

Child Safety Responding and Reporting Obligations Policy

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Scope

This policy applies to Bairnsdale Christian College (BCC).

Note, it applies for all allegations or disclosures of child abuse made by or in relation to a child, school staff, visitors, or other persons while connected to a school environment, including:

1. All school staff, volunteers (including interns) and contractors whether or not they work in direct contact with students,
2. Board members as indicated,
3. All physical and online school environments used by students during or outside of school hours, including other locations provided for a student's use (for example, a school camp) and those supplied through third-party providers.

BCC through the Board (school governing authority) will ensure that:

1. School staff, Board members, and volunteers engaged in child-connected work, receive an induction regarding child safety and wellbeing that is appropriate to the nature of the role, and which includes:
 - (i) information on BCC's Child Safety Code of Conduct; and
 - ii) where relevant to the role, the child safety and wellbeing policy and the procedures for managing complaints and concerns related to child abuse;
2. School staff, Board members, and volunteers engaged in child-connected work, are aware of their responsibilities to children and students, information sharing and reporting obligations, and record keeping obligations

3. Ongoing supervision and people management of staff and volunteers focuses on BCC's Child Safety and Wellbeing policy and related policies and procedures
4. The concerns of children and young people are taken seriously.

Statement

BCC is committed to the safety and wellbeing of all children and to operating as a Child Safe Organisation, implementing all aspects of Ministerial Order 1359- Implementing the Child Safe Standards- Managing the risk of child abuse in schools and boarding premises (MO 1359).

The purpose of this policy is to:

1. Ensure BCC complies with all relevant legislation to optimise the safety of children and young people who are enrolled in and involved with College learning and wellbeing activities.
2. Work in conjunction with the Child Safety & Wellbeing Policy and the Child Safety Code of Conduct as a policy suite focused on the implementation of MO 1359.
3. Detail the College's procedures for identifying possible abuse and fulfilling mandatory reporting obligations.

The policy should be read in conjunction:

1. Whistleblower Policy
2. The Staff Code of Conduct.

Policy Implementation Information	
Legislation and Standards	Crimes Act 1958 United Nations Convention on the Rights of the Child Children, Youth and Families Act 2005 Child Wellbeing and Safety Act 2005 Education and Training Reform Act 2006 Education and Training Reform Regulations 2017 Ministerial Order 1359
Board Approval	December, 2024
Version/Review	2.0 This policy is reviewed annually by the Board
Reference Documents	The Victorian <u>Child Safe Standards</u> (see also Appendix 1) Duty of Care Policy Child Safety and Wellbeing Policy Child Safety Code of Conduct Restrictive Interventions Policy

	First Aid and Student Medical Conditions Policy Anaphylaxis Management Policy Emergency Management Plan and Critical Incident Plan Excursions and School Camps Policy Student Code of Conduct Online Acceptable Use Policy and Agreements Online Engagement with Students Policy Whistleblower Policy
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Definitions

The College uses the following definitions to ensure that all members of the community understand key vocabulary and terms in matters relating to Child Safety as mentioned in this and other related policies.

Aboriginal	The term 'Aboriginal' includes Aboriginal and Torres Strait Islander Peoples
Child	A child or young person who is: 1. In relation to mandatory reporting, under the age of 17 OR under 18 and subject to a protection order granted by the Children's Court of Victoria, Family Division, that continues in force until they turn 18; 2. In relation to the offences of Grooming, Failure to disclose, and failure to protect, under the age of 16; 3. In relation to the Reportable Conduct Scheme, aged under 18.
CCYP	Commission for Children and Young People
Child Abuse	Any act committed against a child involving: 1. A sexual offence; or 2. An offence under section 49M(1) of the Crimes Act 1958 and 3. The infliction, on a child, of - a. Physical violence b. Serious emotional or psychological harm; and 4. The serious neglect of a child
Child Safety Champions /CSC	A senior staff member is usually the school's Child Safety Champion; this is a role that actively supports and adds to understanding of Child Safety across the school. Child Safety Champions must have the status and authority to work with and influence others. The role: 1. Requires knowledge and professional judgement on Child

	Safety and wellbeing. - Needs access to support through ongoing training and mentoring. - May be a suitable development opportunity for aspiring school leaders. Child Safety Champions are referenced in Child Safe Standards 10 and 11. Further information can be found in this Policy. The information concerning Child Safe Champions is informed by the related Victorian Government website here.
Failure to Protect Offences	In recognition of the shared community responsibility to protect children from abuse and to provide a safe environment for children to develop, learn and play, a new criminal offence for failing to protect a child under the age of 16 from a risk of sexual abuse commenced on 1 July 2015. The offence is set out in s 49O of the Crimes Act 1958 (Vic). A person (A) commits an offence if A occupies a position within, or in relation to, a relevant organisation; and there is a substantial risk that a relevant child will become the victim of a sexual offence committed by another person who is 18 years of age or more and a person associated with the relevant organisation, and A knows that the risk exists, and A, by reason of A's position, has the power or responsibility to reduce or remove that risk; and A negligently fails to reduce or remove that risk. A person in a position of authority may include but not be limited to the Board and its members, the Principal, and volunteer coaches. The Failure to Protect Offence encourages organisations to actively manage the risks of sexual offences being committed against children in their care to protect them from harm. Further information, including a Fact Sheet which sets out guidance on “substantial risk”, can be found here.
Four Critical Actions For Schools (poster)	The 4 critical actions for schools when responding to Incidents, Disclosures and Suspicions of Child Abuse are summarised in this poster here that must be printed and given to every staff member, and displayed in relevant places throughout the school. Reference to the information in this poster will be made at staff and volunteer induction processes and in the annual Child Safe

	training for school staff.
Mandatory reporter and mandatory reporting	“Mandatory reporters” are defined in s 182 of the Children, Youth and Families Act 2005 (Vic) and includes: • registered medical practitioners • Nurses • Midwives • Registered teachers (including those with permission to teach) and early childhood teachers • School principals • School counsellors • Police officers • Out of home care workers (excluding voluntary foster and kinship carers) • Early childhood workers • Youth justice workers • Registered psychologists • People in religious ministry A mandatory reporter who, in the course of practising his or her profession or carrying out the duties of his or her office, position or employment as set out in section 182, forms the belief on reasonable grounds that a child is in need of protection on a ground referred to in s162(1)(c.) or 162(1)(d) must report to the Secretary that belief and the reasonable grounds for it as soon as practicable after forming that belief and after each occasion on which he or she becomes aware of any further reasonable grounds for the belief. The grounds for a child being in need of protection are found here. For the purposes of mandatory reporting, a child is under 17 OR under 18 and subject to a protection order granted by the Children’s Court of Victoria, Family Division, that continues in force until they turn 18.
Reportable allegation	Any information that leads a person to form a reasonable belief that a person employed or engaged at the School has committed— 1. reportable conduct; or 2. misconduct that may involve reportable conduct— whether or not the conduct or misconduct is alleged to have occurred within the course of the person’s employment. Persons employed or engaged covered are:

	• employees • volunteers • contractors • office holders • ministers of religion • officers of a religious body • foster and kinship carers in a formal care arrangement. • workers or volunteers provided by labour hire agencies, companies or other providers • secondees • individual business owners who employ or engage staff • directors of companies where the director performs work for the organisation.
Reportable conduct	1. 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; or 2. Sexual misconduct, committed against, with or in the presence of, a child; or 3. Physical violence committed against, with or in the presence of, a child; or 4. Any behaviour that causes significant emotional or psychological harm to a child; or 5. Significant neglect of a child. From 1 July 2024, the Reportable Conduct Scheme will cover the following workers and volunteers as people mandated to report: 1. Labour hire workers and volunteer workers 2. Secondees 3. Individual business owners who employ or engage staff 4. Directors of companies where the director performs work for the organisation.
Reasonable excuse – Failure to disclose offence	Any adult who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 years of age must report that information to police unless they have a ‘reasonable excuse’. A reasonable excuse may include: 1. You fear for your safety, or the safety of another person, or 2. You believe the information has already been reported to the police.
Sexual offence	In the context of this policy is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards.

	Sexually abusive behaviours can include: 1. the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and 2. Exposing the child to or involving the child in pornography. It includes child grooming, which includes actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child under the age of 16 to lower the child's inhibitions and prepare them for engagement in a sexual offence.
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Procedures

Roles & Responsibilities

School Board	In performing the functions and powers given to them under the Education and Training Reform Act 2006, Board members will: 1. Champion and promote a Child Safe culture with the broader school community by actions such as requesting updates in Board Reports, providing visible references to Child Safety initiatives in annual reports to the community and other similar measures; 2. Ensure that members understand their role in overseeing procedures that assure all staff and volunteers are aware of their reporting obligations; 3. Undertake annual training on the Child Safe Standards; 4. For new Board and staff members, ensure that selection, screening and induction practices are child safe and inclusive of mandatory reporting obligations.
Principal	1. Ensure that all staff are aware of: a. the relevant College policies in relation to Child Safety and the key legislation that underpins the policies b. their obligations as mandated reporters, c. understand how to make a mandatory report and, d. How to complete correct records for the reporting process. 2. Encourage all individuals to raise concerns for the safety of children and understand that they are protected in accordance with the College Whistleblower Policy. 3. Develop record keeping processes for staff to follow when they form a reasonable belief that a child is at risk of harm or has been a victim of a Child Safe related offence. 4. To act and report on complaints and concerns relating to child abuse including responding appropriately to a child or student who raises or is affected by the complaint or concern. 5. Ensure that all staff are aware of the relevant laws and policies in relation to Child Safety. 6. Ensure that all staff are aware of their obligations to report suspected child abuse and how to make a report. 7. Encourage all individuals to raise concerns regarding the safety of children and understand that they are protected in accordance with the College Whistleblower Policy.

	8. Ensure staff and students are aware of support and counselling services offered onsite (Chaplain, counsellor). a. At least twice a semester provide information to the community on these wellbeing support services in the newsletter or equivalent b. Ensure classroom teachers and the Child Safe Champion discuss supports available with students including accessing the Chaplain and counsellor online. 9. Responsible for monitoring overall school compliance with this policy. 10. Discharge all obligations as Head of Organisation under the Reportable Conduct Scheme referred to elsewhere in this Policy.
Child Safety Champion	This role primarily acts as a resource to assist and advise in Child Safety matters and being a first point of contact for raising child protection concerns. Child Safety Champions work with the school leadership team, teachers, students in all year levels, volunteers and the school community to create a Child Safe environment in the school. Child Safety Champions have 4 key responsibilities in the school that are summarised here and explained in detail later in the Policy: 1. Actively promote child safety culture 2. Provide support and guidance 3. Train and educate 4. Monitor, review and report. The Child Safe Champion must ensure a student who raises, or is affected by, a concern regarding child abuse, is responded to appropriately by their class/pastoral teacher, or by the Child Safe Champion themselves.
Onsite Supervisor	The role of the Onsite Supervisor is to: 1. Monitor student engagement at the place of education. 2. Encourage the personal, & social and physical development of the student. 3. Provide a safe & supportive environment.

	4. Work in partnership with the College on matters relating to the residential program, student behaviour, and other matters that arise. 5. Remain up to date with emails and communication from the College, including: a. Events in the school calendar b. Cyber safety updates c. Management of anxiety d. Strategies to support parent wellbeing.
All Staff	1. To be committed to the College's stated goal that all children have the right to be safe and protected. 2. To be aware of obligations under the Child Safety Policy and relevant legislation, including teachers as mandated reporters. 3. Understand that: a. To make a Mandatory Report to Child Protection (located within the Department of Families, Fairness and Housing), a person needs to have formed a reasonable belief on reasonable grounds that a child is in need of protection. b. They do not need the Principal or supervisor to share their belief to make the report to Child Protection yet are expected to keep the Principal informed throughout the process, and c. Will complete school recording processes when a mandatory report is made to ensure accurate internal confidential reports are kept. 4. If a reasonable belief is formed that a Reportable Allegation has occurred, they will notify the Principal immediately to ensure appropriate reporting to the CCYP occurs. Play an important role in building student confidence and skills by: 1. Acting and reporting on complaints and concerns relating to child abuse including responding appropriately to a student who raises or is affected by the complaint or concern, which may include supportively referring the student to the Child Safety Champion as soon as the concern is raised. 2. Building student empowerment by having regular (at least twice a term), timetabled classroom sessions that are known to the students in advance, for class meetings (or equivalents such as student parliaments) where

	students have information about Child Safe expectations and supports, and can be lead in considered discussions and reflections that may lead to suggested input into Policy reviews and procedural changes in the school. All staff must be aware of obligations under the Child Safety Policy and relevant legislation.
Volunteers	1. Participate in Child Safety and Wellbeing induction training provided by the College in its volunteer training materials and always follow the Child Safety and Wellbeing policies and procedures. 2. Act in accordance with the Child Safety Code of Conduct. 3. Promptly raise concerns about Child Safety issues with staff in accordance with the Child Safety Child Responding and Reporting Policy, including following the Four Critical Actions for Schools. 4. Ensure students' views and concerns are taken seriously.

Key Information Informing Policy and Procedures

Recognising Child Abuse

Physical indicators of physical child abuse include, but are not limited to:

- evidence of physical injury that would not likely be the result of an accident
- bruises or welts on facial areas and other areas of the body, such as back, bottom, legs, arms and inner thighs
- burns from boiling water, oil or flames or burns that show the shape of the object used to make them, such as from an iron, grill, or cigarette
- fractures of the skull, jaw, nose and limbs, especially those not consistent with the explanation offered, or the type of injury possible at the child's age of development
- cuts and grazes to the mouth, lips, gums, eye area, ears and external genitalia
- bald patches where hair has been pulled out
- multiple injuries - old and new
- effects of poisoning
- internal injuries.

Behavioural indicators of physical child abuse include but are not limited to:

- disclosure of physical abuse - by the child, friend, family member
- inconsistent or unlikely explanation for cause of injury
- wearing clothes unsuitable for weather conditions to hide injuries

- wariness or fear of a parent, carer or guardian and reluctance to go home
- unusual fear of physical contact with adults
- fear of home, specific places or particular adults
- unusually nervous, hyperactive, aggressive, disruptive and destructive to self or others
- overly compliant, shy, withdrawn, passive and uncommunicative
- change in sleeping patterns, fear of the dark or nightmares and regressive behaviour, such as bed-wetting
- no reaction or little emotion displayed when being hurt or threatened
- habitual absences from the service without reasonable explanation, where regular attendance is expected
- complaining of headaches, stomach pains or nausea without physiological basis, poor self-care or personal hygiene.

Child Safe Champions

Given the important role of Child Safe Champions, schools will ensure all members of the community are aware of who the Child Safe Champion is (noting that schools can nominate several Child Safe Champions depending on the size of the school).

BCC ensures that students know who the Child Safe Champion is and have access to them. The role of the Child Safe Champion is explained to the community in newsletters or equivalent, at student assemblies/chapels and use of posters in classrooms with the staff member's photograph, name and location.

The Child Safe Champion, working closely with the Principal and teachers , will:

1. **Promote child safety and wellbeing culture** by:
 - a. communicating at staff and parent meetings, through newsletters and staff bulletins.
 - b. Working with the Principal (or their delegate) to ensure the school's child safety policies and procedures:
 - i) are current and fit for purpose
 - ii) are publicly accessible
 - iii) are known and implemented.
 - c. Promoting a culture of listening to students and families and acting on their child safety concerns-
 - i. students must be informed of Child Safe procedures in age appropriate ways,
 - ii. will be shown how to raise their concerns with adults in a safe and respected environment including contacting the Child Safe Champion, and

- iii. be assured that their concerns are taken seriously, resulting in follow up and advising them as appropriate, of actions taken.
- d. Creating opportunities for students to inform Child Safe practices at the school, such as making recommendations to the Child Safety Champion for actions arising from class meetings or student councils or equivalents.
- e. Supporting staff and volunteers to focus on the Child Safety needs of vulnerable students.
- f. Ensuring students feel valued, can develop awareness, skills and knowledge, have opportunities to inform decision making, build confidence, build their independence and relationships, and feel safer and better protected from harm.

2. Provide support and guidance by:

- a. Being a point of contact for Child Safety concerns for staff, volunteers and students.
- b. Providing guidance to students, staff and volunteers on Child Safety policies and procedures.
- c. Working with school leadership to respond to Child Safety incidents.
- d. Maintaining current skills and knowledge to support Child Safety and wellbeing, including:
 - i. child-focused complaint processes, reporting obligations and the following the steps outlined in the Four Critical Actions
 - ii. student rights, participation and empowerment
 - iii. Aboriginal cultural safety and inclusive practices to meet students diverse needs
 - iv. Child Safety risk management including online safety
 - v. Child Safety information sharing and record-keeping obligations
 - vi. working with relevant agencies to refer students and families to appropriate support
 - vii. keeping across emerging research and best practice guidance in child safety and wellbeing.

3. Train and educate by:

- a. Providing Child Safety induction programs for new school staff, volunteers and school council members.
- b. Providing Child Safety training for school staff, volunteers and school council members.
- c. Ensuring mandatory reporters complete the annual mandatory reporting training.
- d. Providing Child Safety updates and information to staff and volunteers, as needed.

- e. Supporting teachers with age appropriate resources such as those provided on pp63-74 in the CCYP *Empowerment and Participation- A guide for organisations working with children and young people (2021)* found [here](#).

4. Monitor, review and report by:

- a. Recording Child Safety complaints and concerns, and analysing trends as needed.
- b. Coordinating reviews following significant safety incidents and recommending improvements.
- c. Maintaining the school's Child Safety risk register with the school leadership team.
- d. Coordinating Child Safety policy and practice reviews in consultation with the school community.
- e. Maintaining detailed, accurate, secure written records of concerns and referrals.

Procedures

The following procedures comply with relevant legislation as summarised at Appendix 3.

Concerns about a Child or Student

- Any person can call 000 whenever they believe a child is at immediate risk of child abuse or harm.
- A Staff member or Volunteer who believes a child or student is at immediate or serious risk of child abuse or harm must:
 - telephone 000; and
 - take all reasonable steps to ensure their immediate safety, such as:
 - staying with the child until action has been taken to reduce or remove the risk;
 - removing the child or student from any circumstances that could lead to further harm;
 - separating alleged victims and others involved; and/or
 - administering first aid.
- Staff and Volunteers should offer support and respond in a calm and compassionate manner that is sensitive to the child's specific circumstances and needs. Staff and Volunteers should consider the child's age and maturity,

cultural background, and existing physical, cognitive, and emotional challenges during potential times of distress.

Responding to a Disclosure

If child or student tells a Staff Member or Volunteer about an incident of child abuse or harm, the Staff Member or Volunteer must deal with this sensitively and professionally. Staff should follow the steps below and refer to this procedure.

Step One

H – Hear. Actively listen to the child, making the disclosure. Believe the person's experience. Do not interrupt.

E – Empathy. Respond to the disclosure with empathy. Validate their experience.

A – Affirm. Affirm that the alleged abuse or harm is not the child's fault and that they have done the right thing by telling someone.

R – Record. Record the disclosure, focusing on using the child's own words, and recording observational facts.

T – Tell. Tell someone, such as a Child Safety Officer.

S – Self-care. Remember to check in with yourself after a disclosure and seek support if you need it.

Step Two

Is there an obligation to report?

Internally

- If a Staff Member or Volunteer identifies a risk of child abuse or harm, has a concern, receives a disclosure or complaint about child abuse or harm, they are required to make an internal report to a Child Safety Champion. Where a report is made, the Staff Member must complete an incident report and submit this to the Principal. Volunteers may seek assistance with incident reports from a Child Safety Champion.
- The Incident Report must include:
 - the name, age and address of student;
 - the reason for suspecting that the behaviour or injury is a result of abuse;
 - an assessment of the immediate danger to the child or student;
 - a description of the injury or behaviour observed;
 - the current whereabouts of the child or student;
 - any other information about the family; and

- any specific cultural details, e.g., English speaking, disability, etc.
- All Staff members and Volunteers are strongly encouraged to discuss any concerns, suspicions, allegations or disclosures of child abuse or harm with a Child Safety Champion. Child Safety Champions can help Staff and Volunteers follow this Procedure.

Externally

- This Procedure also sets out the different external reporting obligations that may apply in different circumstances and to different Staff or Volunteers.
- Making an internal report to, or discussing concerns with, a Child Safety Champion does not displace or discharge any other obligations that arise if a person believes that a child is at risk of child abuse.

Considerations Prior to Making a Report to Child Protection (Mandatory Report)

A mandatory reporter may, during the course of their employment or volunteer work with the College, form a reasonable belief that a student is in need of protection. When a belief on reasonable grounds is formed, a mandatory report must be made and the steps explained in this policy are to be followed.

Where the individual forms the belief on reasonable grounds, then a report must be made as soon as practicable, and after each occasion where a person becomes aware of further reasonable grounds for the belief.

Additional Advice for Consideration

Mandatory reporters who are considering making a Mandatory Report can access further information from DFFH [here](#).

The preceding link also provides helpful information on what to do if you are worried about a child's wellbeing, but don't believe the child is in need of protection; simply scroll down the DFFH page at the above link to locate the advice.

Making the Mandatory Report

1. Mandatory reporters must make a report even if the Principal does not share their belief, i.e. the reporter does not need the agreement of the Principal or their supervisor to make the report, however they are encouraged to speak with the Principal or supervisor to confirm the right processes are used especially for recording the reporting, and to ensure that they are connected to good and timely support. Fulfilling the roles and responsibilities 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 child abuse.

2. The person making the Mandatory Report must contact Child Protection as soon as they practically can to the relevant Child Protection Division listed below.
3. If two mandatory reporters are aware of an offence, then they are both accountable to ensure a report has been made. For example, it is expected that staff or volunteers or anyone involved with the College who is mandated to report, and form a 'reasonable belief' that an adult has sexually offended against a child under 17 (or under 18 and subject to a protection order granted by the Children's Court of Victoria, Family Division, that continues in force until they turn 18) in Victoria, or that a child is at risk of harm, and believe that a mandatory report has been made, then they must ensure that a report was made when another mandated reporter has indicated they will make the report. The matter must be followed through to ensure the report was made.

For after hours Child Protection call 13 12 78 (i.e. 5pm to 9am, noting this number operates 24 hours on weekends and public holidays).

Related support agencies numbers are in the table below. For after hours Child Protection call 13 12 78 (after 5pm or before 9am).

- Bairnsdale Police Station- (03) 5150 2600
- DHHF Child Protection- (North Division)- 1300 598 521
- SOCIT (service is based in Bendigo) - 03 5444 6752 NB This is a Multidisciplinary Centre (MDC). MDCs include:
 - Victoria Police specialist investigators (SOCITs)
 - Child Protection staff from DFFH, Counsellors and Advocates from Sexual Assault
 - Family Violence response services and Community Health Nurses.

Support Service	Key function	Contact information
<u>The Orange Door</u> Referrals (replacing Child FIRST, and part of DFFH)	Access point to services for children, young people and families; including women, children and young people experiencing family violence and/or families who need assistance with the care and wellbeing of children.	Location specific addresses and contact numbers can be found <u>here</u>
Sexual Assault Crisis	State-wide, after-hours, confidential, telephone crisis counselling service for people who have experienced both past and recent sexual assault.	1800 806 292

Domestic Violence Resource Centre Victoria	Statewide resource centre supporting workers and families to help stop family violence.	1800 737 732
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Discretionary report to the DFFH

Any person may make a report to the DFFH if they hold a significant concern for the wellbeing of a child.

Failure to Disclose - Reporting Child Sexual Abuse

In addition to the obligations above, all adults must report to police any reasonable belief that a sexual offence has been committed by an adult against a child aged under 16, unless a reasonable excuse or exemption applies r. (refer s 327 of the Crimes Act 1958).

Individuals who fail to comply with this obligation under the Crimes Act 1958 (Vic) may attract a 3 year imprisonment.

Reasonable Excuse - Failure to Disclose

There are reasonable excuse provisions in place for a person who forms a reasonable belief that a sexual offence has been committed in the State of Victoria against a child under 16. These are summarised in the DJCS Fact sheet found [here](#).

Voluntary Reporters

In addition to the mandatory reporting obligations above, any person who believes on reasonable grounds that a student is in need of protection from child abuse, may disclose that information to the Police or to Child Protection.

‘Failure to Protect’ Offence

The offence is set out in s 490 of the Crimes Act 1958 (Vic).

A person (A) commits an offence if A occupies a position within, or in relation to, a relevant organisation; and there is a substantial risk that a relevant child will become the victim of a sexual offence committed by another person who is 18 years of age or more and a person associated with the relevant organisation, and A knows that the risk exists, and A, by reason of A’s position, has the power or responsibility to reduce or remove that risk; and A negligently fails to reduce or remove that risk.

Failure to do so is a criminal offence under Section 490. of the Crimes Act 1958 (Vic). Further information, including a Fact Sheet which sets out guidance on “substantial risk”, can be found [here](#).

For BCC, a person of authority is a Board Member, Principal or member of the School Leadership Team.

Grooming Offence

Grooming is a criminal offence under the Crimes Act 1958. This offence targets predatory conduct undertaken by an adult to prepare a child, under the age of 16, to engage in a sexual activity at a later time. This offence is explained in the DJCS grooming offence factsheet found [here](#).

If indicators lead you to form a reasonable belief that a child or young person is being sexually exploited, you must follow the Four Critical Actions for schools.

Reportable Conduct Actions

It is expected that any staff member or Volunteer who forms the reasonable belief regarding a reportable allegation will inform the Principal immediately. Under the Reportable Conduct Scheme, the Head of Organisation must notify the CCYP of all reportable allegations.

The Head of Organisation must initially notify the CCYP of a reportable allegation within three business days and update the CCYP of progress within 30 calendar days. They must also investigate the reportable allegation and provide the findings of the investigation to the CCYP. It is an offence to fail to notify and update the CCYP about reportable allegations.

Section 3 of the Child Wellbeing and Safety Act 2005 (Vic) provides that the Head of Organisation is an individual who is primarily responsible for—
engaging and terminating the engagement of the relevant organisation's employees; and managing the relevant organisation's employees; OR a person nominated by the relevant organisation, or a person or class of person prescribed to be a head of a relevant organisation.

The Head of Organisation is the Principal, or, where the reportable allegation relates to the Principal, the chair of the Board of BCC.

Upon receiving any reportable allegation, the Principal (Or Chair if the allegation relates to the Principal) will:

- A. Take immediate action to protect children from the potential of further abuse
- B. Report the allegation to the Commission for Children and Young People (CCYP).
In circumstances where an allegation of criminal conduct is made, the Victorian Police will be informed as the first priority
- C. Once cleared by any police if there is also a police investigation, ensure investigation of the allegation occurs, that appropriate action is taken in response and records of the outcome are kept and securely stored
- D. Report the finding and reasons for the outcome to the CCYP at the conclusion of the investigation.

The Principal will, where the child/ren or student/s connected to the complaint or concern is/are physically separate from the Principal or any staff member due to being enrolled in virtual learning, take further steps to protect the child/ren or student/s until the complaint or concern is resolved by:

- Calling any one or more of the local support agencies listed above under mandatory reporting as determined reasonably necessary by the Principal;
- If a risk assessment requires it, standing down the subject of the reportable allegation, directing subject of the reportable allegation to have no contact with the child or student and removing the subject of the reportable allegation's access to technology and phone systems. This stand down may also involve: the withdrawal of the person from active duty, which may entail:
 - reassignment to a role without direct contact with children,
 - working under close supervision during the investigation,
 - working from home,
 - or any other measures deemed appropriate depending on the seriousness of the allegation.
- Phoning the local (to the student) police station to advise of the situation; and
- Arranging for the child or student to have regular contact with the school or a school counsellor,

The School will cooperate with the directions of the CCYP, Child Protection, Police and/or the Victorian Institute of Teaching in relation to any investigation conducted by these authorities.

Care for the Student

- After any immediate risk of harm has been removed or mitigated the Principal and Child Safety Champions should consider additional support for the child(ren) or students(s) concerned even if the complaint or concern has been resolved.

This may include referral to a wellbeing professional or external support services, developing a student support plan, engaging in regular communication and follow up, supporting the student to be around their friends in the School Environment.

The College's Approach to Reports of Abuse (Mandatory Reports)

The College supports and expects:

- Mandatory Reporters will make a Mandatory Report to Child Protection if they form a belief on reasonable grounds that a student is in need of protection.

All staff will report any concern regarding child safety or wellbeing

Any staff or members of the school community who make a report in good faith in accordance with their reporting obligations to be supported and not be penalised or victimised by any member of the College for making the report. The school will never discourage reporting of any concerns.

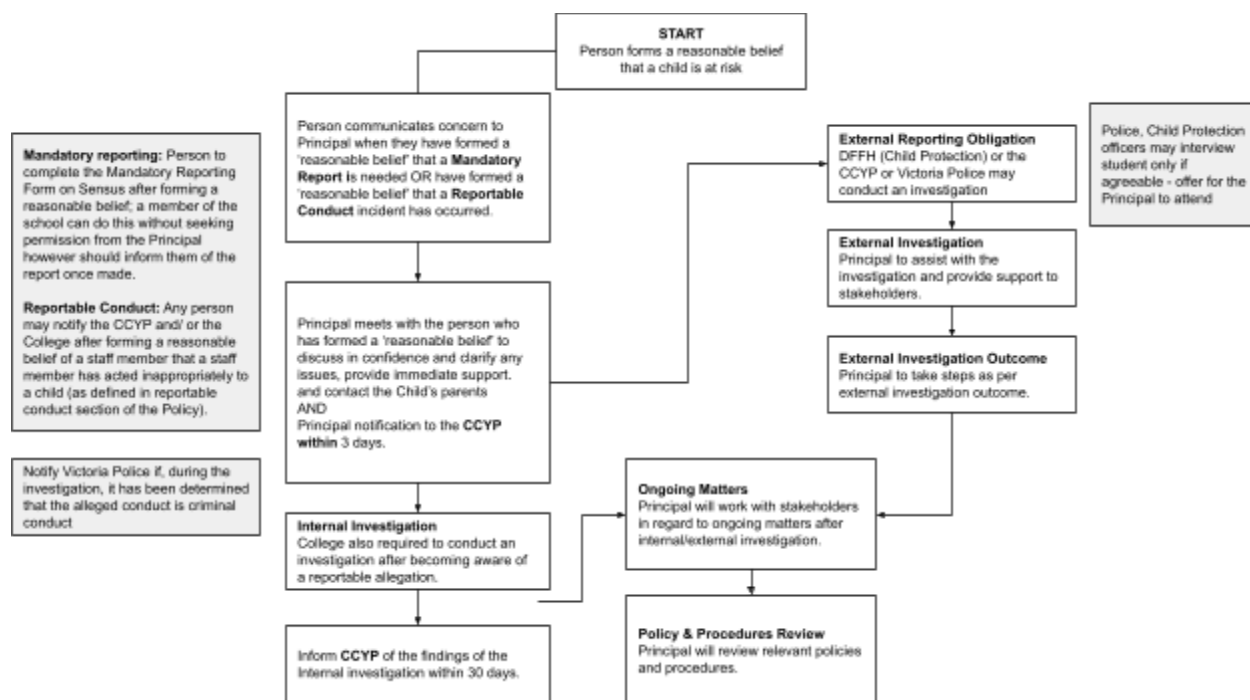
Any staff member or a member of the school community who may be uncertain as to whether they should make a report to an external authority in relation to the safety of a child, to speak to the Principal or a Child Safety Champion to discuss their concerns. **NB** it is expected that anyone making a Mandatory Report will advise the Principal as soon as the decision is made to make a report, remembering that agreement from the Principal is not required to make the Mandatory Report. However, speaking to the Principal does not displace or discharge any other obligations that arise if a person reasonably believes a child is at risk of abuse.

Steps to Follow - Summary

- The child's parent(s)/guardian(s) should not be contacted until it has been determined by the Principal that the information received has basis for the person to be concerned or formed a reasonable belief that the student is at risk.
- In ensuring immediate safety of the child, the Principal will take steps to remove or reduce that risk and protect any child connected to the alleged child abuse until the allegation is resolved.
- The person who made the report completes the College process for Mandatory Reporting and makes a report under the applicable legislation (see appropriate section below under Records Management for the required process).
- In addition to completing the Mandatory Report, a person who forms a reasonable belief should make the reportable allegation to the CCYP.
- Make a report in writing to appropriate external body

- Ring DFFH Child Protection at the number listed for the campus (refer to this policy). Record date/time/ person on the College Mandatory Reporting form.
- Complete the College Mandatory Reporting Form and use the information as the basis for the report.
- Under the reportable allegation scheme, the person must report the conduct to the CCYP by contacting CCYP on 1300 78 29 78.
- Complete the notification form available in the CCYP website on ccyp.vic.gov.au
- Request that if an interview is to take place at the College, the visiting police officer is in plain clothes at the time of the interview and that appropriate arrangements are made for a private meeting room.
- Advise the CCYP as soon as practicable of investigator details. Provide a copy of findings and reasons for the findings, and any disciplinary action taken to the CCYP as soon as practicable.
- The Principal after becoming aware of a reportable allegation is to notify the CCYP in writing within 3 business days and conduct an investigation as soon as practicable.
- The Principal must notify the CCYP within 30 days whether it proposes to take disciplinary action or other action in relation to the Staff or Member of the School Community.
- If the student is agreeable to being interviewed by DFFH, the Principal should offer to be present at the interview to support the student. The College will take into account the diversity of all Children, including (but are not limited to) the needs of Aboriginal and Torres Strait Islander Children, Children from culturally and linguistically diverse backgrounds, Children with disabilities, and Children who are vulnerable, and make reasonable efforts to accommodate these matters.
- During the investigation, the Principal continues to liaise with all stakeholders, and communicates with internal personnel regarding next steps and ongoing risk management with a focus on Child Safety.
- The Principal will inform the School Board directly via the Chairperson and also in writing via the Principal's Report under the Child Safety section.
- Where relevant, existing policies and procedures will be reviewed.

Child Safety Procedure Flowchart



Records Management for Documentation Relating to Child Safety Matters

Statement

BCC is committed to making and keeping full and accurate records about all child-related complaints or safety concerns.

All records relating to child safety and wellbeing will be kept in accordance with Public Record Office Victoria Recordkeeping Standards [here](#), including minimum retention periods.

Staff and Volunteers must:

- create and maintain records of the report within the student's Sentral (student management system) profile; and
- ensure all records pertaining to child safety or other confidential information are saved under restricted access; and
- actions are taken (and documented) to reduce or remove the identified risks.

The Principal will ensure that all documentation relating to allegations of child abuse and subsequent investigations are retained. All child safety complaints, concerns and incidents will be recorded in Sentral, and marked confidential (see below in Recording Mandatory Report Actions)

Records which may assist with the investigation of a complaint or safety concern will be identified and kept as part of the record of an investigation. Records will be kept even if an investigation does not substantiate a complaint.

Schools will record and keep the outcome of any investigations, and the resolution of any complaints. This includes findings made, reasons for decisions and actions taken.

Records will be stored securely and kept by the school for at least 45 years and in any event in accordance with Public Record Office Victoria Recordkeeping Standards. (NB this is the recommended period of time by CCYP).

Definition of a Record

A record is an object or item that contains information or from which information can be reproduced and which is created or received in the conduct of an institution's business.

Records can be in a variety of formats including paper, digital (email, word document and database), photograph, film or plan. Records can be created or received through many different channels including social media platforms and mobile devices.

Examples

Relevant examples of records at the school include:

- Letters, emails or other records making an allegation or in relation to an allegation (where notification occurs verbally then a file note should be made of the allegation or report).
- Incident reports and witness statements.
- Records of meetings or discussions (including notes).
- Case files and other records of the child who is alleged to have been abused (for example school attendance and admission records, work experience and placements, reports of accidents and injuries, medical records, counselling records).
- Relevant personnel and work placement records, including records relating to volunteers (for example counselling, mediation, and discipline records, travel records, minutes and agendas of meetings).
- Records which inform on a relevant person, in a place at a particular time (for example rosters, attendance sheets and permission slips, employee contracts, leave requests, off-site visits, day-trips and excursions).
- Relevant worker employment records including personnel files and terms of employment.

- Reports or other records received from medical practitioners, health professionals, teachers, counsellors and other such third parties.
- Records documenting actions taken to address allegations and cases of sexual abuse of children including reviews of actions, cases or decisions by external authorities.
- Records documenting support to and remedial action for the child who is alleged to have been abused – for example records of claims, reviews, and appeals.

Creation of Records

The school must ensure that:

1. All records are maintained in a format which is expected to survive and be readable for the required life of the record.¹
2. It does not use proprietary formats that could be un-readable by future systems.
3. The school's preference is for records to be maintained in text format, pdf format, or jpg format.

¹<https://prov.vic.gov.au/recordkeeping-government/standards-framework>

Recording Mandatory Report Actions

Staff or volunteers who make a Mandatory Report to Child Protection, or pass this information on to the Principal for action, must create a formal report of their 'reasonable belief' and a summary of the Mandatory Report verbally lodged with Child Protection; the report needs to include:

1. The date and time that the report was made
2. Name of the Child Protection officer who received the report
3. What advice and follow up actions the Child Protection officer made.
4. Any other information that may be relevant.

School staff make a record of the Mandatory Report, in the Sentral Wellbeing profiles of students. The sensitive information in this report will have appropriate access managed by being marked as 'Confidential', meaning it can only be accessed by the Principal, and senior support staff as deemed appropriate by the Principal, such as a counsellor or senior chaplain.

The Principal must be alerted to the creation of this report.

Volunteers who make a Mandatory Report should clearly write out the details as outlined in the 4 steps above and hand this to the Principal (or their delegate) to scan into the Student Profile notes.

Recording Reportable Conduct Actions

The Principal will create a new online file that is marked confidential, with access limited to the Principal and the senior HR officer.

This record will include details of the alleged conduct, time and date of the call to the Regulator, the name of the staff member at the Regulatory Authority, and a summary of the discussion.

This record will be updated with all actions arising from the report, including but not limited to the investigation process and findings, action taken with the staff member in response to the allegation (both immediately and post investigation), and other bodies contacted, such as legal advice, and contact with VIT if required. A file note indicating a confidential file is with the Principal should be made on the Student Profile.

Maintenance & Retention of Records

The maintenance and retention of records relating to child safety matters must be held exclusively on school-approved systems that are password protected and "backed up."

The current school approved systems list is as follows:

Student Information System (SIS)	Sentral
Document Storage	Google Drive Dropbox

Files must be associated with the student record so that they can be retained and accessed by authorised staff only into the future.

Minimum Retention Period² & Disposal

As per the Public Record Office Victoria Recordkeeping Standards, all documentation relating to allegations of child abuse and subsequent investigations must be kept for at least 45 years.

When documentation reaches the 45 year threshold, it is the preference of the BCC Board for this documentation to remain in storage for 99 years.

In the event that the Principal wishes to dispose of records after the minimum threshold, authority must be obtained from the Board.

Authorisation to destroy records that have reached the minimum threshold of 45 years is automatically not approved if it is reasonably likely that they will be needed in a current or future legal proceeding. This includes any civil or criminal proceeding or an inquiry where evidence may be given before a court or person acting judicially such as a Royal Commission or Board of Inquiry.

Employment & Training of Staff

This section is to be read in conjunction with the *Staff Employment Policy*.

The College will ensure that:

1. It undertakes a comprehensive recruitment and screening process for all staff and associates which aim to:
 - a. promote and protect the safety of all children at all times at the College;
 - b. identify and recruit the most suitable candidates who share the College's values and commitment to protect children; and

²https://prov.vic.gov.au/sites/default/files/files/media/creating_managing_and_retaining_records_of_child_sexual_abuse_final_0.pdf

- c. ensure persons employed by the College do not pose an unacceptable risk to Children.
2. All applicants for jobs that involve child connected work for the College will be informed about the College's Child Safety practices including the school's Child Safety Code of Conduct and Staff Code of Conduct.
3. As part of the screening and recruitment process, an applicant must provide appropriate evidence to show that they are suitable to work with children and young people in an educational setting.
4. The applicant must provide proof of personal identity (e.g. Driver's Licence).
5. Statement(s) of service from previous child-connected roles are required to evidence their history of working with children.
6. Persons applying for a role as a teacher with the College must have current registration with the Victorian Institute of Teaching, or Australian state/territory equivalent, as suitable to teach.
7. Persons applying for a non-teaching role as well as Volunteers who will be working with children, must provide evidence of their up to date Working with Children Check.
8. It will undertake thorough reference checks for all employees.
9. Once engaged, staff are provided with access to the Child Safety policies and mandatory training bundle and they must complete annual training in Child Safety including a declaration that they will abide by the policy; refer to the relevant sections in the *Child Safety & Wellbeing Policy*.
10. Annual staff child safety training covers the virtual and online school environment.
11. Volunteer child safety training covers the virtual and online school environment.
12. Our Online Engagement With Students Policy and Managing Child Safety Online Policy outline requirements of the school to assess the risks associated with students learning online in a remote context, and the expectations and requirements of staff engaging with students online. This includes 1:1 online contact.

Governance & Ongoing Risk Management

Matters relating to **Governance** processes include the following actions:

1. That Child Safety is a standing item in the Principal's Report that is submitted to the School Board.
2. Matters relating to the ongoing training of staff in policies and procedures are a standing item in the Principal's Report that is submitted to the School Board.
3. The School Board has Child Safety on the Risk Management Matrix that is reviewed annually.

The ongoing **Risk Management** actions adopted by the school will include:

1. The College considers matters relating to Child Safety in all areas of College life including the supervision and management of students.
2. The procedures outlined in the Staff Code of Conduct relating to daily supervision and management of students must be read and acted upon by all staff.

Appendix 1: The Eleven Child Safe Standards & Internal Alignment Matrix

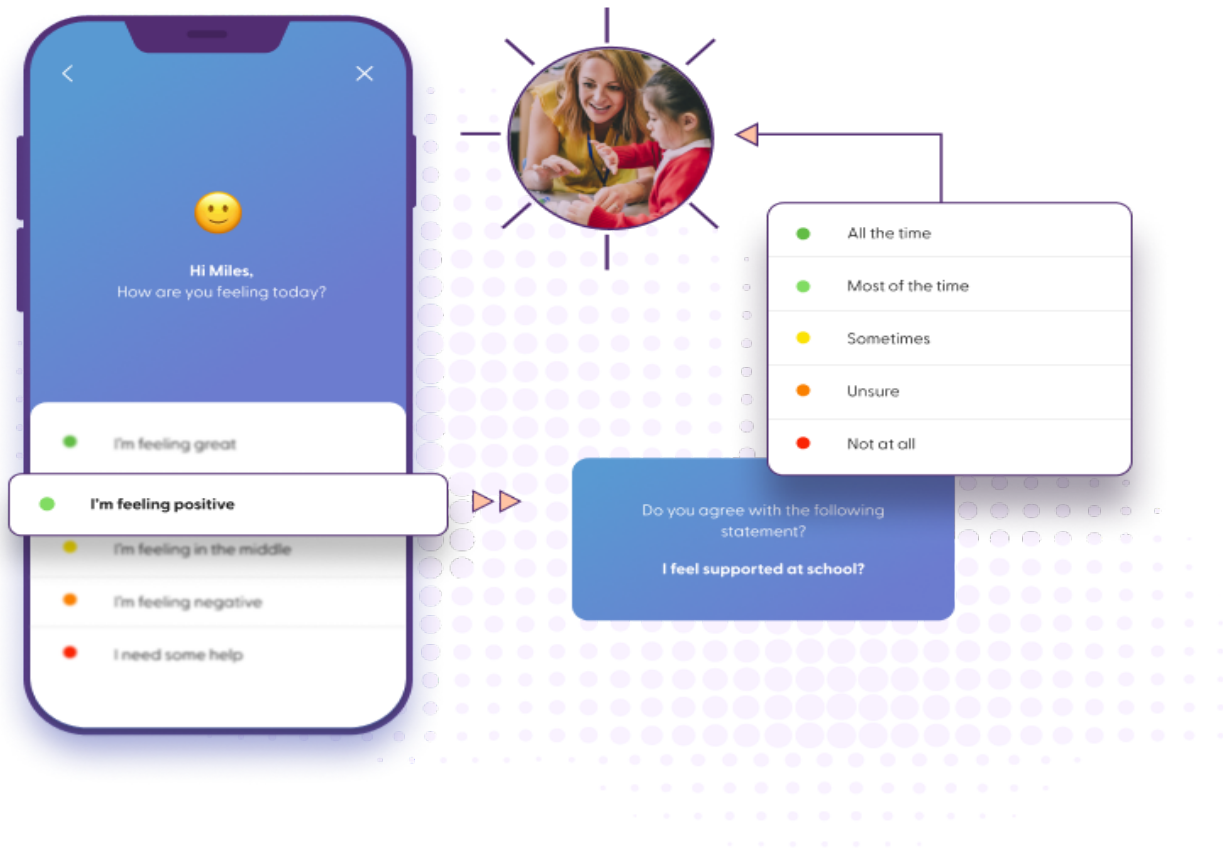
Standard 1	Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
1.1	The College encourages students to express their culture through special events and the study of what makes us different and what unites us.
1.2	The College will commit professional development time for staff to increase understanding of Indigenous culture and issues.
1.3	The College has policies and procedures in place that define and deal with issues relating to racism and bullying. Please refer to the Behaviour Management Policy.
1.4	The College welcomes the Indigenous community to participate in school life.
1.5	The College has undertaken a review of all internal policies and procedures to look for opportunities to increase support to Indigenous children.
Standard 2	Child safety and wellbeing is embedded in organisational leadership, governance and culture.
2.1	The College has made public commitments to Child Safety through its policy and through signage within the campus and on digital marketing.
2.2	Through training, the College makes everyone aware of their role in creating a child safe culture.
2.3	The School Board has a standing item in the Principal's Report to discuss matters relating to the implementation of policies & procedures and specifically matters relating to Child Safety.
2.4	The College has a Code of Conduct in place for students, staff and members of the College community.
2.5	The College has risk management strategies in place in matters relating to student supervision, excursions and campus and also in regards to the physical campus.
2.6	College staff are trained on an annual basis in matters relating to Child Safety.
Standard 3	Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
3.1	The College has published rights & responsibilities for children at school.
3.2	The College acknowledges and promotes the role of friendship in school life.
3.3	On matters relating to preventing abuse, the College has age appropriate strategies in place in the curriculum.
3.4	College staff are trained on an annual basis in matters relating to Child Safety.
3.5	The College has posted child-friendly information to help students to understand their role in promoting Child Safe Culture.
3.6	The College will provide a forum through student leadership for students to see how they can contribute to Child Safety.
Standard 4	Families and communities are informed, and involved in promoting child safety and wellbeing
4.1	The College affirms the critical role of the family in making decisions that impact their children for the

	purpose of Child Safety.
4.2	The College provides support information for families through the school news and through events.
4.3	Feedback is encouraged on matters relating to policies and procedures and the College conducts annual surveys of the school community.
4.4	Parents and/or guardians sign the Enrolment Contract on enrolment and also the community code of conduct and they have public access to the College's policies and procedures via the website.
Standard 5	Equity is upheld and diverse needs respected in policy and practice
5.1	College staff are trained on an annual basis in matters relating to Child Safety.
5.2	The College has posters at the campus in child-friendly language that help children to understand their rights and responsibilities and what they can do to get help if they need it.
5.3	The College recognises that there are children with needs that require additional support such as (but not limited to) children with a disability, children from culturally and linguistically diverse backgrounds, children who are not living at home and children working through gender issues.
5.4	The College affirms the need to support Indigenous children.
Standard 6	People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice
6.1	The College has procedures and systems in place to promote Child Safety & Wellbeing in recruitment.
6.2	The College has procedures and systems in place to check the Working with Children Check.
6.3	College staff are trained on an annual basis in matters relating to Child Safety.
6.4	With the Staff Code of Conduct, staff are given guidance as to appropriate relationships and to the duty of care in supervision.
Standard 7	Processes for complaints and concerns are child focused
7.1	The College has a Complaints Management Policy that is able to be used by children.
7.2	The College has posted information in child friendly language so that children are made aware of the mechanisms by which they can communicate a complaint or a concern.
7.3	The College Complaint's Management has time requirements in place to respond to Complaints.
7.4	The College has a Complaints Management Policy.
7.5	The College has a Privacy Policy in place.
Standard 8	Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training
8.1	College staff are trained on an annual basis in matters relating to Child Safety, the Staff Code of Conduct and the Behaviour Management Policy.
8.2	The College staff are trained to recognise indicators of child harm including harm caused by other children and young people.
8.3	College staff are trained on an annual basis in matters relating to Child Safety, the Staff Code of

	Conduct and the Behaviour Management Policy.
8.4	College staff are trained on an annual basis in matters relating to Child Safety, the Staff Code of Conduct and the Behaviour Management Policy.
Standard 9	Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed
9.1	The Staff Code of Conduct explains how to minimise risk in terms of relationships and in terms of working in physical and online environments.
9.2	The College has IT infrastructure that is used for staff and students and the systems have internal checks for the purpose of Child Safety.
9.3	The College has risk management plans in place and the School Board has a risk management matrix.
9.4	When the College hosts incursions, the College confirms the 3rd party Child Safety Policy and Working with Children Check.
Standard 10	Implementation of the Child Safe Standards is regularly reviewed and improved
10.1	The College has a regular system of review for matters relating to Child Safety including a standing item on Board Reports.
10.2	The College has a Complaints Management Policy in place.
10.3	The Principal communicates updates on Child Safety matters to the School Board and to appropriate stakeholders.
Standard 11	Policies and procedures document how the organisation is safe for children and young people
11.1	The College has a Child Safety Policy in place.
11.2	The College's policies and procedures are documented and publicly available.
11.3	The College survey's stakeholders on an annual basis for the purpose of seeking improvement.
11.4	The Principal is responsible for compliance in policies and procedures and they also report training in policies and procedures to the School Board.
11.5	The College provides training for staff and volunteers on relevant policies and procedures.

Appendix 2: Student Pulse

Student Pulse- Weekly Wellbeing Survey



Each week we encourage students to reflect on their mental, social and physical wellbeing by completing a fun and easy 60 second survey.

Each survey consists of 5 randomised questions, starting with a simple yet crucial question, "How are you feeling today?"

This provides students with a safe and accessible way to reach out for help, connecting them with a trusted teacher, school leader, or administrator of their choosing.

Appendix 3: Summary of Legislative Requirements

Legislation	Who	Circumstances	Obligation	Exceptions/ Defence/ Penalty
Failure to disclose sexual offence committed against child under the age of 16 years s 327 Crimes Act 1958 (Vic)	Any person 18 years or over	Reasonable belief of sexual offence against a child Child is anyone <16	Mandatory obligation to report to police information which leads to reasonable belief	Exceptions/ Defence Various Penalty 3 years imprisonment
Mandatory Reporting s 184 Children, Youth & Families Act 2005 (Vic)	Particular professionals: • registered teachers, early childhood teachers, early childhood workers and principals (government and non-government) • nurses & midwives • registered medical practitioners, registered psychologists & school counsellors • people in religious ministry	A belief on reasonable grounds arises in the course of carrying out duties of office, position or employment, that a child is in need of protection (due to neglect or abuse), and the child's parents have not protected or are unlikely to protect the child from harm. NB there is an allegation of Reportable Conduct where a person has a reasonable belief that there has been: 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 preceding concerns..	Mandatory obligation to report to DFFH	Exceptions/ Defence - The person honestly and reasonably believed that all of the reasonable grounds for his or her belief had already been reported Penalty Fine
Report to DFFH or police s 183 Children, Youth & Families	Any person	Believes on reasonable grounds that a child is in need of protection	May report to DFFH or police that belief and the reasonable	Exceptions/ Defence None

Act 2005 (Vic)			grounds for it.	
Child displaying sexually abusive behaviours: s 185 Children, Youth & Families Act 2005 (Vic)	Any person	Any person may report if they believe on reasonable grounds that a child is in need of therapeutic treatment because they have exhibited sexually abusive behaviours Child is aged 10 - 14	May report to DFFH the belief and the reasonable grounds for it.	Exceptions/ Defence None
Concern for the wellbeing of a child s 28 Children, Youth & Families Act 2005 (Vic)	Any person	A person may make a report to DFFH if they have a significant concern for the wellbeing of a child Child is <17	May report to DFFH a significant concern	Exceptions/ Defence None
Reportable Allegation (this action falls under the Reportable Conduct Scheme: reportable conduct or misconduct where a person has a reasonable belief that there has been a sexual offence, sexual misconduct or physical violence committed against, with or in the presence of a child) Child Wellbeing and Safety Act 2005	Any person	Forming of reasonable belief	Must notify the Commission for Children and Young People after becoming aware	Exceptions/ Defence Reasonable Excuse