

This is required to be reviewed annually

Date approved: June 2020

Date of next review: 2021

PURPOSE

To ensure Department staff are aware of their reporting obligations and the potential consequences of making a report.

RECOGNISING DIFFERENT TYPES OF CHILD ABUSE

Child abuse can have a significant effect on a child's physical or emotional health, development and wellbeing. There are many indicators of child abuse and neglect. The presence of a single indicator, or even several indicators, does not prove that abuse or neglect has occurred. However, the repeated occurrence of an indicator, or the occurrence of several indicators together, should alert staff to the possibility of child abuse and neglect. Types of child abuse include:

- physical abuse
- sexual abuse
- emotional abuse
- neglect
- medical neglect
- family violence
- human trafficking (including forced marriage)
- sexual exploitation (including pornography and prostitution).

For more detailed information about identifying signs of child abuse, see the Department's web portal [PROTECT: Identify Child Abuse](#)

MAKING A REPORT

See [Child Protection - Reporting Obligations](#) for more detailed information on the legal reporting obligations of all school and Department staff.

The following table indicates who should be contacted when there is a concern that a child or a young person has been, is being, or is at risk of being abused.

TYPE OR REPORTING	REPORTER	REPORT TO
Mandatory	Mandatory reporters	<ul style="list-style-type: none"> • DHHS Child Protection
Failure to disclose	All adults	<ul style="list-style-type: none"> • DHHS Child Protection • Victoria Police
Failure to protect	Adults in a position of authority In a school, this will include Principals, Assistant Principals and Campus Principals.	<ul style="list-style-type: none"> • DHHS Child Protection • Victoria Police
Child in need of protection	Any person	<ul style="list-style-type: none"> • DHHS Child Protection • Victoria Police
Child in need of therapeutic treatment	Any person	<ul style="list-style-type: none"> • DHHS Child Protection
Significant concerns for the wellbeing of a child	Any person	<ul style="list-style-type: none"> • DHHS Child Protection • Child FIRST

There are Four Critical Actions that schools should take where a staff members forms a reasonable belief that a child is a victim of child abuse, see: [The Four Critical Actions: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#).

To ensure you have clear and comprehensive notes, and to assist you in making the report, you may wish to use the Reporting Template which can be found on the Department's web portal - [PROTECT](#)

POTENTIAL CONSEQUENCES OF MAKING A REPORT

CONSEQUENCE	DESCRIPTION
Confidentiality	<p>The identity of a reporter must remain confidential unless:</p> <ul style="list-style-type: none"> • The reporter chooses to inform the child, young person or parent of the report • the reporter consents in writing to their identity being disclosed • a Court or Tribunal decides that it necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child • a Court or Tribunal decides that, in the interests of justice, the reporter is required to provide evidence
Professional protection	<p>If a report is made in good faith:</p> <ul style="list-style-type: none"> • it does not constitute unprofessional conduct or a breach of professional ethics on the part of the reporter • the reporter cannot be held legally liable in respect of the report
Interviews	<p>DHHS Child Protection and / or Victoria Police</p> <ul style="list-style-type: none"> • may conduct interviews of children and young people at the school without the parent's knowledge or consent. Interviewing children and young people at school should only occur in exceptional circumstances and if it is in the best interests of the child or young person to proceed in this manner. • will notify the principal or a member of the leadership team of their intention to interview the child or young person on the school premises. <p>When officers from DHHS Child Protection or Victoria Police come to the school premises, the principal or a member of the leadership team should request to see identification before permitting them to have access to the child or young person.</p> <p>When a child or young person is being interviewed by DHHS Child Protection and/or Victoria Police, school staff must arrange to have a supportive adult present with the child or young person. For more information on these requests and school responsibilities. See: Police and DHHS Interviews.</p>
Support for the child or young person	<p>The roles and responsibilities of staff members in supporting children and young people who are involved with DHHS Child Protection may include the following:</p> <ul style="list-style-type: none"> • acting as a support person for the child or young person • attending DHHS Child Protection case planning meetings • observing and monitoring the child or young person's behaviour • liaising with professionals.

Request for information	<p>DHHS Child Protection and/or Child FIRST and/or Victoria Police may request information about the child or family for the purpose of investigating a report and assessing the risk to the child or young person. In certain circumstances.</p> <p>DHHS Child Protection can also direct school staff and Department staff to provide information or documents about the protection or development of the child. Such directions should be in writing and only be made by authorised persons within DHHS Child Protection.</p> <p>For more information see: Requests for Information About Students</p>
Witness Summons	<p>If DHHS Child Protection makes a Protection Application in the Children's Court of Victoria, any party to the application may issue a Witness Summons to produce documents and/or to give evidence in the proceedings, see: Subpoenas and Witness Summonses</p>

ESCALATION MECHANISMS

Where a school staff member continues to have protective concerns about a child or young person after DHHS Child Protection has closed the case, the school may need to escalate their concerns.

In these cases, schools can escalate the matter by doing the following:

- using DHHS Child Protection's complaints management process. This process can be used to report urgent and important issues about an individual child or young person, as well as systemic issues about the provision of services
- principal of a Victorian Government school can also escalate their concerns to their regional Area Executive Director. The Area Executive Director can then share this information with their counterpart at the DHHS Child Protection.

To ensure that reports to DHHS Child Protection contain the necessary information for an intake worker to assess a report, schools should ensure all school staff use the PROTECT Reporting Template when recording a incident, disclosure or suspicion of child abuse.