



WARRNAMBOOL  
CITY COUNCIL

# **Children's and Family Services Child Protection Policy**

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## DOCUMENT CONTROL

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## 1. INTRODUCTION

### 1.1. Purpose

This policy will provide a clear set of guidelines:

- To ensure a safe environment and minimise the risk of abuse of children accessing Warrnambool City Council Children's and Family Services.
- To ensure the protection of children through education and implementation of child safe Standards.

### 1.2. Scope

This policy applies to all WCC staff, contractors, volunteers, students, parents/guardians, children, and any other persons accessing and involved in the care and education of the child.

### 1.3. Background and legislation

Victorian organisations that provide services to child will be required under the Child Safety and Wellbeing Act to ensure that they implement compulsory child safe standards to protect children from harm.

Organisations who exercise care, supervision or authority over children, whether as a part of it primary function or otherwise.

To comply with the compulsory child safe standards, an organisation must include the following principles as part of each standard:

- Promoting the cultural safety of Aboriginal children,
- Promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds,
- Promoting the safety of children with a disability.

To create and maintain a child safe organisation, an organisation to which the standards apply must have:

1. Strategies to embed an organisational culture of child safety, through effective leadership arrangements
2. A Child Safe Policy or Statement of Commitment to Child Safety
3. A Code Of Conduct that establishes clear expectations for appropriate behavior with children
4. Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel
5. Processes for responding to and reporting suspected child abuse
6. Strategies to identify and reduce or remove risks of child abuse
7. Strategies to promote the participation and empowerment of children.

Relevant legislation may include but is not limited to:

- *Education and Care Services National Law Act 2011*
- *Education and Care Services National Regulations 2012*
- *Children's Youth and Families Act 2005*
- *Child Wellbeing and Safety Act 2005*
- *Child Safe Standards, A Guide for creating a Child Safety Organisation V2, Dec 2015*
- *Working with Children Act 2005*
- *The Charter of Human Rights and Responsibilities Act 2006*

- *Family Law Act 1975*

**1.4. Definitions**

Term	Definition
<b>Aboriginal</b>	The term 'Aboriginal' in this policy is inclusive of Aboriginal and Torres Strait Islander peoples.
<b>Abuser, offender and perpetrator</b>	Words used to describe an individual who abuses a child or young person. They can strike at a child's sense of identity, make them fearful or ashamed, and reduce their ability to participate in their community.
<b>Abuse, neglect and maltreatment</b>	An act or failure to act that presents an imminent <a href="#">risk</a> of serious harm. All abuse harms children. Even injuries that are not visible can be profound.
<b>Bullying</b>	Act of intimidating weaker people to make them do something; act of intentionally causing harm to others through verbal harassment, physical assault or other more subtle methods of coercion.
<b>Child</b>	'A child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier' (Convention on the Rights of the Child, United Nations, Article 1). The <i>Child and Young Persons Act 1989</i> describe a child or young person as a person under seventeen years. Not utilising the term 'young people' is not intended to diminish any emphasis on, or acknowledgement of, the safety risks to older children or teenagers.
<b>Child Abuse</b>	<p>Act or omission by an adult that endangers or impairs a child's physical or emotional health and development. Children can be harmed both physically and emotionally. It can be a single incident but usually takes place over time. Abuse, neglect and maltreatment are generic terms used to describe situations in which a child may need protection. Abuse includes any and all of the following:</p> <ul style="list-style-type: none"> <li>• Physical: When a child suffers or is likely to suffer significant harm from an injury inflicted by a parent/caregiver or other adults. The injury may be inflicted intentionally, or it may be the inadvertent consequence of physical punishment or physically aggressive treatment of a child. Physical injury and significant harm to a child may also result from neglect by a parent/caregiver or other adult. The injury may take the form of bruises, cuts, burns or fractures, poisoning, internal injuries, shaking injuries or strangulation.</li> <li>• Sexual: 'Utilisation of a child for sexual gratification by an adult or older child in a position of power, or permitting another person to do so'. This occurs when a person uses power or authority over a child to involve the child in sexual activity and the child's parent/caregiver has not protected the child. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity, from inappropriate touching or fondling of a child, exposing a child to pornography to having sex with a child.</li> <li>• Emotional and psychological; 'Chronic failure by the parent/caregiver to provide support and affection necessary to</li> </ul>

	<p>develop a sound and healthy personality.’ This may include repeated rejection, use of threats to frighten the child, name calling or putdowns. This type of abuse does not leave physical injuries, it is often hidden and underestimated.</p> <ul style="list-style-type: none"> <li>• Racial, cultural and religious: Conduct that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture or religion. It may be overt, such as direct racial vilification or discrimination, or covert, such as demonstrating a lack of cultural respect (attitudes and values) and awareness (knowledge and understanding) or failing to provide positive images about another culture.</li> <li>• Neglect: The failure to provide the child with the basic necessities of life, such as food, clothing, shelter, medical attention or supervision, to the extent that the child’s health and development is, or is likely to be, significantly harmed.</li> <li>• Exposure to family violence: When children and young people witness or experience the chronic domination, coercion, intimidation and victimisation of an individual by another through physical, sexual or emotional means within intimate relationships (adapted from the Australian Medical Association definition).</li> </ul>
<b>Child sex offender</b>	Individual who sexually abuses children and may or may not have been convicted.
<b>Child protection</b>	The term used to describe the whole community’s approach to the prevention of harm to children. It includes strategic action for early intervention, for the protection of those considered most vulnerable and for responses to all forms of abuse.
<b>Child Protection Service</b>	The Child Protection Service of the Department of Health & Human Services has statutory responsibilities under the <i>Children, Youth and Families Act 2005</i> for ensuring a child’s safety. It is also referred to as Child Protection.
<b>Code of conduct</b>	Lists behaviours that are acceptable and those that are unacceptable, including professional boundaries, ethical behaviour and acceptable and unacceptable relationships. Refer to Children’s and Family Services Code of Conduct.
<b>Culturally Safe Environment</b>	An environment that is safe for people where there is no assault, change or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience of learning, living and working together, with dignity and truly listening.
<b>Disclosure/ Failure to Disclose</b>	<p>The action of making new or secret information known that a child or young person makes to another person that describes or reveals abuse.</p> <p>Any adult, aged 18 and over, that forms reasonable belief that any abuse has been committed and fails to reports this to authorities. This is a criminal offence.</p>
<b>Domestic/family violence</b>	The use of violent, threatening, intimidating, coercive or controlling behaviour by an individual against a family member(s) or someone with whom they have or have had an intimate relationship, including carers.

<b>Duty of care</b>	A common law concept that refers to the responsibilities of organisations to provide children with an adequate level of protection against harm and all reasonable foreseeable risk of injury.
<b>Educators</b>	All Early Childhood Practitioners who work directly with children in early childhood settings.
<b>Children's and Family Services Team</b>	A team that includes representatives from MCH, Family Services team, Early Years admin, CBCC, Kindergarten and Family Day Care.
<b>Failure to protect</b>	<p>The act of ignoring or disregarding any suspected or disclosed child abuse.</p> <p>Applies to people within organisations who knew of a risk of child abuse by someone in the organisation and had the authority to reduce or remove the risk, but did not act to protect the child.</p>
<b>Grooming</b>	<p>The grooming offence where a person over the age of 18 years communicates, by words or conduct, online or face to face, with a child under the age of 16 years or with a person who has care, supervision or authority for a child, with the intention of later sexual activity with a child.</p> <p>This is a process of:</p> <ul style="list-style-type: none"> <li>• Building a trusting relationship with the child and his/her carers</li> <li>• Isolating the child in order to abuse them.</li> <li>• Maintaining access to the child</li> <li>• Ensuring the child's silence and the carer'/adults' continued trust.</li> </ul>
<b>Negligence:</b>	Conduct that falls below the standards of behaviour established by law for the protection of others against unreasonable risk or harm.
<b>Mandatory reporting</b>	Everyone has a moral and social responsibility and duty of care to report concerns about child abuse. Some professionals are legally required to make a report to child protection if they form a belief on reasonable grounds that a child has suffered or likely to suffer significant harm as a result of abuse.
<b>Office of the Child Safety Commissioner (OCSC)</b>	An organisation that makes children a priority. The commissioner provides advice to government on issues impacting on the lives of children, in particular vulnerable children.
<b>Violent behaviour</b>	Includes not only physical assaults but also an array of power and control tactics used along a continuum in concert with one another, including direct or indirect threats, sexual assault, emotional and psychological torment, economic control, property damage, social isolation and behaviour that causes a person to live in fear

## 1.5. References

### 1.5.1. Sources

- Australian Childhood Foundation: [www.childhood.org.au](http://www.childhood.org.au)
- Choose with Care (Building Child Safe Organisations), an information and training program: [www.childwise.net.au](http://www.childwise.net.au)

- Office of the Child Safety Commissioner: [www.ocsc.vic.gov.au](http://www.ocsc.vic.gov.au)
- Protocol between Child Protection and Children's Services 2004, Community Care Division Victorian Government Department of Human Services
- The United Nations Convention on the Rights of the Child
- Safe from Harm, the role of professionals in protecting children and young people: [www.education.vic.gov.au](http://www.education.vic.gov.au)
- Responding to Child Abuse, DHS Children, Youth & Families publication
- Working with children: [www.justice.vic.gov.au/workingwithchildren](http://www.justice.vic.gov.au/workingwithchildren)
- Children's Code of Ethics

### 1.5.2. *Early Years Learning and Development and Children's and Family Services Policies.*

- Interactions with Children Policy
- Code of Conduct Policy
- Dealing with complaints Policy
- Inclusion & Equity Policy
- Technology and Social Media Policy
- Privacy Policy
- Staffing Arrangements Policy
- WCC Health & Wellbeing Policy/Charter

## 2. POLICY

Warrnambool City Council Children's and Family Service's has a moral and legal responsibility to ensure that all children are safe in their care, and will provide resources, information and guidance for providing a child-safe environment for children enrolled in, attending or accessing an early years' service.

### **Warrnambool City Council Children's and Family Services believe that:**

- People caring for children must act in the best interests of the child and take all reasonable steps to ensure the child's safety and wellbeing
- All children have the right to feel safe and be safe at all times
- Practice will be based on a partnership approach and shared responsibility for children's safety, wellbeing and development
- All children will be given the opportunity to reach their full potential and participate in society irrespective of their family circumstances and background.

### **Warrnambool City Council Children's and Family Services are committed to:**

- Establishing, maintaining and strengthening a child-safe environment
- Developing and maintaining an open and aware culture in which children feel valued, respected and cared for
- Supporting the rights of the child
- Fulfilling their duty of care by protecting children from any reasonable, foreseeable risk of injury or harm
- Promoting children's development and wellbeing.



## 3. PROCEDURE

### 3.1. Management responsibilities

- Identifying the risks of child abuse within Warrnambool City Council Children's and Family Services.
- Developing and implementing effective strategies to prevent child abuse.
- Ensuring staff recruitment and induction supports the implementation of this policy.
- Ensuring appropriate training and education for staff in recognising child abuse, symptoms of child abuse, what to do and how to respond.
- The screening of all staff, volunteers and students, including the consideration of criminal history checks (if required), working with children check (if required), reference checks and interviews.
- Ensuring clear procedures are in place for reporting suspicions of child abuse and management of complaints (refer to [Appendix 2 & 3](#)).
- Regularly involving parents/guardians, staff and children in the development of a child-safe environment.
- Protecting the rights of children and families and, to the greatest extent possible, encouraging their participation in any decision-making.
- Offering support to the child, family and staff in response to concerns or reports relating to the safety and wellbeing of a child in a Children's and Family Services' service.
- Implementing and reviewing this policy in consultation with the parents/guardians and staff.

### 3.2. Staff responsibilities

- Maintaining a professional role with children, with clear boundaries that serve to protect everyone from misunderstandings, perceptions or a violation of the professional relationship.
- Being aware of the signs and symptoms of abuse to a child (refer to definitions and [Appendix 3](#), 'Incident/concern management and reporting guidelines').
- Report and document any concerns, as soon as practicable, of suspected or discovered harm of a child to management
- Cooperating with other services or professionals to work in the interests of the child and family.
- Undertaking training on child protection awareness, including processes for reporting and managing concerns/incidents, disciplinary procedures, guidelines for physical contacts between adults and children, and outside contact with children and their families.
- Ensuring that families are made aware of the support services available to them and of the benefits these services can provide, especially to those families in most need of assistance.
- Acknowledging and respecting children's individual identity, right to privacy, circumstances and cultural identity, and being responsive to the particular needs of the child.
- Educating and empowering children to talk about events and situations that make them feel uncomfortable.
- Ensuring a copy of the Code of Conduct Policy is readily accessible for parents/guardians, volunteers and students to refer to.
- Maintaining confidentiality.
- Ensuring that no child is left alone with students, volunteers or visitors.
- Complying with the Early Years Learning and Development Interactions with children policy.

### 3.3. Parents/guardians responsibilities

- Reporting observations and / or concerns about potential situations of child abuse to educators / managers.
- Abiding by the WCC and Children's and Family Service's Code of Conduct Policy.

### 3.4. ALL adults responsibilities

Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence. See [Appendix 1](#)

## 4. GOVERNANCE

### 4.1. Owner

The Children's and Family Services management team is responsible for this policy and for ensuring it is implemented, for monitoring progress and ensuring the policy is reviewed as appropriate.

### 4.2. Review

The Children's and Family Services management team will review the policy for any necessary amendments no later than 3 years after its formulation, and WCC will within 28 days of making any change, notify the parents/guardians of the children attending the services.

#### 4.2.1. Evaluation

In order to assess whether the policy has achieved the values and purposes, Warrnambool City Council Children's and Family Services will:

- Take into account feedback from staff, parents/guardians regarding the policy
- Monitor compliance with the expectations and procedures set out in the policy
- Monitor complaints and incidents regarding child protection.

### 4.3. Charter of Human Rights Compliance

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2006).

Warrnambool City Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee health and safety representatives in any workplace change that may affect the health and safety of any of its employees.

**APPENDIX - INCIDENT/CONCERN MANAGEMENT AND REPORTING GUIDELINES**

**APPENDIX 2 - BETRAYAL OF TRUST FACT SHEETS**

**APPENDIX 3 - FLOW CHART TO REPORT INCIDENTS**

**APPENDIX 4 – REPORTING TEMPLATE**

## APPENDIX 2 – INCIDENT/CONCERN MANAGEMENT AND REPORTING GUIDELINES

The concept of forming a belief is a thinking process, in which a person is more likely to accept rather than reject the notion that there is significant harm for the child. If you are more likely to believe there is significant harm for the child, you have formed a belief. It is the Child Protection worker's role to investigate and prove significant harm, so other professionals need only have reasonable grounds for belief. Responding to your belief that child abuse has occurred or is occurring can be the first important step in stopping the abuse and protecting the children from further harm.

### General guidelines

The best interests of the child is always the primary consideration, with due regard to confidentiality and fairness to the person against whom the allegation is made.

Children are encouraged to approach any person in the centre to express concerns about their treatment and be confident that they will be taken seriously.

Employees and volunteers are clear about whom they can approach to express concerns (refer to Early Years Learning and Development Dealing with Complaints Policy).

Any investigation will ensure procedural fairness and natural justice for a person suspected of abusing a child.

Records are kept about any child safety complaint and stored in accordance with the Early Years Learning and Development Privacy Policy.

Records contain information about the action taken, any internal investigation and any reports made to statutory authorities or professional bodies.

Everyone, including children, is aware of the need to report serious matters involving child protection to external authorities. Privacy is maintained and information is only reported to those people who need to know.

The physical and sexual abuses of children are crimes and are reported to the police. If a child discloses any such abuse, the organisation will listen, respond and report to the police.

A report can be made, even if they do not have all the necessary information.

Permission is not required from the parents, and they do not need to be notified that a report has been made.

### Forming a professional judgment

- Making objective observations and forming a professional judgement are based on:
- Warning signs (or indicators) of harm or potential harm that have been observed or inferred for information
- Knowledge of child development
- Knowledge of any support currently being received by the family

- Consultation with colleagues and other professionals
- Professional obligations and duty-of-care responsibilities
- Established protocols
- Individual centre processes
- Legal requirements, such as mandatory reporting.

## BETRAYAL OF TRUST: FACTSHEET

### The new 'failure to disclose' offence

Reporting child sexual abuse is a community-wide responsibility. Accordingly, a new criminal offence has been created in Victoria that imposes a clear legal duty upon all adults to report information about child sexual abuse to police.

Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.

#### 1. What is a 'reasonable belief'?

A 'reasonable belief' is not the same as having proof. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

For example, a 'reasonable belief' might be formed when:

- a child states that they have been sexually abused
- a child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves)
- someone who knows a child states that the child has been sexually abused
- professional observations of the child's behaviour or development leads a professional to form a belief that the child has been sexually abused
- signs of sexual abuse leads to a belief that the child has been sexually abused.

#### 2. Are there any excuses for not reporting child sexual abuse to police?

A person will not be guilty of the offence if he or she has a **reasonable excuse** for not disclosing the information. A reasonable excuse includes:

- fear for safety
- where the information has already been disclosed.

##### > Fear for safety

A reasonable excuse exists in cases where a person has a reasonable fear for their own safety or the safety of another person (such as a child or another family member) and they do not report to police due to those circumstances.

This defence may apply, for example, if a mother decides not to disclose information about her partner sexually abusing her child due to fear of violence to her or her child.

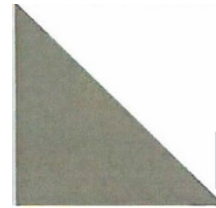
The person's fear must be subjectively reasonable, that is, it must be reasonable from the perspective of that person in those circumstances. This recognises that the person in question is best placed to judge whether their safety is in danger.

The court or jury will consider whether it was reasonable for the person not to report in the circumstances.

##### > Where the information has already been disclosed

It is a reasonable excuse to not disclose where a person believes on reasonable grounds that the information has already been disclosed to police and they have no further information to add.

# BETRAVAL OF TRUST: FACTSHEET



An important example of this exception is where the person has already made a report under the mandatory reporting obligation specified in the *Children, Youth and Families Act 2005*. This obligation requires teachers, doctors and other professionals to report concerns about child welfare to child protection authorities within the Department of Human Services (DHS).

Under the existing mandatory reporting system, DHS already passes on all allegations of child sexual abuse to police, so it will be a reasonable excuse for not reporting to police if a person has made a report to DHS or reasonably believes a report has been made to DHS. This ensures that people are not required to make multiple reports to different agencies.

### 3. What is not a reasonable excuse?

A person does not have a reasonable excuse for failing to disclose sexual abuse if they are only concerned for the perceived interests of the perpetrator or any organisation. 'Perceived interests' includes reputation, legal liability or financial status.

For example, a principal's concern for the reputation of a school, or a clergyman's concern for the reputation of a church where the abuse happened will not be regarded as a reasonable excuse.

### 4. Are there any other exemptions to the offence?

There are a number of other exemptions, which include:

- the victim requests confidentiality
- the person is a child when they formed a reasonable belief
- the information would be privileged
- the information is confidential communication
- the information is in the public domain
- where police officers are acting in the course of their duty.

### Failure to disclose information

The new offence respects the position of a victim who does not want the offending disclosed and who is sufficiently mature to make that judgment. The obligation to report therefore does not apply where the information comes from a person aged 16 or over and this person requests that the offence not be reported. The law recognises that a child under 16 is not able to make this kind of decision and sometimes lacks the capacity to fully understand the effects of sexual abuse.

A person will still be required to disclose information to police if:

- the victim who requested confidentiality has an intellectual disability, and
- the victim does not have the capacity to make an informed decision about a disclosure, and
- the person who received the information is aware or should be reasonably aware of those facts.

### Age

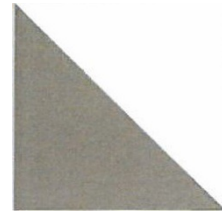
If a person was under the age of 18 when they formed a reasonable belief, they will not be obliged to make a disclosure when they turn 18. This protects children from the burden of knowing that they will have to disclose to police when they turn 18.

### Privilege

People will not be required to disclose where the information would be privileged. This includes:



# BETRAYAL OF TRUST: FACTSHEET



- client legal privilege
- journalist privilege
- religious confessions.

For example, if a priest obtains information made in good faith through a rite of confession (as long as the admission is not given for a criminal purpose), the priest is exempt from disclosing.

### Information obtained in confidence

A registered medical practitioner or counsellor is not required to disclose information to police if the information is obtained from a child whilst providing treatment and assistance to that child in relation to sexual abuse. However, under the mandatory reporting obligations, a registered medical practitioner would still be required to report to DHS if they form a reasonable belief that a child has been sexually abused and is in need of protection. This exemption is not designed to prevent the reporting of child sexual abuse, but rather to protect the registered medical practitioner or counsellor from criminal liability.

If an adult provides information to a medical practitioner or counsellor regarding the sexual abuse of a child, the medical practitioner or counsellor would be required to disclose that information to police unless another exemption applies.

### Information in the public domain

A person does not have to disclose to police if they get the information through the public domain, or form the belief solely from information in the public domain such as television or radio reports.

### Police officers - "Criminal Justice Act 2003"

A police officer acting in the course of their duty in respect of a victim of child sexual abuse is exempt from the offence.

## 5. If it is going to be compulsory for everyone to report child sexual abuse, why are there exemptions?

We need to ensure that in creating this legal obligation, we do not put children and their families at even greater risk of harm, especially those who may be experiencing family violence.

## 6. Won't child sexual abuse continue to occur if exemptions are allowed?

There is currently no requirement for people to report child sexual abuse to police, so introducing this new legal obligation is a big step towards preventing child sexual abuse in our community and ensuring people understand that it is a community-wide responsibility.

Certain exemptions are required to avoid any unintended consequences of this new obligation. It is not intended, for example, that this offence criminalise victims of family violence who don't report due to fear for their own or someone else's safety.

For example, women in family violence situations may have a reasonable fear for the safety of their child or another family member, especially in cases where threats have already been made. They may fear that making a report to police will escalate the situation, putting their child or another family member at even greater risk of harm – or even death.

Preventing the sexual abuse of children is a community responsibility. Other people connected with the child will still be required to make a report, unless they have a reasonable excuse not to do so.



## BETRAYAL OF TRUST: FACTSHEET

### 7. Won't this offence discourage people from seeking help where they have experienced child sexual abuse?

The law will not require a medical practitioner or counsellor to disclose information to police when it has been obtained from a victim during treatment for sexual abuse.

Disclosures for the purpose of obtaining legal advice will also be protected by client legal privilege. There are also other exemptions which have been listed above.

### 8. The offence requires 'any adult' to report suspected child sexual abuse. Isn't this too broad? Won't it lead to people reporting unfounded suspicions?

The offence requires a person to report to police where they have information that leads them to form a 'reasonable belief' that a sexual offence has been committed against a child under 16. Under the offence, people will not be expected to disclose unfounded suspicions as a suspicion does not constitute a 'reasonable belief'.

The failure to disclose offence is a big step towards preventing child sexual abuse in our community and ensuring people understand that protecting children and preventing sexual abuse is a community-wide responsibility.

### 9. How will I be protected if I make a disclosure to police?

Your identity will remain confidential unless:

- you disclose it yourself or you consent in writing to your identity being disclosed
- a court or tribunal decides that it is necessary in the interests of justice for your identity to be disclosed.

### 10. Will any person who knows of child sexual abuse happening in the past be required to report?

A person who knows of child sexual abuse having occurred in the past will not have to report to police unless the victim is still a child when the offence comes into effect.

### 11. What is the penalty for failing to disclose child sexual abuse?

The maximum penalty is three years imprisonment.

### 12. When will the failure to disclose offence take effect?

27 October 2014.

### 13. How do I contact Victoria Police to make a report?

If you want to report a child in immediate risk or danger of sexual abuse please call [Triple Zero \(000\)](tel:000). Alternatively, you can [contact your local police station](#).

If you or someone you know has experienced child sexual abuse in an institutional context, we encourage you to contact Victoria Police's Sano Taskforce via email at [sanotaskforce@police.vic.gov.au](mailto:sanotaskforce@police.vic.gov.au)





PROTECT



Education  
and Training

## ***Responding to suspected child abuse: template for All Victorian Early Childhood Services***

### **When to use this template?**

It is strongly recommended that **all\*** early childhood service staff utilise this template to document any suspicion that a child has been, is being, or is at risk of being abused.

*\*Maternal Child Health services should utilise their existing information management systems (CDIS or expedite) to record appropriate detail about any incidents, disclosures and suspicions of child abuse. Services may opt to ALSO use this form, which aligns with the Four Critical Actions.*

If needed, staff should be supported by management to complete this template, and to ensure that they meet their obligations.

This template should be used in conjunction with following the **Four Critical Actions For Early Childhood Services: Responding to Incidents, Disclosures and Suspicions of Child Abuse.**

Completing this template should not impact on reporting times. If a child is in immediate danger staff should immediately contact Victoria Police on 000.

Whilst you may need to gather the information to make a report, remember it is not the role of staff to investigate abuse, leave this to Victoria Police and/or DHHS Child Protection.

### **Why record this information?**

When completing this template your aim should be to provide as much information as possible. This information will be critical to any reports and may be sought at a later date if the matter is the subject of Court proceedings. These notes may also later assist you if you are required to provide evidence to support any decisions.

## **Responding to an Incident, Disclosure or Suspicion of Child Abuse**

PLEASE NOTE: IF YOU ARE MAKING A REPORT TO DHHS CHILD PROTECTION OR VICTORIA POLICE YOU MUST SEEK ADVICE BEFORE CONTACTING PARENTS/CARERS SO AS NOT TO COMPROMISE ANY INVESTIGATION OR PLACE A CHILD AT FURTHER RISK

### STAFF MEMBER LEADING THE RESPONSE

NAME:

OCCUPATION:

LOCATION (SCHOOL ADDRESS):

RELATIONSHIP TO CHILD:

## **Critical Action 1: immediate response to an incident**

If anyone is in immediate danger staff should report immediately to Victoria Police on 000.

See action 1 of Four Critical Actions For Early Childhood: Responding to Incidents, Disclosures and Suspicions of Child Abuse.

### RESPONDING TO AN EMERGENCY

DID THE CHILD REQUIRE FIRST AID? PROVIDE DETAILS IF 'YES'.

WHO ADMINISTERED THIS? (NAME AND TITLE)

DID THE CHILD REQUIRE FURTHER IMMEDIATE MEDICAL ASSISTANCE?

CURRENT LOCATION AND SAFETY STATUS:

*E.G. ARE ALL IMPACTED STUDENTS SAFE AND NOT IN ANY IMMEDIATE DANGER?*

*IF A CHILD IS IN IMMEDIATE DANGER SCHOOL STAFF SHOULD REPORT IMMEDIATELY TO VICTORIA POLICE ON 000*

**Information of the alleged victim**

**CHILD'S BACKGROUND**

CULTURAL STATUS AND RELIGIOUS BACKGROUND

PREVIOUS HISTORY OR INDICATORS OF SUSPECTED ABUSE

**FAMILY BACKGROUND**

FAMILY COMPOSITION (IF KNOWN):

*LIST PARENTING OR CARE ARRANGEMENTS AND SIBLING NAMES AND AGES*

ANY OTHER PEOPLE LIVING WITH THE CHILD (IF KNOWN):

## FAMILY BACKGROUND

DISABILITY, MENTAL OR PHYSICAL HEALTH ISSUES IN FAMILY (IF KNOWN):

LIKELY REACTION TO A REPORT BEING MADE (IF KNOWN):

## Details of the incident, disclosure or suspicion

### GROUNDS FOR YOUR BELIEF THAT A CHILD HAS BEEN, OR IS AT RISK OF ABUSE

INDICATORS OR INSTANCES WHICH LED YOU TO BELIEVE THAT A CHILD/CHILDREN ARE SUBJECT TO CHILD ABUSE, OR AT RISK OF ABUSE:

*DETAIL ANY DISCLOSURES OR INCIDENTS OR SUSPICIONS (INCLUDING NAMES, TIMES AND DATES DOCUMENTING A CHILD'S EXACT WORDS AS FAR AS POSSIBLE). INCLUDE SPECIFIC DETAIL HERE ON WHAT LED YOU TO FORM A REASONABLE BELIEF THAT A CHILD HAS BEEN, OR IS AT RISK OF BEING ABUSED.*

ANY PHYSICAL INDICATORS OF ABUSE:

ANY BEHAVIOURAL INDICATORS OF ABUSE:



ANY PATTERNS OF BEHAVIOUR OR PRIOR CONCERNS LEADING UP TO AN INCIDENT, DISCLOSURE OR SUSPICION:

## DETAILS OF PERSONS ALLEGED TO HAVE COMMITTED THE ABUSE (IF KNOWN)

NAME:

GENDER

DATE OF BIRTH:

RELATIONSHIP TO CHILD:

NOTHING IF THEY ARE WITHIN THE SCHOOL OR WITHIN THE FAMILY AND COMMUNITY (THIS WILL IMPACT ON WHO YOU REPORT TO)

ADDRESS:

CONTACT DETAILS:

NAME:

GENDER	DATE OF BIRTH:
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RELATIONSHIP TO CHILD:  
NOTHING IF THEY ARE WITHIN THE SCHOOL OR WITHIN THE FAMILY AND COMMUNITY (THIS WILL IMPACT ON WHO YOU REPORT TO)

ADDRESS:

CONTACT DETAILS:

## Critical Action 2: Reporting

See Action 2 of Four Critical Actions for Early Childhood Services: Responding to Incidents, Disclosures and Suspicions of Child Abuse

### REPORTING TO AUTHORITIES

TICK THE AUTHORITIES YOU HAVE REPORTED TO:

- VICTORIA POLICE
- DHHS CHILD PROTECTION
- CHILD FIRST
- DECISION NOT TO REPORT

IF YOU'VE DECIDED NOT TO REPORT, LIST YOUR REASONS HERE. ALSO INCLUDE ANY FOLLOW-UP ACTIONS UNDERTAKEN BY YOU BELOW:

PROVIDE OF YOUR REPORT

DATE:

TIME:

AUTHORITY:

NAME OF PERSON SPOKEN TO:

OUTCOMES FROM THE REPORT:

## REPORTING INTERNALLY

### PROVIDE DETAILS OF YOUR DISCUSSION WITH LICENSEE OR APPROVED PROVIDER

TIME:

DATE:

NAMES:

DISCUSSION OUTCOMES:

NOTIFICATION TO THE REGULATOR (LICENSED AND APPROVED SERVICES):

*ALL LICENSED AND APPROVED SERVICES MUST NOTIFY THE QUALITY ASSESSMENT AND REGULATION DIVISION IF THERE IS AN INCIDENT AT THE SERVICE AND/OR THE HEALTH, SAFETY OR WELLBEING OF A CHILD HAS BEEN COMPROMISED WHILST ATTENDING THE SERVICE.*

TIME:

DATE:

NAMES:

DISCUSSION OUTCOMES:

## Critical Action 3: Contacting parents/carers

See Action 3 of Four Critical Actions For Early Childhood Services: Responding to Incidents, Disclosures and Suspicions of Child Abuse

### ACTIONS TAKEN (ALLEGED VICTIM)

**PROVIDE DETAILS OF YOUR DISCUSSION WITH PARENTS/CARERS (IF APPROPRIATE):**

YOU MUST CONSULT WITH VICTORIA POLICE AND/OR DHHS CHILD PROTECTION TO DETERMINE IF IT IS APPROPRIATE TO CONTACT PARENTS, IF IT IS DEEMED APPROPRIATE, PARENTS MUST BE CONTACTED AS SOON AS POSSIBLE (WITHIN 24 HOURS OF THE INCIDENT, DISCLOSURE OR SUSPICION).

HAVE YOU SOUGHT ADVICE FROM DHHS CHILD PROTECTION OR VICTORIA POLICE?

- NO
- YES

IS IT APPROPRIATE TO CONTACT PARENT/CARER

- NO
- YES

LIST REASONS IF IT IS NOT APPROPRIATE TO CONTACT PARENT/CARER:

IF CONTACTING PARENT/CARER, PROVIDE THE FOLLOWING DETAILS:

NAME OF STAFF MEMBER MAKING THE CALL:

NAME OF PARENT/CARER RECEIVING THE CALL:

DISCUSSION OUTCOMES:

## **Critical Action 4: Providing ongoing support**

See Action 4 of Four Critical Actions For Early Childhood Services: Responding to Incidents, Disclosures and Suspicions of Child Abuse

### **PLANNED ACTIONS**

INCLUDE DETAIL ON WHAT FOLLOW-UP ACTIONS HAVE OCCURRED TO SUPPORT THE STUDENT (FOR EXAMPLE, REFERRAL TO SPECIALISED SERVICES):

### **FOLLOW UP ACTIONS**

### **SUPPORT:**

### **REFERRALS(S):**

## PROCESS OF REVIEW

COMPLETE THIS SECTION BETWEEN 4-6 WEEKS AFTER AN INCIDENT, SUSPICION OR DISCLOSURE OF ABUSE IN CONJUNCTION WITH YOUR MANAGEMENT/APPROVED PROVIDER. THIS WILL SUPPORT YOU AND YOUR SERVICES TO CONTINUE TO PROTECT CHILDREN IN YOUR CARE AND TO REFLECT ON YOUR PROCESSES AND THE NEED FOR ANY FOLLOW- UP ACTION.

### SAFETY AND WELLBEING

#### CURRENT SAFETY AND WELLBEING OF THE CHILD

IS THE CHILD SAFE FROM ABUSE AND HARM?

- NO
- YES

*IF NOT CONSIDER THE NEED TO MAKE A FURTHER REPORT*

DOES THE CHILD HAVE ANY WELLBEING ISSUES THAT ARE NOT CURRENTLY BEING ADDRESSED?

- NO
- YES

*IF SO, CONSIDER HOW THESE CAN BE ADDRESSED AND CAPTURED WITHIN A STUDENT SUPPORT PLAN*

#### CURRENT WELLBEING OF OTHER CHILDREN WHO MAY BE IMPACTED BY THE ABUSE

ARE THERE ANY OTHER CHILDREN WHO MAY BE IMPACTED BY THE ABUSE?

- NO
- YES

IF SO HAVE THEIR WELLBEING NEEDS BEEN MET

- NO
- YES

#### CURRENT WELLBEING OF IMPACTED STAFF MEMBERS

DOES THE STAFF MEMBER WHO MADE THE REPORT/ WITNESSED THE INCIDENT, FORMED A SUSPICION OR RECEIVED A DISCLOSURE REQUIRE ANY SUPPORT?

- NO
- YES

IF SO HAS THIS BEEN RECEIVED?

- NO
- YES

## REVIEW OF ACTIONS TAKEN

**HAVE SCHOOL STAFF FOLLOWED THE FOUR CRITICAL ACTIONS FOR EARLY CHILDHOOD SERVICES: RESPONDING TO INCIDENTS, DISCLOSURES OR SUSPICIONS OF CHILD ABUSE?**

WAS AN APPROPRIATE DECISION MADE IN RELATION TO WHEN TO ACT?

- NO
- YES

COULD THE SUSPECTED ABUSE HAVE BEEN DETECTED EARLIER?

- NO
- YES

### **ACTION 1**

DID THE STAFF TAKE APPROPRIATE ACTION IN AN EMERGENCY?

- NO
- YES

### **ACTION 2**

WAS A REPORT MADE TO THE APPROPRIATE AUTHORITIES AND INTERNALLY?

- NO
- YES

WERE SUBSEQUENT REPORTS MADE IF NECESSARY?

- NO
- YES

### **ACTION 3**

DID THE SCHOOL CONTACT THE PARENTS/CARERS ASAP?

- NO
- YES

HAVE THE PARENTS CONTINUED TO BE ENGAGED IF APPROPRIATE?

- NO
- YES

### **ACTION 4**

HAS THE SERVICE PROVIDED ADEQUATE ON-GOING SUPPORT FOR THE CHILD?

- NO
- YES

HAVE ANY COMPLAINTS BEEN RECEIVED?

- NO
- YES

HAVE THE COMPLAINTS BEEN RESOLVED?

- NO
- YES

