



KILBERRY VALLEY PRIMARY SCHOOL

Child Safe

Responding to a Disclosure or Allegation of Child abuse.

This policy applies to allegations or disclosure of child abuse made by or in relation to a child, school staff, visitors or other persons connected to the school environment.

What to do when a disclosure or allegation of child abuse is made.

The Child Safe Standards require schools to have processes for responding to and reporting suspected child abuse. Kilberry Valley PS follows DET (Department of Education and Training) and VIT (Victorian Institute of Teaching) policies and procedures. This resource is designed to provide guidance on what to do if a child discloses an incident of abuse, or if a parent/carer raises a concern or an allegation of child abuse.

If a staff member has formed a reasonable belief regarding child abuse or neglect, mandatory obligations will be met when the incident is reported to DHHS Child Protection or Victoria Police when the child is in immediate risk of harm. This report may be critical in protecting a child from abuse. If you fail to report, you may not discharge your duty of care and in some circumstances, you may be subject to criminal charges.

Fulfilling the roles and responsibilities contained in the procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of abuse.

If a child discloses an incident of abuse to you;

- Separate them from the other children discreetly and listen to them carefully.
- Let the child use their own words to explain what has occurred. Do not ask leading/guiding questions.
- Reassure the child that you take what they are saying seriously and it is not their fault and that they are doing the right thing by talking about it to a trusted adult.
- Do not make promises to the child such as promising not to tell anyone about the incident, however you will do your best to keep them safe.
- Explain to them that this information may need to be shared with others, such as, their parent/carer, Leading Teacher Welfare, Assistant Principal or Principal, or others who can help keep them safe.
- As soon as possible after the disclosure, record the information using the child's words and report the disclosure to Kilberry Valley PS's Leading Teacher Welfare, Assistant Principal or Principal.
- Accurately record all information relating to the disclosure on Sentral.

If a parent/carer raises a concern or an allegation of child abuse.

- Explain that Kilberry Valley PS has processes to ensure all abuse allegations are taken very seriously.
- Ask about the wellbeing of the child.
- Allow the parent/carer to talk through the incident in their own words.
- Advise the parent/carer that you will take notes during the discussion to capture all details.
- Explain to them the information may need to be repeated to others, such as the Kilberry Valley PS's Leading Teacher Welfare, Assistant Principal or Principal, the Victoria Police or DHHS Child Protection.
- Do not make promises except that you will do your best to keep the child safe.
- Ask them what action they would like to take and advise them of what the immediate next steps will be.
- Provide them with contact details for the appropriate authorities should they want to report it themselves.
- Ensure the concerns/allegations are recorded accurately and that the record is stored securely.
- Record the information on Sentral.
- Report the concerns/allegations to Kilberry Valley PS's Leading Teacher Welfare, Assistant Principal or Principal

Please note:

- Some people from culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, some people may experience anxiety when talking with police and communicating in English may be a barrier for some. You need to be sensitive to these issues and meet people's needs where possible, such as having an interpreter present (this could be a friend or family member).
- If an allegation of abuse involves an Aboriginal/Torres Strait Islander child, you will need to ensure a culturally appropriate response. A way to help ensure this could include, engaging with parents of Aboriginal/Torres Strait Islander children, local Aboriginal/Torres Strait Islander communities or an Aboriginal/Torres Strait Islander community controlled organisation to review policies and procedures.
- Some children with a disability may experience barriers disclosing an incident. For example, children with hearing or cognitive impairments may need support to help them explain the incident, including through sign language interpreters or communication tools.
- That reporting internally does not mean that mandatory reporting obligations have been met. The staff member who has formed a reasonable belief regarding child abuse or neglect must also report to DHHS Child Protection or Victoria Police if the child is in immediate risk of harm.
- In some circumstances the Principal and/or leadership team may advise you not to proceed with reporting suspected abuse. Regardless of this advice, if you hold a reasonable belief that a child has been, or is at risk of being abused you must still make a report to DHHS Child Protection and/or Victoria Police. This report may be critical in protecting a child from abuse. If you fail to report you may not discharge your duty of care and in some circumstances you may be subject to criminal charges.

Legal Responsibilities

While the Child Safe Standards focus on organisations, every adult who reasonably believes that a child has been abused, whether in their organisation or not, has an obligation to report that belief to authorities. The failure to disclose criminal offence requires all adults (aged 18 and over) who hold a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 to disclose that information to police (unless they have a reasonable excuse not to, for example because they fear for their safety or the safety of another). While failure to disclose only covers child sexual abuse, all adults should report other forms of child abuse to authorities. Failure to disclose does not change mandatory reporting responsibilities.

Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), Principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

The failure to protect criminal offence (commenced on 1 July 2015) applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a Kilberry Valley organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the powers or responsibility to reduce or remove the risk, but negligently failed to do so.