

	<h1>Oakleigh Grammar</h1>	
<b>Policy Document Name</b>	<b>Child Safety Reporting Obligations Policy and Procedures (Including Mandatory Reporting)</b>	
<b>Date Ratified by Board of Management</b>	August 2025	
<b>Date for Review</b>	August 2026	

### 1. Preamble

Oakleigh Grammar has a zero-tolerance approach to child abuse. The school must and will comply with the minimum standard for the care, safety and welfare of students as detailed in the Child Safe Standards specified by *Ministerial Order No. 1359*. Underpinning the information and procedures discussed in this policy is the *Children, Youth and families Act 2005*. All employees of the school undertake compulsory annual Mandatory Reporting training.

The Child Safety Officer (Deputy Principal) is responsible for the monitoring and overall school compliance with the Child Safety Reporting Obligations Policy and Procedures, including Mandatory Reporting.

### 2. 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 Oakleigh Grammar. It outlines what to do in the event of incidents, disclosures or allegations of child abuse against a child or student in the care of the school.

The specific procedures that are applicable at our school are contained at Appendix A.

The Policy must be read in conjunction with the Child Safety and Wellbeing Policy.

### 3. Scope

The policies and procedures contained in this document cover both contemporary and historical child abuse matters. The document applies to all staff, contractors, volunteers and all students at Oakleigh Grammar and across all programs and activities both on school grounds and offsite where Oakleigh Grammar students are involved or that are overseen by Oakleigh Grammar e.g. school holiday programs.

All School staff, contractors and volunteers must familiarise themselves with this Policy document and respond appropriately and in accordance with the provisions of the Policy.

All teaching staff are required to complete the Mandatory Reporting eLearning Module on a regular basis, as a part of the school's child safe training.

Where a former student discloses or is the alleged victim of any type of abuse, as outlined in this policy, the school will provide support to the student and contact the Police immediately for further investigation.

#### **4. Statement**

The school recognises that it is essential that the safety, health, welfare and wellbeing of its students are always safeguarded. Every person working or visiting the school is responsible for the ongoing care and protection of its students.

The school is committed to ensuring all incidents, disclosures or allegations of child abuse are reported immediately to the appropriate authorities and the child's wellbeing is at the centre of any actions or decisions that ensue. At Oakleigh Grammar 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.

Oakleigh Grammar understands the important role our school plays in protecting children and young people from abuse including:

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

The staff at Oakleigh Grammar are required by law to comply with various child safety reporting obligations. The school adheres to the Child Safe Standards and Mandatory Reporting legislation. All School personnel, teachers, either voluntary or paid, who have formed a belief based on *reasonable grounds* of child abuse are to contact the Child Safety Officer and make a Mandatory Report.

In addition to Mandatory reporting the School requires **all** School staff members, contractors and volunteers, whether required by the legislation or not, who have formed a belief on reasonable grounds of any child abuse (sexual, physical, emotional/psychological, neglect, grooming or domestic violence), or who have had a student disclose child abuse directly to them or indirectly through another person, are to report to the School's Child Safety Officer (Deputy Principal) or another member of the Executive or Principal immediately.

Staff need to be aware that some people from culturally and/or linguistically and/or intellectually diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police and communicating in English may be a barrier for some. Staff need to be sensitive to these issues and meet people's needs where possible, such as having an interpreter present (who could be a friend or family member).

If an allegation of abuse involves an indigenous child, staff will need to ensure a culturally appropriate response.

Some children with a disability may experience barriers disclosing an incident. For example, children with hearing or cognitive impairments may need support to help them explain the incident, including through sign language interpreters.

## **5. Reporting Procedures**

### **5.1. Overview**

The Child Safe Standards require schools to have processes for responding to and reporting suspected child abuse. This procedure is designed to provide guidance on what to do if a child discloses an incident of abuse, or if a parent/carer raises a concern or allegation of abuse.

Oakleigh Grammar will follow the *4 Critical Actions for Schools* when responding to incidents, disclosures and suspicions of child abuse.

All staff have a duty of care to take reasonable steps to prevent reasonably foreseeable harm to students.

All staff at our school should discuss any concerns about the safety and wellbeing of students, or 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 mandatory reporter, should in the first instance, speak to the Principal, Deputy Principal or member of the Executive or should make the required reports as per the 4 Critical Actions. The steps taken will depend on the source of abuse.

All staff must ensure that the Principal or the Deputy Principal (Child Safety Officer) is aware of any incidents, suspicions or disclosures of child abuse as soon as possible after they occur and/or made aware. This will allow appropriate supports to be put in place for the student affected.

At all times while staff are completing the 4 Critical Actions, they must respond to any emergency or critical incident.

This involves taking immediate action when:

- a student's life is in imminent danger or threatened
- a student is seriously injured or needs urgent medical help
- a serious crime or incident involving a student has just occurred or is in progress.

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.

Fulfilling the roles and responsibilities contained 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 child abuse.

"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 lead a mandated professional to form a belief that the child has been sexually abused
- signs of sexual abuse lead 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.

The Principal must be informed immediately of any report to Victoria Police, Child Protection or Orange Door.

### **5.1 Mandatory Reporting**

Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), school counsellors, principals and police and religious leaders) must report to 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 needs protection from physical injury or sexual abuse, including

- a child has suffered, or is likely to suffer, significant harm because 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 Oakleigh Grammar 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 needs 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 also require/encourage all other staff to undertake this module, even where they are not mandatory reporters.

**Circumstances under which a mandated reporter must make a report** - While the Child Safe Standards focus on organisations, every adult who reasonably believes that a child has been abused, whether in their organisation or not, has an obligation to report that belief to authorities.

## **5.2 Child in Need of Protection**

Any person can make a report to **DHHS Child Protection (131 278 – 24-hour service)** or Victoria Police if they believe on reasonable grounds that a child needs protection.

Staff should discuss their concerns the Principal, Deputy Principal or other member of the Executive and follow the 4 Critical Actions for Schools.

At Oakleigh Grammar we also encourage all staff to make a referral to Orange Door when they have significant concern for a child's wellbeing.

## **5.3 Reportable Conduct**

The Victorian Reportable Conduct Scheme is aimed at improving a school's response to an allegation of child abuse and/or neglect by an employee or volunteer.

In instances where a reportable allegation has been made, i.e. employee misconduct involving the care, supervision and authority over children, the matter will be managed in accordance with the Reportable Conduct Scheme administered by the Victorian Social Services Regulator and may be subject to referral to Victoria Police.

The Principal must make a report to the Victorian Social Services Regulator and VIT of any reportable conduct allegations involving current or former teachers or staff, contractors, volunteers (including parents), allied health staff and Board members employees.

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.

If school staff become aware of reportable conduct by any person in the above positions, they should notify the Principal immediately. If the allegation relates to the Principal, they should notify the Chair of Board of Management

#### **5.4 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.

#### **5.6 Failure to Protect Offence**

This reporting obligation applies to school staff in a position of authority. This can include principals and deputy 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 (i.e. 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.

#### **5.7 Record Keeping – Incident Report**

Staff should keep comprehensive notes that are dated and include the following information:

- Description of the concerns (e.g. physical injuries, student behaviour)
- Source of those concerns (e.g. observation, report from child or another person)
- Actions taken because of the concerns (e.g. consultation with AP-Head of Junior School, Deputy Principal, report to DHHS Child Protection).

An Incident Report form must be completed (see appendix). The nature of the documentation will depend on the source of abuse.

Records which are reasonably likely to be needed for current or future legal proceedings, including any civil or criminal proceeding or any inquiry in which evidence may be given before a court or person acting judicially, such as a Royal Commission or Board of Inquiry, cannot be destroyed. Even if the minimum requirement set out in a RDA has passed.

This retention and disposal authority covers records concerning allegations and incidents of child sexual abuse. It includes reporting, inquiring and investigation of allegations, as well as the provision of support and redress to individuals.

It also includes the development, implementation and review of organisational policy and guidelines in relation to the prevention, identification, and response to child sexual abuse incidents and allegations. This includes records of this nature created through an agency's reporting, oversight or regulatory relationships with other agencies.

### **5.8 After A Report Is Made**

Following a report, it is important to always protect confidentiality and the interests of the child and family. It is important to note:

- DHHS will only interview the student if he/she is agreeable
- The family will not be contacted until it is believed there is a case, and the student is at risk
- If the incident which caused the report to be made has occurred in the past, the student may be seen to be no longer at risk and no further action may be taken
- The identity of the person making a notification will be kept confidential (except when that information is required in a court case) unless that person gives permission for the information to be divulged. Such confidentiality should be requested by the Child Safe Officer and any other person who may become aware that a notification is to be or has been given.

Throughout the entire process of observation, discussion and reporting, the interests of the student and their family should be protected from unnecessary disclosure of information concerning abuse

Following the making of a report, any investigation that takes place by that external authority (i.e. DHSS, police or SSR) is the responsibility of that authority.

## **6. Governance Reporting**

The Principal will advise the Board of Management of any Mandatory Reports and Child Safety issues as part of the regular Board reports process.

The Child Safety Officer is responsible for the monitoring and overall School compliance with the Child Safe and Mandatory Reporting policies and procedures.

## 7. For school visitors, volunteers and school 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 DHHS Child Protection if they believe on reasonable grounds that a child needs protection. For contact details see the Four Critical Actions.

## 8. Related Policies

- Child Safety Code of Conduct
- Child Safety and Wellbeing Policy
- Staff Conduct and Acceptable Behaviours Policy
- ICT Acceptable Use and Social Media Policy
- Student Welfare and Behaviour Management Policy
- Privacy Policy
- Complaints Policy

### Additional Resources

- *4 Critical Actions for Schools: Responding to Incidents*
- <https://www.vic.gov.au/4-critical-actions-schools>

## 9. Review

This Policy is to be reviewed annually, or after a significant incident involving this policy.

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## **APPENDIX A: Child Safety Responding and Reporting Procedures.**

### **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 Oakleigh Grammar they should start with Year Level Leader, Assistant Principals, Deputy Principal or Principal

### **Managing disclosures made by students**

#### **If a child discloses an incident of abuse to you:**

- Try and separate them from the other children discreetly and listen to them carefully.
- Let the child use their own words at their own pace to explain what has occurred.
- Reassure the child that you take what they are saying seriously, and it is not their fault and that they are doing the right thing. Don't dismiss what they say. It takes courage for a child to talk about abuse.
- Explain to them that this information may need to be shared with others, such as with their parent/carer and specific people in the School.
- Do not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- Don't ask lots of questions.
- Make sure the child is safe and let them know you will do your best to stop them being harmed.
- Provide them with an Incident Report form to complete, or complete it together, if you think the child can do this.
- Do not leave the child in a distressed state. If they seem at ease in your company, stay with them. Take measures to protect the child until the allegation has been resolved.
- Explain to them that you will need to do next.
- As soon as possible after the disclosure, record the information using the child's own words if this has not already been done, check the 4 Critical Actions to determine the next steps, including the relevant form to complete, and advise the Child Safe Officer (or member of Executive Team if the Child Safety Officer is absent) and together report according to the 4 Critical Actions. .
- Ensure the disclosure is recorded accurately on the appropriate report form and that the record is stored securely in a central file (Principal's office)
- Ensure that the essential details of any disclosure are reported to the Deputy Principal, if they are not already aware, for inclusion in the Central Annual Reports Register. Deputy Principal to advise Principal.

In consultation with the School counsellor, Deputy Principal (Child Safety Officer), and with either the Assistant Principal – Head of Junior School or Middle School Pastoral Coordinator or Senior School Pastoral Coordinator and external wellbeing professionals, a Student Support Plan will be developed for any student that discloses child abuse or are otherwise linked to suspected child abuse. This may involve direct support or referral to external

professionals.

### **If a parent/carer says their child has been abused at School or raises a concern**

- Explain that the school has processes to ensure all abuse allegations are taken very seriously.
- Ask about the wellbeing of the child.
- Allow the parent/carer to talk through the incident in their own words.
- Advise the parent/carer that you will take notes during the discussion to capture all details.
- Explain to them the information may need to be repeated to authorities or others, including the Child Safety Officer, Orange Door or Child Protection.
- Do not make promises at this early stage, except that you will do your best to keep the child safe.
- Provide them with an Incident Report form to complete or complete it together.
- Ask them what action they would like to take and advise them of what the immediate next steps will be.
- As soon as possible report the disclosure to the Child Safety Officer (Deputy Principal) (or member of Executive Team if the Child Safety Office is unavailable) and together inform Orange Door or Child Protection.
- Ensure the disclosure is recorded accurately on an Incident Report form, and that the record is stored securely in a central file.
- The School Pastoral Coordinator, Director of ELC or Assistant Principal – Head of Junior School to ensure that the essential details of the disclosure are reported to the Deputy Principal for inclusion in the Central Annual Reports Register. Deputy Principal to advise Principal.

### **Reporting suspicions, disclosures or incidents of child abuse - responsibilities of all school staff**

If a school 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 Deputy Principal as soon as possible, who will follow the 4 Critical Actions.
- Make detailed notes of the incident or disclosure using the appropriate template, depending on the source of abuse, if available and ensure that those notes are kept and stored securely in locked office filing cabinet.

If the staff member is a mandatory 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 DHHS Child Protection or Victoria Police has been made by the Principal or member of the Executive.

If the report has not been made by another staff member, the mandatory reporter must make the report. 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 to Victoria Police has been made by the Principal.

If the report has not been made by another staff member, the staff member must make the report. 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 needs protection and/or has been the victim of sexual abuse, the staff member must still contact DHHS Child Protection and/or Victoria Police to make the report.

The Principal is responsible for promptly managing the school's response to an incident, suspicion or disclosure of child abuse, and ensuring that the incident, suspicion or disclosure is taken seriously.

The Principal is also responsible for responding appropriately to a child who makes or is affected by an allegation of child abuse. If the Principal receives a report from a school staff member or member of the school community of a suspicion, disclosure or incident of child abuse, they must:

- Follow the 4 Critical Actions as soon as possible, including:
  - Responding to an emergency
  - Reporting to authorities/referring to services
  - Contacting parents/carers
  - Providing ongoing support.
- Make detailed notes of the incident or disclosure, including actions taken using the Responding to Suspected Child Abuse: Template and ensure that those notes are kept and stored securely in locked office filing cabinet. 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 Oakleigh Grammar, the Principal will be responsible for ensuring that there is a prompt response to the disclosure and that the child is appropriately supported. If the Principal is unavailable, the Deputy Principal will take on the role and responsibilities described in this section.

**Note:**

The report forms to be used will be different depending on the source of the reported allegations of abuse

- Adult engaged by the school
- Student to student
- Within the family
- Within the community

These may be found on the Staff Portal



## Determine the source of abuse

If you notice or are told something concerning about a child, **you must act**.

To start, choose the most likely source of abuse. You can come back to this page at any time.



**Source: adult engaged by a government school**



**Source: adult engaged by a Catholic school**



**Source: adult engaged by an independent school**



**Source: student-to-student**

for all schools



**Source: in the family**

for all schools



**Source: in the community**

for all schools

