

<b>Policy Name</b>	<b>Child Safety Responding and Reporting Obligations Policy and Procedures</b>
<b>Date Last Reviewed</b>	February 2023
<b>Scheduled Review Date</b>	February 2024
<b>Approved By</b>	Board of Directors

### Background

Skyline Education Foundation Australia is dedicated to guaranteeing the safety, well-being, and participation of all children and young people under our care.

If you require assistance understanding this policy and procedures and are a non-English speaker, please get in touch with us at [info@skylinefoundation.org.au](mailto:info@skylinefoundation.org.au) or call 0403 436 474.

This Policy and Procedures are available to the public at [www.skylinefoundation.org.au/childsafety](http://www.skylinefoundation.org.au/childsafety). A copy can also be obtained by requesting it from [info@skylinefoundation.org.au](mailto:info@skylinefoundation.org.au). Additionally, prior to commencement, copies are provided to all Skyline staff, volunteers, contractors, service providers who undertake child-related work, and Board members.

This Policy and Procedures deals with reporting of complaints and concerns of child abuse made by or regarding a child or student, staff, volunteers, contractors, service providers who undertake child-related work, visitors, or any other person who is associated with Skyline.

Skyline has a positive complaints culture and encourages the reporting of incidents. All complaints and concerns of child abuse are treated seriously, whether made by an adult or child. All complaints and concerns will be responded to promptly, thoroughly, and fairly, and immediate action will be taken to safeguard children at risk.

If there is a concern for the immediate safety of a child, please call 000 (Triple Zero).

This Policy and Procedures should be read in conjunction with Skyline's Child Safety Code of Conduct, as well as all other child safety and well-being policies and procedures.

For complaints or concerns about Skyline or the behavior of any person within Skyline not relating to child abuse, please refer to our Complaints and Grievances Policy and Procedures, which is publicly available at [www.skylinefoundation.org.au/childsafety](http://www.skylinefoundation.org.au/childsafety).

### Purpose

The purpose of this Policy and Procedures is to ensure that all child abuse complaints and concerns are handled in a child-focused, culturally safe, and easily understood manner. In the event of an incident, disclosure, or suspicion of child abuse, it is important that all staff and volunteers follow our child safety procedures and reporting obligations.

This Policy and Procedures provide guidance on how to ensure that children raising complaints and safety concerns or disclosing abuse are treated with sensitivity and provided with support.

The Policy and Procedures cover all forms of child abuse and are sensitive to the diversity and characteristics of the Skyline community, paying particular attention to the needs of Aboriginal and Torres Strait Islander students, students with disabilities, culturally and linguistically diverse students, students who are unable to live at home, international students, and LGBTQIA+ students. They are publicly available and accessible to all students, Skyline staff, volunteers, contractors, service providers engaged in child-related work, and the Skyline community.

The Policy and Procedures apply to all complaints and concerns relating to child abuse made by or in relation to a child or student, staff, volunteers, contractors, service providers engaged in child-related work, visitors or any other persons while connected to the Skyline environment.

They identify the roles and responsibilities of Skyline staff and leadership to act and report on complaints and concerns relating to child abuse, ensuring that the complaint or concern is taken seriously, promptly and thoroughly managed, and responded to appropriately. Skyline's overall compliance with the procedures is monitored, and an alternative procedure is managed where a person allocated responsibility cannot perform their role.

The procedures do not displace or discharge any other obligations that arise if a person, in fulfilling the roles and responsibilities in the procedures, reasonably believes that a child is at risk of child abuse.

The procedures clearly describe the actions Skyline will take to respond to a complaint or concern relating to child abuse, including actions to report allegations, suspicions, or disclosures to relevant authorities, protect any child or student connected to the complaint or concern relating to child abuse until the complaint or concern is resolved, and make, secure, and retain records of the complaint or concern and Skyline's response.

The procedures ensure that all record keeping, reporting, private, and employment law obligations are met when responding to child abuse complaints and concerns.

All Skyline staff understand mandatory reporting under the Children and Young Persons Act 2005 (Vic), the failure to disclose offense under the Crimes Act 1958 (Vic), the failure to protect offense under the Crimes Act 1958, and the grooming offense under the Crimes Act 1958.

All Skyline staff, volunteers, long-term contractors, and service providers engaging in child-related work receive annual training and support to understand and recognise indicators of child harm, including harm caused by other children, students, or adults (including family violence), and to respond effectively to issues of child safety and wellbeing and support colleagues who disclose harm.

All newly appointed Skyline staff, Board members, volunteers, contractors, and service providers engaged in child-related work receive information appropriate to their roles that includes the procedures for managing child abuse complaints and concerns.

The procedures ensure that Skyline is compliant with all laws, regulations, and standards relevant to child safety and protection in Victoria, including the Victorian Child Safe Standards.

## Principles

Skyline fosters a culture that encourages every person within our community to raise concerns and complaints related to child abuse. We are committed to protecting all children from all forms of child abuse. Our actions and processes empower our students to have a voice and proactively raise any complaints or concerns. This makes it more difficult for breaches of the Child Safety Code of Conduct, misconduct, or child abuse to occur and remain hidden.

## Scope

This Policy and its Procedures apply to the following:

- Staff
- Students
- Families
- Visitors, volunteers, contractors, and service providers undertaking child-related work
- Board of Directors and Committee members.

These Policy and Procedures apply to all physical and online environments used by Skyline students during and outside of school hours, including locations used for camps, tours, sporting events, excursions, competitions, and other events.

**NOTE:** Fulfilling the roles and responsibilities contained in the policy and procedures does not absolve any person from other obligations that may arise if they reasonably believe that a child is at risk of child abuse.

## Policy

### What is child abuse?

Child abuse can take many forms, and it may be perpetrated by a parent, carer, staff member, volunteer, another adult, or even another child. The nature of child abuse is complex, and the abuse may occur over time, with potential risk indicators that are often difficult to detect.

Under the Child Wellbeing and Safety Act 2005 (Vic), child abuse includes the following:

1. Any act committed against a child involving a sexual offence.
2. Grooming.
3. The infliction on a child of physical violence.
4. The infliction on a child of serious emotional or psychological harm.
5. Serious neglect, including exposure to family violence and its effects.

### Sexual offences

The *Child Wellbeing and Safety Act 2005* uses the definition of "sexual offences" contained in other legislation. These include sexual behaviors that are committed against, with, or in the presence of a child. Victoria Police explains that sexual offences can refer to a broad range of sexual behaviors that make a person feel uncomfortable, frightened, or threatened. Sexual offences can include rape, sexual assault, and child sexual abuse. Sexual offences are often perpetrated by someone known to and trusted by the victim and those close to them. Sexual offending can occur anywhere, such as within the family home, the community, or institutional settings (such as a school, church, club, aged care facility, or disability service). A sexual offence may be experienced as a one-off or repeatedly over a longer period.

### Grooming

Grooming by an adult for sexual conduct with a child under the age of 16 is a crime under section 49M of the *Crimes Act 1958 (Vic)* and is included in the definition of child abuse under the *Child Wellbeing and Safety Act 2005*.

Grooming refers to behaviors that manipulate and control a child with the intent of gaining access to the child, obtaining the child's compliance, maintaining the child's silence, and avoiding discovery of the sexual abuse.

The Department of Justice and Community Services explains that:

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

- 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, such as up skirting and indecent behaviour in public.
- The offence can be committed by any person aged 18 years or over. It does not apply to communication between people who are both under 18 years of age.
- The offence applies to communication with children under 16 years, but not communication with 16- and 17-year-old children. This distinction between children aged below 16 and those aged 16 or 17 reflects the general age of consent (16 years) recognised by the criminal law in relation to sexual offences.
- The maximum penalty is 10 years' imprisonment.

### Physical violence

The *Child Wellbeing and Safety Act 2005* does not further describe what child abuse from the infliction on a child of physical violence means. The standard definition used by the Victorian government for 'child abuse (physical)' is:

*Physical child abuse is any non-accidental infliction of physical violence on a child by any person. It can be inflicted in many ways, including beating, shaking or burning and assault with implements and female genital mutilation.<sup>1</sup>*

### Serious emotional or psychological harm

The *Child Wellbeing and Safety Act 2005* does not further describe what child abuse from the infliction on a child of serious emotional or psychological harm means. The standard definition used by the Victorian government for 'child abuse (emotional)' is:

*Emotional child abuse occurs when a child is repeatedly rejected, isolated, or frightened by threats. It also includes hostility, derogatory name-calling and put-downs, and persistent coldness from a person to the extent that the child suffers, or is likely to suffer, emotional or psychological harm to their physical or developmental health.*

### Serious neglect, including exposure to family violence and its effects

The *Child Wellbeing and Safety Act 2005* does not further describe what child abuse from serious neglect means. It uses the same definition of family violence as contained in section 5 of the *Family Violence Protection Act 2008* (Vic).

The Victorian government's standard definitions for 'neglect' and 'family violence' are:

*Neglect includes a failure to provide a child with an adequate standard of nutrition, medical care, clothing, shelter or supervision. The law differentiates between three different levels of neglect:*

- 'Minor' neglect is low-level neglect that is trivial or temporary.
- 'Significant' neglect is medium-level neglect that causes harm to a child that is more than trivial or temporary.
- 'Serious' neglect is the highest level of neglect. It involves the continued failure to provide a child with the basic necessities of life and can also occur if an adult fails to adequately ensure the safety of a child exposed to extremely dangerous or life-threatening situations.

The *Family Violence Protection Act 2008* (Vic) defines family violence as:

a) behaviour by a person towards a family member of that person if that behaviour:

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<sup>1</sup> <https://www.vic.gov.au/child-safe-standards-definitions>

1. *is physically or sexually abusive; or*
2. *is emotionally or psychologically abusive; or*
3. *is economically abusive; or*
4. *is threatening; or*
5. *is coercive; or*
6. *in any other way controls or dominates the family member and causes that family member to feel fear for the safety or wellbeing of that family member or another person; or*

*b) behaviour by a person that causes a child to hear or witness, or otherwise be exposed to the effects of, behaviour referred to above.*

The *Family Violence Protection Act* provides examples of behaviours that may mean a child has heard, witnessed or otherwise been exposed to the effects of the behaviours listed in paragraph a):

- overhearing threats of physical abuse by one family member towards another family member;
- seeing or hearing an assault of a family member by another family member;
- comforting or providing assistance to a family member who has been physically abused by another family member;
- cleaning up a site after a family member has intentionally damaged another family member's property;
- being present when police officers attend an incident involving physical abuse of a family member by another family member.<sup>2</sup>

Behaviour may be considered family violence even if it is not a criminal offence.<sup>3</sup>

Without limiting the types of behaviour that may be considered family violence, paragraph specifically includes these behaviours:

- assaulting or causing personal injury to a family member or threatening to do so
- sexually assaulting a family member or engaging in another form of sexually coercive behaviour or threatening to engage in such behaviour
- intentionally damaging a family member's property, or threatening to do so
- unlawfully depriving a family member of the family member's liberty, or threatening to do so
- causing or threatening to cause the death of, or injury to, an animal, whether or not the animal belongs to the family member to whom the behaviour is directed so as to control, dominate or coerce the family member.<sup>4</sup>

### **Recognising child harm and possible child abuse**

Understanding and recognising indicators of child harm, including harm caused by other children, students or adults (including family violence), is important to reduce child safety and wellbeing risks in the Skyline environment and protect children from child abuse.

Guidance on indicators of child harm is included as part of the training and information provided to Skyline staff (annually) and to volunteers, contractors and service providers engaged in child-related work (as is appropriate to the nature and responsibilities of their role).

Examples of indicators of child harm and possible child abuse include, but are not limited to:

#### **Physical abuse**

Physical indicators can include bruises, burns, fractures (broken bones), cuts and grazes to the face and multiple injuries including internal injuries. Behavioural indicators can include disclosure of an injury

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<sup>2</sup> Section 5(1) Example 2 of the *Family Violence Protection Act 2005* (Vic).

<sup>3</sup> Section 5(3) of the *Family Violence Protection Act 2005* (Vic).

<sup>4</sup> Section 5(2) of the *Family Violence Protection Act 2005* (Vic).

inflicted by someone else, wearing unusual clothes to hide injuries, wariness or fear of a parent, reluctance to go home, habitual absences from class without explanation, regressive behaviour, and alcohol or drug misuse.

### **Sexual abuse**

Physical indicators can include injury to the genital area, discomfort in toileting, the presence of sexually transmitted diseases, pregnancy, bruising to breasts, buttocks and thighs, and anxiety related illnesses (anorexia/bulimia). Behavioural indicators can include disclosure of sexual abuse, age inappropriate sexual activity or behaviour, drawings that are sexually explicit, writing stories that are sexually explicit, regressive behaviour, truancy, depression, delinquent or aggressive behaviour, and sudden decline in academic performance.

### **Emotional abuse**

Physical indicators can include speech disorders, delays in physical development and failure to thrive. Behavioural indicators can include being overly compliant, passive and undemanding behaviour, attention-seeking behaviour, poor self-image, age-inappropriate behaviour, fear of failure, setting overly high standards, excessive neatness, and depression.

### **Neglect**

Physical indicators can include consistently being unwashed, inappropriate dressing for weather conditions, consistent hunger and tiredness, and unattended health problems. Behavioural indicators can include begging or stealing food, gorging food, alienation from peers, withdrawal, aggressive behaviour, appearing miserable and irritable, and poor class attendance.

### **Procedures**

#### **How to raise a child abuse related concern or make a complaint**

Child safety and wellbeing are everyone's responsibility.

While raising a concern or making a complaint about child abuse can be challenging, the protection of children and young people within the Skyline community is paramount. We strongly encourage anyone who is concerned that a child may be experiencing any form of abuse to immediately raise these concerns with a Child Safety Officer, the Chief Executive Officer (CEO), and/or Chair of the Board. A concern that might seem unimportant could, once raised, reveal a bigger issue or prevent a situation from happening.

To maintain our focus on our students and their safety needs, Skyline provides a supportive environment that strongly encourages concerns related to child abuse to be raised, and for everyone in the Skyline community to feel comfortable doing so, no matter their nature.

For this reason, we encourage our students to raise concerns about anything that makes them feel uncomfortable or unsafe, whether occurring at or outside the educational institution, or involving an adult or another child, with any staff member or volunteer.

Staff members, volunteers, contractors, and service providers engaged in child-related work are provided guidance on how to recognise indicators of child harm, including child abuse, and the different ways students express concerns or distress. They are trained to respond effectively by being accessible and helping students feel confident and supported to raise issues at any time. We also have Child Safety Officers who have completed additional specialised training.

Specific roles and responsibilities at Skyline for concerns and complaints relating to child abuse include:

#### **Child Safety Officers**

Skyline Child Safety Officers are appointed based on a number of considerations, including their:



- status as mandatory reporters
- role within Skyline
- attitudes, experiences and beliefs, for example, being non-judgmental, calm, resilient and demonstrating a high degree of integrity and respect for confidentiality
- experience working with complex student and family issues at Skyline
- capacity to be readily accessible and available to all members of the Skyline community.

Skyline’s Child Safety Officers undergo specialised annual training on child safety and wellbeing, as well as child abuse-related issues, including mandatory reporting, reporting to relevant authorities, and compliance with other legal obligations. They are often the first point of contact for anyone to raise child abuse concerns or complaints, and their name and contact details are regularly provided in our communications and below.

Skyline’s Child Safety Officers are also our Child Safety Champions. They work with Skyline staff and volunteers to embed a child safety culture and collaborate with the CEO to ensure that all concerns of child safety and wellbeing and child abuse are escalated, responded to, and reported as appropriate.

We strongly encourage and support all children and adults within the Skyline community to contact a Child Safety Officer at any time to raise any concerns or complaints related to child safety and wellbeing or child abuse. Please find their contact information below.

Skyline Child Safety Officers	Telephone	Email
Martin Jellinek Jigna Desai Sarah Segal		<a href="mailto:martin@skylinefoundation.org.au">martin@skylinefoundation.org.au</a> <a href="mailto:jigna@skylinefoundation.org.au">jigna@skylinefoundation.org.au</a> <a href="mailto:sarah@skylinefoundation.org.au">sarah@skylinefoundation.org.au</a>

If you have reason to believe that a child may be experiencing any form of abuse, it is important to raise your concerns immediately with a Child Safety Officer, the CEO, and/or the Chair of the Board, even if you are not legally obligated to do so. Child safety and wellbeing is a shared responsibility, and we encourage anyone within the Skyline community to take action to protect children and young people.

### How Skyline responds to incidents, concerns or complaints related to child abuse

Skyline has a comprehensive process in place for responding to incidents, concerns or complaints related to child abuse. All staff, volunteers, contractors and service providers are required to follow the **FOUR ACTIONS** process, which includes **Respond, Report, Contact and Support**.

By following these actions, Skyline ensures that any allegations, suspicions or disclosures are reported to relevant authorities, regardless of whether there is a legal obligation to report. This process also helps Skyline to cooperate with law enforcement, protect any child or student connected to the complaint or concern, and secure and maintain records relating to the complaint or concern and Skyline's response.

#### Action 1: Respond

This section applies to all forms of child abuse and outlines the actions to be taken if a child has been abused or is at immediate risk of harm. Immediate safety must be ensured by separating the alleged victims and others involved, providing medical assistance if required, and calling 000 for urgent police assistance if the alleged offender poses an immediate risk to anyone. Skyline staff may also need to maintain the integrity of the potential crime scene and preserve evidence.

#### Action 2: Report

This section provides information on external and internal reporting of all forms of child abuse. All

instances of suspected child abuse involving Skyline staff, volunteers, contractors, external service providers or visitors must be reported to Victoria Police and internally to a Child Safety Officer, CEO and/or Chair of the Board. Where child abuse occurs within the family or community, all instances of suspected sexual abuse (including grooming) must be reported to Victoria Police and internally to a Child Safety Officer, CEO and/or Chair of the Board. If a child is considered to be in need of protection due to abuse or is at risk of being harmed, this must be reported to DFFH Child Protection, even if a mandatory report is not required. It is important to note that reporting internally within Skyline does not fulfill the adult's reporting obligations. If a reasonable belief of abuse or risk of abuse has been formed, a report must still be made to DFFH Child Protection or Victoria Police, even if a person to whom an internal report is made advises not to proceed.

### Action 3: Contact

This section outlines the steps to be taken when contacting external authorities about child abuse. Victoria Police must be the first point of contact, unless a child is in immediate risk of harm, in which case 000 should be called. Skyline staff must ensure that they provide all relevant information to the authorities and cooperate with any investigation that takes place.

### Action 4: Support

This section describes the support that must be provided to any child or student connected to the complaint or concern relating to child abuse until the complaint or concern is resolved. This support may include counseling, medical attention or any other support that may be required.

Skyline strongly encourages anyone with concerns or complaints related to child abuse to raise them with a Child Safety Officer, CEO and/or Chair of the Board. The **FOUR ACTIONS** process can be complex, and these individuals can assist with making a report and completing the process.

### Working together and planning support for students

Working together and planning support for students means establishing effective communication and engagement with parents, carers, allied health and wellbeing professionals, and external specialist services where appropriate. This includes:

- Regular communication between Skyline staff and the student's parent or carer to discuss the student's progress, wellbeing, and the effectiveness of any planned strategies to assist them.
- Engaging with allied health and wellbeing professionals engaged by Skyline and/or the student and families. These professionals can provide intensive support to children and their families, critical input into proposed support plans, and advice to Skyline staff members on how to appropriately support the students.
- Referring to external specialist services such as family violence, sexual assault, and tailored mental health support.

While a child's background should not impact or distract from a decision to report suspected child abuse, Skyline staff need to be sensitive to a child's individual circumstances and provide culturally appropriate support, particularly for students who may require special attention such as Aboriginal and Torres Strait Islander children, LGBTQIA+ students, children with disabilities, students from culturally and linguistically diverse backgrounds, students with refugee backgrounds, international students, vulnerable students, and students who are unable to live at home. This may include:

- Arranging appropriate support and receiving advice on culturally appropriate support strategies
- Engaging interpreters or translator services to assist with communication and document completion



- Considering the student's chronological age, development age, and cognitive functioning to tailor developmentally appropriate support strategies for students with disabilities and making a further report or implementing risk mitigation strategies to protect their vulnerability to ongoing abuse
- Providing additional support to students who are unable to live at home and international students whose family may not be present to provide support within the home environment.

For all students, Skyline may also consider providing additional academic support, acting as a support person for the student when they engage with relevant authorities, attending meetings with relevant authorities such as DFFH Child Protection case planning meetings, and escalating matters using a relevant authority's complaints management process where a case has been closed, but concerns about a student persist.

In the context of student-to-student offending, Skyline has a duty of care to support all students who are impacted by the abuse. This includes students subjected to the abuse, students who perpetrated the abuse, and students who witnessed or were otherwise impacted by the abuse.

### **Providing support for impacted staff members**

It can also be stressful for Skyline staff involved in any incidents, concerns, or complaints related to child abuse, including family violence. It's important to remember that staff members may also have experienced or be experiencing family violence or abuse in their personal lives. In such cases, the CEO will help affected staff members access the necessary support. Skyline extends this support to volunteers as well.

### **Complying with subpoenas or court attendance**

A subpoena or witness summons is a court order that compels the production of documents, court attendance, or both. They are typically issued when a party to legal proceedings believes that a person or organisation has relevant information related to the proceedings.

If Skyline staff or volunteers receive a subpoena or witness summons related to a child abuse incident, concern, or complaint, they should contact the CEO for advice and assistance in meeting their legal obligations. It's important to note that complying with legal obligations is critical, and the CEO can provide guidance and support throughout the process.

### **Responding to complaints or concerns**

There may be concerns or complaints about how staff have managed a child abuse incident, concern, or complaint, especially from parents and carers. This can be a very stressful time for them, and if they feel they have not been treated fairly, their concerns may quickly escalate.

As a first step, staff should consider whether the complaint raises any concerns about unreported abuse or the risk of abuse. If so, then this Policy and Procedures apply. If not, staff should refer to Skyline's Complaints and Grievances Policy, which is publicly available at [www.skylinefoundation.org.au/childsafety](http://www.skylinefoundation.org.au/childsafety).

### **Counselling and support organisations**

There are a number of organisations which can provide additional support as required, including:

- The Lookout: <https://safeandequal.org.au/>
- Safe Steps: <https://www.safesteps.org.au/>
- 1800 Respect: <https://www.1800respect.org.au/>
- The Centre Against Sexual Assault: <https://casa.org.au/>
- Gatehouse Centre, Royal Children's Hospital: <https://www.rch.org.au/gatehouse/>
- Kids First Australia: <https://www.kidsfirstaustralia.org.au/>
- Australian Childhood Foundation: <https://www.childhood.org.au/>

- Djirra: <https://djirra.org.au/>
- Child Wise: <https://www.childwise.org.au/>
- Headspace: <https://headspace.org.au/>

## Legal obligations to report child abuse and reporting responsibilities

It is important to be aware of legal obligations to report child abuse, which vary depending on the type of abuse, the age of the child, and professional or job obligations. Failure to report when required may result in criminal charges. However, regardless of legal obligations, Skyline is committed to protecting children from harm and the risk of child abuse.

Anyone with a concern that a child may be experiencing abuse should immediately report to a Child Safety Officer, CEO, and/or Chair of the Board.

All Skyline Board members, staff, volunteers, contractors, and service providers working with children must be familiar with this policy and their legal obligations to report child abuse. It is important to note that they should not investigate an allegation themselves, as DFFH Child Protection and Victoria Police are responsible for investigations into child abuse. Reports received by DFFH Child Protection relating to child physical abuse, sexual abuse, or serious neglect must be reported to Victoria Police.

To ensure the safety of children, we encourage all concerns or complaints to be reported to a Child Safety Officer, CEO, and/or Chair of the Board, who can provide assistance with the **FOUR ACTIONS** process and making a report. However, it is important to understand that reporting to Skyline does not fulfill any legal obligation to report to relevant authorities. Every individual must be aware of indicators of child abuse and their reporting requirements.

## Offence of failure to disclose a reasonable belief of a sexual offence against a child under 16

Reporting child sexual abuse is a community-wide responsibility.

Under section 327 of the *Crimes Act 1958* (Vic) all adults who have a reasonable belief that an adult has committed a sexual offence against a child under 16 in Victoria have an obligation to report this information to Victoria Police as soon as practicable to do so, unless they have a reasonable excuse for not doing so, or are exempt from the offence. The maximum penalty is 3 years imprisonment. The Department of Justice and Community Services explains that:

- You only need to report to police when you have seen or heard something that has led you to form a '*reasonable belief*' that an adult has sexually abused a child.
- You have a '*reasonable belief*' if a reasonable person in the same circumstances as you would believe that an adult had sexually abused a child, for the same reasons you believed it. For example, you might form a reasonable belief that a child has been sexually abused if:
  - the child tells you they have been sexually abused
  - the child tells you they know someone who has been sexually abused (which may be a way of talking about themselves)
  - someone who knows the child tells you the child has been sexually abused
  - you observe signs of sexual abuse in the child
  - you are a qualified professional who observes the child's behaviour or development, which leads you to believe the child has been sexually abused.
- You do not need to report rumours or unfounded suspicions.
- You may have a '*reasonable excuse*' for not reporting information about child sexual abuse to police if, for example:
  - you fear for your safety, or the safety of another person, or
  - you believe the information has already been reported to the police.

- You will not be guilty of an offence if you have a reasonable excuse for not reporting. You have an excuse for not reporting to police if:
  - you reasonably fear for your safety or the safety of another person, except the person you believe committed, or was involved in, the sexual offence, and
  - your failure to report is a reasonable response in the circumstances.
- The fear must be reasonable from the perspective of that person in those circumstances. This recognises that this person is best placed to judge whether their safety, or the safety of another person, is endangered.
- You have an excuse for not reporting to police if:
  - you believe on reasonable grounds that another person has already disclosed the information to police, and
  - you have no further information to add.
  - For example, you may have this belief if you have disclosed the information in a 'mandatory report' under the *Child Youth and Families Act 2005* (Vic).
- You do not have a reasonable excuse for failing to disclose information if you are only concerned about the '*perceived interests*' of:
  - the person you believe committed, or was involved in, the sexual offence, or
  - any organisation.
- '*Perceived interests*' includes reputation, legal liability and financial status. For example, a religious minister's concern for the reputation of a church where an adult sexually abused a child is not a reasonable excuse for not reporting to police. This ensures that a child's best interests are placed first.
- You may be exempt from the offence if:
  - a victim aged 16 or over has provided the information and requests confidentiality
  - you were a child when you received the information
  - the information would be privileged
  - the information is a 'confidential communication'
  - the information is in the public domain
  - you are a police officer acting in the course of your duty.

For more information see: <https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence>

It is the responsibility of all adults within the Skyline community to report any information they have a reasonable belief that an adult has committed a sexual offence, including grooming, against a child under 16 to Victoria Police. We strongly encourage individuals to raise any concerns or complaints in the first instance with a Child Safety Officer who can provide assistance and support in making a report to Victoria Police.

In addition to reporting to Victoria Police, Skyline staff must also report internally to a Child Safety Officer, CEO, and/or Chair of the Board. If a concern or complaint relates to the CEO, it must be reported to the Chair of the Board at [chair@skylinefoundation.org.au](mailto:chair@skylinefoundation.org.au) .

### **Offence of failure to protect a child under 16 from a substantial risk of child sexual abuse**

Under section 490 of the *Crimes Act 1958* (Vic), people in authority at Skyline (as a defined '*relevant organisation*' that exercises care, supervision or authority over children) will commit an offence if they know of a substantial risk of child sexual abuse by an adult and have the power or responsibility to reduce or remove the risk, but negligently fail to do so. The maximum penalty is 5 years imprisonment.

The Department of Justice and Community Services explains that:

- The offence applies to people in authority **within a** relevant organisation. A relevant organisation is one that exercises care, supervision or authority over children, whether as part of its primary function or otherwise.
- A person in authority is someone whose position within a relevant organisation means that they have the power or responsibility to reduce or remove a substantial risk that a child under the age of 16 years, who is under their care, supervision or authority, may become the victim of sexual abuse committed by an adult associated with the organisation.
- Whether someone is considered to be a person in authority will depend on the degree of supervision, power or responsibility the person has to remove or reduce the substantial risk posed by an adult associated with the organisation. People in authority will usually have the ability to make management level decisions, such as assigning and directing work, ensuring compliance with the organisation's volunteer policy and other operational arrangements.
- The offence relates to risk of sexual abuse by adults. Children under the age of 18 who pose a risk of sexually abusing other children are not covered by this offence.
- The offence requires a person in authority to reduce or remove a known '*substantial*' risk that an adult associated with the organisation may commit a sexual offence against a relevant child. It does not make it a criminal offence to fail to address every possible risk that a sexual offence may be committed against a child.
- There are a number of factors that may assist in determining whether a risk is a substantial risk. These include:
  - 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.
- This offence requires a person in authority to act if they *know* that there is a substantial risk that a child may become the victim of a sexual offence. A person is generally taken to know that there is a risk if he or she is aware that it exists or will exist in the ordinary course of events. This is more than merely holding a tentative belief or suspicion.
- However, it is expected that a person in authority will take steps to follow up on a suspicion or belief that children in their organisation were at risk of harm.
- Under the offence, a person is taken to have **negligently failed** to reduce or remove a substantial risk if that failure involves a great falling short of the standard of care that a reasonable person would exercise in the same circumstances. The offence does not require a person in authority to eliminate all possible risks of child sexual abuse.
- This offence is in addition to existing mandatory reporting obligations for specified staff under the **Children, Youth and Families Act 2005**. It applies to any person in authority within a relevant organisation, not just mandatory reporters.

For more information see: <https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-protect-a-new-criminal-offence-to>

**Reporting responsibilities:** Skyline requires all Skyline staff to assume this obligation applies to them whether they are or are not ultimately considered to be a *'person in authority'* and to make a report to Victoria Police in accordance with the **FOUR ACTIONS**. We strongly encourage any concerns or complaints to be raised in the first instance with a Child Safety Officer, CEO and/or Chair of the Board who can assist and provide support, including in making a report to Victoria Police.

Skyline staff must also report internally to the Board Safety Officer if a concern or complaint relates to the CEO at [chair@skylinefoundation.org.au](mailto:chair@skylinefoundation.org.au).

### **Mandatory reporter obligations for children needing protection**

For the purpose of this obligation, a *'child'* refers to a person under 17 years (and, in specified circumstances where a protection order applies, up to 18 years) and the term *'parents'* is broadly defined.<sup>5</sup>

All mandatory reporters must comply with their mandatory reporting obligations under the *Children, Youth and Families Act 2005* (Vic).

All mandatory reporters must undertake training to learn how to protect the safety and wellbeing of students on commencement and annually by completing the Department of Education and Training's online eLearning module, **Protecting Children - Mandatory Reporting and Other Obligations**. This is available at:

<https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/online-learning-for-schools.aspx#link39>

Under section 184 of the *Children, Youth and Families Act*, mandatory reporters must make a report to DFFH Child Protection if:

- in the course of practising their profession or carrying out duties of their office, position or employment
- they form a belief on reasonable grounds that:
  - a child is in need of protection from physical injury or sexual abuse, **and**
  - the child's parents have not protected or unlikely to protect the child from harm of that type.

The harm may be from single act, omission (failure to act) or circumstance or accumulate through a series of acts, omissions or circumstances.<sup>6</sup>

A belief is considered as being formed on reasonable grounds if a reasonable person doing the same work (for example, practising the same profession or carrying out the duties of the office, position or employment) would form the same belief based on the same information. Grounds for forming a belief are matters which the person has become aware of and include any opinions relating to those matters.<sup>7</sup>

DFFH Child Protection provides the following examples of when a reasonable belief might be formed:

- a child states that they have been physically or sexually abused
- a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves)

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<sup>5</sup> In section 3(1) of the *Children, Youth and Families Act* under paragraph (b) of the definition of *'child'* in where a protection order under section 275 of the Act or a child protection order or interim order under of Schedule 1 continues in force, a child also means a person who is under the age of 18 years. A *'parent'* includes (but is not limited to) the child's mother and father, or their spouse or domestic partner, any person who has parental responsibility for the child or is legally recognised as the father of the child.

<sup>6</sup> Section 162(2) of the Act.

<sup>7</sup> Sections 184(4) and 186 of the Act.

- someone who knows the student states that the child has been physically or sexually abused
- professional observations of the child's physical condition and/or behaviour or development leads a professional to form a belief that the child has been physically or sexually abused
- other circumstances lead you to suspect that a child has been abused.<sup>8</sup>

A mandatory report must be made as soon as practicable after the reasonable belief is formed and after each occasion that the mandatory reporter becomes aware of any further reasonable grounds for the belief.

A fine of 10 penalty units applies for non-compliance. A **penalty unit** is an amount of money set by parliament on 1 July each year. Currently, one penalty unit is over \$180.

**Reporting responsibilities:** All mandatory reporters must make a mandatory report to DFFH Child Protection if they reasonably believe a student or child is in need of protection from physical injury or sexual abuse and the child's parents have not, or unlikely to, provide that protection. We strongly encourage any concerns or complaints to be raised in the first instance with a Child Safety Officer to assist and provide support with this process.

Skyline staff must also report internally to a Child Safety Officer, CEO and/or Chair of the Board. If a concern or complaint relates to the CEO, this must be reported to the Chair of the Board at [chair@skylinefoundation.org.au](mailto:chair@skylinefoundation.org.au).

The CEO is responsible for coordinating Skyline's response to DFFH Child Protection in consultation with the mandatory reporter.

### **Obligations to children under 18 under the Reportable Conduct Scheme**

Victoria has a Reportable Conduct Scheme (**Scheme**) established under the *Child Wellbeing and Safety Act 2005* (Vic) and administered by the Commission for Children and Young People (**Commission**). The Commission oversees defined allegations of child abuse and misconduct made against adults working for or engaged by the heads of specified organisations.

There are five types of reportable conduct:

- sexual offences committed against, with or in the presence of a child
- sexual misconduct committed against, with or in the presence of a child
- physical violence against, with or in the presence of a child
- any behaviour that causes significant emotional or psychological harm to a child
- significant neglect of a child.

To be considered a reportable allegation, the person must have a reasonable belief that there has been reportable conduct or misconduct involving reportable conduct (even if it occurred outside of the person's employment).

Failure to notify the Commission within three business days of becoming aware of a reportable allegation and comply with notification requirements under the Scheme can be an offence. A fine of 10 penalty units applies.

Skyline is not currently an organisation to which the Reportable Conduct Scheme applies. However, in all instances where an allegation of child abuse and misconduct made against an adult working for or engaged by Skyline would meet the criteria of a reportable allegation, the CEO will contact the Commission for Children and Young People for guidance. Whilst not obliged to report, members of the public may make disclosures either through the Commission's online form, by phone or letter.

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<sup>8</sup> *Mandatory Reporting – Frequently Asked Questions - February 2020* available at <https://providers.dffh.vic.gov.au/mandatory-reporting-child-protection-victoria-frequently-asked-questions>



For more information see: <https://ccyp.vic.gov.au/reportable-conduct-scheme/>

## **Other legal obligations relating to child abuse**

### **Duty of care**

The law imposes obligations to protect individuals from suffering harm from acts or omissions (failures to act) where a 'duty of care' is owed. Skyline owes such a duty of care to its students.

At Skyline, we take our duty of care to our students very seriously. All staff members who work with students have a responsibility to ensure that the students are safe and protected from harm.

To meet this responsibility, all staff members must take reasonable steps to reduce the risk of foreseeable harm to students. This includes taking precautions to minimise the risk of child abuse by any person associated with Skyline, even if that person is not a staff member.

It's important to note that this duty of care also applies to any third-party service providers who work with Skyline, such as those providing services for excursions or camps. In these cases, Skyline staff must ensure that reasonable steps are taken to reduce the risk of harm to students.

Additionally, in some circumstances, Skyline's duty of care may extend beyond regular hours or off-site, depending on the situation. We take this responsibility seriously and will do everything we can to ensure our students are safe and protected from harm.

### **Victorian Institute of Teaching**

Skyline must immediately notify the Victorian Institute of Teaching if it becomes aware that a registered teacher:

- is currently charged with, or has been convicted or found guilty of specified criminal offences, including (but not limited to) offences related to child abuse
- has been given a Working with Children exclusion indicating that a person has made an application to Working with Children Check Victoria and they have been refused a Working with Children Check and is not permitted to engage in child-related work.

For more information see: <https://www.vit.vic.edu.au/>

## **Privacy and information sharing and record keeping obligations**

### **Privacy and information sharing**

Skyline is committed to protecting the privacy of child abuse-related incidents, concerns, and complaints, and to sharing information lawfully. While we understand that some individuals may have concerns about confidentiality and privacy or may wish to remain anonymous when making a complaint or raising a concern, the safety of children is our top priority.

We will make every effort to respect confidentiality and privacy, but in some situations, we may not legally be able to maintain it. This is to ensure the protection of children and to treat the subject of a complaint or concern fairly.

Skyline complies with all applicable privacy laws and other relevant laws when collecting, using, and disclosing information about children and their families. Personal information that identifies a child or another individual associated with a complaint will only be disclosed in accordance with these laws. For more information on how we collect, use, and disclose information, please refer to our Privacy Policy, available at [www.skylinefoundation.org.au/childsafety](http://www.skylinefoundation.org.au/childsafety).

## **Sharing information to support child wellbeing and safety**

Protecting the privacy of child abuse incidents, concerns, and complaints is a crucial obligation for Skyline. However, in some circumstances, confidentiality cannot be legally maintained, either for the protection of children or so that the subject of a complaint or concern can be treated fairly. Skyline staff must comply with their obligations regarding the collection, use, and disclosure of child abuse information, but information may be shared as required to improve the safety and wellbeing of Victorian children and to reduce family violence.

Privacy laws allow Skyline staff to share a child's personal and health information with other staff members to support the education, social and emotional wellbeing, and health of the student, fulfill duty of care obligations, make reasonable adjustments, and provide a safe and secure workplace. Some information about a child impacted or suspected to be impacted by child abuse may be appropriate to share with other staff members, without the consent of a parent or guardian, such as the child being in a difficult situation, needing support, or the content of any support plan.

Before sharing any information about child abuse with the Skyline community, planning and care should be taken to ensure that confidentiality is maintained to the extent possible. Skyline staff should be aware that even confirming the existence of an allegation can lead to the identification of a victim. Skyline collects, uses, and discloses information about children and their families in accordance with applicable privacy laws and other relevant laws. Personal information that identifies a child or another individual associated with a complaint will only be disclosed in accordance with these laws. For more information on how Skyline collects, uses, and discloses information, please refer to our Privacy Policy at [www.skylinefoundation.org.au/childsafety](http://www.skylinefoundation.org.au/childsafety).

### **Information sharing with DFFH Child Protection and Victoria Police**

Skyline staff have a legal and ethical duty to report suspected child abuse to the appropriate authorities. Disclosing personal information about a child to DFFH Child Protection or Victoria Police is permitted under the *Children Youth and Families Act 2005* (Vic) and does not constitute a breach of privacy laws. It is also not considered unprofessional conduct or a breach of professional ethics to make a report or referral in good faith.

Skyline is committed to protecting the privacy of children and families and will disclose personal information only in accordance with applicable privacy laws and other relevant laws. However, in situations where there is a serious and imminent risk to the health, safety or welfare of any person, disclosure may be necessary to prevent harm.

Skyline staff should be aware that even confirming the existence of an allegation can lead to the identification of a victim, and they should exercise care and sensitivity when sharing information about child abuse with the Skyline community. If a report or referral has been made, the identity of the staff member who made the report will be protected, unless consent to its disclosure is obtained or the disclosure is specifically authorised by a Court or Tribunal.

For more information on how Skyline collects, uses and discloses information, please refer to our Privacy Policy at [www.skylinefoundation.org.au/childsafety](http://www.skylinefoundation.org.au/childsafety).

### **Request for information from DFFH Child Protection or Victoria Police**

If a request for information related to a child impacted or suspected to have been impacted by child abuse is received from an officer of DFFH Child Protection or Victoria Police, the following steps should be taken:

- Obtain the request for information in writing.
- Ensure that the written request includes the name of the officer, the organisation they work for, and their contact details, as well as a description of the information and documents being sought, the reasons for seeking them, and the authority the person or their organisation believes they have to access the requested information and documents.

In these situations, Skyline staff may be permitted to share the requested information and documents, but they are not obligated to do so.

### **Information sharing with family services**

Once Family Services at DFFH (or another service agency) commences providing services to a child and their family, as a Skyline staff member you can only share information with this agency with the consent of the child's parents (and the child if they are old enough to consent). This is because service provision in these circumstances is by voluntary agreement between the family and the service provider.

DFFH Family Services are allowed to consult with DFFH Child Protection at any time, if necessary.

### **Record keeping**

Skyline recognises the importance of effective record-keeping practices in ensuring the safety and well-being of children and manages its records in accordance with the Record Keeping Policy and Procedures.

Effective record-keeping is a critical component of our child protection obligations, including fulfilling our duty of care to our students. We maintain records of all complaints, concerns, and disclosures of alleged abuse or harm to children and actions taken to respond to them.

To ensure the security of this information, we store hard-copy documentation in locked filing cabinets or similar, and electronic documentation in password-protected folders or similar secure storage systems.

Maintaining accurate records of our child safety measures allows us to demonstrate our commitment to providing a safe environment for our students, and to produce evidence of the precautions and preventative measures taken in response to the risk of child abuse, should it ever be required.

### **Breach**

Any person who suspects a breach of this Policy and Procedures has occurred must:

- Act to prioritise the best interests of the student(s).
- Promptly take actions to ensure the safety of the student(s).
- Report the incident or concerns using the Skyline complaints process as soon as possible.
- Maintain the privacy of those involved, following Skyline record keeping, privacy, and information sharing guidelines.

Complaints about a breach of this Policy and Procedures must be reported to Bridget Sutherland, who can be contacted by email at [ceo@skylinefoundation.org.au](mailto:ceo@skylinefoundation.org.au).

Skyline staff, volunteers, contractors, and service providers undertaking child-related work who breach this Policy and Procedures may be subject to disciplinary procedures in accordance with their employment agreement or relevant industrial instrument, professional code, or terms of engagement.

This may include, but is not limited to, the following actions, depending on the nature of the relationship and the breach:

- Remedial education.
- Counseling.
- Increased supervision.
- The restriction of duties.

- Suspension.
- Termination of employment, contract, or engagement in the case of serious breaches.

All breaches will be taken seriously and investigated promptly, and any person who makes a complaint or reports a breach will be protected from any form of retaliation or victimisation.

### **Compliance Monitoring**

Skyline is committed to ensuring compliance with this Child Safety Responding and Reporting Obligations Policy and Procedures, which will be regularly monitored by the Child Safety Officer. This may involve independent audits and reviews to check that the policy is fully implemented and being followed by everyone, including contractors and service providers undertaking child-related work.

As part of our commitment to a culture of child safety and wellbeing, we expect our leaders to champion and model compliance by taking a proactive, outspoken approach on the importance of child safety and wellbeing, and by 'walking the talk' in taking child safety matters seriously, responding promptly and thoroughly, and helping to embed child safety practices throughout Skyline. Any issues or concerns related to the implementation of this policy can be raised with the Child Safety Officer, who will work to address them in a timely and appropriate manner.

### **Review**

Skyline is committed to continuously improving our Child Safety Program. We have established processes to review and improve our child safe policies, procedures, and practices for overall effectiveness, and to ensure compliance with all child safety related laws, regulations, and standards. These processes include:

- Reviewing and updating the Child Safety Responding and Reporting Policy and Procedures at least every two years or after any significant child safety incident or significant breaches of policy. The CEO is responsible for this, and seeks feedback from staff, volunteers, students, families, and the Skyline community.
- Using best practices and consulting with stakeholders regularly on child safety to inform the development of our policies and procedures, involving those relevant at Skyline.
- Recording and analysing all complaints, concerns, and safety incidents to identify causes and systemic failures and inform continuous improvement. Where any flaws or failings are identified in our policies, procedures, and practices, improvements are made to prevent the problem from happening again.
- Acting with transparency and sharing reports on the findings of relevant reviews with staff, volunteers, families, students, and the Skyline community.

We believe that these processes will help us to continuously improve our Child Safety Program and ensure that we are doing everything we can to provide a safe environment for all children at Skyline.

### **Skyline policy and procedure linkages**

The Child Safety Responding and Reporting Obligations Policy and Procedures is to be read and understood in conjunction with our:

- Child Safety and Wellbeing Policy
- Child Safety Code of Conduct
- Complaints Policy and Procedures
- Privacy Policy
- Record Keeping Policy and Procedures

### Related legislation

The following legislation, standards and regulations apply, and this policy aligns with these mandated requirements:

- *Child Wellbeing and Safety Act 2005 (Vic)* and the Child Safety Standards made pursuant to that Act
- *Children, Youth and Families Act 2005 (Vic)*
- *Crimes Act 1958 (Vic)*.

### References and Resources

In addition to references referred to in this document, see also the information provided by the Commission for Children and Young People's at <https://ccyp.vic.gov.au/>

### Definitions

The following terms in this policy and procedures have specific definitions (and are consistent with Victorian law where indicated):

Authorities (or relevant authorities)	<p>Authorities or '<i>relevant authorities</i>' refers to the Victorian government organisations responsible for receiving reports about children when there are concerns the child needs protection from child abuse or neglect:</p> <ul style="list-style-type: none"> <li>• Victoria Police for concerns of child abuse and all instances of sexual abuse concerns, including grooming, of a child under 16.</li> <li>• Department for Families, Fairness and Housing Child Protection service (DFFH Child Protection) for mandatory reporting by mandatory reporters of concerns of child physical and sexual abuse of a child under 17 (and, in specified circumstances where a protection order applies, up to 18 years).</li> <li>• Commission for Children and Young People (Commission) for concerns of child abuse and neglect of a child under 18 by a person employed or engaged by a defined organisation under the <i>Child Wellbeing and Safety Act 2005 (Vic)</i>'s Reportable Conduct Scheme.</li> </ul> <p>Source: <i>Mandatory Reporting – Frequently Asked Questions – February 2020</i> (<a href="https://providers.dffh.vic.gov.au/mandatory-reporting-child-protection-victoria-frequently-asked-questions">https://providers.dffh.vic.gov.au/mandatory-reporting-child-protection-victoria-frequently-asked-questions</a>)</p>
Child	<p>Child means a child or young person who is under the age of 18 years.</p> <p>Source: <i>Child Wellbeing and Safety Act 2005 (Vic)</i></p>
Child abuse	<p>Child abuse includes:</p> <p>a) any act committed against a child involving:</p> <ul style="list-style-type: none"> <li>• a sexual offence</li> <li>• grooming offences under section 49M(1) of the Crimes Act 1958</li> </ul> <p>b) the infliction, on a child, of:</p> <ul style="list-style-type: none"> <li>• physical violence</li> <li>• serious emotional or psychological harm</li> </ul> <p>c) the serious neglect of a child including exposure to family violence and its effects.</p> <p>Source: <i>Child Wellbeing and Safety Act 2005 (Vic)</i></p>
Child-related work	<p>Child-related work means:</p> <p>a) work at or for a service, body or place, or that involves a specified activity; and</p> <p>b) that usually involves direct contact with a child.</p> <p>Educational institutions are specified for the purpose of a).</p> <p>Source: <i>Worker Screening Act 2020 (Vic)</i></p>
Child FIRST	<p>Child FIRST is an easily accessible, community-based point of entry for children, young people and families needing support.</p>

	<p>Some families need family services support when they are experiencing difficulties that impact on their parenting and family life.</p> <p>Child FIRST (Child and family information, referral and support teams) are the entry point into family services. Child FIRST teams are located in sites across Victoria and delivered in local areas by community service organisations.</p> <p>Child FIRST, as the access point for family services, is progressively transitioning to The Orange Door. The Orange Door is the new access point for women, children and young people who are experiencing family violence or families who need assistance with the care and wellbeing of children to access the services they need to be safe and supported (see below definition). Source: <a href="https://services.dffh.vic.gov.au/child-first-and-family-services">https://services.dffh.vic.gov.au/child-first-and-family-services</a></p>
Child safety	<p>Child safety includes matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to suspicions, incidents, disclosures or allegations of child abuse.</p>
Department for Families, Fairness and Housing Child Protection service (DFFH Child Protection)	<p>The Department for Families, Fairness and Housing Child Protection service (DFFH Child Protection) is the lead government agency responsible for the care and protection of Victorian children and young people under the age of 17 years, or where a protection order is in place, for children under the age of 18.</p> <p>The main functions of DFFH Child Protection are to:</p> <ul style="list-style-type: none"> <li>• investigate matters where it is alleged that a child is at risk of significant harm</li> <li>• refer children and families to services that assist in providing the ongoing safety and wellbeing of children</li> <li>• make applications to the Children's Court if the child's safety cannot be ensured within the family</li> <li>• administer protection orders granted by the Children's Court.</li> </ul> <p>Source: <a href="https://services.dffh.vic.gov.au/child-protection">https://services.dffh.vic.gov.au/child-protection</a></p>
Direct contact	<p>Direct contact in relation to child-related work, means any contact between a person and a child that involves-</p> <ul style="list-style-type: none"> <li>• physical contact; or</li> <li>• face to face contact; or</li> <li>• contact by post or other written communication; or</li> <li>• contact by telephone or other oral communication; or</li> <li>• contact by email or other electronic communication.</li> </ul> <p>Source: <i>Worker Screening Act 2020 (Vic)</i></p>
Duty of care	<p>Duty of care refers to the obligation of all staff working with students to take reasonable steps to protect them from reasonably foreseeable harm.</p> <p>Source: Child Safe Standards Definitions: <a href="https://www.vic.gov.au/child-safe-standards-definitions">https://www.vic.gov.au/child-safe-standards-definitions</a></p>
Grooming	<p>Grooming is when a person engages in predatory conduct to prepare a child or young person for sexual activity at a later time.</p> <p>Grooming can include communicating or attempting to befriend or establish a relationship or other emotional connection with the child or their parent or carer.</p>



	<p>Source: Child Safe Standards Definitions (<a href="https://www.vic.gov.au/child-safe-standards-definitions">https://www.vic.gov.au/child-safe-standards-definitions</a>)</p>
Information sharing	<p>Information sharing refers to the collection, use and disclosure of personal information either within an organisation or between organisations. Information sharing can occur in many ways including:</p> <ul style="list-style-type: none"> <li>• one organisation disclosing information (the disclosing organisation) to another (the receiving organisation)</li> <li>• multiple organisations combining information in a database and making it available to each other</li> <li>• the reciprocal exchange of information between organisations.</li> </ul> <p>Source: Child Safe Standards Definitions at <a href="https://www.vic.gov.au/child-safe-standards-definitions">https://www.vic.gov.au/child-safe-standards-definitions</a></p>
Mandatory reporters	<p>Mandatory reporters are certain classes of professionals who are legally required to report a reasonable belief of child physical or sexual abuse to child protection authorities in Victorian educational institutions, this includes registered teachers, early childhood workers, nurses, registered psychologists, counsellors and all people in religious ministry.</p> <p>Source: Child Safe Standards Definitions at <a href="https://www.vic.gov.au/child-safe-standards-definitions">https://www.vic.gov.au/child-safe-standards-definitions</a></p>
Mandatory reporting	<p>Mandatory reporting is the legal requirement for certain professional groups to report a reasonable belief of child physical or sexual abuse to child protection authorities.</p> <p>In Victoria, under the <i>Children, Youth and Families Act 2005</i>, mandatory reporters must make a report to DFFH child protection, if:</p> <ul style="list-style-type: none"> <li>• in the course of practicing their profession or carrying out duties of their office, position or employment</li> <li>• they form a belief on reasonable grounds that a child needs protection from physical injury or sexual abuse.</li> </ul> <p>Source: Child Safe Standards Definitions at <a href="https://www.vic.gov.au/child-safe-standards-definitions">https://www.vic.gov.au/child-safe-standards-definitions</a></p>
The Orange Door	<p>The Orange Door is a free service for adults, children and young people who are experiencing or have experienced family violence and families who need extra support with the care of children.</p> <p>You should contact The Orange Door if:</p> <ul style="list-style-type: none"> <li>• someone close to you is hurting you, controlling you or making you feel afraid, such as your partner, family member, carer or parent(s)</li> <li>• you are a child or young person who doesn't have what you need to be OK</li> <li>• you are worried about the safety of a friend or family member</li> <li>• you need more support with the care of children, e.g. due to money issues, illness, addiction, grief, isolation or conflict</li> <li>• you are worried about the safety of a child or young person</li> <li>• you need help to change your behaviour and stop using violence in your relationships.</li> </ul> <p>Source: <a href="https://www.orangedoor.vic.gov.au/">https://www.orangedoor.vic.gov.au/</a></p>

<p>Victorian Institute of Teaching</p>	<p>The Victorian Institute of Teaching is an independent statutory authority for the teaching profession, whose primary function is to regulate members of the teaching profession. Source: <a href="https://www.vit.vic.edu.au/about">https://www.vit.vic.edu.au/about</a></p>
<p>Vulnerable students</p>	<p>Vulnerable students may include (but are not limited to) those who: a) are deemed vulnerable by a government agency, funded family service or family violence service, or assessed as requiring education and care outside the family home b) are identified as vulnerable as a result of a referral from a government agency, funded family service or family violence service, homeless or youth justice service; or mental health or other health service c) self-identify or are identified by staff as a member of a vulnerable cohort.</p>
<p>Working with Children Check</p>	<p>The Working with Children Check is a screening process for assessing and re-assessing people who work with or care for children in Victoria. It includes consideration of the person's criminal history and relevant professional conduct findings. It is administered by Working with Children Check Victoria and governed by the <i>Worker Screening Act 2020 (Vic)</i>. Source: <a href="https://www.workingwithchildren.vic.gov.au/">https://www.workingwithchildren.vic.gov.au/</a></p>