



St Kilda Primary School

Child Safety Responding and Reporting Policy and Procedures

PURPOSE

The purpose of this policy is to ensure that all staff and members of our school community understand the various legal and other reporting obligations related to child safety that apply to St Kilda Primary School. The specific procedures that are applicable at our school are contained at Appendix A.

SCOPE

This policy applies to all school staff, volunteers and school community members. It also applies to all staff and students engaged in any school and school council-run events, activities and services, such as Before and After School Care.

POLICY

All children and young people have the right to protection in their best interests.

St Kilda Primary School understands the important role our school plays in protecting children from abuse including:

- Physical abuse
- Sexual abuse (including sexual exploitation)
- Family violence
- Emotional abuse
- Neglect (including medical neglect)
- Grooming

The staff at St Kilda Primary School are required by law to comply with various child safety reporting obligations. For detailed information about each obligation, please refer to [Identifying and Responding to All Forms of Abuse in Victorian Schools](#).

At St Kilda Primary School we also recognise the diversity of the children and young people at our school and take account of their individual needs and backgrounds when considering child safety.

Mandatory Reporting

Principals, registered teachers, registered medical practitioners, nurses and all members of the police force are mandatory reporters under the *Children, Youth and Families Act 2005* (Vic).

All mandatory reporters must make a report to the Department of Health and Human Services (DHHS) Child 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.

A mandatory reporter who fails to comply with this legal obligation may be committing a criminal offence. It is important for all staff at St Kilda Primary School to be 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.

At our school, all mandated school staff must undertake the *Mandatory Reporting and Other Obligations eLearning Module* annually. We encourage all other staff to complete the training.

For more information about Mandatory Reporting see the Department's *School Policy and Advisory Guide*: [Child Protection – Reporting Obligations](#).

Child in need of protection

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.

The policy of the Department of Education and Training (DET) requires **all staff** who form a reasonable belief that a child is in need of protection to report their concerns to DHHS or Victoria Police, and discuss their concerns with the school leadership team.

For more information about making a report to DHHS Child Protection, see the Department's *School Policy and Advisory Guide*: [Child Protection – Making a Report and Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#).

At St Kilda Primary School we also encourage all staff to make a referral to Child FIRST when they have significant concern for a child's wellbeing. For more information about making a referral to Child FIRST see the School Policy and Advisory Guide: Child Protection – Reporting Obligations.

Reportable Conduct

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

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.

The Department, 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.

Our principal must 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.

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.

For more information about Reportable Conduct see the Department's *School Policy and Advisory Guide*: [Reportable Conduct Scheme](#).

Failure to disclose offence

Reporting child sexual abuse is a community-wide responsibility. All adults (ie persons aged 18 years and over), not just professionals who work with children, have a legal obligation to report to Victoria Police, as soon as practicable, where they form a 'reasonable belief' that a sexual offence has been committed by an adult against a child under the age of 16 by another person aged 18 years or over.

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.

"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.

For example, 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.

"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.

For more information about this reporting obligation, see the Department's *School Policy and Advisory Guide*: [Failure to disclose offence](#).

Failure to protect offence

This reporting obligation applies to school staff in a position of authority. This can include principals, assistant principals and campus principals. 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.

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

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.

For more information about this reporting obligation, see the Department's *School Policy and Advisory Guide*: [Failure to protect offence](#).

Grooming

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

For more information about this offence and reporting obligations see: [Child Exploitation and Grooming](#).

RELATED POLICIES AND FURTHER INFORMATION

Statement of Commitment to Child Safety and Code of Conduct

REVIEW CYCLE

This policy was last updated on March 2019 and is scheduled for review on March 2022



St Kilda Primary School

Child Safety Responding and Reporting Local Procedures Appendix

1. The Principal is nominated as the Child Safety Leader and the Welfare Team supports all members of our community in understanding their role and responsibility as individuals, and as a collective, to ensure that the wellbeing of the children is at the forefront of all they do and every decision they make.
2. St Kilda Primary School (SKPS) maintains a Child Safe Standards page on the school's website containing all the relevant information for parents/guardians/carers. This page is reviewed each year.
3. SKPS has a Code of Conduct and a Commitment to Child Safety that are available from the Office and are on the school website's Child Safety page.
4. SKPS follows the Department of Education & Training (DE&T) staff employment guidelines. If you would like more details please contact Sue Higgins.
5. All relevant policies are available on the school website for our community and on the Staff Drive for all staff.
6. Casual relief staff are given a booklet containing all relevant information relating to Child Safe Standards and related policies.
7. The Welfare Team manage the wellbeing of all students. The team is responsible for supporting all staff in responding to the observed needs of children on a daily basis in the school.
8. All teaching staff complete mandatory reporting training at the beginning of each year or within 4 weeks of starting at SKPS. Copies of certificates and the date that training was completed are stored electronically.
9. Education Support Staff are encouraged to complete the training.
10. SKPS manage children with complex health needs including anaphylaxis, asthma, Rett Syndrome, Prader Willi Syndrome and CHARGE Syndrome according to the DE&T guidelines. Please refer to our school policies.
11. As part of the Quality Beginning Program, held at the beginning of Term 1 each year, teachers share the poster 'Feeling Safe for Primary School Students' in an age appropriate manner and then the posters are displayed prominently in the classroom for the year.
12. The 'Feeling Safe for Primary School Students' posters are also displayed in areas such as the staff room, sick bay and admin area.
13. The Cybersafety program forms part of the Quality Beginning Program to support safe and responsible use of technology. This includes a school-based education program (P-4) and we engage an external provider for the program in Years 5 and 6. All children and their parents/carers must discuss and sign the Acceptable Use of Digital Technologies Agreement at the beginning of each year prior to children accessing any form of technology.
14. Staff attend a Cybersafety Information Session (as part of the staff meeting) and parents are offered the opportunity to attend an Information Session annually.
15. As part of the Bring Your Own Device Program, the school holds a parent information session identifying the expectations the school has around the use of the devices.
16. Teachers at SKPS consider the wellbeing and dispositions of the children in their year level as they plan the learning throughout the year.
17. Teachers create learning experiences for the children to build emotional resilience in our students to manage themselves in challenging situations.
18. The SKPS Student Leadership programs (Seito Kai and Student Representative Council) provide students with the opportunity to have voice and agency in taking direct action to improve our school community.
19. The SKPS Parent Information Book is reviewed each year to ensure all information around child safety is relevant and current.

20. The Yard duty and Supervision Policy Summary is distributed via Konnective each term reminding parents/carers of the arrangements at SKPS (<http://www.stkildaps.vic.edu.au/yard-supervision-at-skps-summary/>)
21. Signs are clearly displayed at all entrances to the school informing the community that the school is not accessible to the public.
22. Parents are informed of relevant procedures and policies as per the requirements of that policy
23. Child Safety is a standing item at the Leadership Advisory Team (LAT) meeting. The Principal is the Child Safety Officer and is a member of LAT.
24. The SKPS Child Safe procedures are included in the Induction Program for all staff.
25. School Council, parents and staff regularly review and update policies and procedures relevant to Child Safety in line with the DE&T guidelines.
26. Emergency management plans are shared and drills completed as per schedule.
27. Working with DHHS: Student Support Group meetings, mandatory reporting, court matters, health issues and additional support agencies for individual children.
28. Liaising with Victoria Police as required to support the safety needs of our community.
29. Working within the Child Information Sharing Scheme to support the welfare of our children from September 2019.