

# IGNATIUS LEARNING CENTRE CHILD SAFETY REPORTING OBLIGATIONS

## Contents

1. PRINCIPLES .....	2
2. REPORTING OBLIGATIONS .....	2
2.1 Identifying children in need of child protection .....	2
2.2 Mandatory reporting of child abuse .....	5
2.3 Reporting criminal offences .....	10
2.4 Reporting children in need of therapeutic treatment .....	12
2.5 The Reportable Conduct Scheme .....	12
2.6 Duty of care reporting obligations.....	15
2.7 Working with Children Checks and VIT registration .....	16
3. REPORTING PROCEDURES .....	16
3.1 Guiding principles .....	16
3.2 Roles and responsibilities within the ILC .....	16
3.3 Reporting procedure – Four Critical Actions For Schools .....	17
3.4 Procedures for taking a report of a concern or incident .....	18
3.5 Procedures for making a report regarding abuse or neglect .....	19
3.6 Special procedure where concerns or allegations involve student sexual offending .....	19
3.7 Special procedure where concerns or allegations involve ILC staff .....	19
3.8 Support for children connected with alleged abuse.....	21
3.9 Confidentiality and privacy .....	21
4. BREACH OF PRIVACY .....	21
5. RAISING AWARENESS .....	22
5.1 Staff awareness.....	22
5.2 Student awareness.....	22
5.3 Community awareness .....	22
6. EVALUATION .....	23
7. EXPECTED OUTCOMES .....	23

## 1. PRINCIPLES

The principles that underpin this policy include:

- the ILC, Jesuit Social Services and the Province take a zero tolerance approach to child abuse and is fully committed to protecting children from harm
- the ILC is committed to working in partnership with families/guardians/carers and community agencies to reduce or remove risks to the personal safety and wellbeing of students
- all ILC staff have a responsibility to care for students, to positively promote their welfare, and to protect them from any kind of harm.
- all students have the right to personal safety, including safety in relationships and protection from all forms of abuse and neglect
- early identification and effective intervention can lessen the initial and long-term effects of abuse and promote recovery of the student and family concerned
- harm to a student is minimised by allegations or suspicions of abuse being dealt with promptly and with: high measures of confidentiality; adherence to agreed procedures; provision of appropriate emotional support and pastoral care
- all persons involved in situations where harm is suspected or disclosed must be treated with sensitivity, dignity and respect
- staff, parents/guardians/carers, students and others in the ILC community should feel free to raise concerns about student safety, knowing these will be taken seriously by the ILC Leadership Team
- appropriate confidentiality will be maintained, with information being provided to those who have a right or a need to be informed, either legally or pastorally

## 2. REPORTING OBLIGATIONS

### 2.1 Identifying children in need of child protection

A person who believes on reasonable grounds that a child is in need of protection must report their belief and the grounds to Child Protection or Victoria Police. In order to perform these reporting obligations, ILC staff must be able to identify the indicators of a child who may be in need of protection.

The grounds on which a child is in need of protection include:

- where the child has been abandoned by their parents/guardians/carers and after reasonable enquiries the parents/guardians/carers cannot be found, and no other suitable person can be found who is willing and able to care for the child
- where the child has suffered or is likely to suffer significant harm as a result of physical injury and the child's parents/guardians/carers have not protected or are unlikely to protect the child
- Where the child has suffered or is at risk of sexual abuse or grooming
- where the child has suffered or is likely to suffer emotional or psychological harm of such a kind that their emotional or intellectual development is, or is likely to be, damaged and the child's parents/guardians/carers have not protected or are unlikely to protect the child
- where the child's physical development or health has been, or is likely to be, significantly harmed, and the child's parents/guardians/carers have not or are unlikely to arrange for basic care or effective medical, surgical or other remedial care for the child

If a staff member of the ILC fails to report instances, allegations, disclosures or concerns in relation to abuse or neglect of a child by ILC staff or by others, the ILC will view such failure as a serious matter.

Child abuse can take many forms. The perpetrator may be a parent, guardian, carer, ILC staff member, volunteer, another adult or another child or young person. The nature of child abuse is complex. The abuse may occur over time and potential risk indicators are often difficult to detect. Therefore, the legal obligations for reporting allegations of child abuse can vary depending on the circumstances of the incident.

Child abuse includes:

- any act committed against a child involving a sexual offence or grooming
- inflicting on a child any physical violence or serious emotional or psychological harm
- serious neglect of a child

The different forms of child abuse are:

<b>Sexual offences</b>	A sexual offence occurs when a person involves a child in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to the child's age and development. Sexual offences are governed by the <i>Crimes Act 1958</i> (Vic). Sexual abuse can involve a wide range of sexual activity and may include fondling, masturbation, oral sex, penetration, voyeurism and exhibitionism. It can also include exploitation through pornography or prostitution.
<b>Grooming</b>	Grooming refers to predatory conduct undertaken by an adult (18 years or over) to prepare a child for sexual activity at a later time. It is a sexual offence under section 49M of the <i>Crimes Act 1958</i> (Vic) carrying a maximum 10-year term of imprisonment. Under section 49M, the adult's words or conduct must be intended to facilitate the child engaging or being involved in the commission of, or attempt to commit, a sexual offence by the adult or another adult.
<b>Physical violence</b>	Physical violence occurs when a child suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person. Physical violence can be inflicted in many ways including beating, shaking, burning or using weapons (such as belts and paddles). Physical harm may also be caused during student fights.
<b>Serious emotional or psychological harm</b>	Serious emotional or psychological abuse may occur when a child is repeatedly rejected, isolated or frightened by threats or the witnessing of family violence. It also includes hostility, derogatory name-calling and put-downs, or persistent coldness from a person, to the extent where the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired. Serious emotional or psychological harm could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.

**Serious neglect** Neglect includes a failure to provide a child with an adequate standard of nutrition, medical care, clothing, shelter or supervision. Significant neglect causes harm to a child that is more than trivial or temporary. Serious neglect is when the child is exposed to an extremely dangerous or life-threatening situation and there is a continued failure to provide a child with the basic necessities of life.

**Family violence** Family violence is defined under the *Family Violence Protection Act 2008* (Vic) to include behaviour that causes a child to hear, witness or be exposed to the effects of family violence such as abusive, threatening, controlling or coercive behaviour. While family violence does not form part of the official definition of 'child abuse' in the *Child Wellbeing and Safety Act 2005* (Vic), the impact of family violence on a child can be a form of child abuse, for example, where it causes serious emotional or psychological harm to a child. A child can also be a direct victim of family violence.

A person may identify that a child is in need of protection because the child discloses that they have been abused or neglected. Children who have experienced trauma, are vulnerable and/or have a disability may experience significant barriers disclosing an incident, therefore, it may be necessary for the adult to whom the disclosure is being made to offer supports to assist the child to make the disclosure. Further, some children from culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police and communicating in English may be a barrier for some. ILC staff need to be sensitive to these issues and meet each student's needs where possible, such as having an interpreter present.

Where a person does not disclose the abuse or neglect, ILC staff need to be guided by indicators of child abuse and neglect, which can be physical or behavioural or a combination of both. While the presence of a single indicator, or even several indicators, does not necessarily prove that abuse or neglect has occurred, the repeated occurrence of either a physical or behavioural indicator, or the occurrence of several indicators together, should alert ILC staff to the possibility of child abuse or neglect.

The following are indicators of abuse that staff should be aware of:

- Physical abuse** **Physical indicators** could include bruises, burns, fractures (broken bones), cuts and grazes to the face, and multiple injuries including internal injuries.  
**Behavioural indicators** could include disclosure of an injury inflicted by someone else, wearing unusual clothes to hide injuries, wariness or fear of a parent/guardian/carer, reluctance to go home, habitual absences from school without explanation and regressive behaviour.
- Sexual abuse** **Physical indicators** could 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** could include disclosure of sexual abuse, age inappropriate sexual activity or behaviour, drawings that are sexually explicit, writing stories that are sexually explicit, increase in rocking, sucking or biting, regressive behaviour, truancy, depression, delinquent or aggressive behaviour, and sudden decline in school performance.

**Emotional abuse**

**Physical indicators** could include speech disorders, delays in physical development and failure to thrive.

**Behavioural indicators** could include being overly compliant, passive and undemanding behaviour, attention-seeking behaviour, poor self-image, age/developmentally inappropriate behaviour, fear of failure, and depression.

**Serious neglect and medical neglect**

**Physical indicators** could include consistently being unwashed, inappropriate dressing for weather conditions, consistent hunger and tiredness, and unattended health problems.

**Behavioural indicators** could include begging or stealing food, gorging food, alienation from peers, withdrawal, aggressive behaviour, appearing miserable and irritable, and poor attendance at school.

If an allegation of abuse involves an Aboriginal or Torres Strait Islander child, there is a need to ensure a culturally appropriate response. The ILC will utilise its relationships with the Victorian Aboriginal Child Care Agency or other Aboriginal Community Controlled Organisations to seek assistance to ensure the child is given proper supports.

For further definitions of all types of child abuse, a comprehensive list of the indicators of harm and advice on identifying perpetrators of child sexual abuse, refer to [PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools](#) and resources listed at the end of this Policy.

## 2.2 Mandatory reporting of child abuse

### Who is a mandatory reporter and when should they make a report?

Mandatory reporting is a legal requirement under the *Children, Youth and Families Act 2005* (Vic) (CYFA) to protect children from harm relating to physical injury and sexual abuse.

At the ILC, mandatory reporters are those ILC staff who are required by law to report to relevant authorities all matters in which they have formed **a reasonable belief** that a child is in need of protection because they (the child) have suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse, and their (the child's) parents/guardians/carers have not protected, or are unlikely to protect, them (the child). It is the relevant authorities (Child Protection and/or Victoria Police) who have the role of investigating an allegation of child abuse.

The following persons employed or engaged by the ILC are mandatory reporters:

- any person who is registered teacher with the VIT under the *Education and Training Reform Act 2006* (Vic)
- any person who has been granted permission to teach by the VIT under that Act
- the Principal
- school counsellors, being a person employed or engaged (other than on a voluntary basis), to provide direct support to school students, at or directly connected with a school, for mental, emotional or psychological wellbeing.
- registered psychologists
- Youth Justice officer and Youth Parole officer
- religious clergy

Staff members should discuss any concerns they may have about the safety and wellbeing of students with the Principal prior to making a report to authorities. This will enable the ILC to best provide support to the child, their family/guardians/carers and our staff, where appropriate. Note that Child FIRST/The Orange Door can also be contacted for advice if desired.

There may be times when two or more mandatory reporters – for example, a teacher and the Principal – have formed a belief about the same child on the same occasion. In this situation it is sufficient for only one of the mandatory reporters to make a report. The other staff member is obliged to ensure that the report has been made, and that all of the grounds for that staff member's own belief were included in the report made by the other staff member.

If the Principal does not wish to make a mandatory report, this does not discharge the mandatory reporter's obligation to do so if they have formed a reasonable belief that abuse may have occurred. If the mandatory reporter's concerns continue, even after consultation with the Principal, that staff member is still legally obliged to make a mandatory report of their concerns.

A subsequent report must be made on each occasion on which the mandatory reporter becomes aware of further reasonable grounds for the belief and even if the reporter knows that another report has been made concerning the same child and suspected abuse.

To assist mandatory reporters to comply with their reporting obligations, the ILC uses the threshold for reporting child protection incidents, disclosures, concerns or suspicions set by the PROTECT guidance developed for Catholic, Government and Independent Schools, [PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools](#). This guidance focuses on Four Critical Actions (refer to Reporting Procedures below and Appendix 1) that ILC staff must take if they form a suspicion or reasonable belief that child abuse has occurred, or that a child is at risk of suffering abuse.

### **When does a staff member form a 'reasonable belief'?**

Where ILC staff members are concerned about the safety and wellbeing of a child, they must assess that concern to determine if a report should be made to the relevant agency. If a staff member has witnessed potentially abusive behaviour, has a suspicion or has received a disclosure of child abuse, they must determine whether these observations or receipt of such information have caused the staff member to form a 'reasonable belief'.

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than rumour or speculation. A reasonable belief is formed if a reasonable person in the same position would have formed the belief on the same grounds.

A reasonable belief might be formed if:

- a child states that they have been physically or sexually abused
- any person tells you that they believe someone has been abused; this may include a child who is talking about themselves
- you observe physical or behavioural indicators of abuse, as described above (see also [PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools](#))
- a child exhibits sexually abusive or age-inappropriate behaviour(s)
- professional observations of the child's behaviour or development cause you to form a belief that the child has been physically or sexually abused or is likely to be abused

While any indicators of possible child abuse or neglect are concerning, it is important to understand that the presence of a number of indicators that suggest either physical or sexual abuse of a child may be sufficient to form a reasonable belief in a staff member's mind which must be reported.

## **Making a report to Child Protection**

The CYFA allows for two types of reports to be made in relation to significant concerns for the safety or wellbeing of a child – a report to Child Protection or a referral to Child FIRST/The Orange Door.

A report to Child Protection should be considered if, after taking into account all of the available information, the staff member forms a view that the child is in need of protection, because:

- the harm or risk of harm has a serious impact on the child's immediate safety, stability or development
- the harm or risk of harm is persistent and entrenched and is likely to have a serious impact on the child's safety, stability or development
- the child's parents/guardians/carers cannot or will not protect the child from harm

Where, during the course of carrying out their normal duties, a staff member forms the belief on reasonable grounds that a child is in need of protection, a report to Child Protection regarding this belief, and the reasonable grounds for it, should be made as soon as practicable.

Staff members may form a professional judgment or belief, in the course of undertaking their professional duties, based on:

- warning signs or indicators of harm which have been observed or inferred from information about the child
- legal requirements, such as mandatory reporting
- knowledge of child and adolescent development
- consultation with colleagues and other professionals
- professional obligations and duty of care responsibilities
- established protocols and internal policies and procedures at the ILC

The following information is requested when making a report:

- the child's name, age and address
- the reporting person's reason for believing that the injury or behaviour is the result of abuse;
- the reporting person's assessment of immediate danger to the child or children (information may be requested about the whereabouts of the alleged abuser/s)
- the reporting person's description of the injury, allegation or behaviour observed
- the current whereabouts of the child
- any other information about the family
- the reporting person's relationship to the child

When making a report to Child Protection, the name of the Protective Worker receiving the report must be obtained.

When receiving a report, Child Protection may seek further information, usually from professionals who may also be involved with the child or family, to determine whether further action is required. In most circumstances, Child Protection will inform the reporter of the outcome of the report.

### **Making a referral to Child FIRST/The Orange Door**

A referral to Child FIRST/The Orange Door must be made if a staff member believes that a child is not subject to abuse, including family violence, but still holds significant concerns for their wellbeing (e.g. risk taking behaviour, parenting difficulties, isolations from family or lack of support).

Child FIRST/The Orange Door is a family information, referral and support team run by a registered community service in a local area that can receive confidential referrals about a child of concern. It does not have any statutory powers to protect a child but can refer matters to relevant services.

Staff members should make a report to Child FIRST/The Orange Door if:

- they have a significant concern for a child’s wellbeing
- their concerns are about circumstances that have a low-to-moderate impact on the child
- the child’s immediate safety is not compromised
- they and the school have discussed the referral to Child FIRST/The Orange Door with the child’s parents/carers, and all parties are supportive of this decision

Where the staff member believes that the child’s parents/carers will not be supportive of the referral, or the child is partaking in any risk-taking activity that is illegal and extreme in nature or poses a high risk to the child or others, you may refer the matter to DFFH Child Protection.

If there is uncertainty about whom to report or refer to, contact can be made with either Child Protection or ChildFIRST/The Orange Door for further advice.

### **Contacts for making report or seeking advice**

Department of Families, Fairness and Housing	North Division Intake - 1300 664 977
Child Protection Emergency after hours	131 278
ChildFIRST/The Orange Door	1300 786 433

### **Protecting the identity of the reporter**

Confidentiality is provided for mandatory reporters under the CYFA. The CYFA prevents disclosure of the name of, or any information likely to lead to, the identification of a person who has made a report under the Act, except in specific circumstances. It is an offence for any person, other than the person making the report, to breach this obligation of confidentiality.

The identity of a mandatory reporter must remain confidential, unless:

- the reporter chooses to inform the child or family of the report
- the reporter consents in writing to their identity being disclosed
- a court or tribunal decides that it is 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 attend court to provide evidence

Information provided during a protective investigation may be used in a court report if the risks to the child require the case to proceed to court. In these circumstances, the reporter may be required to provide evidence to the court.

If Child Protection decides that the report raises significant concerns about the wellbeing of a child, it may refer the report to a community-based child and family service, and disclose the identity of the reporter to that service.

However, the CYFA provides that neither Child Protection nor the community-based child and family service may disclose the reporter's identity to any other person without the reporter's consent.

Note, in addition, that if a report is made in good faith:

- 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
- it is the responsibility of Child Protection or Victoria Police to investigate the matters reported

### Reporting to Victoria Police

If there is an allegation of physical abuse or sexual abuse **against a staff member** (including a visitor to the ILC), that is, where the source of the abuse comes from within the ILC (i.e. the suspected or alleged abuse involves a person from within the school), the Principal must be informed and the matter must be immediately reported directly to Victoria Police for investigation, by telephoning the emergency number 000. If the allegation relates to the Principal, the Chair of the Jesuit Social Services Board and the Chief Executive Officer of Jesuit Social Services must be informed, and is required to report the matter to Victoria Police. Where an allegation is made against any staff member, the CEO or Chair of the Board will ensure the Provincial and Province Director of Professional Standards are also immediately informed.

If there is an allegation of **sexual abuse or grooming**, the Principal must be informed and the matter must be immediately reported directly to Victoria Police for investigation, by telephoning the emergency number 000. If the allegation relates to the Principal, the Chair of the Jesuit Social Services Board and the Chief Executive Officer, Jesuit Social Services must be informed, and is required to report the matter to Victoria Police. Where an allegation is made against any staff member, the CEO or Chair of the Board will ensure the Provincial and Province Director of Professional Standards are also immediately informed.

### Failure to report

A failure by mandatory reporters to report a reasonable belief that a child is in need of protection from significant harm as a result of physical or sexual abuse is an offence under the CYFA, and may result in the staff member being prosecuted and a court imposing a fine.

### Informing parents and carers

Staff members do not require the permission of parents or guardians/carers to make a report to or undertake an interview with Child Protection, nor are they required to tell parents or guardians/carers that they have done so. It is the responsibility of Child Protection to advise parents or guardians/carers as soon as possible of any interview. This should occur by the time the child arrives home, or before this time.

In line with Critical Action 3, where it is suspected that a child at the school has been or is at risk of being abused, it is critical that parents/carers of the child are notified as soon as practicable after a report is made to the authorities. The school must always seek advice from Victoria Police or DFFH Child Protection to ensure that it is appropriate to contact the parents/carers.

## Confidentiality

Staff members must respect confidentiality when dealing with cases of suspected child abuse and neglect. They may only discuss case details and the identity of the child and the child's family/guardians/carers with those directly involved in the management of the child's situation.

## Interviewing

In circumstances where there is a request made by Victoria Police or Child Protection to interview students regarding child protection incidents, ILC staff will follow [MACS Policy 2.19a – Police and DFFH Interview Protocols](#).

## Staff awareness

All mandatory reporters will be given training about their mandatory reporting obligations, including the opportunity to undertake the Department of Education and Training [Mandatory Reporting and Other Obligations eLearning module](#) for non-Government schools, and training offered by MACS. Staff who are mandatory reporters will be reminded at the start of each year of their obligations with regard to mandatory reporting as outlined in this Policy and offered refresher training.

## 2.3 Reporting criminal offences

### Reporting sexual offences involving children

An act involving a child that is sexual in nature is a criminal offence and must be reported to Victoria Police. Such offences include:

- rape
- indecent assault
- incest
- sexual penetration of or indecent act with a child
- grooming, that is, communicating with a child under the age of 16 years or with a person under whose care, supervision or authority the child is, with the intention of facilitating the child's involvement in a sexual act

All adults are required to report to police if they know or reasonably believe that a sexual offence has been committed by an adult against a child under the age of 16.

There are serious penalties for failing to act in relation to sexual offences involving children, specifically, a person who fails to make a report may be convicted of one of two offences:

- Failure to disclose a sexual offence
- Failure to protect a child

To assist ILC staff to comply with their reporting obligations in relation to sexual offences involving children, the ILC uses the threshold for reporting child protection incidents, disclosures, concerns or suspicions set by the guidance for Government, Catholic and Independent Schools, [PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools](#). This guidance sets out the Four Critical Actions (refer to the reporting procedures section below and Appendix 1) that all ILC staff must take if they suspect a sexual offence involving a child has occurred. Where allegations relate to a staff member the CEO or Chair of the Board will ensure the Provincial and the Director of Professional Standards are notified immediately. Where allegations do not relate to staff the Director of Professional Standards should be notified as soon as practicable.

### **Failure to disclose offence**

Any school staff member who forms a reasonable belief that a sexual offence or grooming has been committed in Victoria by an adult against a child under 16 must disclose that information to Victoria Police. A failure to do so is a criminal offence. The obligation is to disclose that information to Victoria Police as soon as it is practicable to do so, except in limited circumstances such as where the information has already been reported to DFFH Child Protection.

However, a report is not required to be made to Victoria Police if the person required to make the report has a reasonable excuse for not doing so.

A reasonable excuse includes:

- the person reasonably fears for the safety of any person (other than the alleged perpetrator of the offence) if Victoria Police were informed
- the person reasonably believes that Victoria Police have already been informed about the information
- the information came from the victim when he or she was over 16 years of age and the victim requested that the information not be disclosed (except if the victim had an intellectual disability and did not have the capacity to make an informed decision)
- where the information was a confidential communication from the victim to a registered medical practitioner or counsellor who is treating the victim for an emotional or psychological condition

A person who makes a report to Victoria Police in good faith will not be liable in any way for making the disclosure and their identity will be confidential, unless they disclose their identity themselves or consent to it being disclosed or a Court considers it necessary for them to be identified.

### **Failure to protect offence**

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. Examples of people in authority may include residential house supervisors, CEOs, board, council or committee members, school principals, service managers and religious leaders. It may also apply to people with less formal involvement in an organisation. For example, a volunteer parent coach responsible for the supervision of a junior sports team may be a person in authority, even if their role is informal or limited.

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

Any school staff member in a position of authority who has the power or responsibility to remove risk, and becomes aware that an adult associated with their organisation (such as an employee, contractor, volunteer, sport coach or visitor) poses a risk of sexual abuse to a child under 16 who is in the care or supervision of the organisation, must take all reasonable steps to reduce or remove that risk. In the context of the ILC, this will include the Principal, Assistant Principal/Lead Teacher and may also extend to school counsellors and a business manager. Failure to take reasonable steps to protect a child in the organisation from the risk of sexual abuse from an adult associated with the organisation is a criminal offence.

## 2.4 Reporting children in need of therapeutic treatment

Any person who believes on reasonable grounds that a child over 10 but under 15 years of age has been exhibiting sexually abusive behaviours and may be in need of therapeutic treatment should make a report to Child Protection.

Sexually abusive behaviours can be exhibited when a child uses their power, authority or status to engage another person in sexual activity that is unwanted, or where the other party is incapable of giving informed consent, such as other children who are younger or who have cognitive impairments.

The reporting procedures staff must follow in circumstances involving suspected sexual offending by children are contained in [Protect: Identifying and Responding to Student Sexual Offending. These include the Four Critical Actions](#): Responding to Student Sexual Offending to ensure they fulfil all of their legal obligations.

## 2.5 The Reportable Conduct Scheme

ILC staff should also refer to MACS Policy 2.19 Protect: Identifying and Responding to Abuse – Reporting Obligations on reportable conduct, which includes tables with clear steps to be taken.

### The ILC's obligations

The Reportable Conduct Scheme requires schools to notify the CCYP for Children and Young People if an allegation of 'reportable conduct' (a reportable allegation) is made against one of their 'employees' (see definitions section above). The Scheme does not change mandatory reporting or other reporting obligations, including internal reporting and reporting criminal behaviour to Victoria Police. Reportable conduct reporting should be done in addition to these other reporting obligations.

The five types of reportable conduct are:

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

Further detail is given in the CCYP's [fact sheet](#).

At the ILC, the Principal is responsible for ensuring the ILC's compliance with its obligations under the Reportable Conduct Scheme. In particular, the Principal will:

- have in place systems to prevent reportable conduct and, if reportable conduct is alleged, to ensure allegations can be brought to the attention of appropriate persons for investigation and response
- ensure that the CCYP is notified and given updates on the school's response to a reportable allegation by contacting the MACS Employee Relations Unit
- report to Victoria Police as soon as they become aware that a reportable allegation may involve suspected child abuse or criminal conduct

### Reportable allegation

Any person, including employees, students, parents/guardians/carers, or members of the public, may form a reasonable belief that an employee of the ILC has engaged in reportable conduct, or misconduct that may involve reportable conduct.

A reportable allegation must be made to the Principal:

- in writing addressed to the Principal in a sealed envelope marked 'Private and confidential' and delivered to the ILC office or to the Principal's office
- in writing sent by post in an envelope marked 'Private and confidential' and addressed to:

The Principal  
Ignatius Learning Centre  
PO Box 271  
Richmond VIC 3121

by email marked – Reportable Conduct – and sent to – [jss@jss.org.au](mailto:jss@jss.org.au)

- by telephone advising that the person wishes to report an allegation of reportable conduct to the Principal – Telephone: 03 9421 7600

Where a verbal report is made via telephone, the person should provide a written report to Principal within 48 hours of the verbal report, or the Principal documents the report on their behalf.

If the person has information of a reportable allegation involving the Principal, the person must directly notify the Chair of the Jesuit Social Services Board and the Chief Executive Officer, Jesuit Social Services:

- in writing addressed to the Chair/CEO in a sealed envelope marked 'Private and confidential' and delivered to the ILC office
- in writing sent by post in an envelope marked 'Private and confidential' and addressed to:

The Chair/CEO  
Jesuit Social Services Board  
PO Box 271  
Richmond VIC 3121

by email marked – Reportable Conduct – and sent to – [jss@jss.org.au](mailto:jss@jss.org.au)

A reportable allegation may also be made directly to the CCYP at:

Commission for Children and Young People  
Level 18, 570 Bourke Street  
Melbourne Vic 3000

By telephone: (03) 8601 5281

By email: [childsafestandards@ccyp.vic.gov.au](mailto:childsafestandards@ccyp.vic.gov.au)

A report may be made whether or not the conduct or misconduct is alleged to have occurred within the course of the employee's employment with the ILC.

### **Reportable allegation investigation**

The Principal will follow the [MACS Guide to the Reportable Conduct Scheme](#) and utilise the resources contained in it, including the templates for recording the reported issue and conducting a risk assessment i.e. Appendices 1 and 2.

As soon as practicable after becoming aware of a reportable allegation against an employee, the Principal will contact MACS's Employee Relations Unit. The Employee Relations Unit will provide advice and support to the Principal on how to manage the matter, including reporting to the CCYP within the legislated timeframe.

The Principal should conduct a risk assessment to determine any measures that should be put in place to manage the person against whom allegations have been made and to protect any children or young people, using the template at Appendix 2 of the [MACS Guide to the Reportable Conduct Scheme](#).

The Principal must then investigate or arrange for another party to investigate the allegation. The Principal will generally make these arrangements with assistance from the MACS Employee Relations Unit. The investigation may be handled internally (e.g. by the Principal or a delegate) or it may be referred to an independent investigator.

Generally, the person appointed to conduct the investigation will decide on the appropriate process for the investigation, taking into account the principles of natural justice, and will advise the parties of such matters. The ILC will seek to have a person investigate the allegation who will be a different person from the one making the final decision as to any disciplinary process relating to the employee.

The investigator will, as soon as practicable:

- conduct an investigation into the allegation
- conduct interviews of relevant persons and seek any further information they deem necessary
- provide to the Principal a confidential report of their findings in relation to the allegation against the employee
- if requested, make recommendations about what disciplinary or other action should be taken (if any)

The Principal will consider the findings, and recommendations if any, and determine what further action, if any, to take in relation to the allegations, seeking advice from MACS Employee Relations Unit.

If an allegation involves a possible criminal offence, the Principal will first obtain clearance from Victoria Police before beginning an investigation.

## Notification to the CCYP

The Principal is responsible for notifying the CCYP of a reportable allegation in line with the Reportable Conduct Scheme and for investigating such allegations and providing the findings to the CCYP. However, with the Principal's authorisation, the MACS Employee Relations Unit will notify the CCYP of a reportable allegation against an employee of the ILC.

The CCYP will be notified in writing of the following:

Within 3 business days after becoming aware of the allegation	<ul style="list-style-type: none"> <li>the name and date of birth (if known) of the employee involved</li> <li>whether Victoria Police has been contacted</li> <li>contact details for the ILC and the Principal</li> </ul>
As soon as practicable and within 30 calendar days	<ul style="list-style-type: none"> <li>details of the allegation</li> <li>details of the ILC's response to the allegation</li> <li>reasons for whether or not any disciplinary or other action is proposed</li> <li>any written response from the employee concerning the allegation that the employee wished to have considered in determining what, if any, disciplinary or other action should be taken</li> </ul>
Advice on investigation – as soon as practicable	<ul style="list-style-type: none"> <li>name of investigator</li> </ul>
Outcomes of investigation – as soon as practicable	<ul style="list-style-type: none"> <li>a copy of the findings and reasons for the findings</li> <li>details of any disciplinary or other action that the Principal proposes to take</li> <li>reasons for taking or not taking any disciplinary or other action</li> </ul>
Additional documents and information	<ul style="list-style-type: none"> <li>any information or documents relating to the allegation or an investigation that the CCYP may request</li> </ul>

## 2.6 Duty of care reporting obligations

ILC staff should also refer to MACS Policy 2.19 Protect: Identifying and Responding to Abuse – Reporting Obligations on duty of care.

The ILC owes a duty to take reasonable precautions to prevent the abuse (sexual or physical) of a child (under 18) by an individual associated with the ILC while the child is under the care, supervision or authority of the ILC. Such individuals can include employees, volunteers, office holders, contractors and ministers of religion.

ILC staff have a duty of care to protect the safety, health and wellbeing of children in their care. If a staff member has concerns about the safety, health and wellbeing of children in their care they should take immediate action.

In the case of a child who may be in need of protection or therapeutic treatment, or where there are significant concerns about the wellbeing of a child, ILC staff can discharge this duty of care by taking action which includes the following:

- reporting their concerns to the DFFH Child Protection or another appropriate agency (as identified in this Policy)
- notifying the Principal of their concerns and the reasons for those concerns

In addition, reasonable steps include giving the child (and their parents/ carers/ guardians where appropriate) supports they need, such as arranging counselling and/or other appropriate welfare support for the child and sharing information with other staff who will also be responsible for monitoring and providing ongoing support to the child.

### **2.7 Working with Children Checks and VIT registration**

In accordance with the Child Safety Policy, all ILC staff must undergo a Working with Children Check (WWCC). Teachers registered with the Victorian Institute of Teaching (VIT) are not required to have a WWCC.

The ILC must immediately notify the VIT if the ILC becomes aware that a teacher has been charged with or committed for trial or convicted of a sexual offence (including grooming and child pornography offences). The ILC is required to notify VIT if the ILC has taken action against a registered teacher in response to allegations of serious misconduct.

## **3. REPORTING PROCEDURES**

### **3.1 Guiding principles**

The reporting procedures should be followed in line with the following principles:

- the welfare of the alleged victim(s) involved remains paramount
- students are offered supports to assist with making disclosures about child abuse and neglect and to minimise harm during and after the reporting process
- the trust of the person making the allegation is maintained
- confidentiality is provided for all children, teachers and families/guardians/carers involved
- access to support is provided, both internally and through any appropriate external agency, to all children, teachers and families/guardians/carers involved, as needed

By following these reporting procedures, those charged with the responsibility of reporting allegations of abuse can form a comprehensive understanding of all related matters and incidents. These procedures acknowledge that issues of abuse and reporting are often highly emotional, and by discussing concerns with the Principal, the person making the allegation can:

- view their concerns objectively
- be supported against feelings of isolation and vulnerability
- be supported in dealing with their emotional responses or related personal experiences
- further support the alleged victim

### **3.2 Roles and responsibilities within the ILC**

Every staff member has responsibility for responding appropriately to a child who makes or is affected by an allegation of child abuse in accordance with this Policy.

The Principal has additional responsibilities under the procedures as set out below, including:

- promptly managing the ILC's response to an allegation or disclosure of child abuse, and ensuring that the allegation or disclosure is taken seriously
- monitoring overall compliance with these reporting procedures

In the event that the Principal is unable to perform their role, a staff member who is a senior teacher will be appointed by the Jesuit Social Services Board to act in the Principal's role.

### 3.3 Reporting procedure – Four Critical Actions For Schools

There are [Four Critical Actions for Schools](#) (Appendix 2) that staff must take when responding to and reporting a child protection incident, disclosure or suspicion:

1. Responding to an Emergency
2. Reporting to Authorities
3. Contacting Parents/Guardians/Carers
4. Providing Ongoing Support

**Critical Action 1** arises where a child is at *imminent risk of harm* or in *immediate danger*. This requires:

- separating the alleged victim and others involved, ensuring that if the parties involved are all present at the school, they are supervised separately by a staff member
- arranging and providing urgent medical assistance where necessary, including administering first aid or calling 000 for an ambulance
- calling 000 for urgent police assistance if the person who is alleged to have engaged in the abuse poses an immediate risk to the health and safety of any person.

**Critical Action 2** involves reporting all forms and instances of suspected or alleged child abuse to the appropriate authority in accordance with this Policy.

ILC staff are required to report any instance of serious abuse or neglect (cases in which a child has suffered, or is likely to suffer, significant harm from abuse or neglect) to Victoria Police or Child Protection and to document the report with advice/support from the Principal immediately or no later than before ending that person's work day.

If the child protection incident has occurred at the school, school staff should also ensure that reasonable steps are taken to preserve the environment, the clothing and other items and to prevent any potential witnesses (including school staff members, volunteers and contractors) from discussing the incident until Victoria Police or relevant authorities arrive on the premises.

Note that the Principal is available for advice and support in any matter concerning potential child abuse. The Principal has ultimate responsibility for managing the ILC's response to any allegations or disclosures of child abuse, and for monitoring the ILC's compliance with this Policy.

In the case of an allegation of sexual abuse, the Principal will immediately inform the Chair of Jesuit Social Services Board and the Chief Executive Officer, Jesuit Social Services. Where the allegation is against a member of the ILC staff, the CEO will ensure the Provincial and Province Director of Professional Standards are also immediately informed.

**Critical Action 3** involves contacting parents/guardians/carers. Where it is suspected that a child at the school has been or is at risk of being abused, it is critical that parents/guardians/carers of the child are notified as soon as practicable after a report is made to the authorities. The ILC must always seek advice from Victoria Police or DFFH Child Protection to ensure that it is appropriate to contact the parents/guardians/carers, especially in cases of family violence.

**Critical Action 4** is to providing ongoing support to students impacted by a child protection matter to ensure that they feel supported and safe at school, in accordance with the Support for Children section below.

### 3.4 Procedures for taking a report of a concern or incident

ILC staff must make a clear and contemporaneous record of any disclosure or allegation of child abuse made to them using the [Responding to Suspected Child Abuse template](#) (Appendix 3). Accurate records of all supportive and protective measures, meetings, interviews, telephone conversations and the procedures followed by the ILC and its response will be maintained and stored securely in accordance with the ILC's privacy obligations and under the supervision of the Principal.

In taking a report of a concern, or of an incident, from others within the school, ILC staff are:

- not to assess the validity of such allegations or concerns, but to report all allegations or concerns to the Principal (the validity of an allegation will then be assessed in the manner described in this Policy)
- to disregard factors such as the authority or position of the persons involved and any pre-existing views about the good character, or otherwise, of any person involved or under investigation

In situations where a **child is making an allegation**, the ILC staff member is required to:

- try and separate them from the other children discreetly and listen to them carefully
- listen to the allegation or disclosure supportively, without dispute
- if required, use aids and resources to assist children with complex communication needs to make the disclosure
- clarify the basic details, without seeking detailed information or asking suggestive or leading questions
- let the child use their own words to explain what has occurred
- 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
- explain to them that this information may need to be shared with others in order to stop what is happening, such as with their parent/guardian/carer, specific people within the ILC, or Victoria Police
- do not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe
- provide reassurance that the school will take immediate action in response to the allegation
- do not leave the child in a distressed state – if they seem at ease in your company, stay with them
- as soon as possible after the disclosure, record the information using the child's words and report the disclosure to the Principal, Police or Child Protection, as required
- record on the [Responding to Suspected Child Abuse template](#) (Appendix 3) what was said (where possible, noting the exact words used by the person making the allegation), signing and dating it
- report the matter in accordance with this Policy
- ensure the supports set out below are instigated

Where a **parent/guardian/carer** raises a concern:

- explain that the ILC has processes to ensure all abuse allegations are taken very seriously
- ask about the wellbeing of the child
- allow the parent/guardian/carer to talk through the incident in their own words
- advise the parent/guardian/carer that you will take notes during the discussion to capture all details
- explain to them the information may need to be repeated to authorities or others, such as the ILC Principal, Victoria Police or Child Protection
- do not make promises at this early stage, 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
- ensure the report is recorded accurately on the [Responding to Suspected Child Abuse template](#) (Appendix3), and that the record is stored securely

### 3.5 Procedures for making a report regarding abuse or neglect

The person making the allegation, or the staff member contacted, should, in the first instance, discuss the matter with the Principal. In the case of an allegation of sexual abuse, the Principal should be informed as soon as is practicable.

All ILC staff must use the [Responding to Suspected Child Abuse template](#) (Appendix 3) to document any allegation, disclosure, incident or concern regarding child abuse. In situations where staff become aware of abuse whether through observation or potential indicators, such as bruises or cuts, or by directly observing potentially abusive behaviour towards a child, they should use the template to record their observations and concerns as accurately as possible.

The Principal, in consultation with appropriate authorities, will oversee creation of a report which includes the completed [Responding to Suspected Child Abuse template](#) (Appendix 3) and any other documentation relating to the allegation and subsequent action.

The Principal has overall responsibility for making secure and retaining records of any allegations of child abuse and the ILC's response to it.

In cases where a report has not already been made under mandatory reporting legislation, the Principal, with the assistance of one or more designated staff members, will make a report to Victoria Police and/or Child Protection. This contact will be documented by the Principal, and the person who brought the matter forward will be informed that the relevant agency has been contacted. Once a report has been made, the ILC will act under the direction of the relevant agency. An investigation of an allegation at the ILC level will not proceed without clearance from the relevant authorities.

### 3.6 Special procedure where concerns or allegations involve student sexual offending

In the case of student sexual offending, school staff must immediately discuss their concerns with the Principal, who will initiate the special procedures that apply to such allegations and who will oversee the reporting and support process.

### 3.7 Special procedure where concerns or allegations involve ILC staff

Additional requirements apply where concerns or allegations of abuse or neglect involve ILC staff, including employees and volunteers.

ILC staff must report, immediately, to the Principal any breach of the Child Safety Code of Conduct arising from an action by a ILC staff member. In situations where the Principal is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision, namely, the Chair of Jesuit Social Services Board, the Chief Executive Officer, Jesuit Social Services, and/or police.

In response to any instance of 'serious' breaches which relate to abuse or neglect ('serious' being cases in which the abuse or neglect has resulted in, or is likely to result in, significant harm to a child) the Principal will report the matter to the Jesuit Social Services Board, and will investigate and deal with allegations of inappropriate and unacceptable behaviour towards a child in line with the Victorian Reportable Conduct Scheme (see section above), the ILC's general procedures for complaint resolution and disciplinary measures and in consultation with Victoria Police and other authorities. The Principal may seek assistance and support from the MACS Employee Relations Unit at various stages of the process.

In response to a serious breach of the Child Safety Code of Conduct resulting in significant harm to a child or children the Principal will report the matter to the Jesuit Social Services Board and will:

- take any action necessary to safeguard the child and other children in the ILC's care from additional harm through options such as:
  - redeploying that staff member to a position where they do not work with children
  - additional supervision of that staff member
  - removing/suspending that staff member from duty until the validity of the allegations is determined
- assist in addressing the support needs of those impacted by the allegation including:
  - the child and their family/guardians/carers (this includes any specific support needs for an Aboriginal and Torres Strait Islander; those from a Culturally and Linguistically Diverse background; or person with a disability)
  - the person against whom the complaint is made by, for example, offering professional counselling
  - other staff impacted by the allegations
- make clear to all ILC staff who are aware of the allegation that:
  - the allegation does not mean the person is guilty, and that the allegation will be properly investigated
  - they are not to discuss the matter with any person, except as directed by Victoria Police, child protection authorities and/or the Principal and only in direct relation to investigation of the allegation

If the allegation is made against the Principal, that person will be excluded from the process and subject to the same conditions as indicated above. The matter will be handled by the Chair of the Jesuit Social Services Board, the Chief Executive Officer, Jesuit Social Services, with support as required from the MACS Employee Relations Unit and the Province's Director of Professional Standards.

All instances, allegations, disclosures or reasonable concerns of abuse or neglect of a child arising from an action by a ILC staff member will be investigated (after the necessary clearance from Victoria Police where required) and will be the subject of a critical incident review.

The Principal may be required to make a notification to VIT, depending on the circumstances.

### 3.8 Support for children connected with alleged abuse

Once aware of the allegation, the ILC will act immediately to provide appropriate support and protection for the alleged victim of abuse and all other children involved.

Any supports given will be tailored to any special needs of the children involved and will take into account the child's:

- particular attributes, such as past experiences of trauma, cognitive functioning and language difficulties, in order to tailor appropriate support strategies
- vulnerability to ongoing abuse

Advice regarding the form and source of this support and protection may be sought from relevant external agencies, ensuring that the ILC is sensitive to the diversity of all children, and the vulnerability of children with disabilities and who have experienced trauma.

The support might include:

- developing a case management plan for students
- working with the student's family/guardians/carers to ensure the ILC's response is in the best interests of the safety and welfare of the student
- appointing a support staff member to oversee the student's safety and welfare while at school, and to monitor the student's ongoing needs
- intensifying supports from the student support group
- linking with supports identified or put in place by child protection

Support and protection for the children involved, their families and anyone else affected will be arranged by the Principal.

### 3.9 Confidentiality and privacy

The ILC maintains the confidentiality and privacy of all concerned (including the alleged perpetrator), except if doing so would compromise the welfare of the child and/or investigation of the allegation.

So as to prevent access by unauthorised persons, the ILC stores any documentation associated with an allegation of abuse or neglect of a child by having:

- hard-copy documentation stored in a locked filing cabinet (or similar)
- electronic documentation stored in a password-protected folder (or similar)

## 4. BREACH OF PRIVACY

This Policy prohibits all staff from:

- discussing any concerns or allegations with unauthorised persons in order to ensure privacy, confidentiality and adherence to the principles of natural justice
- making deliberately false, misleading or vexatious allegations

ILC staff are obliged to raise with the Principal (or CEO, Jesuit Social Services, or Chair of Jesuit Social Services Board) any concerns they might have in relation to:

- ILC policies designed to safeguard children, including this Policy and the Child Safety Code of Conduct
- actions of other staff members that contravene ILC policies, or that may otherwise have the potential to harm a child

## 5. RAISING AWARENESS

The [Four Critical Actions for Schools](#) (Appendix 2) will be displayed in staff rooms and other strategic areas of the school to ensure all members of the ILC community are aware of the actions to take as soon as they witness a child protection incident, receive a disclosure or form a reasonable suspicion or belief that a child has been, or is at risk of being, abused.

### 5.1 Staff awareness

The following strategies will be employed to raise the awareness of all staff to their responsibilities with regard to child protection. All staff will be reminded at the start of each year:

- that each child has the right to a safe and protective environment at all times
- of their responsibilities with regard to reporting allegations or beliefs of sexual offences against a child under the age of 16
- all staff of the ILC will undertake annual training as part of Jesuit Social Services' commitment to accreditation under the ACFs Safeguarding Children program.

In addition to this, all teachers and other mandatory reporters will be reminded at the start of each year of:

- their obligations with regard to mandatory reporting as outlined in this Policy
- their obligations, and expectations of behaviour, with regard to duty of care, as outlined in the VIT Code of Conduct, the VIT Code of Ethics, and the ILC Staff Handbook.

### 5.2 Student awareness

At the start of each year, and when a child commences attending the ILC, each child will be reminded in language and a manner adapted to their specific needs that they have the right to a safe and protective environment at all times, and that they can seek assistance from the Principal or any other staff member if a situation arises that they feel threatens their safety.

### 5.3 Community awareness

The ILC community, including parents/guardians/carers and volunteers, will be informed of their responsibilities with regard to reporting allegations or beliefs of a sexual offence against a child under the age of 18 via the newsletter and the school website.

A copy of this Policy will be placed on the ILC website so that it is accessible to all members of the ILC community and copies will be available in the ILC Office.

## 6. EVALUATION

The Principal will monitor overall compliance with this Policy and will report the outcome to the Jesuit Social Services Board.

This will include maintaining and regularly monitoring records of child abuse reports as part of the ILC's incident management processes to ensure that they are responded to effectively in accordance with this Policy and that requirements for reporting to external authorities are complied with. These records will inform reviews of this Policy.

## 7. EXPECTED OUTCOMES

The expected outcomes of this policy include:

- all members of the ILC community are aware of the procedures for responding to suspected child abuse
- all suspicions of child abuse are properly recorded, documented and reported in accordance with this Policy, MACS and CECV policies, procedures and guidelines and the legislative requirements
- students and other involved in suspected child abuse are provided with proper supports to minimise further harm and reduce vulnerability to further abuse
- allegations or suspicions of abuse are addressed promptly and in line with agreed procedures, with appropriate confidentiality maintained.

END OF DOCUMENT

Policy owner:	The ILC Principal
Policy category:	Care, Safety and Welfare of Students
Level of approval:	Jesuit Social Services Board
Review Date:	February 2023
Purpose:	To set out the appropriate response to child abuse reports and allegations as a guide to all staff, including volunteers, in meeting their responsibilities within Victoria's Child Protection Framework. This includes responding to suspected abuse or neglect perpetrated by staff within the ILC or by other persons. Fulfilling the roles and responsibilities contained in this Policy is not intended to displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.
Relevant legislation and/or standards:	<i>Children, Youth and Families Act 2005 (Vic)</i> <i>Child Wellbeing and Safety Act 2005 (Vic)</i> <i>Crimes Act 1958 (Vic)</i> <i>Education and Training Reform Act 2006 (Vic)</i> <i>Family Violence Protection Act 2008 (Vic)</i> Ministerial Order 870, Child Safe Standards – Managing the Risk of Child Abuse in Schools <i>Working with Children Act 2005 (Vic)</i> <i>Wrongs Act 1958 (Vic)</i>
Risk Awareness:	Operational, Reputational, Compliance, and OHS
Scope:	This Policy applies to all staff members and employees of the ILC (see definitions section below), including volunteers and contractors. All staff are required to adhere to this Policy and the reporting procedures it contains, which must be read and acknowledged as part of the employment process. The Policy applies to all aspects of the ILC's programs and operations, including all events, camps and excursions, as well as special events organised or attended by the ILC.  This Policy applies to allegations or disclosures of child abuse made by or in relation to a child, school staff, visitors, or other persons.
Definitions:	<p>ACF Australian Childhood Foundation</p> <p>ILC Ignatius Learning Centre</p> <p>CCYP Commission for Children and Young People</p> <p>CECV Catholic Education Commission of Victoria</p> <p>Child A person who is under the age of 18 years</p> <p>Child abuse includes:</p> <ul style="list-style-type: none"> <li>• any act committed against a child involving— <ul style="list-style-type: none"> <li>○ a sexual offence; or</li> <li>○ an offence under section 49B(2) of the Crimes Act 1958 (grooming); and</li> </ul> </li> <li>• the infliction, on a child, of— <ul style="list-style-type: none"> <li>○ physical violence; or</li> <li>○ serious emotional or psychological harm; and</li> </ul> </li> <li>• serious neglect of a child</li> </ul> <p>CYFA Children, Youth and Families Act</p> <p>DFFH Department of Families, Fairness and Housing</p> <p>Director of Professional Standards A position within the Australian Province of the Society of Jesus with responsibilities for safeguarding and supporting Ministries in reporting and responding to allegations and instances of abuse.</p>

Employee	<p>A person of or over the age of 18 years who is:</p> <ul style="list-style-type: none"> <li>an employee of the ILC, whether or not the person is employed in connection with any work or activities of the ILC that relate to children</li> <li>engaged by the ILC to provide services, including as a volunteer, contractor, office-holder or officer, whether or not the person provides services to children</li> </ul>
MACS	Melbourne Archdiocese Catholic Schools
Mandatory Reporter	<p>A sub-group of employee with additional legal responsibilities for reporting a reasonable belief of abuse</p> <p>Mandatory reporters include:</p> <ul style="list-style-type: none"> <li>teachers</li> <li>the Principal</li> <li>medical practitioners</li> <li>nurses</li> <li>school counsellors, ie a person employed or engaged (other than on a voluntary basis), to provide direct support to school students, at or directly connected with a school, for mental, emotional or psychological wellbeing</li> <li>registered psychologists</li> <li>religious clergy youth justice officers and youth parole officers</li> </ul>
Physical violence	Conduct committed against, with, or in the presence of a child, including an act that causes physical injury or pain such as hitting, kicking, punching, pushing, shoving, grabbing, throwing, shaking, hitting or striking with an object or using inappropriate restraint or excessive force
Province Provincial Reportable allegation	<p>Australian Province of the Society of Jesus</p> <p>The Major Superior of the Australian Province of the Society of Jesus</p> <p>Information that leads a person to form a reasonable belief that a ILC staff member has committed:</p> <ul style="list-style-type: none"> <li>reportable conduct</li> <li>misconduct that may include reportable conduct</li> </ul>
Reportable conduct	<ul style="list-style-type: none"> <li>Behaviour committed against, with or in the presence of a child that is reportable under the Reportable Conduct Scheme, including: <ul style="list-style-type: none"> <li>a sexual offence, whether or not a criminal proceeding in relation to the offence has been commenced or concluded</li> <li>sexual misconduct</li> <li>physical violence</li> <li>any behaviour that causes significant emotional or psychological harm to a child</li> <li>significant neglect of a child</li> </ul> </li> </ul>
Sexual misconduct	Includes behaviour, physical contact or speech or other communication of a sexual nature, inappropriate touching or physical contact, grooming behaviour and voyeurism.
Sexual offence	Includes rape, attempted rape, sexual assault, incest, various sexual offences against or involving a child, persistent sexual abuse of a child, grooming, and the production, distribution or possession of child abuse material.
School community	Existing and prospective ILC staff, parents, guardians, carers, students, the Jesuit Social Services Board, and other stakeholders
School environment	<p>Any physical or virtual place made available or authorised by the ILC governing authority for use by a child during or outside the ILC hours, including:</p> <ul style="list-style-type: none"> <li>a campus of the ILC</li> <li>online ILC environments (including email and intranet systems)</li> <li>other locations provided by the ILC for a child's use (including, locations used for ILC camps, sporting events, excursions, competitions, and other events)</li> </ul>
School staff	<p>An individual working in a school environment who is:</p> <ul style="list-style-type: none"> <li>directly engaged or employed by the Board or the Principal</li> <li>a volunteer</li> </ul>

<p>Significant</p> <p>VIT</p> <p>WWCC</p>	<ul style="list-style-type: none"> <li>• a contracted service provider and their employees</li> <li>• a minister of religion</li> </ul> <p>In relation to emotional or physical harm to a child, or neglect, that the harm is more than trivial or insignificant, but need not be as high as serious and need not have a lasting permanent effect.</p> <p>Victorian Institute of Teaching</p> <p>Working with children check</p>
<p>Related Documents:</p>	<p><b>Internal</b></p> <ul style="list-style-type: none"> <li>• Jesuit Social Services' Code of Conduct</li> <li>• Child Safety Code of Conduct</li> <li>• Child Safety Policy</li> </ul> <p><b>External</b></p> <ul style="list-style-type: none"> <li>• CECV <a href="#">Child Safety Guides</a></li> <li>• CECV <a href="#">VIT Notification Guide</a></li> <li>• MACS <a href="#">Guide to Reportable Conduct Scheme</a></li> <li>• MACS Policy 2.19 <a href="#">Protect: Identifying and Responding to Abuse – Reporting Obligations</a></li> <li>• MACS Policy 2.19a <a href="#">Police and DFFH Interview Protocols</a></li> <li>• DET, CECV and ISV <a href="#">Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools</a></li> </ul>
<p>Policy:</p>	<p>The ILC takes a zero tolerance approach to child abuse and is fully committed to protecting children from harm. While any young person can be victim to sexual abuse, our students may be more likely to suffer abuse and harm due to the fact that children and young people who are vulnerable, isolated and/or have a disability are much more likely to become victims, and are disproportionately abused. Every adult working or volunteering within a child-connected environment, such as the ILC, has responsibilities under Victoria's Child Protection Framework, which includes the Victorian Child Safe Standards, Reportable Conduct Scheme, Working With Children legislation, duty of care, mandatory reporting laws and criminal laws.</p>
<p>Responsibilities:</p>	<p>The Principal, administrative and teaching staff</p>