abuse, neglect or grooming, you should be sensitive to a child's individual circumstances when providing support and working with parents/carers impacted by abuse. Before creating a Student Support Plan, special consideration needs to be taken for students who:

- have a disability
- identify as Aboriginal or Torres Strait Islander
- are from culturally or linguistically diverse (CALD) backgrounds
- have refugee backgrounds

Support must also be provided to staff and Volunteers impacted by student sexual offending. Staff and Volunteers can contact Independent Schools Victoria on (03) 9825 7200 for more information about wellbeing support.

You must record the planned actions to be taken to support all students involved in the student sexual offending using the Student Sexual Offending Record Keeping Template available in the [Child Safety Record Keeping](#) section of this Program.

## Responding to Other Concerns About the Wellbeing of a Child

If you have any concern about the wellbeing of a child or young person, regardless of whether or not it has been caused by abuse or neglect, your concern should be taken seriously and acted upon.

The School and its teaching staff, non-teaching staff, Board of Governors members, the Education Facilitator, Volunteers, Third Party Contractors and External Education Providers (**together, known as "Staff" for the purposes of this policy only**) owe a duty of care to all students at the School to ensure that they feel safe and are supported at School. Concerns about the wellbeing of a child, that do not appear to be the result of abuse or neglect, may be reported to:

- Child FIRST
- the Victorian Police.

Child Protection should also be contacted if you believe a child is in need of protection.

### **Child FIRST**

Child FIRST is a community-based referral point to Family Services in Victoria. In addition to reporting suspected abuse to the appropriate authorities in accordance with the School's Procedures for Responding to and Reporting Allegations of Child Abuse, all Staff should make a referral to Child FIRST if:

- you have significant concern for a child's wellbeing
- your concerns have a low-to-moderate impact on the child
- the child's *immediate* safety is not compromised
- you, or the School, have discussed the referral with the child's family and they are supportive of it.

Examples of concerns that staff should refer to Child FIRST include instances where a child's care or development is significantly impacted by:

- parenting problems
- family conflict or breakdown
- pressure due to a family member's physical/mental illness
- significant social or economic disadvantage.

### **Victoria Police**

In addition to reporting suspected abuse to the appropriate authorities in accordance with the School's Procedures for Responding to and Reporting Allegations of Child Abuse, all Staff **must contact Victoria Police on 000** if:

- a child's immediate safety is compromised
- a child is partaking in any risk taking activity that is illegal or extreme in nature or poses a high risk to the child.

### **Child Protection**

In addition to reporting suspected abuse to Child FIRST or the Police, the appropriate authorities in accordance with the School's Procedures for Responding to and Reporting Allegations of Child Abuse, all Staff should contact Child Protection if you believe a child is in need of protection.

Common grounds for protection include instances where:

- a child's parents have abandoned the child and after reasonable inquiries, the parents cannot be found, and no other suitable person can be found who is willing and able to care for the child
- a child's parents are dead or incapacitated and there is no other suitable person willing and able to care for the child
- a child is displaying extreme risk-taking behaviour, which has potentially severe or life-threatening consequences. For example, severe alcohol or drug use, unsafe sexual activity including prostitution, or violent or dangerous peer group activity. Staff should also report extreme risk-taking behaviour that is illegal to the Police.
- there is a threat of harm to an unborn child, including circumstances where a parent has previously demonstrated an inability to safely parent.

### **Record Keeping Obligations**

For the School's record keeping obligations relating to Child Safety incidents or child wellbeing concerns, refer to [Child Safety Record Keeping](#).

## **Communication with Parents-Carers**

In many cases of suspected child abuse, or where it is suspected that a child is at risk of being abused, it is critical that the child's parents/carers are notified as soon as is practicable after a notification has been made to the appropriate external authority. This enables the child's parents/carers to take steps to:

- prevent or limit their child's exposure to further abuse
- ensure that their child receives the support that is needed.

It is the School's policy that any notification made to parents/carers of a child suspected to have been abused, or is at risk of being abused, is made by the Education Facilitator or the Senior Child Safety Officer after a notification to either Child Protection or the Police has been made.

**Before contacting parents/carers** the School's Education Facilitator or a Child Safety Officer must seek advice from Child Protection and/or the Police, depending on who the report was made to. The Education Facilitator or a Child Safety Officer will be advised by an external authority not to contact the parents in circumstances where:

- the parents/carers are alleged to have engaged in the abuse
- a disclosure to the parents/carers may subject the child to further abuse
- the child is a mature minor (assessed to be sufficiently intelligent and mature to make such decisions on their own behalf) and has requested that the parents/carers not be contacted
- the notification is likely to have an adverse effect on an ongoing investigation into the incident.

The Education Facilitator may disclose information about an investigation into a reportable allegation to a parent or carer of the child in relation to which a reportable allegation has been made. Refer to [Reportable Conduct](#).

# Support for Students Interviewed at the School

The School has certain legal requirements when a request is made by the Police or Child Protection workers to interview students regarding Child Safety incidents at the School. Students to be interviewed may include victims, witnesses or those alleged to have perpetrated abuse.

## Support for Students

All students interview by the Police or Child Protection at the School must be supported. Where possible, the student's parents/carers should be present for any interview. Where this is not practicable, one of the following persons may provide support to the student during the interview, as appropriate:

- the Education Facilitator
- a Child Safety Officer
- in the case of Police interviews, an **independent support person** over the age of 18 who is not connected with the School, for example a social worker or nurse (independent supportive adult).

Consideration should be given as to whether there may be a conflict of interest between the independent supportive adult and the student being interviewed. For example, a situation may arise where the Education Facilitator or a Child Safety Officer is related to the perpetrator of the Child Safety incident, the student is a family member, or the Education Facilitator or a Child Safety Officer may be the perpetrator.

## General Protocols

The School's Education Facilitator must:

- facilitate interviews requested by the Police or Child Protection workers
- advise students of their right to have an independent supportive adult, parent or carer present at such an interview
- arrange for the student to choose an independent supportive adult to be present
- balance their obligation to protect the rights of students with their obligation to assist the Police and Child Protection in their exercise of duty
- ensure there is someone acting as an independent supportive adult for students interviewed at school by the Police or Child Protection workers
- observe confidentiality at all times in the management of a mandatory reporting or criminal case.

## Contacting Parents/Carers

Before contacting a student's parents/carers, the Education Facilitator **must** seek advice from the Police or Child Protection to determine if parents/carers should be present at the interview.

Where appropriate, parents/carers must be advised of the scheduling of an interview with the Police. Parents/carers should also be advised of interviews that have been scheduled with Child Protection where it is deemed to be appropriate, however Child Protection may conduct interviews with students without parental/carer knowledge or consent in exceptional circumstances.

### **Student as a Victim/Witness**

When the Education Facilitator allows interviews involving students who may be victims or witnesses, they should:

- support and encourage the student to provide as much information as possible
- inform the student that a note of the circumstances and the content of the interview will be made and communicated to their parents/carers as soon as possible, unless doing so causes a risk of abuse.

### **Student as a Suspect**

If Police need to speak with a student who has allegedly abused another child, or student at the School, this should preferably be done in the presence of the student's parents/carers, or another **independent supportive adult**.

### **Complying with Court Orders**

A subpoena or witness summons is a court order that compels the School to produce documents or attend court and give evidence, or both. The Education Facilitator or a staff member will usually be issued with a subpoena or witness summons because a party to legal proceedings believes that the School, the Education Facilitator or a staff member has information or documents that are relevant to the proceeding.

The School will seek external legal advice and support relating to complying with subpoenas or witness summons.

## **Making Additional Reports**

There are some circumstances in which you will be required to make an additional report to an appropriate external authority.

### **Reporting Further Grounds for Belief or Suspicion**

If you hold a reasonable belief that a child has been, or is at risk of being abused, you must still make a report to the relevant external authority about a child even if:

- Child Protection or the Police have previously been involved or are currently involved with the child and/or their family
- you are aware that another party, such as another staff member, Volunteer, or family member, has raised concerns with the relevant authorities.

Every report is critical to protecting a child by building evidence and enabling external authorities to gain a clear understanding of the risks posed to the child.

### **Another Person Has Made a Report**

There may be times when two or more staff members at the School (for example the Education Facilitator and a Child Safety Officer) has 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 to the relevant external authority, as the belief is based on the same information. However, the other staff member, who does not make the report, is obliged to ensure that the report has

been made and that all grounds for their own belief were included in the report made to the authority.

If staff members do not agree on what should be reported, for example a staff member does not agree with the Education Facilitator's decision to make a report to an external authority, the staff member is legally obliged to make a report anyway.

**Other Concerns About the Wellbeing of a Child**

If you believe that a child has not been subjected to abuse or neglect but still hold significant concerns about the child's wellbeing, you still may be required to report your concerns to Child Protection, the Police or Child FIRST. For more information about reporting wellbeing concerns refer to the [Responding to Other Concerns About the Wellbeing of a Child](#) section of this Program.