



2.3 Child Safety Responding and Reporting Obligations Policy

1. Introduction

This policy is to be read in conjunction with the Girton Grammar School's Child Safety Policy, which sets out the school's commitment and approach to creating and maintaining a child safe organisation.

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 Girton Grammar School.

3. Scope

This policy applies to all school staff, volunteers, contractors and other school community members. It also applies to all staff and students engaged in any school-run events, activities and services.

4. Policy

All children and young people have the right to protection in their best interests.

Ministerial Order 1359 outlines the eleven Child Safe Standards that Girton Grammar School must comply with in relation to keeping children safe. The School's Board and leaders are committed to developing and implementing policies and practices to ensure compliance with these standards.

To create and maintain a child safe organisation, Girton Grammar School will:

- Consider the diversity of all children, including (but not limited to) the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, children who are vulnerable, children and young people who identify as LGBTIQ+, Out of Home Care (OoHC) students and International students, when implementing the Child Safe Standards.
- Child safety is embedded in organisational leadership, governance and culture.
- Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
- Families and communities are informed, and involved in promoting child safety and wellbeing.
- Equity is upheld and diverse needs respected in policy and practice
- People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
- Processes for complaints and concerns are child focused.
- Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
- Physical and online environments promote safety and wellbeing while minimizing the opportunity for children and young people to be harmed.
- Implementation of the Child Safe Standards is regularly reviewed and improved.
- Policies and procedures document how the organisation is safe for children and young people.



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Girton Grammar School understands the important role our school plays in upholding the standards outlined in Ministerial Order 1359 and protecting children from abuse including:

- 4.1 Physical abuse
- 4.2 Sexual abuse (including sexual exploitation)
- 4.3 Family violence
- 4.4 Emotional abuse
- 4.5 Neglect (including medical neglect)
- 4.6 Grooming

The staff at Girton Grammar School are required by law to comply with various child safety reporting obligations. For detailed information about each obligation, please refer to [Protect - Identifying and Responding to All Forms of Abuse in Victorian Schools](#)

At Girton Grammar School, 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. We recognize that children from culturally and linguistically diverse backgrounds have a right to special care and support, including (but not limited to) the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, children who are vulnerable, children and young people who identify as LGBTIQ+, Out of Home Care (OoHC) students and International students.

Mandatory Reporting

School Principals, Deputy Principals, VIT registered teachers, school counsellors, registered medical practitioners, nurses, religious ministry, registered nurses, and registered psychologists are mandatory reporters under the Children, Youth and Families Act 2005 (Vic).



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All mandatory reporters must make a report to the Department of Families, Fairness and Housing (DFFH) 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:

- 4.7 a child has suffered, or is likely to suffer, significant harm as a result of physical abuse and/or sexual abuse, and
- 4.8 the child's parents or other guardians have not protected, or are unlikely to protect, the child from harm of that type.

In Victoria, a "child" for this purpose is any person under 17 years of age.

A mandatory reporter who fails to comply with this legal obligation may be committing a criminal offence. It is important for all relevant staff at Girton Grammar School to be aware that they are legally obliged to make a mandatory report as soon as practicable after forming the belief that a child is in need of protection and after each occasion on which they become aware of any further reasonable grounds or the belief.

Relevant staff must make a mandatory report even if the Principal or delegate does not share their belief that a report is necessary.

At our school, all staff must undertake training annually on **Mandatory Reporting of Child Abuse in Schools 4.0 (AU)**. We also require all volunteers and School Board Members to annually undertake this module, even where they are not mandatory reporters.

While the above is mandated, in accordance with Ministerial Order No. 1359 - Child Safe Standards - Managing the Risk of Child Abuse in Schools, all Girton Grammar staff members MUST act by reporting to DFFH Child Protection or Victoria Police, as soon as they witness an incident or form a reasonable belief that a child/student has been, or is at risk of being abused. This includes all forms of abuse.

This duty of care also extends to students who are aged 17 years and over. In circumstances where a staff member suspects that a student over the age of 17 is subject to abuse they are also required to follow the [Four Critical Actions for Schools](#) Responding to Incidents, Disclosures and Suspicions of Child Abuse.

A teacher does not need permission from parents or caregivers to make a mandatory report, nor do you need to inform them that you are reporting. Advice must always be sought from the Department of Families, Fairness and Housing and/or Victoria Police about whether or not to notify parents or caregivers.

It may be necessary for the Department of Families, Fairness and Housing to interview a child at school when a report of abuse has been made. Such requests must be directed to the Principal or the Principal's nominee.



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It is important to advise children or young people of their right to have a supportive adult present at such an interview. This may be the Principal or delegate, a nominated teacher or member of the Student Wellbeing Team or 65 Wattle.

When Officers of Child Protection Victoria or the Police seek an interview with a child, the Principal should cooperate with the authorised agency.

They should:

- 4.9 Arrange for the child to choose a supportive adult to be present.
- 4.10 Follow the recommended procedures from the Department of Families, Fairness and Housing
- 4.11 Ensure that arrangements are in order for any interview which is to take place at the school
- 4.12 Seek or offer appropriate pastoral support for the reporting staff member
- 4.13 Observe confidentiality at all times in the management of a mandatory reporting case
- 4.14 If legal assistance is required, this can be arranged via the Principal
- 4.15 If it is deemed that an interpreter is beneficial for International students, their parents or guardians, this can be arranged through the Head of Student Engagement.

For more information about Mandatory Reporting see the Education Department's Policy and Advisory Library: [Protecting Children - Reporting and Other Legal Obligations](#)

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.

This policy requires that **all staff** who form a reasonable belief that a child is in need of protection, to report their concerns to DFFH or Victoria Police (Ph. 03 5448 1300 - Bendigo, 000 - Emergency), and discuss their concerns with a school Child Protection Officer.

For more information about making a report to DFFH Child Protection, see the Government's *Policy and Advisory Library*: [Protecting Children - Reporting and Other Legal Obligations](#) and [Four Critical Actions for Schools](#)

At Girton Grammar, we also encourage all staff to make a referral to [Child FIRST](#) or [The Orange Door](#) when they have significant concern for a child's wellbeing and where they believe the parent/carer is open to receiving support. For more information about making a referral to [Child FIRST](#) or [The Orange Door](#) please see their websites.

Reportable Conduct

There is an allegation of reportable conduct where a person has formed a reasonable belief that there has been:



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- 4.16 a sexual offence (even prior to criminal proceedings commencing), sexual misconduct including grooming or physical violence committed against, with or in the presence of a child;
- 4.17 behaviour causing significant emotional or physical harm to a child;
- 4.18 significant neglect of a child; or
- 4.19 misconduct involving any of the above.

The School has a legal obligation to inform the Commission for Children and Young People when an allegation of reportable conduct is made involving current or former teachers, contractors, volunteers (including parents), allied health staff and School employees.

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 the Girton Grammar School Board.

For more information about Reportable Conduct; [Reportable Conduct Scheme](#)

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 practical may amount to a criminal offence unless a person has a ‘reasonable excuse’ or exemption from doing so.

‘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:

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

“Reasonable excuse” is defined by law and includes:

- 4.25 fear for the safety of any person including yourself or the potential victim (but not including the alleged perpetrator or an organisation)



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4.26 where the information has already been disclosed, for example, through a mandatory report to the Police and DFFH Child Protection.

For more information about this reporting obligation; [Failure to Disclose Offence](#)

Failure to Protect Offence

This reporting obligation applies to all staff in a position of authority. This can include Principal, Deputy Principal and Campus Heads of School. 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 substantial 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.

When determining whether a child is at substantial risk of sexual abuse staff may consider a number of factors including:

- the likelihood or probability that the child will become the victim of a sexual offence
- the nature of the relationship between a child and the adult who may pose a risk to the child
- the background of the adult who may pose a risk to the child, including any past or alleged misconduct
- any vulnerabilities particular to a child which may increase the likelihood that they may become the victim of a sexual offence
- any other relevant fact which may indicate a substantial risk of a sexual offence being committed against a child.

When determining whether a risk is substantial, the courts will consider a variety of factors, which may include those listed above. The courts will consider all the facts and circumstances of the case objectively, and will consider whether a reasonable person would have judged the risk of a sexual offence being committed against the child abuse as substantial. It is not necessary to prove that a sexual offence, such as indecent assault or rape, was committed.

If in doubt, advice can be sought from DFFH Child Protection (Ph. 03 5434 5555-Bendigo, 131 278 – 24 hour service) or Victoria Police (Ph. 03 5448 1300 – Bendigo).

If a staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence. **Girton Grammar School staff or volunteers must not negligently fail to reduce or remove the risk to a child from a sexual offence.**

For more information about this reporting obligation; [Failure to Protect Offence](#)

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.

4.27 The offence of grooming concerns predatory conduct undertaken to prepare a child for sexual activity at a later time.



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- 4.28 The offence applies where an adult communicates, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvement in sexual conduct, either with the groomer or another adult.
- 4.29 Grooming does not necessarily involve any sexual activity or even discussion of sexual activity – for example, it may only involve establishing a relationship with the child, parent or carer for the purpose of facilitating sexual activity at a later time.
- 4.30 The sexual conduct must constitute an indictable sexual offence. This includes offences such as sexual penetration of a child, indecent assault and indecent act in the presence of a child. It does not include summary offences.
- 4.31 Grooming can include communicating and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer.

For more information about this offence and reporting obligations see: [Grooming Offence](#)



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5. Reporting Concerns

Our Child Protection Program provides detailed guidance for members of the Board of Directors, staff and Direct Contact Volunteers as to how to identify key risk indicators of child abuse and how to report child abuse concerns to one of our School's nominated Child Protection Officers. It also contains detailed procedures with respect to the reporting of child abuse incidents to relevant authorities.

Third party contractors, external education providers, indirect contact volunteers, students, parents/carers or other community members who have concerns that a child may be subject to abuse are asked to contact one of the School's **Child Protection Officers**. Communications will be treated confidentially on a "need to know basis".

Child Protection Officer: Making a Report

Girton Grammar School has appointed the people listed in the table below as the School's Child Protection Officers. Each Child Protection Officer is available to answer any questions that you may have with respect to our Child Safety Policy and the Child Protection Program.

All staff members and others covered by this policy need to be aware that fulfilling the roles and responsibilities contained in our strategies and procedures does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.

No staff member is prohibited from keeping their own records in regard to an allegation or disclosure of child abuse.

Child Protection Officers		
Mr Dave Martin	Head of Student Engagement	03 54413114
Mr Don Thompson	Head of Junior School	03 44085919
Mrs Viv Bath	Deputy Head of Junior School	03 44085919

When to Contact a Child Protection Officer

If you have any concern that a child may be experiencing any form of abuse, whether or not you have formed a belief on reasonable grounds that the abuse has occurred, you should immediately raise your concerns with one of our Child Protection Officers.

Our Child Protection Officers receive additional training with respect to child protection issues. They are the first point of contact for raising child protection concerns within the School. They are also responsible for championing child protection within the School and assisting in coordinating responses to child protection incidents. A full role description for the officers is overleaf.



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Child Protection Officers are selected based on a number of considerations, namely:

- Their personal attitudes, experiences and beliefs; for example, a person who is non-judgmental, calm, resilient and demonstrates a high degree of integrity and respect for confidentiality;
- Their role within the School, for example, a person who has seniority and experience working with complex student and family issues at the School and someone who is readily accessible and available to all members of the School community; and
- Their personal profile within the School, for example, a person who is approachable, who students and staff trust and who is willing and able to respond to issues personally and sensitively.

The School's Child Protection Officers are your first point of contact for reporting child protection issues within the School. Their special training that allows them to deal with child protection concerns both sensitively and effectively.

'Child Abuse' includes:

- sexual offences;
- grooming;
- physical violence;
- serious emotional or psychological harm; serious neglect; and
- family violence, or exposure to family violence.

The welfare and best interests of the child are paramount. Whenever there are concerns that a child is in immediate danger the Police should be called on 000.

Our Senior Child Protection Officer

Girton Grammar School has appointed Dr Emma O'Reilly, Principal, as the School's Senior Child Protection Officer. The Senior Child Protection Officer has an important role in the promotion and maintenance of our child protection culture at the School.

The Senior Child Protection Officer is identified in our publicly available Child Protection and Safety Policy as the contact for the wider community when they have child protection concerns relating to the School.

The Senior Child Protection Officer is contactable by phone on 03 54413114 or by emailing principal@girton.vic.edu.au.

Child Protection Officers - Role Description

The Girton Child Protection Officers:

- Act as one of the people that staff, parents/guardians and children contact to discuss a suspected abuse or child safety concern
- Accurately record all relevant information and actions taken
- Securely store all records and information in line with the School's Privacy Policy
- Assess how and when to report to the Principal and authorities
- Provide staff with a point of contact for discussion if they develop a belief that a mandatory report is required to be made



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- In conjunction with the Wellbeing Team, instigate strategies to make people (adults and children) feel safe and comfortable in reporting suspected abuse
- Ensure that avenues for reporting incidents or concerns are accessible for families and children e.g. on the website and the School's Internal Portal.
- Ensure that the procedures for responding to alleged abuse are fair and child centred.
- Are given direct access to the Board Chair in the event that an allegation of abuse has been made against the Principal.
- Provide support and comfort to a child reporting abuse or safety concerns, and never blame or interrogate a child
- Contact parents/guardians as appropriate
- Ensure processes for responding to suspected child abuse explicitly include culturally appropriate responses where suspected abuse involves an Aboriginal or Torres Strait Islander child
- Use effective and school sanctioned communication channels when making the required contact
- Provide ongoing expertise to make referrals in support of alleged victims, their families and affected staff, such as helping them understand their rights and the process that will be followed in responding to allegations, and assistance in accessing counselling or other support as required
- Provide contact details for internal and/or external expertise so that staff have access to advice when managing child safety incidents, including expertise relating to the diversity of all children, including (but not limited to) the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, children who are vulnerable, children and young people who identify as LGBTIQ+, Out of Home Care (OoHC) students and International students.
- In conjunction with other Senior Staff, undertake timely reviews of child safe policies and procedures to be followed if child abuse occurs
- Support the Principal in developing suitable statements or responses to staff, parents and students in the event of an incident of confirmed child abuse
- Develop, in conjunction with the Principal, relevant media statements or responses in the event of an incident of confirmed child abuse that is made known to the wider public
- In conjunction with the other Senior School, review organisation responses following an incident to help drive continuous improvement
- In conjunction with the HR Committee , ensure supervision requirements for staff and volunteers who work with children are enforced, maintained and regularly reviewed
- In conjunction with the Wellbeing Team, gather feedback from children eg. surveys, focus groups and social media, about whether they would feel safe and taken seriously if they were to raise concerns, and implements improvements based on this feedback
- In conjunction with the other Senior Staff , include priorities and actions in operational plans that nurture and affirm the involvement of all children in the organisation's activities, including (but not limited to) the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, children who are vulnerable, children and young people who identify as LGBTIQ+, Out of Home Care (OoHC) students and International students.
- Provide culturally safe environments for Aboriginal and Torres Strait Islander children.



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6. Record keeping, confidentiality and privacy

Any time a report needs to be made to Child Protection or Victoria Police, a PROTECT report template must be completed. [PROTECT - Recording your Actions](#) This template includes all important information that can be referred back to at any time. All details concerning the disclosure or observation must be included, even if highly sensitive. Due to the often confidential nature of these documents, they are stored with the Principal and delegates.

Please also refer to [Girton Grammar Privacy Policy](#)

7. Further Guidance

[Failure to Disclose Offence](#)
[Failure to Protect Offence](#)
[Four Critical Actions for Schools](#)
[Protecting Children - Reporting and Other Legal Obligations](#)
[Girton Grammar Privacy Policy](#)
[PROTECT - Recording your Actions](#)
[Crimes Act 1958](#)
[2.0 Child Safety Policy](#)
[Whistleblower Policy](#)
[Volunteer Policy](#)

8. Policy Status/Document Control

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