Reporting and Responding to Child Safety Concerns Policy Statement

This Reporting and Responding to Child Safety Concerns Policy Statement (**Policy Statement**) sets out the process for raising student safety concerns with the College, and the procedures that the College and staff will (and in some cases must) follow to address those concerns, both internally and in accordance with legislative reporting obligations. It also summarises the key student safety reporting obligations imposed on the College and College staff.

This Policy Statement applies to allegations or disclosures of child abuse or reportable conduct relating to the College or its staff, regardless of whether the alleged behaviour occurred on or outside school grounds, or concerns current or former students. This Policy Statement applies to all staff (as defined in the *Child Safe Program Definitions* document).

Fulfilling the roles and responsibilities set out in this Policy Statement does not displace or discharge any other obligations that arise if a person reasonably believes that a student is at risk of child abuse or reportable conduct.

All College staff are required under the *Child Safety Staff Code of Conduct* and *Child Safety Responsibilities Policy Statement* to report student safety concerns in accordance with this Policy Statement and their legislative reporting obligations.

The Policy Statement forms part of the College's Child Safe Program.

The Policy Statement is a procedure for responding to and reporting child abuse allegations made in accordance with *Ministerial Order No. 1359 - Child Safe Standards – Managing the Risk of Child Abuse in Schools*.

Definitions

Please refer to the *Child Safe Program Definitions* document for definitions of terms used in this document.

Reporting a student safety concern to the College

Note: whenever there are concerns that a student is in immediate danger, Victoria Police should be contacted on 000.

Any person, including Staff, Volunteers, Contractors, parents/carers and students, can at any time report concerns about the wellbeing of a child aged under 17 to Child Protection by:

- **During business hours (8:45am-5:00pm, Monday to Friday), contacting the Child Protection intake service for the local government area where the child resides. Information available at https://services.dffh.vic.gov.au/child-protection-contacts.**
- **After hours, telephoning 13 12 78**

The College provides students at the College with information about and encourages them to use multiple pathways to raise child safety incidents or concerns about or at the College. They include informal and formal ways, and through external child advocacy or child safety organisations.

Any concern that a student who has studied at the College has been subjected (or may be subjected) to child abuse or reportable conduct, or that a staff member has engaged in child abuse or reportable conduct, should be immediately raised with a Child Safety Officer/Champion (**CSO**). Contact details for the College's CSOs are listed below.

Name	Position	Contact details
Craig Rodgers	Deputy Principal (Senior Child Safety Officer/Champion)	03 9333 9100 crodgers@aitkencollege.edu.au
Chris Graham	Assistant Principal (Secondary)	03 9333 9100

		cgraham@aitkencollege.edu.au
Dean Taylor	Deputy Head of Senior Secondary (Culture)	03 9333 9100 dtaylor@aitkencollege.edu.au
Abigail Bose	Deputy Head of Middle School (Culture)	03 9333 9100 abose@aitkencollege.edu.au
Leanne Schulz	Assistant Principal (Primary)	03 9333 9100 lschulz@aitkencollege.edu.au
Felicity Donohue	Deputy Head of Primary (PYP)	03 9333 9100 fdonohue@aitkencollege.edu.au
Nigel Keegan	Deputy Head of Primary (Pastoral)	03 9333 9100 nkeegan@aitkencollege.edu.au
James Phillips	Director of People and Culture	03 9333 9100 jphillips@aitkencollege.edu.au

A reportable allegation must be reported to Social Services Regulator by the College Principal, where the Principal has become aware that a person has formed a reasonable belief that a worker, contractor or volunteer has committed reportable conduct or misconduct. The Principal does not need to agree with or share the belief that the alleged conduct has occurred for the reporting obligation to be triggered.

Where a concern relates to the Principal or a Board member, the concern should be raised with the Board's Chair by emailing admin@aitkencollege.edu.au. The Board's Chair will oversee the investigation under the Scheme, make decisions on the findings and manage conflicts of interest in accordance with the College Board Conflict of Interest policy.

Alternatively, a concern can be raised directly with the Social Services Regulator on 1300 310 778.

Any person can also contact the Senior Child Safety Officer/Champion or the Principal if they have concerns regarding the College's leadership in relation to child safety.

Communications will be treated confidentially on a "need to know basis".

Key indicators of a child safety concern

There are several forms of abuse. They are:

- Sexual abuse
- Grooming, including online grooming
- Physical abuse
- Significant or serious emotional or psychological harm
- Significant or serious neglect

Suspicion of abuse can be identified through physical and/or behavioural traits of the child or young person. Some include:

- Unexplained bruises
- Unexplained absences
- Withdrawing from social settings
- Developing unusual relationships with adults
- Drug and alcohol use
- High anxiety
- Depression

This is not an exhaustive list, in fact, the list of key indicators is much more extensive. For more information, please don't hesitate to speak to one of our friendly Child Safety Officers/Champions who have access to the full list, or you can visit https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/identify.aspx

We recognise that some individuals, particularly children, face additional vulnerabilities to child abuse and other harm, as well as additional barriers to disclosing child safety incidents or concerns. Our Child Safe Program provides guidance on identifying additional vulnerability and barriers and contains strategies for supporting these individuals to participate in the College community and enabling them to disclose child safety incidents or concerns to the College.

Documenting a student safety concern

When making a report, please provide any relevant written and dated notes of observations and any documents or communications. This will help the College to respond to the report.

Responding to a student safety concern

This section sets out how the College and its staff will respond when receiving a report of a student safety concern.

Stage 1 – Receiving a report of a concern

A staff member, upon becoming aware of a concern, must:

- Listen respectfully and courteously to the concern, and provide support where appropriate.
- Identify the party or parties involved.
- Clarify and ascertain the basic facts, without seeking detailed information, casting judgment, or asking suggestive or leading questions.
- If speaking with a student, use language and vocabulary that the student can understand.
- Take clear and detailed notes (this is particularly important where there are multiple concerns and parties involved).
- Remain impartial by not assessing the truth of the concern being raised.
- Reassure the person raising the concern that the College takes their concern seriously.
- Explain that other people may need to be informed about the concern, including to ensure compliance with the College's legal obligations.
- Outline the process that will be followed by the College in addressing this concern (which should align with this Policy Statement).

The staff member must then:

- Ensure that the student is safe, if the staff member has not already done so.
- If not a CSO or the Principal, immediately notify a CSO about the concern.
- If a CSO, immediately notify the Principal about the concern.
- If the Principal or a Board member is the subject of the concern, immediately notify the Board Chair about the concern.
- Consider his or her own reporting obligations (as summarised in this Policy Statement).

The College will then take such steps as it considers appropriate to protect any student connected with a concern until it is resolved, including by ensuring any reporting obligations (which are summarised below) are met.

Stage 2 – Resolving the concern

The College will generally follow the process set out below in order to respond to student safety concerns, which will ordinarily require a determination, on the balance of probabilities, whether the concern is substantiated or not.

The decision-maker will usually be the Principal (or his or her nominee). Where the concern relates to the alleged conduct or misconduct of the Principal or a Board member, the decision-maker will be the Board Chair. The College may rely on legal or external assistance to investigate and determine the concern.

Where a concern involves allegations against a staff member, the College will:

- Notify the staff member about the allegations to the extent that it is appropriate to do so.
- Outline the process to be followed to the staff member and the person who made the report.

- Put in place interim measures pending the resolution of the concern. In some cases, this may involve a staff member being stood down, without judgment, while the concern is being dealt with.

To the extent that the College decides it is appropriate or practicable to do so, any investigation will usually involve:

- Relevant individuals (including the person who raised the concern, the relevant student, any relevant staff members, and any other material witnesses) being interviewed. Witnesses being interviewed will not be unreasonably refused a support person.
- Any relevant documents being reviewed.
- Written notes being kept of any interviews during the investigation.
- The relevant decision-maker determining whether, on the balance of probabilities, the concern is substantiated.

If the concern is substantiated, the College will take appropriate action. This may include summary dismissal if the staff member is an employee, or termination of engagement if the staff member is a contractor or volunteer.

Even if a specific concern is not substantiated, the findings made by the College during the course of investigating the concern may, in certain cases, still result in disciplinary action (up to and including dismissal or termination of engagement).

Following the conclusion of its investigation, the College will notify the relevant parties, and any external authorities (including Child Protection, the Social Services Regulator, the Police, and the Victorian Institute of Teaching) to whom a report is required to be made, about the outcomes of the investigation.

Changes to the process for responding to a concern

The College may alter the process to suit the circumstances of each case.

In some cases, it may not be appropriate or possible for the College to investigate that concern in strict accordance with this Policy Statement.

In such circumstances, the College will seek and act on legal advice and will comply with this Policy Statement to the extent it is appropriate to do so (and in particular to protect the health and safety of all current students of the College).

Circumstances in which this may occur include the following:

- Where an investigation by Child Protection, the Social Services Regulator, the Police or the Victorian Institute of Teaching relevant to the concern is ongoing.
- Where civil or criminal proceedings relevant to the concern are ongoing.
- Where the report relates to former staff or students.

Other matters

Confidentiality

Appropriate confidentiality will be maintained at all times when dealing with concerns under this Policy Statement, with information only being provided to those who have a right or need to know. Sharing information with, or requesting information from, external people or agencies will be as permitted or required under the Child information Sharing Scheme and/or the Family Violence Information Sharing Scheme.

Confidentiality and privacy for students and families is maintained in accordance with federal and state privacy legislation.

Cooperation with the authorities

The College will cooperate with any investigation by Child Protection, the Social Services Regulator, the Police and Victorian Institute of Teaching or any other relevant authority in relation to a concern or report (whether made under this Policy Statement or otherwise).

Recordkeeping obligations

The College is committed to best practice record keeping about child safety incidents and concerns.

The College will make, keep and secure clear and contemporaneous records of any concerns raised pursuant to this Policy Statement, and the steps taken by the College to respond to those concerns. Such files are marked “Do not Destroy” within the College’s filing system and are permanently retained by the College.

Staff must ensure that all verbal and written communications and observations regarding student safety matters are properly documented. Staff should keep records of dates, times and names of persons involved in meetings or communications. Records should contain enough detail for others to understand what occurred and what was communicated, especially in relation to any disclosure made by the student involved.

The College records all internal and external reports of child safety incidents and concerns, as well as any other responses by the College using the relevant PROTECT: Identifying and Responding to Child Abuse template.

Support for Students, Families and Staff Following Child Safety Incident or Disclosure

Child safety incidents or concerns can cause trauma and significantly impact on the mental health and wellbeing of children, as well as on their families. In addition to reporting and referral to the relevant authorities, the College plays a central role in addressing this trauma and has a duty of care to ensure that students feel safe and supported at College.

The College employs a range of measures to support students affected by a child safety incident or concern, depending on the particular circumstances of the matter and of the student and their family.

Support to students and their families

The College will afford appropriate support to students who are the subject of concerns reported under this Policy Statement, including by:

- Supporting and encouraging the student to participate in any interview.
- Ensuring that any student who is being interviewed by Child Protection or Victoria Police has a support person present during the interview, being either the student's parents, the Principal , a CSO or, in the case of Police interviews, an independent support person over the age of 18 unconnected with the College, e.g. a social worker or nurse.
- Considering whether any support person has an actual or potential conflict of interest and making appropriate alternative arrangements.
- Work with the student and their family to develop a Student Support Plan
- Support strategies that could be considered for students and/or their families might include offering or organising referrals to internal or external support, such as the College Counsellor, bi-cultural workers and/or translators, or an external support agency and/or child advocacy organisation which specialises in supporting children and young people impacted by abuse or other harm.

The College offers former students who may disclose historical child safety incidents or concerns from their time at the College similar support.

Support to staff

Witnessing a child safety incident or receiving a disclosure of abuse or other harm can be a distressing experience for Staff, Volunteers and Contractors involved. The College assists impacted Staff, Volunteers and Contractors to access to necessary support.

Communications to parents

Where appropriate, the College will provide parents with guidance and support where a student is the subject of a concern. The College will keep parents updated as it considers appropriate about the way in which it is dealing with concerns affecting their student.

If parents are unaware that their student is the subject of a concern, the Principal or the Senior CSO will notify them after the College has notified relevant authorities.

Where a report has been made to Child Protection or Victoria Police and potentially concerns domestic abuse, the Principal or Senior CSO must seek advice from the relevant authority before contacting the student's parents, or notifying parents of any interviews that have been scheduled or further developments in the matter.

Staff do not require consent from a student's parents before making a report in accordance with this document. Similarly, staff are not required to disclose that a report has been made.

Diversity sensitivity

If a concern involves an Aboriginal or Torres Strait Islander student, a student from a culturally and/or linguistically diverse background, a student with a disability, or other vulnerability(such as students who are unable to live at home or students who identify as lesbian, gay, bisexual, transgender or intersex), the College will take steps to ensure that the student and his or her family is given appropriate support to understand the situation and to undergo any investigation process. The College will also take steps to ensure that concerns are handled in a way that is sensitive to their characteristics of the College community.

This may include:

- The use of an interpreter if required.
- Instructing any investigator about any cultural norms that may need to be taken into account in interview methods.
- Instructing any investigator about any cultural norms that may need to be taken into account when assessing the credibility of investigation participants.

If a concern involves a student with a disability, the College will take steps to ensure that the student and his or her family is given appropriate support to understand the situation and to undergo any investigation process. The College will also take steps to ensure that concerns are handled in a way that is sensitive to the diversity characteristics of the College community in respect of any persons with a disability.

This may include:

- Implementing alternative arrangements for interviews.
- Instructing any investigator about appropriate methods of communicating with witnesses who have a disability.

Victimisation is not tolerated

Staff must not victimise anyone because they have participated in a process contemplated by this Policy Statement, including by raising a concern or making a mandatory report.

The College's reporting obligations

The College and staff have a number of reporting obligations relevant to student safety. Key aspects of these are detailed below for the information of staff and the College community.

CSOs, and in particular the Principal, are primarily entrusted with ensuring that the College's reporting obligations are met. However, all staff have reporting obligations.

The Reportable Conduct Scheme

The CWS Act establishes the Reportable Conduct Scheme, managed by the Social Services Regulator, which requires the College to report and investigate reportable allegations (which is defined in the *Child Safe Program Definitions*).

The Reportable Conduct Scheme requires the head of an entity (in this case, Aitken College Limited) to do certain things upon becoming aware of a reportable allegation about staff. At the College, the head of the entity is usually the Principal. If a reportable allegation is about the Principal, the Board Chair will assume responsibility for complying with a head's obligations under the Reportable Conduct Scheme.

As soon as practicable after becoming aware of a reportable allegation, the head of the entity must respond to the allegation. This Policy Statement sets out how the head of the entity will respond to an allegation, by providing a process for the allegation to be investigated and dealt with.

The head of the entity must also make several notifications to the Social Services Regulator as follows:

- Initial notification – within three business days after becoming aware of the reportable allegation.
- Update – As soon as practicable and within 30 calendar days after becoming aware of the reportable allegation.
- Advice about investigation – As soon as practicable.
- Outcomes of investigation – As soon as practicable.

Failure to disclose and failure to protect offences under the *Crimes Act 1958* (Vic)

The *Crimes Act 1958* (Vic) makes it a crime to not disclose a sexual offence against a student.

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 student under the age of 16 years, by a person aged 18 years or over.

If you have formed a reasonable belief in relation to a sexual offence, you must immediately report the belief to the Police by calling 000 in an emergency, and otherwise, Craigieburn Police Station on (03) 9303 4433.

You must also make a further report on each occasion on which you become aware of further reasonable grounds for the belief.

Failure to make a report without reasonable excuse is an offence under section 327 of the *Crimes Act 1958* (Vic) and carries a potential prison term. Failure by a person in authority to protect a student from a sexual offence is also an offence under section 49O of the *Crimes Act 1958* (Vic).

However, it may not be an offence to not disclose a sexual offence against a student to Victoria Police where your reason for not reporting is that:

- You fear on reasonable grounds for the safety of any person (other than the offender), and a failure to report is reasonable;
- The victim was over 16 years of age when they told you about the sexual offence (directly or indirectly), and has requested that the information not be disclosed (unless the victim has an intellectual disability and does not have the capacity to make an informed decision about this); or
- You believe on reasonable grounds that the information has already been disclosed to Victoria Police by another person (such as to Child Protection) and you have no further information.

In these circumstances, you should seek advice from a CSO before deciding that you are not required to make a disclosure.

Mandatory reporting

Mandatory reporters have mandatory reporting obligations under the CYF Act in relation to child abuse. Failure to make a mandatory report can constitute an offence under that Act.

If you are a mandatory reporter and you have formed a reasonable belief that:

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

you must immediately report the belief to Child Protection by calling 1300 598 521 during business hours, or 13 12 78 after hours. Additional reports must be made on each occasion where a mandatory reporter becomes aware of any further reasonable grounds for the belief.

Staff must check whether they are mandatory reporters (noting the definition in the *Child Safe Program Definitions* document).

A mandatory reporter must make a report even if a CSO does not share their belief that the report must be made. The College will afford support where appropriate to mandatory reporters who make a report under this Policy Statement.

Notification to the Victorian Institute of Teaching (VIT)

In accordance with the ETR Act, the College must notify VIT if it has taken any action against a registered teacher in response to allegations:

- Of serious incompetence.
- Of serious misconduct.
- That the teacher is unfit to be a teacher.
- That the teacher's ability to practice as a teacher is seriously detrimentally affected, or likely to be seriously affected, because of an impairment.
- That may be relevant to a teacher's fitness to teach.

The College must also notify VIT if it becomes aware that a registered teacher has been:

- Charged with, convicted or found guilty of certain criminal offences that affect the right to hold a Working with Children Clearance (**WWCC**).

- Given a negative notice in relation to a WWCC.

Complaints

Complaints about the handling of concerns under this Policy Statement, or about the Child Safe Program, may be made in accordance with the College's *Complaints Handling Policy*.

Communication

This document is available to the College community and public on the College website.

This document is available to staff as part of the Child Safe Program. The Child Safe Program forms part of the College's induction program for incoming staff, and aspects of (and updates to) the Child Safe Program will be addressed in the College's professional development updates, bulletins and newsletters.

Approval and review

The College's Board has endorsed this document.

The Child Safe Program will be reviewed annually.

Related documents

This document forms part of the College's Child Safe Program and should be read in conjunction with its various policies and procedures, including the following:

- Child Safe Policy Statement
- Child Safety Staff Code of Conduct
- Child Safety Responsibilities Policy Statement
- Child Safe Program Definitions
- Protect-4-Critical-Actions-reference-sheet-Adult-engaged-school-Ind
- Protect-4-Critical-Actions-reference-sheet-Community-Ind
- Protect-4-Critical-Actions-reference-sheet-Family-Ind
- Protect-4-Critical-Actions-reference-sheet-Student-Ind

If you wish to discuss this policy or provide feedback please email admin@aitkencollege.edu.au.

Revision History

Version	Date	Reviewed by (name)	Position/Title	Approved by
1	12/11/2020	Josie Crisara College Board (together with RK Lawyers)	Principal	Principal
	12/07/2021	Endorsed by College Board		
2	08/04/2022	Amy Schembri	Compliance Manager	Principal
	30/05/2022	Endorsed by College Board		
3	21/12/2022	Josie Crisara Kim Forward Amy Schembri	Principal Deputy Principal Compliance Manager	Principal
4	17/01/2024	Josie Crisara Kim Forward Amy Schembri	Principal Deputy Principal Compliance Manager	Principal
4.1	23/01/2025	Josie Crisara	Principal	Principal
5	16/01/2026	Josie Crisara	Principal	College Board
6	20/02/2026	Amy Schembri	Compliance Manager	Principal
7	01/04/2026	Amy Schembri	Compliance Manager	College Board