

Responding and Reporting Policy and Procedure

1.0 PURPOSE

The purpose of this policy is to ensure that all staff and members of the Youth2Industry College community:

Understand the various legal and other reporting obligations related to child safety that apply to the Youth2Industry College under child protection law and criminal law; and fulfil their duty of care in particular in reference to Children and Youth and Families (CYF) Act 2005 and Ministerial Order No. 1359 Child Safe Standards.

The specific procedures that are applicable at our Youth2Industry College are contained at **Appendix A.**

2.0 SCOPE

This policy applies to all Youth2Industry College staff, volunteers and community members and will be available on the Youth2Industry College website.

3.0 IMPLEMENTATION

All children and young people have the right to protection in their best interests. Youth2Industry College understands the important role the College 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 Youth2Industry College are required by law to comply with various child safety reporting obligations. For detailed information about each obligation, please refer to **DET Identifying and Responding to All Forms of Abuse in Victorian Schools**. At the Youth2Industry College we also recognise the diversity of the children and young people at our College and take account of their individual needs and backgrounds when considering child safety.

4.0 STUDENT & CHILD SAFE

All staff at Youth2Industry College are expected to behave appropriately and be proactive with our students by:

- Respecting their privacy
- Protecting them from violence, abuse, bullying, torment, ridicule and neglect
- Respecting the language and customs of their family

- Never using covert or overt sexual behaviours when interacting with them
- Maintaining appropriate physical and emotional boundaries when in their presence
- Refraining from using or possessing illegal drugs or alcohol when working with them
- Being positive role models
- Treating everyone with respect when in their presence
- Promoting the emotional, physical & cultural safety of all children
- Sharing any concerns with a staff member, particularly if a student tells you that they or another student/child has been abused and/or they are worried about their safety or the safety of another
- Immediately reporting any allegations of child abuse to the Principal or Leader of Senior School
- Reporting any student/child safety concerns to the Principal or Leader of Senior School
- Responding promptly if an allegation of child abuse is made and, as quickly as possible, ensuring that the students are safe
- Encouraging students to have a voice and participate in all relevant College activities where possible, especially on issues that are important to them
- Using online contact with students and their families **only** for educational or relevant school purposes; and adhering to the Youth2Industry College's **QMS: 418 Y2IC Digital Technologies Policy and Procedures**

5.0 MANDATORY REPORTING

Principals, registered teachers and early childhood teachers, registered medical practitioners, nurses, midwives, out of home care workers (excluding voluntary foster and kinship carers), early childhood workers, youth justice workers, school counsellors, registered psychologists, people in religious ministry and all members of the police force are mandated reporters under the Children, Youth and Families Act 2005 (Vic).

Mandated reporters, at the Youth2Industry College, who believe on reasonable grounds that a student or young person is in need of protection from physical injury or sexual abuse, must report, as soon as is practicable, their concerns on each occasion that they form that belief, to Department of Families Fairness and Housing (DFFH) Child Protection or immediately to Victoria Police if they think there is immediate danger.

All Youth2Industry College staff members who are mandated reporters and form a belief on reasonable grounds that a student or young person:

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

A mandated reporter who fails to comply with this legal obligation may be committing a criminal offence. It is important for all staff at Youth2Industry College 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.

Youth2Industry College staff will be informed of mandatory reporting requirements as part of their initial induction to the Youth2Industry College and will be provided with supporting documentation on SharePoint, College website and the College Staff Handbook.

5.1 Forming a Suspicion/Reasonable Belief

All suspicions that a student has been, or may be in danger of being abused must be taken seriously. This includes abuse that is suspected to have occurred outside of school grounds and hours. If you form a reasonable belief that a student has been, or may be at risk of being abused, you must act, even if you have not directly witnessed the abuse.

A reasonable belief is a deliberately low threshold:

- So that people are encouraged to report suspected abuse to the relevant authorities and agencies, enabling authorities to investigate the allegations and take further action to prevent or stop any further abuse
- Which does not require proof, but does require something more than a mere rumour or speculation
- And is met 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
- Physical indicators of abuse such as non-accidental or unexplained injuries; persistent neglect, or inadequate care and supervision lead you to believe that the student has been abused
- Signs of sexual abuse leads to a belief that the child has been sexually abused
- Other signs such as family violence, parental substance misuse, psychiatric illness or intellectual disability that is impacting on the student's safety, stability or development.

5.2 Child in Need of Protection

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

All Youth2Industry College staff who form a reasonable belief that a child is in need of protection will report their concerns to DFFH or Victoria Police, and discuss their concerns with the Youth2Industry College leadership team.

Staff will be given all necessary information about making a report to DFFH Child Protection, including the guide **QMS:400-10 Four Critical Actions for Schools**.

At Youth2Industry College 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 refer to the **Child FIRST Reporting Flowchart**.

Refer to **Appendix A** for detailed information on child safety reporting procedures.

6.0 REPORTABLE CONDUCT

Reportable conduct occurs 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 Principal (or the Leader of Senior School where the Principal is unable to perform their duties) has a legal obligation to inform the Commission for Children and Young People (CCYP) within three days, when an allegation of reportable conduct is made. The Principal (or the Leader of Senior School where the Principal is unable to perform their duties) must notify the Commission of any reportable conduct allegations involving current or former teachers, contractors, volunteers (including parents), allied health staff and Youth2Industry College Board members.

If Youth2Industry College staff become aware of reportable conduct by any person in the above positions, they will notify the Principal (or the Leader of Senior School where the Principal is unable to perform their duties) immediately. If the allegation relates to the Principal, they will notify the Chair of the Youth2Industry College Board.

7.0 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.

8.0 FAILURE TO PROTECT OFFENCE

This reporting obligation applies to Youth2Industry College staff in a position of authority. Any staff member in a position of authority who becomes aware that an adult associated with their Youth2Industry College (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 Youth2Industry College staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence.

9.0 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.

10.0 ADDITIONAL INFORMATION

The Youth2Industry College has a duty of care to ensure that the students involved with allegations of abuse feel safe and are supported at the College. College staff will be sensitive to a student's individual circumstances and take in account the "diversity" of the student when providing support and working with families impacted by abuse.

The Principal (or the Leader of Senior School where the Principal is unable to perform their duties) is also responsible for ensuring students are supported during interviews at the College conducted by Victoria Police or DFFH Child Protection.

If a student is impacted by suspected abuse, and it is deemed appropriate, the following supports will be considered (but not limited to):

- Establish regular communication between the College and the student’s parent/carer (if this is safe and appropriate) to discuss the student’s progress wellbeing and the effectiveness of planned strategies. This may be undertaken through convening a Care Team to plan ongoing monitoring, support, and follow-up of the student’s health and wellbeing (Care Team usually comprise College wellbeing staff, teachers, allied health professionals and where appropriate the student and/or their parent/carer)
- Develop and implement a Student Support 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 professionals with expertise in addressing child abuse and trauma).
- Engage allied health and wellbeing supports and services to meet the wellbeing needs of the child impacted by abuse, including exposure to family violence.
- Refer to a wide range of non-school based support services (some of which are listed in **QMS:300-11 Y2IC Student Handbook** under External Services) which specialise in providing tailored support and advice for students impacted by abuse. For example,
 - Family Violence Services
 - Centres Against Sexual Assault (CASA), who provide expert support for victims of sexual assault
 - Headspace, who provide tailored support for children whose mental health is impacted by exposure to abuse.

Additional information on how the Youth2Industry College protects and supports a child involved with allegations of abuse is available on the Youth2Industry College website. Refer to: DET - Identifying and Responding to All Forms of Abuse in Victorian Schools pages 44-58, 61 and 64.

11.0 ADDITIONAL CONTACT INFORMATION

24 Hour Services	
Victoria Police	000
Department of Health and Human Services Child Protection	131 278
Centres Against Sexual Assault (CASA) – Emergency Counselling & Support Line	1800 806 292
1800 Respect	1800 737 732
Safe Steps Family Violence Response Centre	1800 015 188
Kid's Help Line	1800 551 800

Other services	
Child FIRST/Orange Door, Port Phillip	1800 319 353
Department of Families, Fairness and Housing Child Protection, Southern Division Intake	1300 655 795
Australian Childhood Foundation	1800 176 453
Child Wise	1800 991 099
Children's Protection Society	(03) 9450 0900
Commission for Children and Young People	1300 782 978
Office of the eSafety Commissioner	1800 880 176
Victims of Crime Help Line: 7 days, 8am-11pm	1800 819 817
Victorian Aboriginal Child Care Agency (VACCA)	(03) 9287 8800
Victorian Aboriginal Community Controlled Health Organisation (VACCHO)	(03) 9411 9411
Victorian Aboriginal Education Association	(03) 9481 0800

12.0 ASSOCIATED DOCUMENTS

- QMS: 418 Y2IC Digital Technologies Policy and Procedures
- QMS:300-11 Y2IC Student Handbook
- QMS: 400-10 Four Critical Actions for Schools.
- QMS: 400-14 Child Safe Incident Report Form
- DET - Identifying and Responding to All Forms of Abuse in Victorian Schools
- Child FIRST Reporting Flowchart
- Appendix A Child Safety Reporting Procedures at Youth2Industry College

VERSION CONTROL DETAILS

Revision History

Date	Version	Author	Change Reference
25/5/2020	1.0	P. Vakakis	Initial Policy
24/11/2020	2.0	P. Vakakis	Change to mandated reporters
31/5/2022	3.0	P. Vakakis	New Child Safe Standards

Reviewers

Date	Version	Approved By	Next Review Date
25/5/2020	1.0	Y2IC Board	May, 2023
24/11/2020	2.0	Y2IC Board	November, 2023
21/6/2022	3.0	Y2IC Board	June 2024

CHILD SAFETY REPORTING PROCEDURES AT YOUTH2INDUSTRY COLLEGE**For students**

- All students should feel safe to speak to any staff member to raise any concerns about their safety or any other concerns that they have.
- If a student does not know who to approach at Youth2Industry College they should start with the Principal. If the Principal is not available approach the Leader of Senior School.

Managing disclosures made by students

When managing a disclosure you should:

- Listen to the student and allow them to speak
- Stay calm and use a neutral tone with no urgency and where possible use the child's language and vocabulary (you do not want to frighten the child or interrupt the child)
- Be gentle, patient and non-judgmental throughout
- Highlight to the student it was important for them to tell you about what has happened
- Assure them that they are not to blame for what has occurred
- Do not ask leading questions, for example gently ask, "what happened next?" Rather than "why?"
- Be patient and allow the child to talk at their own pace and in their own words
- Do not pressure the child into telling you more than they want to, they will be asked a lot of questions by other professionals and it is important not to force them to retell what has occurred multiple times
- Reassure the child that you believe them and that disclosing the matter was important for them to do
- Use verbal facilitators such as, "I see", restate the child's previous statement, and use non-suggestive words of encouragement, designed to keep the child talking in an open-ended way ("what happened next?")
- Tell the child in age appropriate language you are required to report to the relevant authority to help stop the abuse, and explain the role of these authorities if appropriate (for a young child this may be as simple as saying "i will need to talk to people to work out what to do next to help you").

When managing a disclosure you should AVOID:

- Displaying expressions of panic or shock
- Asking questions that are investigative and potentially invasive (this may make the child feel uncomfortable and may cause the child to withdraw)
- Going over the information repeatedly (you are only gathering information to help you form a belief on reasonable grounds that you need to make a report to the relevant authority)
- Making any comments that would lead the student to believe that what has happened is their fault

- Making promises to the child about what will occur next or that things will be different given the process can be unpredictable and different for each child depending on their circumstances (instead reassure them that you and others will do your best to help).

General procedures

Our Youth2Industry College will follow the **QMS: 400-10 Four Critical Actions for Schools** when responding to incidents, disclosures and suspicions of child abuse.

All staff at our Youth2Industry College who believe that a child is in need of protection, even if it doesn't meet the threshold required for mandatory reporting or the staff member is not a mandated reporter, should in the first instance, speak to the Principal (or the Leader of Senior School where the Principal is unable to perform their duties) or should make the required reports to DFFH Child Protection and/or Victoria Police as necessary. Follow the **Child FIRST Reporting Flowchart**.

At our Youth2Industry College the Principal (or the Leader of Senior School where the Principal is unable to perform their duties) will be responsible for monitoring overall Youth2Industry College compliance with this procedure. Nothing in this procedure prevents a staff member or any other person from reporting to the relevant authorities if they form a reasonable belief that a child is at risk of abuse.

Reporting suspicions, disclosures or incidents of child abuse

Responsibilities of all Youth2Industry College staff

If a Youth2Industry College staff member reasonably suspects or witnesses an incident of child abuse or receives a disclosure of child abuse, they must:

- If a child is at immediate risk of harm, separate alleged victims and others involved, administer first aid and call 000
- Speak to the Principal (or the Leader of Senior School where the Principal is unable to perform their duties) as soon as possible, who will follow the **QMS: 400-10 Four Critical Actions for Schools**
- Make detailed notes of the incident or disclosure using the **QMS: 400-14 Child Safe Incident Report Form** and ensure that those notes are kept and stored securely in a locked office file room
- If the staff member is a mandated reporter and reasonably believes that a student has suffered physical and/or sexual abuse from which the child's parents have not protected the child, they must ensure that a report to DFFH Child Protection
- If the staff member has formed a 'reasonable belief' that a sexual offence has been committed by an adult against a child, they must ensure that a report is lodged with the Victoria Police

In circumstances where a member of the leadership team disagrees that a report needs to be made, but the staff member has formed a 'reasonable belief' that the child is in need of protection and/or has been the victim of sexual abuse, the staff member must still contact DFFH Child Protection and/or Victoria Police to make the report.

The Principal (or the Leader of Senior School where the Principal is unable to perform their duties) is responsible for promptly managing the Youth2Industry College's response to an incident, suspicion or disclosure of child abuse, and ensuring that the incident, suspicion or disclosure is taken seriously. The Principal (or the Leader of Senior School where the Principal is unable to perform their duties) is also responsible for responding appropriately to a child who makes or is affected by an allegation of child abuse.

If the Principal (or the Leader of Senior School where the Principal is unable to perform their duties) receives a report from a Youth2Industry College staff member or member of the Youth2Industry College community of a suspicion, disclosure or incident of child abuse, they must:

- Follow the **QMS: 400-10 Four Critical Actions for Schools** as soon as possible, including:
 - Responding to an emergency
 - Reporting to authorities/referring to services
 - Contacting parents/carers and
 - Providing ongoing support
- Make detailed notes of the incident or disclosure, including actions taken using the Child Safe Incident Report Form and ensure that those notes are kept and stored securely in the locked office filing room. They are also responsible for ensuring that any staff member who reported the incident, disclosure or suspicion to them also makes and keeps notes of the incident
- At the Youth2Industry College, the Principal (or the Leader of Senior School where the Principal is unable to perform their duties) who has been allocated position of responsibility for disclosures, will be responsible for ensuring that there is a prompt response to the disclosure and that the child is appropriately supported.

Duty of care and ongoing support for students

Fulfilling the requirements in this procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of abuse.

All staff have a duty of care to take reasonable steps to prevent foreseeable harm to students. All staff must ensure that the Principal (or the Leader of Senior School where the Principal is unable to perform their duties) is aware of any incidents, suspicions or disclosures of child abuse as soon as possible after they occur. This will allow appropriate supports to be put in place for the student affected.

For Youth2Industry College visitors, volunteers and community members

All community members aged 18 years or over should be aware of their legal obligations – see Failure to Disclose Offence above in this policy.

Any person can make a report to DFFH Child Protection if they believe on reasonable grounds that a child is in need of protection.

There is no requirement for community members to inform the Youth2Industry College if they are making a disclosure to DFFH Child Protection or the Victoria Police. However, where a community member is concerned about the safety of a child or children at the Youth2Industry College, and where disclosure of that concern will not compromise any potential police investigation, the community member should report this concern to the Principal (or the Leader of Senior School where the Principal is unable to perform their duties) so that appropriate steps to support the student can be taken.