



# Henderson College

## Child Safe Protection Policy

Policy Number:	Policy Version:	Description of Changes	Application
# 39	2015	Policy Constructed	<ul style="list-style-type: none"><li>All staff, volunteers, contractors</li></ul>
	3-2017	26/06/2017 All allegations reported to Commission for Children and Young People within 3 days	



# Henderson College

## Child Safe Protection Policy

### **PURPOSE:**

1. The purpose of this policy is to provide written processes about the appropriate conduct of staff and students that accord with legislation applying in Victoria about the care and protection of children.

### **BACKGROUND:**

2. Henderson College seeks to establish and maintain high-level professional standards in relation to all its activities and areas of responsibility. This includes all academic, student welfare, discipline and management issues.
3. This policy is in accord with the College's "Vision", "Mission" and "Philosophy" documents as published and in line with School Council Policy.

### **ISSUES/COMMENT:**

#### ***Rationale:***

Child protection is based on the understanding that each person is created in the image of God and is precious in His sight. There is a Biblical imperative to ensure that children are treated with care and respect as modelled by Jesus Christ (Matthew 18:6; 19:14).

Henderson College provide a values-based education which focuses on the development of the whole child and where the home and school work together harmoniously to provide this education. In this context, there is a legislative and moral imperative that there is a zero tolerance for any forms of child abuse and where the school, through its teachers, provide duty of care and take every precaution to avoid abuse happening.

In this context, Henderson College will abide by the tenets of the Department of Education and Training (DET) [\*Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse\*](#) (see [\*\*Appendix 1\*\*](#)) and [\*Responding to Suspected Child Abuse: A Template for all Victorian Schools\*](#), which is referred to in this policy. **All teachers, other staff members, volunteers, contractors, other service providers and School Council members** must understand and abide by the legal, professional, and moral obligations to implement child protection and child safety policies, protocols and practices.

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## **Scope**

This policy applies to all staff, contractors, volunteers, education practicum students, students and other stakeholders at schools operated by Seventh-day Adventist Schools (Victoria) Ltd and covers information about reporting allegations of:

- inappropriate behaviour by a staff member causing harm to a child or group of children,
- harm or suspected harm of a student by any other person.

In regard to the 'Betrayal of Trust' report 2014 Legislation, under the Crimes Act 1958 (vic) it also applies to Henderson College students 18 years of age or over.

## **Responsibility**

To the Board of Directors, Seventh-day Adventist Schools (Victoria) Ltd.

## **Point of Contact**

Principal or Education Director and approved authority.

## ***Definitions and Legislation:***

### **Relevant Definitions**

"Harm" means physical, sexual, emotional or psychological, abuse and neglect of children. Reference to a "child" or "children" is inclusive of children and young people up to the age of 18 years.

"Student" means a child enrolled at Henderson College.

"Reportable conduct" means any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence or an offence involving child abuse material), or any assault, ill-treatment or neglect of a child, or any behaviour that causes psychological harm to a child, whether or not, in any case, with the consent of the child.

### **Relevant Legislation**

Henderson College is committed to:

- Implementing protective systems and practices;
- Planning safe and supportive environments and
- Responding appropriately to allegations of abuse and allegations of inappropriate behaviour towards children and young people.

Henderson College also has a duty of care and a legislated responsibility to promote the wellbeing, safety and protection of children and young persons, from all forms of harm. Henderson College recognises the principles of the child protection legislation below:

- The Children, Youth and Families Act 2005 (as amended in 2011)
- Working with Children Act 2005
- Child Wellbeing and Safety Act 2005
- The Charter of Human Rights and Responsibilities Act 2006
- The Crimes Amendment (Grooming) Act 2014

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- Education and Training Reform Act 2006
- Victorian Institute of Teaching Act 2001
- Crimes Act 1958 (VIC)

Further, Henderson is also accountable under the *Child Safe Standards* which were introduced in response to recommendations made by the [Betrayal of Trust](#) report. The Ministerial Order No. 870 – *Managing the Risk of Child Abuse in Schools* was made under the *Education and Training Reform Act 2006* (Vic.) and sets out the specific actions that all Victorian schools must take to meet the requirements in the Child Safe Standards.

## **IMPLEMENTATION:**

### **Statement of Commitment and Principles**

Henderson College is committed to ensuring the safety, welfare and wellbeing of children is maintained at all times during their participation in learning and other activities run by its schools. Within Henderson College, a best practice approach to creating a safe environment includes procedures for responding to allegations and disclosures of reportable conduct of children and young people, based on the following principles:

- All children and young people have a right to safety and freedom from abuse of any kind.
- All adults working with children and young people have a responsibility to care for them, to promote their wellbeing and to protect them from any form of reportable conduct.
- When any action is taken to prevent or respond to any type of reportable conduct, the welfare and wellbeing of the child or young person are the primary concerns.
- The integrity of the family unit is respected but not to the detriment of the child or young person.
- The dignity of persons involved in situations where reportable conduct is suspected or disclosed, should be respected and they should be treated with fairness, sensitivity, dignity and respect.
- In the interests of justice, appropriate confidentiality should be maintained, with information that relates to suspected or disclosed abuse being provided only to those who have a right or a need to be informed.

### **Health and Safety**

Henderson College will protect students from harm as far as it is reasonably able. The safety, wellbeing and best interests of our students are of primary importance. The school will ensure the health and safety of staff in accordance with work health and safety legislation.

### **Conduct of Staff, Contractors, Volunteers & Education Practicum Students**

All staff, contractors, volunteers and education practicum students must ensure that their behaviour towards and relationships with students reflect proper standards of care for students in accordance with the ASA and VIT and Codes of Conduct. Staff, contractors, volunteers and education practicum students must not cause harm to students.

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## Inappropriate Behaviour

If a student considers the behaviour of a staff member, volunteer, contractor, education practicum student or stakeholder in the school to be inappropriate, the student should report the behaviour to the:

- Principal or
- Child Safety Officer (School Counsellor), Chaplain or any other staff member.

It is the Child Safety Officers' and Principal's role to promptly manage the school's response to an allegation or disclosure of child abuse and ensure that the allegation or disclosure is taken seriously. It is also their responsibility to coordinate an appropriate responses to child protection incidents including liaising with the police and other external agencies and responding to a child who makes or is affected by an allegation of child abuse.

In the event that one of the school's Child Safety Officers cannot perform their role, for example due to conflict of interest or absence, these duties must be performed by either another CSO or the Principal.

[See Child Safety Officer's role description](#)

## Procedures for Responding to Allegations of Child Abuse for all Staff, Contractors, Volunteers & Education Practicum Students

The procedures listed below will be followed for all forms of child abuse (reference ETR Act 2006).

The procedures apply to allegations or disclosures of child abuse made by or in relation to a child, school staff, visitor or other person while connected to a school environment. The procedures will be followed taking into account the diversity characteristics of the students and the school community. This includes children with particular vulnerabilities; e.g. Disabled children, Aboriginal and Torres Strait Islander children, and children from culturally and linguistically diverse backgrounds.

It is important to note that fulfilling the roles and responsibilities contained in the procedure does not displace or discharge any other obligations that arise if a person reasonable believes that a child is at risk of child abuse.

**The table below defines overall leadership authority at school.**

<b>Authority</b>
<b>School Principal- Sandra Ferry or his/her delegate (CSO)</b>
<ul style="list-style-type: none"><li>• Monitor overall school compliance with these procedures where the allegation involves individuals other than staff, contractors, volunteers or education practicum students.</li></ul>
<ul style="list-style-type: none"><li>• Promptly manage the school's response to an allegation or disclosure of child abuse and to ensure that the allegation or disclosure is taken seriously</li></ul>

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<ul style="list-style-type: none"> <li>• Ensure an appropriate response to a child who makes or is affected by an allegation of child abuse (See Appendix 6)</li> </ul>
<ul style="list-style-type: none"> <li>• Make, secure and retain records of allegation of child abuse and the response to it where the allegation involves individuals other than staff, contractors, volunteers or education practicum students.</li> </ul>

**ACTION 1: RESPONDING TO AN EMERGENCY**

If there is no risk of immediate harm go to ACTION 2.

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

- separating alleged victims and others involved
- administering first aid
- **calling 000 for urgent medical and/or police assistance** to respond to immediate health or safety concerns
- identifying the Child Safety Officer as the contact person at the school for future liaison with Police.

Where necessary you may also need to maintain the integrity of the potential crime scene and preserve evidence.

**ACTION 2: REPORTING TO AUTHORITIES**

As soon as immediate health and safety concerns are addressed you must report all incidents, suspicions and disclosures of child abuse as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.

**If the source of suspected abuse is from within the school:**

**VICTORIA POLICE**

You must report all instances of suspected child abuse involving a school staff member, contractor or volunteer to Victoria Police and Commission for Children and Young People.

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

- Principal and/or Child Safety Officer  
and
- Seventh-day Adventist Schools Victoria on +61 3 9264 7730

**If the source of suspected abuse is from within the family or community**

**DHHS CHILD PROTECTION**

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

- in need of protection from child abuse
- at risk of being harmed (or has been harmed) and the harm has had, or is likely to have, a serious impact on the child’s safety, stability or development.

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You **must also** report all instances of suspected sexual abuse (including grooming) to Victoria Police and Commission for Children and Young People.

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

- Principal and/or Child Safety Officer  
and
- Seventh-day Adventist Schools Victoria on +61 3 9264 7730

### **ACTION 3: CONTACTING PARENTS/CARERS**

The Principal/Child Safety Officer **must** consult with DHHS Child Protection or Victoria Police to determine what information can be shared with parents/carers. They may advise:

- **not to contact** the parents/carers (e.g. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and does not wish for their parents/carers to be contacted)
- **to contact** the parents/carers and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion).

### **ACTION 4: PROVIDING ONGOING SUPPORT**

Henderson College will provide support for children impacted by abuse. The College will work with relevant personnel to develop a [Student Support and Safety Plan](#) in consultation with wellbeing professionals. The principal will be responsible for ensuring students are supported during interviews at school conducted by police or DHHS Child Protection as well as supporting any staff member impacted. Refer to [Appendix 6](#) for detailed support guide.

Actions that schools will take, where deemed appropriate, to support students who are impacted by child abuse, including:

- Working Together and Planning Support with teachers and parents
- Engaging Allied Health and Wellbeing Supports
- Referring to Non-School Based Supports
- Providing Developmentally and Culturally Appropriate Support
- Providing Support for Impacted School Staff Members
- Supporting Students in Interviews Conducted at School
- Responding to Subpoenas or Court Attendance
- Responding to Complaints or Concerns.

In the context of student-to-student offending school staff have a Duty of Care to support all students who are impacted by the abuse – this will include the students who were subjected to the abuse, the students who perpetrated the abuse, and any students who witnessed or were otherwise impacted by the abuse.

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## **ACTION 5: DOCUMENT YOUR ACTIONS**

You **must** keep clear and comprehensive notes relating to incidents, disclosures and allegations of child abuse using the [Responding to Suspected Child Abuse: Template](#) | or see [Appendix 5](#).

Your aim should be to provide as much information within the template as possible. These records will be helpful in making a report of the abuse to the relevant authorities.

This information may be sought at a later date if the matter is the subject of court proceedings. These notes may also later assist you if you are required to provide evidence to support their decisions.

Henderson College staff will follow the Four Critical Actions every time we become aware of a further instance or risk of abuse. This includes reporting new information to authorities.

If it is believed that a child is not subject to abuse, but significant concerns remain for the student's wellbeing, the Principal/Child Protection Officer will take further action, including making a referral or seeking advice from Child FIRST (in circumstances where the family are open to receiving support), or to DHHS Child Protection or Victoria Police.

## **PLEASE NOTE FOR ALL STAFF, CONTRACTORS, VOLUNTEERS OR EDUCATION PRACTICUM STUDENTS**

*You must not:*

- *prohibit or discourage the reporting of an allegation of child abuse to a person external to the school;*
- *state or imply that it is the victim's responsibility to inform the police or other authorities of the allegation;*
- *make or require a judgement to be made about the truth of the allegation of child abuse;*
- *prohibit the making of records in relation to an allegation or disclosure of child abuse.*

## **CONTACTS**

### **DHHS CHILD PROTECTION**

#### AREA

- North Division 1300 664 9777
- South Division 1300 655 795
- East Division 1300 360 391
- West Division (Rural) 1800 075 599
- West Division (Metro) 1300 664 9777

#### AFTER HOURS

- After hours, weekends, public holidays 13 12 78

### **CHILD FIRST/ORANGE DOOR**

<https://services.dhhs.vic.gov.au/child-first-and-family-services>

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**VICTORIA POLICE**

**000** or contact your local police station

**COMMISSION FOR CHILDREN AND YOUNG PEOPLE**

1300 782 978

**Mandatory reporting requirements**

Mandatory reporting describes the legal obligation of certain professionals and community members to report incidences of child abuse. These people are called ‘mandated reporters’. If the mandated reporters fail to report they may be fined and/or incarcerated. Section 182 (1) of the Children, Youth and Families Act 2005 (as amended in 2011) lists the following people as mandated to report:

- registered medical practitioner
- a nurse
- a midwife
- a person who is registered as a teacher under the Education and Training Reform Act 2006 or has been granted permission to teach under the Act
- the principal of a Government school or non-Government school within the meaning of the Education and Training Reform Act 2006
- a member of the police force.

**Reasonable Belief**

A mandated reporter does not need to have proof to report any concerns that they have about the safety of a child under 16. Indicators that represent reasonable grounds to report a suspected offence include:

- a child or young person discloses that he or she has suffered or is suffering non accidental physical injury or sexual abuse
- a child or young person exhibits sexually abusive or age-inappropriate behaviour(s)
- someone else advises you that a child or young person has been sexually abused or non-accidentally injured, or
- your own observations of the child or young person’s physical condition or behaviours lead you to reasonably suspect that the child or young person has suffered or is suffering non-accidental physical injury or sexual abuse.

**ABUSE AND NEGLECT TYPES WHICH MUST BE REPORTED**

- physical abuse
- sexual abuse
- emotional abuse
- neglect
- medical neglect
- family violence
- human trafficking (including forced marriage).

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## **Crimes Act 1958 (Vic.)**

### **The responsibility of all adults in Victoria including school students 18 years old or over**

In response to the [Betrayal of Trust](#) report three new criminal offences have been introduced under the Crimes Act 1958 (Vic.):

- failure to disclose offence, which requires adults to report to the Police a reasonable belief that a sexual offence has been committed against a child
- failure to protect offence, which applies to people in positions of authority within organisations, who knew of a risk of child sexual abuse by someone in the organisation and failed to reduce or remove the risk
- grooming offence, which targets communication with a child or their parents with the intent of committing child sexual abuse.

#### **Failure to Disclose**

**Any adult within Henderson College, including staff members and students of the College 18 years old or over, who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 must disclose that information to Victoria Police.**

Failure to disclose the information to the Police is a criminal offence under Section 327 of the *Crimes Act 1958*(Vic.) and applies to **all adults (18 years and over)** in Victoria, not just professionals who work with children.

The obligation is to disclose that information to the Police as soon as it is practicable to do so, except in limited circumstances such as where the information has already been reported to DHHS Child Protection.

**Refer to [Appendix 2](#)** for more information on when to report a concern that a child or a young person has been sexually abused, or is in need of protection from sexual abuse.

For further information about the 'failure to disclose' offence, see [Department of Justice and Regulations – Failure to disclose offence](#) and the [Betrayal of Trust: Fact Sheet](#).

#### **Failure to Protect**

Any Henderson College staff member in a position of authority who becomes aware that an adult associated with their organisation (such as an employee, contractor, volunteer, sport coach, students of Henderson College 18 years old or over or visitor) poses a risk of sexual abuse to a child **under 16** who is in the care or supervision of the organisation, must take all reasonable steps to reduce or remove that risk. Failure to take reasonable steps to protect a child in the organisation from the risk of sexual abuse from an adult associated with the organisation is a criminal offence under Section 49C (2) of the *Crimes Act 1958* (Vic.).

In the Henderson College context, this will include the principal, office staff and the business manager and may also extend to school counsellors, school chaplains and heads of schools.

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For further information about the 'failure to protect' offence, see [Department of Justice and Regulations - Failure to protect offence](#) and the [Betrayal of Trust: Fact Sheet](#).

### **Grooming**

The offence of grooming prohibits predatory conduct designed to prepare or 'groom' a child for future sexual activity and is contained in Section 49B (2) of the *Crimes Act 1958* (Vic.). The offence applies to communication with children **under 16 years**.

Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails. The offence can be committed by any person aged 18 years or over. It does not apply to communication between people who are both under 18 years of age. For further information about the 'grooming offence', see [Department of Justice and Regulation - Grooming offence](#) and the [Betrayal of Trust: Fact Sheet](#).

For more information about managing and responding to the risk of abuse, see [Responding to Student Sexual Assault](#) and [Risk Management](#) in the [Department of Education and Training resources](#).

### **Cultural Awareness of Child Protection Issues**

At Henderson College we believe that the safety of children is dependent on the existence of a child safe culture within our School community. We have developed the following work systems, practices, policies and procedures designed to create a child safe culture including:

- a holistic approach to child protection through this Child Protection Program;
- the appointment of the School's Child Protection Officers;
- establishing key child protection principles in our Child Protection and Safety Policy;
- establishing clear expectations for appropriate behaviour with students through our Child Safety Code of Conduct;
- educating our staff and Direct Contact Volunteers through our Child Protection Training;
- clear procedures for reporting alleged or suspected incidents of child abuse;
- recognition that children from culturally diverse backgrounds have the right to special care and support including Aboriginal and Torres Strait Islander children;
- recognition that children who have any kind of disability have the right to special care and support; and
- clearly defining the roles and responsibilities of personnel involved in protecting children.

### **Students with a Disability**

The School has an obligation to students with a disability to ensure that they are afforded the same level of educational and pastoral care as any other student at

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the School and considers how each policy and procedure the School establishes and implements may affect students with a disability.

Henderson College is committed to ensuring that we fulfil our legal obligations including those related to discrimination and disability standards. The School recognises that students with a disability will not only require additional assistance to participate and engage in School activities in a safe and supportive manner, but also that there are specific child protection risks that arise in relation to students with a disability. This may include for example, stricter screening procedures and training for staff who assist students who require help with personal activities such as toileting or dressing.

As a result, the School has implemented specific risk controls in relation to the safety of students with disabilities. These include:

- specific screening and training for staff/volunteers that will have direct contact with students with a disability;
- written guidelines for staff and volunteers working with students with a disability;
- express, written permission from the parent/carer of a student with a disability where physical contact is required as part of their care; and alternative reporting avenues to suit the needs of students with a disability at the School.
- Students with a disability at the School may also require varied reporting avenues or systems to students without a disability and the School has considered this when creating and implementing its Procedures for Responding to and Reporting Allegations of Child Abuse.

### **Cultural Diversity**

Children from culturally diverse backgrounds are children who identify as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents' identification on a similar basis. They include children of Aboriginal or Torres Strait Islander descent that identify as being Aboriginal or Torres Strait Islander.

Henderson College values and respects the racial and cultural diversity of our students and is committed to ensuring that the backgrounds of all students are sensitively recognised, catered for, celebrated and valued so that racial and cultural differences do not compromise a student's safety and wellbeing.

It is our policy that:

- we identify children from culturally diverse backgrounds when they are enrolled in the School;
- we employ appropriate strategies to ensure the safety of these children as required;
- we encourage participation and empowerment of these children in the development of these strategies;
- we consider these children when developing and implementing policies and procedures related to child protection at the School; and

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- we educate our staff about these cultural differences and the strategies and procedures we have employed.

### **Securing of Records**

Henderson College records any child safety complaints, disclosures or breaches of the Child Safety Code of Conduct, and all documentation pertaining to an investigation is maintained in a secure locked cabinet.

Our school complies with legal obligations that relate to managing the risk of child abuse under the Children, Youth and Families Act 2005 (Vic.), the Crimes Act 1958 (Vic.) and the recommendations of the Betrayal of Trust report.

### **Accessibility of Policy**

This policy is accessible on the school website, the parent portal of SEQTA, Henderson College phone app and will be available on request from the school administration. Each new staff member, contractor, volunteer, education practicum student and other school stakeholder will be made aware of the policy as part of their induction. Comprehensive training will be provided to all staff on an annual basis.

### **Awareness of Policy**

Staff, contractors, volunteers, education practicum students, students and parents will be made aware of the policy by its display on the school website and in the Staff Handbook.

### **Training and Supervision**

Training and education is important to ensure that everyone in the school understands that child safety is everyone's responsibility. Employees and volunteers (in addition to parents/guardians and children) need to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

The school will provide suitable supervision and support to new staff and induction ([Appendix 4](#)) into the school's policies, codes and practices related to protection of children. It will ensure that these policies are available for staff reference, ie on SEQTA, and updated at regular and assigned intervals.

All staff members will be required to sign the Code of Conduct for staff and others working with children when commencing employment at the school. A Staff members' suitability to continue in a child-connected role will be monitored as a compulsory component of staff management in the annual performance review.

All staff and volunteers will be required to complete the Protecting Children Mandatory Reporting and other Obligations training annually.

As a matter of good practice, new employees and volunteers will be supervised by CSO's regularly to ensure they understand the school's commitment to child

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safety, as well as checking that their behaviour towards children is safe and appropriate (refer to [Code of Conduct policy](#)).

The South Australian 'Keeping Safe: Child Protection Curriculum for students' P-10 will be integrated into subjects over the course of the year to ensure students readily understand and are aware of how to communicate and discuss child safety concerns.

Any warning signs should be reported through appropriate channels, including Henderson College internal reporting procedures (such as the Child Safety Officer and leadership), the Department of Health and Human Services (child protection), or police if a child is believed to be at imminent risk.

### **Performance And Development Review**

A proactive performance development strategy will be used to improve employees' and volunteers' skills and knowledge on child safety. Performance will be measured against Henderson College Code of Conduct standards to ensure that employees and volunteers meet expected outcomes on an annual basis during their Appraisal process. A report on the audit of staff suitability for child-connected work will be tabled at the governing authority meeting in November each year. These standards enable everyone to be aware of the expectations and appropriate behaviour required at all times.

[Child Safe Standards Audit](#)

### **Breach of Policy**

Where an employee is suspected of breaching any obligation, duty or responsibility within this Policy, Henderson College will begin documenting and educating staff members of their responsibilities. This may result in disciplinary consequences. Where the principal is suspected of breaching any obligation, duty or responsibility within this policy, the concerned party is advised to contact ASV Education Director. Where any other member of the school community is suspected of breaching any obligation, duty or responsibility within this policy, the school is to take appropriate action, including in accordance with Child Protection – Reporting Obligations and the Henderson College Code of Conduct and/or contact ASV Melbourne.

The roles and responsibilities contained in the Child Safe Policy do not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.

### **Risk Management**

At Henderson College we are committed to proactively and systematically identifying and assessing risks to student safety across our whole school environment, and reducing or eliminating (where possible) all potential sources of harm. We document, implement, monitor and periodically review our risk management strategies for child safety and ensure that the strategies change as needed and as new risks arise.

[Work, Health and Safety Management Plan](#)

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## [Child Safe Risk Assessment](#)

It is the Principal's responsibility to ensure that the set of procedures outlined are adhered to and that a response to allegations of child abuse is strictly monitored.

### **Regular Review**

This policy will be reviewed every two years and following significant incidents if they occur. Where possible we will do our best to seek the input of local aboriginal personnel, culturally and/or linguistically diverse representatives of the schools community.

Refer [Appendix 3](#) for online Training link

Policy Approved by School Council

### **References**

- [Appendix 1: Four Critical Actions for Schools](#)
- [Appendix 2: Reporting Criteria: Failure to Disclose](#)
- [Appendix 3: Mandatory Reporting eLearning Module](#)
- [Appendix 4: Induction Checklist](#)
- [Appendix 5: Responding Template](#)

### **Victorian Government**

- [s.Ministerial Order 870: Child Safe Standard](#)

### **Department of Education and Training**

- [Mandatory Reporting eLearning Module.](#)

### **Related legislation**

- [Children, Youth and Families Act 2005 \(Vic.\)](#)
- [Crimes Act 1958 \(Vic.\)](#)
- [Education and Training Reform Act 2006 \(Vic.\)](#)
- [Victorian Institute of Teaching Act 2001 \(Vic.\)](#)

### **Department of Justice and Regulations**

- [Failure to disclose offence](#)
- [Failure to protect offence](#)
- [Grooming offence.](#)

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## **APPENDIX 6**

### **Responding to Allegations of Child Abuse - Support Plan**

#### Critical Information

- In addition to reporting suspected abuse, as a school staff member you have a critical role in supporting students impacted by abuse and have a Duty of Care to ensure that the students feels safe and supported at school.
- Support can include direct support and referral to wellbeing professionals and community services and should involve the development of a Student Support Plan.
- Principals are responsible for ensuring students are supported during interviews at school conducted by Victoria Police or DHHS Child Protection and you may be required to respond to subpoenas to attend court.
- Support must be provided to any impacted staff members.

Experiences of child abuse can cause trauma and significantly impact on the mental health and wellbeing of children. In addition to reporting and referral into relevant authorities, as a school staff member you play a central role in addressing this trauma and have a Duty of Care to ensure that the students feels safe and supported at school.

This section outlines actions that schools must take, where deemed appropriate, to support students who are impacted by child abuse, including:

- Working Together and Planning Support
- Engaging Allied Health and Wellbeing Supports
- Referring to Non-School Based Supports
- Providing Developmentally and Culturally Appropriate Support
- Providing Support for Impacted School Staff Members
- Supporting Students in Interviews Conducted at School
- Responding to Subpoenas or Court Attendance
- Responding to Complaints or Concerns.

In the context of student-to-student offending school staff have a Duty of Care to support all students who are impacted by the abuse – this will include the students who were subjected to the abuse, the students who perpetrated the abuse, and any students who witnessed or were otherwise impacted by the abuse.

#### **Working Together and Planning Support**

Providing holistic support to address the trauma and wellbeing issues associated with child abuse is best achieved through careful planning and working in partnership with wellbeing professionals, parents/carers and educators.

If a student is impacted by suspected abuse, and it is deemed appropriate, school staff must:

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- establish regular communication between staff and the child's parent/guardian/carer (if this is appropriate) to discuss a child's progress wellbeing and the effectiveness of planned strategies
- convene a Student Support Group to plan on-going monitoring, support, and follow-up of the child's health and wellbeing (Student Support Groups usually comprise school wellbeing staff, teachers, allied health professionals and where appropriate the student and/or their parent/carer)
- Implement a [Student Support and Safety Plan](#), which documents the planned support strategies and includes timeframes for review (where possible, these support strategies should be informed by allied health and wellbeing professional with expertise in addressing child abuse and trauma).

### **Engaging Allied Health and Wellbeing Professionals**

Where appropriate school staff should engage allied health and wellbeing supports and services to meet the wellbeing needs of the child impacted by abuse, including:

- wellbeing staff members
- allied health and wellbeing professionals engaged by the student and families.

Allied health and wellbeing professionals can provide:

- intensive support to children and their families
- critical input into Student Support Plans
- advice to school staff members on how to appropriately support the student.

**Each Seventh-day Adventist School** must contact the Head Office and also refer to the support services that may be locally available.

The Head Office may provide further support by contacting **ADSAFE** on:

- Phone: +61 2 9847 3488
- Fax +61 2 9847 3499
- Post – ADSAFE Ltd, PO Box 966, Wahroonga NSW 2076

### **Referring to External Supports**

School staff can also refer to the wide range of non-school based support services, which specialise in providing tailored support and advice for children impacted by abuse.

For example the Centres Against Sexual Assault (CASA) provide expert support for victims of sexual assault and HeadSpace can provide tailored support for children whose mental health is impacted by exposure to abuse.

For details on where to go for further support, see: [Counselling/Support Organisations](#)

**All schools** can contact their local government for advice on available local services.

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## **Providing Developmentally and Culturally Appropriate Support**

Whilst a child's background should not impact on a decision to report suspected abuse, school staff need to be sensitive to a child's individual circumstances when providing support and working with families impacted by abuse.

Seventh-day Adventist Schools Victoria will, "take account of the diversity of all children", including (but not limited to) the needs of:

### **Children with disabilities**

When supporting a child with a disability who has been impacted by child abuse it is critical to consider the child's:

- chronological age, developmental age and their cognitive functioning in order to tailor developmentally appropriate support strategies
- vulnerability to ongoing abuse (children with disabilities disproportionately fall prey to child abuse, in particular child sexual abuse) when considering the need to make a further report and/or implement risk mitigation strategies.

### **Aboriginal and Torres Strait Islander Children**

When supporting an Aboriginal or Torres Strait Islander child who has been impacted by child abuse it is essential that school staff provide culturally appropriate support. This will include liaising with Aboriginal and Torres Strait Islander support services who can arrange appropriate support for the child and advise on culturally appropriate support strategies.

### **Children from Culturally and Linguistically Diverse (CALD) backgrounds**

When supporting a child from CALD backgrounds who has been impacted by child abuse it is essential that schools provide culturally appropriate support. However this should not detract from ensuring the child's safety and wellbeing.

Where possible schools should work with relevant cultural support services (ensuring that the confidentiality of the student and family is maintained) and engage an interpreter when communicating with the student's family if needed.

### **Students with refugee backgrounds**

When working with children from refugee backgrounds who have been impacted by child abuse it is important to recognise that they (and their families) may also be experiencing trauma, dislocation and loss. This trauma may significantly affect family wellbeing and parenting capacity and whilst these issues also require sensitive consideration, they should not detract from ensuring the child's safety and wellbeing (or impact on decisions to report suspected abuse).

School staff should consider contacting services that specialise in providing support to refugees (ensuring that the confidentiality of the child and their family is maintained).

Schools should also engage an interpreter when communicating with the student's family if needed.

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### International students

Principals must ensure appropriate measures are taken for the welfare of international students. This may require additional support given that the child’s family may not be present to provide support within the home environment.

For details on who must be contacted in the event that an international student is involved in suspected abuse, see: [Reporting if the incident, suspicion or disclosure relates to an international student](#)

### Providing support for other impacted children

It can be stressful for other children involved in any incidents, disclosures or suspicions of child abuse. Principals must ensure that other impacted children are offered and provided appropriate support.

### Providing Support for Impacted School Staff Members

It can also be stressful for staff involved in any incidents, disclosures or suspicions of child abuse. Principals must support impacted staff members to access necessary support.

School staff requiring wellbeing support can contact Head Office Seventh-day Adventist Schools Victoria and/or ADSAFE on

Head Office, Seventh-day Adventist Schools Victoria

- Phone: +61 3 9264 7730

ADSAFE

- Phone: +61 2 9847 3488
- Fax +61 2 9847 3499
- Post – ADSAFE Ltd, PO Box 966, Wahroonga NSW 2076

### Supporting Children who are Interviewed at School

All children (including children who are alleged to have perpetrated abuse) must be independently supported in any interviews conducted by Victoria Police or DHHS Child Protection at school.

Where possible and appropriate the child’s parent/carer should be present for these interviews. However if this is not appropriate or practicable the Principal (or delegate) may be identified as the independent person or support person for the child for the purpose of the interview.

### Police interviews

In the event that Victoria Police schedule an interview with a child at the school, the Principal (or delegate) must advise the child’s parent/carer (where advised to be appropriate) as well as:

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- Head Office Seventh-day Adventist Schools Victoria on +61 3 92647730

### **Police interviews at school where the child is the alleged victim or witness**

The information below includes critical detail on when and how police interviews are conducted at school and what role the Principal (or delegate) should play if they are nominated as the support person.

- Police should only interview children at school as a matter of urgency or necessity.
- A request must be made to the Principal (or delegate) who must be advised of the reason for the interview.
- The child's parent/carer should be present where it is practical and appropriate to make these arrangements. If the parent/carer is not able to be present, an independent person must be present during the interview (the role of the independent person is to ensure the child understands what is happening and to provide support).
- Principals (or delegate) may if necessary, act as an independent person where the child is a victim, unless they believe it will place them in a conflict of interest to do so.
- As an independent person, school staff must refrain from providing their opinions or accounts for events during interviews.

### **Police interviews at school where a student has allegedly abused another child**

- If the police need to speak with a student who has allegedly abused another child this should preferably be done in the presence of the parent/carer, or another independent person that is not a school staff member.

### **DHHS Child Protection interviews at school**

DHHS Child Protection may conduct interviews of children at Victorian schools without parental knowledge or consent of the parent/carer (although this will only occur in exceptional circumstances and if it is in the child's best interests to proceed in this manner).

The information below includes critical detail on when and how DHHS Child Protection interviews are conducted at school and what role the Principal (or delegate) should play if they are nominated as the support person.

- DHHS Child Protection will notify the school staff of any intention to interview a child at the school. This may occur regardless of whether the school staff member is the source of the report to DHHS Child Protection.
- When DHHS Child Protection practitioners arrive at the school, the school Principal (or delegate) should ask to see their identification before allowing DHHS Child Protection to have access to the child. See Visitors in School Policy.
- Children should be advised of their right to have a supportive adult present during interviews. If the child is too young to understand the significance, a supportive adult should be provided even though they may not have consented or requested this to occur.

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- A staff member may be identified as a support person for the child during the interview.
- Prior to the commencement of the interview, the DHHS Child Protection practitioner should always authorise the staff member of the school to receive information regarding DHHS Child Protection's investigation. This could be conducted verbally or in writing using the relevant DHHS Child Protection proforma.
- As an independent person, school staff must refrain from providing their opinions or accounts for events during interviews.

### **Complying with Subpoenas or Court Attendance**

- A subpoena / witness summons is a Court Order that compels you to produce documents, or attend Court and give evidence, or to do both of these things.
- You are usually issued with a subpoena / witness summons because one of the parties to the legal proceedings believes that you may have information / documentation that is relevant to the legal proceeding.
- If an SDA Schools Victoria staff member receives a subpoena / witness summons in the context of their employment please contact **Head Office Seventh-day Adventist Schools Victoria on +61 3 92647730**

### **Responding to Complaints or Concerns**

There may be concerns or complaints about the school staff's management of an incident, in particular by parents/carers. This is a very stressful time for parents/carers, and concerns that they do not believe have been dealt with fairly may quickly escalate.

As a first step school staff must consider whether the complaint raises any concerns about unreported abuse and/or risk of abuse. You must follow the Four Critical Actions: Responding to Incidents, Disclosures or Suspicions of Child Abuse if **any** new information comes to light which leads you to believe that a child may be subject to, or at risk of any unreported abuse.

If you have questions, concerns or complaints about the process followed, please contact **Head Office Seventh-day Adventist Schools Victoria on +61 3 9264 7730.**

### **Related Documents**

- [Child Safe Risk Management Policy](#)
- [Child Safety Officer](#)

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