

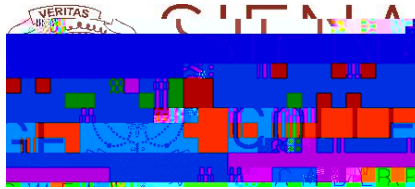


## PROTECT: IDENTIFYING AND RESPONDING TO ABUSE

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## PROTECT: IDENTIFYING AND RESPONDING TO ABUSE REPORTING OBLIGATIONS

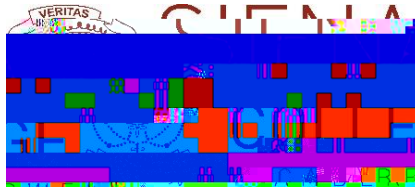
<p><b>Serious emotional or psychological harm</b></p>	<p>Serious emotional or psychological abuse may occur when a child is repeatedly rejected, isolated, or frightened by threats or the witnessing of family violence. It also includes hostility, derogatory name-calling and put-downs, or persistent coldness from a person to the extent where the behaviour of the child is disturbed, or their emotional development is at serious risk of being impaired. Serious emotional or psychological harm could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.</p>
<p><b>Serious neglect</b></p>	<p>Neglect includes a failure to provide a child with an adequate standard of nutrition, medical care, clothing, shelter, or supervision. Significant neglect causes harm to a child that is more than trivial or temporary. Serious neglect is when the child is exposed to an extremely dangerous or life-threatening situation and there is a continued failure to provide a child with the basic necessities of life.</p>
<p><b>Family violence</b></p>	<p>Family violence is defined under the <i>Family Violence Protection Act 2008</i> (Vic.) to include behaviour that causes a child to hear, witness or be exposed to the effects of family violence such as abusive, threatening, controlling or coercive behaviour. While family violence</p> <p style="text-align: right;"><i>Child</i></p> <p><i>Wellbeing and Safety Act 2005</i> (Vic.), the impact of family violence on a child can be a form of child abuse, for example, where it causes serious emotional or psychological harm to a child. A child can also be a direct victim of family violence.</p>

Child abuse can health, development and wellbeing. The younger the child, the more vulnerable they are to abuse and the more serious the consequences are likely to be.

There can be physical or behavioural indicators of child abuse and neglect, or a combination of both. While the presence of a single indicator, or even several indicators, does not necessarily prove that abuse or neglect has occurred, the repeated occurrence of either a physical or behavioural indicator, or the occurrence of several indicators together, should alert school staff to the possibility of child abuse or neglect.

Child sexual abuse is more commonly perpetrated by someone who is known to and trusted by the child and is also often someone highly trusted within their families, communities, schools and/or other institutions, such as the Church.

For further definitions of all types of child abuse, a comprehensive list of the indicators of harm and advice on identifying perpetrators of child sexual abuse, refer to the protocol [PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools](#).



## PROTECT: IDENTIFYING AND RESPONDING TO ABUSE REPORTING OBLIGATIONS

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### SOURCES OF CHILD ABUSE REPORTING OBLIGATIONS

#### ***Children, Youth and Families Act 2005 (Vic.)***

##### ***Mandatory reporting***

Mandatory reporting is a legal requirement under the *Children, Youth and Families Act 2005 (Vic.)* to protect children from harm relating to physical injury and sexual abuse. A child, for the purpose of the relevant parts of this Act, is any person who is under the age of 17 years. In Victorian schools, registered teachers, school principals, early childhood workers, registered psychologists, school counsellors and all people in religious ministry are mandated to report a reasonable belief of child physical or sexual abuse to child protection authorities. The report must be made as soon as practicable after forming the belief.

If, in the course of carrying out their duties, a mandatory reporter forms a reasonable belief that a child is in need of protection because the child has suffered, or is likely to suffer, significant harm as a result of phy

unable to protect the child, they must report that belief to the Department of Families, Fairness and Housing (DFFH) Child Protection and/or Victoria Police, including the information prescribed in [PROTECT: Responding to Suspected Child Abuse: A Template for all Victorian Schools](#), as soon as possible after forming the belief.

A subsequent report must be made on each occasion on which the mandatory reporter becomes aware of further reasonable grounds for the belief and even if the reporter knows that another report has been made concerning the same child and suspected abuse.

The threshold for reporting child abuse incidents, disclosures, concerns or suspicions has been set deliberately low by the joint protocol [PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools](#). This protocol focuses on [Four Critical Actions](#) that all our school staff must take if they form a suspicion or reasonable belief that child abuse has occurred, or that a child is at risk of suffering abuse.

##### ***Reasonable belief***

Where Siena College staff members are concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be



## PROTECT: IDENTIFYING AND RESPONDING TO ABUSE REPORTING OBLIGATIONS

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is talking about themselves

you observe physical or behavioural indicators of abuse, as described in [PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools](#)

a child or young person exhibits sexually abusive or age-inappropriate behaviour(s)

belief

that the child has been physically or sexually abused or is likely to be abused.

While any indicators of possible child abuse or neglect are concerning, it is important to understand that the presence of a number of indicators that suggest either physical or sexual abuse of a child be reported.

### ***Child Wellbeing and Safety Act 2005 (Vic.)***

#### ***Reportable conduct***

The Reportable Conduct Scheme was created under the *Child Wellbeing and Safety Act 2005 (Vic.)* and requires the head of entity, the Executive Director of MACS, to notify the Commission for Children and Young People (CCYP) if an allegation of reportable conduct (a reportable allegation) is made against one of its employees.

**Employees** can include a principal, teacher, administrative or corporate staff member, board or school council employee, contractor, volunteer, school doctor/nurse/medical professional, allied health staff member, or minister of religion or religious leader. It may also include former employees.

**Reportable conduct** is defined under the *Child Wellbeing and Safety Act 2005 (Vic.)* to mean a sexual offence, sexual misconduct or physical violence committed against, with or in the presence of a child, behaviour causing significant emotional or psychological harm to a child, or significant neglect of a child.

A **reportable allegation** means any information that leads a person to form a reasonable belief that an employee has committed reportable conduct or misconduct that may involve reportable conduct, whether the conduct or misconduct is alleged to have occurred within the course of employment.

The Reportable Conduct Scheme imposes obligations on the head of entity (governing authority). For Siena College the Executive Director of our governing body MACS, through our Principal, will:

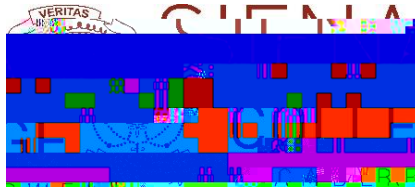
have in place systems to prevent reportable conduct and, if reportable conduct is alleged, to ensure allegations are brought to the attention of the Executive Director at the earliest opportunity for investigation and response

ensure that the CCYP is notified and given updates on the organi

allegation by contacting the Safeguarding and Standards Team on 03 9267 0228 or [rsc@macs.vic.edu.au](mailto:rsc@macs.vic.edu.au)

report to Victoria Police as soon as they become aware that a reportable allegation may involve suspected child abuse or criminal conduct.

Reportable conduct may also include historical reportable allegations. More guidance can be found in [Reportable Conduct Scheme Historical allegations](#).



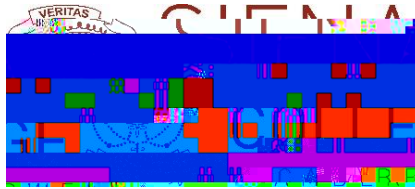
## PROTECT: IDENTIFYING AND RESPONDING TO ABUSE REPORTING OBLIGATIONS

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All school staff are required to notify the Principal or, if the Principal is involved in the allegation, a member of the Leadership Team, Regional General Manager or the Executive Director, if they have a reportable allegation. The Principal or a member of the Leadership Team or Regional General Manager (as applicable) must notify the MACS Safeguarding and Standards Team of the allegation of reportable conduct as soon as possible, which in turn will immediately notify the Executive Director.

The Reportable Conduct Scheme does not change mandatory reporting or other reporting obligations, including internal reporting and reporting criminal behaviour to Victoria Police. Reportable conduct reporting should be done in addition to these other reporting obligations.

All allegations of reportable conduct must be referred to the MACS Safeguarding and Standards Team as soon as a Principal or a member of the Leadership Team, or Regional General Manager (as applicable) becomes aware of it. For further support and advice regarding reporting conduct at Siena

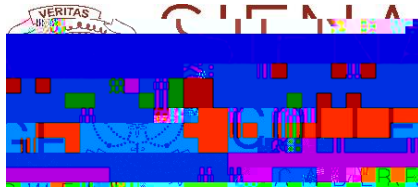


## PROTECT: IDENTIFYING AND RESPONDING TO ABUSE REPORTING OBLIGATIONS

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For further information about the failure to disclose offence, see the Department of Justice and [Failure to disclose offence](#) webpage and

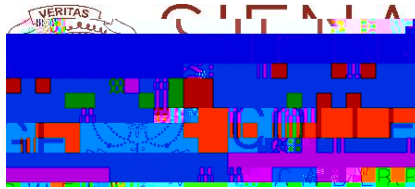




## PROTECT: IDENTIFYING AND RESPONDING TO ABUSE REPORTING OBLIGATIONS

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### ***Wrongs Act 1958***



## PROTECT: IDENTIFYING AND RESPONDING TO ABUSE REPORTING OBLIGATIONS

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### Required actions under this Policy

We and our governing body have a moral, legal and mission-driven responsibility to create nurturing school environments where children and young people are respected and their voices heard, and where they are safe and feel safe. Everyone has a responsibility to understand the important and specific role they have individually and collectively, to ensure that complaints and concerns relating to child abuse are taken seriously, and to ensure that the wellbeing and safety of all children and young people are at the forefront of all they do and every decision they make.

**It is our governing body's policy that all schools display the [Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#) diagram in staffrooms and other strategic areas of the school to ensure all school staff are aware of the actions to take as soon as they witness a child abuse incident, receive a disclosure or form a reasonable suspicion or belief that a child has been, or is at risk of being, abused.**

### Staff awareness and training

All teachers, mandatory reporters and all other staff at Siena College will be made aware of and receive training in relation to their mandatory reporting obligations.

### Responding to and reporting child abuse concerns

The approach to responding to and reporting child abuse concerns in the joint protocol incorporates [Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#)

At Siena College a staff member must take any complaint or concern relating to child abuse seriously. They must act, and follow the Four Critical Actions, as soon as they become aware of a child abuse incident – that is, when a child is experiencing, or is at risk of experiencing, abuse. The staff member must ensure that they act promptly and thoroughly in their response.

### Becoming aware of a child abuse incident

There are four main ways in which a school staff member may become aware that a child is experiencing, or is at risk of experiencing, abuse:

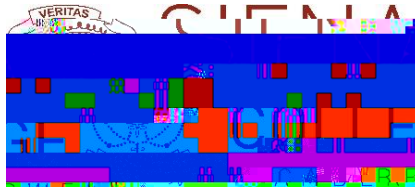
#### 1. Witnessing an incident

If you witness an incident where you believe a child has been subjected to, or may be at risk of, abuse, including exposure to family violence, you must first take immediate action to protect the safety of the child or children involved and (en)3(ce, )33E0.000008871 0 595.32 841.92eW\*nBT/F2 -4(h



## PROTECT: IDENTIFYING AND RESPONDING TO ABUSE

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## PROTECT: IDENTIFYING AND RESPONDING TO ABUSE REPORTING OBLIGATIONS

[Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#) requires all school staff to report all incidents, suspicions, and disclosures of abuse as soon as possible to the relevant authorities.

### **How to make a mandatory report**

The table below describes the information to include when making a **mandatory report** about child abuse or child abuse concerns. If a child is at immediate risk of harm, contact Victoria Police immediately.

Making a Mandatory Report	
Step	Description
<b>1. Keep notes</b>	<p>Keep comprehensive notes that are dated and include the following information:</p> <ul style="list-style-type: none"> <li>a description of the concerns (e.g., physical injuries, student behaviour)</li> <li>the source of those concerns (e.g., observation, report from child or another person)</li> <li>the actions taken as a result of the concerns (e.g., consultation with the principal, report to DFFH Child Protection).</li> </ul> <p>Siena College staff can use the template provided in <a href="#"><u>PROTECT: Responding to Suspected Child Abuse: A Template for all Victorian Schools</u></a> to record their notes.</p>
<b>2. Discuss concerns</b>	



## PROTECT: IDENTIFYING AND RESPONDING TO ABUSE REPORTING OBLIGATIONS

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## PROTECT: IDENTIFYING AND RESPONDING TO ABUSE

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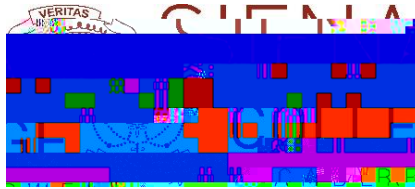




## PROTECT: IDENTIFYING AND RESPONDING TO ABUSE REPORTING OBLIGATIONS

What if a student or another child informs you of a reportable allegation?	What if a staff member or another adult informs you of a reportable allegation?
<p>1. The first step should always be to ensure the student/child is safe. If you believe a child faces immediate danger or risk of harm, contact Victoria Police on 000.</p>	
<p>2. When speaking with a child or young person, it is important to remember that if they have decided to speak to you, then there is a good chance they trust you.</p> <p>Give the child or young person your full attention.</p> <p>Listen calmly and empathically.</p> <p>Reassure the child or young person that it is right to tell.</p> <p>Accept the child or young person will disclose only what they are comfortable disclosing and recognise the bravery/strength of the child for talking about something that is difficult.</p> <p>Let the child or young person take their time.</p> <p>Let the child or young person use their own words.</p> <p style="text-align: right;">keep.</p>	<p>2. Thank the individual for bringing the allegation to your attention. Offer them support and assistance as necessary. If they are a staff member, refer them to the Employee Assistance Program (EAP), where available.</p>
<p>3. Tell the child or young person what you plan to do next.</p>	<p>3. Explain to the person making the report that the school will manage the concern confidentially and, to protect all parties, they should not discuss the matter.</p>
<p>4. Take a moment to make a record of the allegations. If appropriate, use <a href="#">PROTECT: Responding to Suspected Child Abuse: A Template for all Victorian Schools</a>. You may also make a note in your diary. If a staff member, parent/guardian/carer or other adult was present, ask them to make a record as well.</p>	
<p>5. Consider whether you need to refer the matter to Victoria Police or DFFH Child Protection. If necessary, report the matter in accordance with the actions documented in <a href="#">PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools</a> and <a href="#">Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse</a>, using <a href="#">PROTECT: Responding to Suspected Child Abuse: A Template for all Victorian Schools</a>.</p>	





## PROTECT: IDENTIFYING AND RESPONDING TO ABUSE REPORTING OBLIGATIONS

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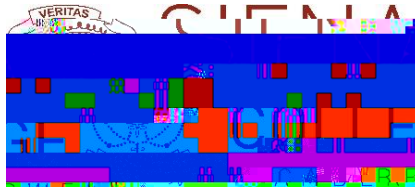
partaking in any risk-taking activity that is illegal and extreme in nature or poses a high risk to the child or others, you may refer the matter to DFFH Child Protection.

If you are unsure of what action to take in response to your concerns about a child, speak to the Director of Child Protection or Child FIRST/The Orange Door for further advice.

For more information, refer to [\*PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools.\*](#)

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## PROTECT: IDENTIFYING AND RESPONDING TO ABUSE REPORTING OBLIGATIONS

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Where external authorities are investigating a report of abuse or risk of abuse, it is the role of the Principal of Siena College to ensure that students are supported throughout interviews at the school. For more information on this topic, refer to [School Guidelines: Police and DFFH Interview Protocols](#).

Siena College and our governing body have a duty to provide support to school staff members who have witnessed an incident or disclosure, or who have made a report to external authorities about a reasonable belief of child abuse. It is important that we remember that staff members may have also experienced child abuse (including family violence) or be experiencing family violence and abuse in their own lives. Siena College staff members requiring wellbeing support can contact

## PROTECT: IDENTIFYING AND RESPONDING TO ABUSE

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