



Kew High School Action Plan

Kew High School Child Safe and Mandatory Reporting Action Plan

Related Policy: Student Engagement and Wellbeing Policy

1. AIMS & OUTLINE

Kew High School is committed to the safety and wellbeing of all children and young people. This is the primary focus of our care and decision-making in all areas. Kew High School has zero tolerance for child abuse and is committed to providing a child safe environment where children and young people are safe and feel safe, and their voices are heard about decisions that affect their lives. We want our children to be safe, happy and empowered. We respect all staff as well as volunteers. We are committed to the safety of children with a disability, Aboriginal and Torres Strait Islander children and children from culturally and linguistically diverse backgrounds.

This action and implementation plan applies to all staff, volunteers and contractors whether or not they work in direct contact with children or young people across a range of school forums (e.g. camps, online) and outside of school hours.

Every person involved in Kew High School has a responsibility to understand the important and specific role they play individually and collectively to ensure that the wellbeing and safety of all children and young people is at the forefront of all they do and every decision they make. We have legal and moral obligations to contact authorities when we are worried about child safety.

This action plan outlines the processes that Kew High School will follow to ensure staff fulfil their obligations in regard to Child Safety, Child Protection, and Mandatory Reporting as well as their reporting obligations.

Kew High School takes our legal responsibilities seriously including:

Failure to disclose: Reporting child sexual abuse is a community wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.

Failure to protect: People of authority in our organisation will commit an offence if they know of a substantial risk of child abuse and have the power or responsibility to reduce or remove the risk but negligently fail to do so

This action plan includes the following components:

- **Definitions**
- **Child Safety**
- **Training and supervision**
- **Recruitment**
- **Fair procedures for personnel**
- **Privacy**
- **Risk Management**
- **Mandatory Reporting Obligations and Facilitation Procedures**
- **Reportable Conduct**

2. DEFINITIONS

Ministerial Order 870 provides definitions, including:

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Child abuse

Child abuse includes:

- any act committed against a child involving:
- a sexual offence, or
- an offence under section 49B(2) of the Crimes Act 1958 (grooming)
- the infliction, on a child, of:
 - physical violence
 - serious emotional or psychological harm
 - serious neglect of a child.

Child-connected work

Child-connected work means work authorised by the school governing authority and performed by an adult in a school environment while children are present or reasonably expected to be present.

Child safety

Child safety encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.

School environment

School environment means any physical or virtual place made available or authorised by the school governing authority for use by a child during or outside school hours, including:

- a campus of the school
- online school environments (including email and intranet systems)
- other locations provided by the school for a child's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions, and other events).

School staff

School staff being: an individual working in a school environment who is:

- directly engaged or employed by a school governing authority
- a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary)

3. IMPLEMENTATION PLAN

3.1. Child Safety

3.1.1. Kew High School will follow all DET guidelines on child safety which includes:

- 3.1.1.1. promoting the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander children
- 3.1.1.2. promoting the cultural safety, participation and empowerment of children from linguistically or culturally diverse backgrounds
- 3.1.1.3. ensuring children with a disability are safe and can participate equally

3.1.2. All our staff and volunteers must agree to abide by our code of conduct which specifies the standards of conduct required when working with children.

3.1.3. In its planning, decision-making and operations Kew High School will



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- 3.1.3.1. Take a preventative, proactive and participatory approach to child safety
- 3.1.3.2. Value and empower children to participate in decisions which affect their lives through a number of channels including the Student Representative Council and other student leadership roles throughout the school
- 3.1.3.3. Foster a culture of openness that supports all persons to safely disclose risks of harm to children
- 3.1.3.4. Respect diversity in cultures and child rearing practices while keeping child safety paramount
- 3.1.4. A written guidance on appropriate conduct and behaviour towards children will be given via staff handbooks and other documentation produced and disseminated to staff.
- 3.1.5. The school will only engage the most suitable people to work with children and have high quality staff and volunteer supervision and professional development
- 3.1.6. The school will ensure that students know who to talk with if they are worried or are feeling unsafe, and that they are comfortable and encouraged to raise such issues. This will be done via information in student handbooks and at student assemblies.
- 3.1.7. All suspected abuse, neglect or mistreatment will be reported promptly to the appropriate authorities. Further information on processes for reporting are contained in staff handbooks.
- 3.1.8. Information must be appropriately and lawfully shared with other organisations such as the Victoria Police and Department of Health and Human Services where the safety and wellbeing of children is at risk
- 3.1.9. The school will value the input of and communicate regularly with families and carers.

3.2. Training And Supervision

- 3.2.1. In order for all staff and volunteers to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns information will be contained in all staff and volunteer handbooks that outline the reporting procedures.
- 3.2.2. The school will train staff and volunteers to identify, assess and minimise risks of child abuse and detect potential signs of child abuse
- 3.2.3. We support our staff and volunteers to develop skills to protect children from child abuse, and promote the cultural safety of aboriginal children, the safety of those from culturally and linguistically diverse backgrounds and those with a disability.
- 3.2.4. New employees and volunteers will be supervised to ensure they understand Kew High School's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking their behaviour towards children is safe and appropriate

3.3. Recruitment

- 3.3.1. The school will take all reasonable steps to employ skilled people to work with children.



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3.3.2. Selection criteria and advertisements will be developed which clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities.

3.3.3. Kew HS understands that when recruiting staff and volunteers we have ethical as well as legislative obligations

3.3.4. The school will actively encourage applications from Aboriginal people, people from culturally and/or linguistically diverse backgrounds and people with a disability.

3.3.5. All people engaged in child related activities, including volunteers are required to hold a Working with Children Check and to provide evidence of that check.

3.3.6. The Working with Children's Check will be maintained by the student records officer and managed by the Assistant Principal

3.3.7. The school will carry out reference checks and police record checks to ensure we are recruiting the right people. If during a recruitment process a person's records indicate a criminal history then the person will be given the opportunity to provide further information

3.4. Fair Procedures For Personnel

3.4.1. The safety and wellbeing of children is our primary concern. We are fair and just to personnel.

3.4.2. All decisions we make when recruiting, assessing incidents and undertaking disciplinary action will always be thorough, transparent and based on evidence.

3.4.3. Records of all allegations of abuse and safety concerns will be kept and stored.

3.4.4. If an allegation of abuse or a safety concern is raised we provide updates to children and families on progress and any actions we as an organisation take.

3.5. Privacy

3.5.1. All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, parents or children unless there is a risk to someone's safety. We have safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it and to have access to it.

3.6. Risk Management

3.6.1. Along with general occupational health and safety risks, the school will proactively manage risks of abuse to our children

3.6.2. Risk management strategies are in place to identify, assess and take steps to minimise child abuse risks, which include risks posed by physical environments and online environments

3.7. Allegations, Concerns And Complaints

3.7.1. All allegations of abuse or neglect will be taken seriously. Our staff are trained to deal appropriately with allegations.

3.7.2. All staff have a responsibility to report allegations of abuse if they have a reasonable belief that an incident took place.



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3.7.3.If an adult has a reasonable belief that an incident has occurred then they must report the incident. Factors contributing to a reasonable belief may be:

- a child states that they or someone they know has been abused
- behaviour consistent with that of an abuse victim is observed
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour

3.7.4.Reporting processes are outlined in the staff handbook and are updated on a yearly basis to allow for changes in personnel.

3.7.5.The school will work to ensure all children, families, staff and volunteers know what to do and who to tell if they observe abuse or are a victim and if they notice inappropriate behaviour.

3.8. Mandatory reporting obligations and facilitation procedures.

3.8.1.Any personnel who are mandatory reporters must comply with their duties.

3.8.2.Principals, teachers and staff registered to teach under the Education and Training Reform Act 2006 are mandated to make a report to the Department of Human Services, Child Protection if they form a belief on reasonable grounds that a child or young person is in need of protection from significant harm as a result of sexual abuse or physical injury.

3.8.3.Registered psychologists and school counsellors are also mandated to report.

3.8.4.Mandated staff must undertake annual professional learning by completing Department of Education and Training's online eLearning module each year. DET will send an email to mandated staff each year outlining how to access the module.

3.8.5.Staff will be reminded each year of their obligations through a briefing at a staff meeting and via email.

3.8.6.New graduate teachers will be briefed about mandatory reporting and given the opportunity to complete their first module in a forum for that purpose.

3.8.7.All other staff will be provided with access information to complete the annual eLearning module. Access to the Department's online mandatory reporting eLearning module is available at: <http://elearn.com.au/det/protectingchildren/>. The username is 'DET' and password is employee (all in lower case).

3.8.8.Mandatory Reporting procedures will be overseen by the Student Wellbeing Coordinator.

3.8.9.A list of mandatory reporting eLearning staff completions will be requested from Christine Pinto, Student Inclusion and Engagement Division, on (03) 9637 2481 or email: pinto.christine.t@edumail.vic.gov.au

3.8.10. A copy of the DET Flowchart: A step-by-step guide to making a report to Child Protection or Child FIRST within Child Protection Protocol will be provided to all staff rooms and sub-school, Assistant Principal, Student Wellbeing and Chaplaincy offices. There will also be a copy in the staff handbook.

3.8.11. As per the information in the staff handbook and the resource listed above, all mandatory reporters must make a report to the Department of Health and Human Services (DHHS) Child



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Protection as soon as practicable if, during the course of carrying out their professional roles and responsibilities, they form a belief on reasonable grounds that:

- a child has suffered, or is likely to suffer, significant harm as a result of physical abuse and/ or sexual abuse, and
- the child's parents have not protected, or are unlikely to protect, the child from harm of that type.

3.8.12. A mandatory reporter who fails to comply with this legal obligation may be committing a criminal offence. During yearly briefings all staff at Kew High School will be made aware that they are legally obliged to make a mandatory report on each occasion that they form a reasonable belief that a child is in need of protection and they must make a mandatory report even if the principal does not share their belief that a report is necessary.

3.8.13. Any person can make a report to DHHS Child Protection (131 278 – 24 hour service) if they believe on reasonable grounds that a child is in need of protection.

3.9. Reportable Conduct

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

3.9.2. There is an allegation of reportable conduct where a person has formed a reasonable belief that there has been:

- a sexual offence (even prior to criminal proceedings commencing), sexual misconduct or physical violence committed against, with or in the presence of a child;
- behaviour causing significant emotional or physical harm to a child;
- significant neglect of a child; or
- misconduct involving any of the above.

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

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

3.9.5. If school staff become aware of reportable conduct by any person in the above positions, they should notify the school principal immediately. If the allegation relates to the principal, they should notify the Regional Director.

3.9.6. For more information about Reportable Conduct see the Department's School Policy and Advisory Guide: Reportable Conduct Scheme.

3.10. Failure to disclose offence

3.10.1. All adults (i.e. persons aged 18 years and over) have a legal obligation to report to Victoria Police, as soon as practicable, where they form a 'reasonable belief' that a sexual offence has



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been committed by an adult against a child under the age of 16 by another person aged 18 years or over.

3.10.2. Failure to disclose information to Victoria Police (by calling 000 or local police station) as soon as practicable may amount to a criminal offence unless a person has a 'reasonable excuse' or exemption from doing so.

3.10.3. 'Reasonable belief' is not the same as having proof. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. A 'reasonable belief' might be formed when:

- a child states that they have been sexually abused
- a child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves)
- someone who knows a child states that the child has been sexually abused
- professional observations of the child's behaviour or development leads a mandated professional to form a belief that the child has been sexually abused
- signs of sexual abuse leads to a belief that the child has been sexually abused.

3.10.4. 'Reasonable excuse' is defined by law and includes:

- fear for the safety of any person including yourself or the potential victim (but not including the alleged perpetrator or an organisation)
- where the information has already been disclosed, for example, through a mandatory report to DHHS Child Protection.

3.11. **Failure to Protect Offence**

3.11.1. Any staff member in a position of authority who becomes aware that an adult associated with their school (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the age of 16 under their care, authority or supervision, must take all reasonable steps to remove or reduce that risk.

3.11.2. This may include removing the adult (i.e. persons aged 18 years and over) from working with children pending an investigation and reporting your concerns to Victoria Police.

3.11.3. If a school staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence.

3.12. **Grooming**

3.12.1. Grooming is a criminal offence under the Crimes Act 1958 (Vic). This offence targets predatory conduct undertaken by an adult to prepare a child, under the age of 16, to engage in sexual activity at a later time.

3.12.2. Grooming can include communicating and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer.

4. RESPONSIBILITIES

4.1. The Student Wellbeing Coordinator is responsible for:

*Author of action plan: Pamela Dunstall
Date for review: March 2020*



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- 4.1.1. the oversight of this action plan in consultation with the Principal and Assistant Principals.
- 4.1.2. Managing the Mandatory Reporting procedures within the school.

4.2. Teachers within the school will be responsible for:

- 4.2.1. Notifying a member of the Student Wellbeing Team, Assistant Principal or Principal if they have concerns for the safety and wellbeing of any child or young person within the school.
- 4.2.2. Ensuring they complete the eLearning module for mandatory reporting
- 4.2.3. Ensuring they fully understand mandatory reporting and know how to make a report
- 4.2.4. Consulting with the SWC or Principal class staff if they need support or assistance

5. RESOURCES REQUIRED

- 5.1.1. Time for Student Wellbeing team to meet
- 5.1.2. Resourcing requirements include the link to the Mandatory reporting eLearning module
- 5.1.3. Provision of forum time for new graduate teachers.
- 5.1.4. Copies of the DET flowchart as outlined above.

6. EVALUATION AND REVIEW

This action and implementation plan will be reviewed at the conclusion of the year in line Annual Implementation Plan and Strategic Plan.

7. REFERENCES AND APPENDICES

- Mandatory Reporting eLearning module <http://elearn.com.au/det/protectingchildren/>
- Step By Step Guide to making a report to Child Protection or Child FIRST
<http://www.education.vic.gov.au/childhood/providers/regulation/Pages/protectionprotocol.aspx>
- Child protection and Child Safe Standards
<https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/default.aspx>
- Victorian Government Gazette – Child Safe Standards
<http://www.gazette.vic.gov.au/gazette/Gazettes2016/GG2016S002.pdf>

Child Protection – Reporting obligations
<https://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotectobligation.aspx>
- Reportable Conduct Scheme
<https://www.education.vic.gov.au/school/principals/spag/safety/Pages/reportableconductscheme.aspx>