



PROCEDURES FOR RESPONDING TO AND REPORTING ALLEGATIONS OF CHILD ABUSE

Preamble

St Columba's College is a Mary Aikenhead Ministries College in the tradition of the Sisters of Charity. We are called to develop in each member of our community a contemporary understanding and application of the charism of Venerable Mary Aikenhead and the spirituality of the Sisters of Charity, and the Mary Aikenhead Ministries' mission and vision, and values of justice, love, compassion and hope.

The College 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 DFFH Child Protection, the Commission for Children and Young People (CCYP) or the Police, depending on the allegation or disclosure made.

St Columba's College has established simple and accessible procedures for anyone to report, if appropriate, a child safety and protection concern internally to one of the College's Child Protection Officers. Please be aware that consulting with a Child Protection Officer does not change any obligation you have under legislation to report to an external authority.

Brigitte McDonald Deputy Principal mcdonaldb@columba.vic.edu.au

Nakkita Egan Head of Students egann@columba.vic.edu.au

Oliviah Chitima Student Counsellor chitimao@columba.vic.edu.au

The Senior Child Protection Officer is the Deputy Principal.

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 College's Child Protection Officers. Our Child Protection Officers will be able to assist you in clarifying your concerns and managing the next steps.

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 Child Sexual Abuse
- Failure to Protect

Mandatory Reporting

A Mandatory Report must be made when you form a belief on reasonable grounds that a child is in need of protection where the child has suffered, or is likely to suffer, significant harm as a result of:

- physical injury; or
- sexual abuse;
- and the child's parents have not protected, or are unlikely to protect, the child from harm of that type.

Making a report

A report becomes mandatory as soon as is practicable after forming the belief.

A report must include details of the belief, and the reasonable grounds of that belief.

Additional reports must be made on each occasion where you become aware of any further reasonable grounds for the belief.

Refer to the Victorian Department of Education's Guide to Making a Report to Child Protection or Child FIRST (Child and Family Information, Referral and Support Team) for guidance on making a decision on whether to report.

Report to the Police

Whenever there are concerns that a child is in immediate danger the Police should be called on 000.

Report to DFFH Child Protection

A report to DFFH Child Protection should be considered if the staff member forms the view the child is in need of protection because:

- the harm or risk of harm has a serious impact on the child's immediate safety, stability or development
- the harm or risk of harm is persistent and entrenched and is likely to have a serious impact on the child's safety, stability and development
- the child's parents cannot or will not protect the child from harm.

To report concerns about the immediate safety of a child within their family unit, call the 24-hour Child Protection Crisis Line 13 12 78.

Concerns that require immediate attention should be made to the local or regional Human Services Child Protection office, or the After Hours Child Protection Emergency Services on 13 12 78.

Report to the Child Safety Officer

Following any incident, allegation, disclosure or suspicion of student sexual offending you must report the matter to a Child Safety Officer. When reporting, 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 DFFH Child Protection
- possible steps that can be taken to contact parents/carers to support the students impacted by the incident, where appropriate.

Reportable Conduct

The Child Wellbeing and Safety Act 2005 (Vic) (the Act) requires the College to investigate and report to the Commission for Children and Young People (CCYP) allegations of 'employee' reportable conduct or misconduct that may involve reportable conduct.

Reportable conduct is defined in section 3 of the Act to mean:

- a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded;
- sexual misconduct committed against, with or in the presence of, a child;
- physical violence committed against, with or in the presence of, a child;
- any behaviour that causes significant emotional or psychological harm to a child; or significant neglect of a child.

Making a report

Any person may disclose a reportable allegation to the CCYP by using an online form available from the CCYP's website, by phone or by letter (section 16L of the Act).

While any person may make a reportable allegation, the Principal must notify the CCYP of a reportable allegation (section 16M).

The Principal has distinct responsibilities under the Reportable Conduct Scheme.

It is a criminal offence for the Principal to fail to disclose a reportable allegation to the CCYP without a reasonable excuse. The Act doesn't define what a reasonable excuse may be, but section 16M(5) provides an exemption if they honestly and reasonably believed that another person had notified the CCYP.

The Principal must make a report using an online form available from the CCYP's website.

The reportable conduct obligation covered in this policy is separate and distinct from the:

- Mandatory Reporting obligation under the Children, Youth and Families Act 2005 (Vic)
- Obligation to Report a Sexual Offence obligation under the Crimes Act 1958 (Vic)
- Conduct that is Reportable to the Victorian Institute of Teaching under the Education and Training Reform Act 2006 (Vic).

The threshold for reporting allegations of reportable conduct is much lower than these other reporting obligations.

Any allegations of criminal conduct, including physical violence, significant emotional or psychological abuse, sexual offences and significant neglect must be reported to the Victorian Police as the first priority. A Police investigation will take priority over any investigation conducted by the College under this Policy.

Student Sexual Offending

Student sexual offending refers to sexual behaviour by a student at the College, 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.

Report to the 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 DFFH Child Protection

Additionally, you must report the incident to DFFH 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 DFFH Child Protection, you must identify a contact person at the College for future liaison with DFFH Child Protection about the incident. This can be the Principal or the Senior Child Protection Officer for example. Additionally, you should seek advice from DFFH Child Protection about contacting parents/carers.

Report to the Child Safety Officer

Following any incident, allegation, disclosure or suspicion of student sexual offending you must report the matter to a Child Safety Officer.

When reporting, 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 DFFH Child Protection
- possible steps that can be taken to contact parents/carers to support the students impacted by the incident, where appropriate.

A failure to report student sexual offending may amount to a criminal offence under the Obligation to Report a Sexual Offence.

The College 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 College's response to it.

General information relating to responding to allegations:

What if I don't have a reasonable belief?

If you don't have a reasonable belief about a child, but still have concerns, you can refer the matter to a College Child Safety Officer.

There is also the option to refer the matter to Child FIRST.

A referral to Child FIRST should be considered if a staff member forms the view that the concerns have a low-to-moderate impact on the child and the immediate safety of the child is not compromised.

A referral can be made when the following factors may affect a child:

- significant parenting problems
- family conflict
- a family member's physical or mental illness, substance abuse, disability or bereavement
- isolated or unsupported families
- significant social or economic disadvantage.

What happens after a report/referral is made?

After receiving a report, DFFH Child Protection may seek further information, usually from professionals who may also be involved with the child or family, to determine whether further action is required. In most cases, DFFH Child Protection will inform the reporter of the outcome of the report.

After receiving a referral, Child FIRST may consult an experienced community-based Child Protection practitioner in their assessment. The assessment may lead to the involvement of a local family services organisation.

In most cases, Child FIRST will inform the referrer of the outcome of the referral.

Child FIRST must report the matter to DFFH Child Protection if they form the view the child is in need of protection.

Reports made to the Police will be dealt with in accordance with Police practice.

The College uses the [Protect Protocol](#) to guide its actions and decisions and has a number of related policies and procedures. These include:

- Managing Your Initial Response to a Child Protection Incident
- Reporting a Child Abuse Concern Internally
- The Obligation to Report a Sexual Offence and Failure to Protect
- Mandatory Reporting
- Reportable Conduct
- Student Sexual Offending
- Responding to Other Concerns About the Wellbeing of a Child
- Conduct that is Reportable to the Victorian Institute of Teaching (VIT)
- Communication with Parents/Legal Guardians
- Support for Students Interviewed at the College
- Making Additional Reports
- Child Protection Complaints Management
- Confidentiality and Privacy
- Child Protection Record Keeping

Should you require further detail about the College's Processes for Responding to and Reporting Allegations or access to any of the above policies and procedures, contact one of the College's Child Safety Officers to make a request.

APPROVAL AND REVIEW

Date of Approval: August 2019
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Delegated Contact Person: College Principal
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