



WILD
CHERRY
SCHOOL

For Waldorf/Steiner Education

CHILD SAFE REPORTING POLICY

Wild Cherry School and Kindergarten (hereafter referred to as the 'School') has zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently through our policies and procedures.

We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.

We take 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 school will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- Any personnel who are **mandatory reporters** must comply with their duties.

Our school has practices in place to investigate all allegations thoroughly and quickly. Our staff and volunteers are trained to deal appropriately with allegations.

We 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.

Wild Cherry School recognises that without training and education of staff, Board of Governors members and volunteers, our policies and procedures will not operate to effectively keep our students safe and protect them from abuse.

Wild Cherry staff, Board of Governors members and volunteers, receive child protection training when they first commence their role at the School and are required to complete ongoing training on child protection issues at least annually by undertaking the Department of Education and Training's online 'Protecting Children and other obligations' training module. The Child Safe Officer, and other selected staff, undertake additional training as considered appropriate to their roles.

AUTHORISATION

Signature Board Secretary
East Gippsland Steiner Education Group Inc.
Date authorised: 27 November 2018

Procedures

Reporting obligations of all staff and volunteers

Under the Crimes Act 1958 (Vic) (s 327), anyone aged 18 years or over must make a report to the Police if they form a reasonable belief that a sexual offence has been committed against a child under the age of 16 years, by a person aged 18 years or over. Failure to make a report without reasonable excuse is an offence and carries a prison term.

If a report is made to the Department of Health and Human Services (DHHS) in accordance with mandatory reporting requirements (see below), an additional report to the Police will not usually be required unless further information is obtained.

The Crimes Act sets out what constitutes a sexual offence. This includes:

- rape
- indecent assault
- incest
- sexual penetration; and
- grooming a child for sexual conduct

A sexual offence includes an attempted sexual offence.

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 the child states that the child has been sexually abused; and
- signs of sexual abuse leads to a belief that the child has been sexually abused

Mandatory Reporting obligations for teachers and School Leader

The Children, Youth and Families Act 2005 (Vic) (CYFA) requires that mandatory reporters must make a report to the Department of Health and Human Services (DHHS) Child Protection when they believe that a child (aged under 17) is in need of protection from significant harm from physical injury or sexual abuse.

If a report is made by mandatory reporters in accordance with CYFA mandatory reporting obligations, an additional report to the Police under s 327 Crimes Act may not be required unless they have further information.

Staff, Board of Governors members, and volunteers who are not mandatory reporters still have the option of making a report to DHHS under the CYFA if they believe on reasonable grounds that a child is in need of protection. The CYFA states that any person who believes on reasonable grounds that a child is at risk of harm should report their concerns to DHHS Child Protection. The School Leader or Child Safe Officer can support staff to make a report.

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

- physical injury
- sexual abuse; or
- persistent neglect

and the child's parents have not protected, or are unlikely to protect, the child from harm of that type.

The concept of 'reasonable grounds' requires you to consider whether another person, when faced with similar information, would also draw the same conclusion. It does not mean reporters are required to be certain, but rather reporters should ensure their concerns are well founded and based on information from a reliable source. There may be reasonable grounds for forming such a belief if:

- the grounds for 'reasonable belief' stated above apply;
- the staff member is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on a child's safety, stability or development;
- the staff member observes signs of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision.

A report becomes mandatory as soon as is practicable after forming the belief. A report must include details of the belief, and the reasonable grounds of that belief.

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

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

All School staff, Board of Governors members and volunteers, who have concerns that a student may be in need of protection or may have been the victim of a sexual offence, are also encouraged to notify the School Leader. If the abuse concern relates to the School Leader, the matter should be referred to the chairperson of the Board of Governors. The Child Safe Officer and School Leader have the responsibility to report to the Board each month.

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

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

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

Responding to Disclosures of Child Abuse/Assault

We are committed to ensuring that child abuse reporting procedures are age appropriate, simple, and accessible for all children including children from culturally diverse backgrounds and children with a disability.

All staff members must be aware of the immediate needs of children making disclosures and respond accordingly.

Guidelines

When responding to a disclosure, staff members are advised to:

- reassure the child that telling was the right thing to do;
- allow the child to tell the story in their own words;
- use protective interrupting if their disclosure is in an inappropriate situation;
- find a quiet place to talk;
- let the child know what will happen next;
- assess the child's immediate safety; and
- complete documentation as soon as possible.

Staff members are advised to not:

- dismiss or ignore the disclosure;
- put words in the child's mouth, push for details or conduct an investigation as this could jeopardise the interviewing process of Child Protection and Victoria Police;
- make the child repeat the disclosure to a third party;
- stop the child from talking once there are reasonable grounds for forming a belief that abuse occurred;
- promise not to tell when there are clear limits on confidentiality;
- confront the person believed to be the abuser; or
- engage in general staffroom discussion about the disclosure.

Protective interrupting is a strategy to prevent students disclosing in front of other students and providing them with the opportunity to disclose in a safe and confidential manner using the following steps:

- acknowledge that the child has been heard and stop further disclosure;
- be supportive and gently indicate that they can talk in a more private situation;
- quietly arrange to see them as soon as possible; and
- listen attentively in a private location within the school.

Staff members should be aware that a disclosure can arouse personal feelings of shock, anger and helplessness. It is important to conceal these feelings; they can be worked through after the disclosure. Staff members should contact the Child Safe Officer/School Leader for information regarding counselling or support.

Supporting Children Affected by Abuse

The Child Safe Officer/School Leader must take steps to support child/ren affected by abuse, including children who may be alleged perpetrators.

When a case has been reported to Child Protection, the Child Safe Officer must develop a support plan that includes details of actions planned and agreed responsibilities of all relevant staff and document this.

Informing Parents When a Child Abuse Report Has Been Made

Parents must not be informed of reports made to Child Protection or Victoria Police unless the agencies have instructed the School Leader to do so.

When Child Protection or Victoria Police have directed the School Leader to inform parents the School Leader must:

- conduct the interview in private and document the discussion;
- tell the parents why the interview is taking place;
- inform parents the interview is confidential;
- be direct, honest and professional;
- advise of reports that have been made to other agencies;
- explain the action to be taken by the school if an allegation has been made against a staff member; and
- inform the parents of the support available to them and their child.

The School Leader **must not**:

- disclose the identity or personal information relating to the person alleged to have committed the abuse;
- disclose the identity of the person who made the report;
- offer personal opinions;
- question the family about matters that are unrelated to the situation; or
- place blame on the parties involved.

Confidentiality

Anyone who has access to information regarding a case of suspected child abuse must keep such information confidential and secure and must only disclose or discuss this information with those involved in managing the situation.

Staff must not provide undertakings that are inconsistent with their reporting obligations in the School's Child Safe Program. In particular, you must not promise a student that you will not tell anyone about the student's disclosure.

Students and any other parties who become involved in the investigation (this may include other students) should be informed of the reporting process and be required to maintain confidentiality.

Inappropriate disclosure will be subject to disciplinary action.

Documentation

Where a staff member, Board of Governors member or volunteer forms the belief on reasonable grounds that a student is in need of protection, written and dated notes of their observations and concerns should be recorded to assist in a referral/report of child abuse.

All verbal and written communications regarding child protection matters (including notes of observations, student disclosures, meetings and telephone calls) must be properly documented. The documented records should include dates and times and enough detail to record key conversations, especially those relating to the student's disclosure.

The records of child protection must be stored securely separate to student files.