



PROTECT: Police or DFFH Child Protection Interviews at School Procedure

1. INTRODUCTION

Our Lady of Sion College is committed to supporting staff to take a proactive role in the care, wellbeing and protection of children and young people.

As law enforcement officers, Victoria Police (VicPol) has broad powers to investigate, question, search and detain. For the most part, Victoria Police will conduct interviews of witnesses and suspects at the police station. However, there will be rare urgent circumstances in which Victoria Police may wish to interview a student under the age of 18 at school. How this should be approached will depend upon whether the student concerned is:

- a victim
- a witness
- a suspect.

Victorian Department of Families, Fairness and Housing (DFFH) Child Protection workers also have wide powers to investigate and obtain information that is relevant to the protection or development of a child.

Interviews by DFFH Child Protection workers would normally be carried out in the home with parents/carers present but, like Victoria Police, there will be occasions when DFFH Child Protection workers need to interview a child at school as a matter of urgency or necessity.

When considering whether to facilitate police or DFFH Child Protection conducting an interview with a student at school, the Principal and staff must consider the human rights set out in the Charter of *Human Rights and Responsibilities Act 2006 (Vic.)*.

This includes considering:

- how the decision will assist the protection of families as the fundamental group unit of society and the child's rights to protection as is in their best interests and needed by them by reason of being a child
- whether or not there is any less restrictive arrangement that would not unreasonably compromise the child's safety and wellbeing in making sure the law is upheld, and also engaging with their family.

Following this procedure will support the College to consider these issues, noting that there may be other specific circumstances that may require additional considerations of human rights, including the right to protection against discrimination and to enjoy human rights without discrimination; the right to enjoy cultural, religious, racial or linguistic background in community with other persons of that background; and an Aboriginal person's right to hold, enjoy and maintain their distinct cultural rights with other members of their community.

2. PURPOSE

The purpose of these procedures to assist the Principal to:

- respond to a request by Victoria Police or DFFH Child Protection workers to interview a student(s) at school
- understand and comply with their legal requirements when a request is made by Victoria Police



or DFFH Child Protection workers to interview students regarding child protection incidents

- manage situations which can be stressful and sensitive.

3. SCOPE

These procedures apply to all students at Our Lady of Sion College.

4. PRINCIPAL RESPONSIBILITIES

Principals (or delegates) **must**:

- facilitate interviews requested by Victoria Police or DFFH Child Protection workers at school only if the following circumstances apply:
 - it is a matter of urgency or necessity
 - the school is the only appropriate location for the interview
 - the only time the interview can occur is during school hours
 - there are reasonable grounds for seeking to exclude the parents or carers from the interview and have the interview conducted at school with a school staff member supporting the student during the interview

- advise children or young people of their right to have an independent supportive adult, parent or carer present at such an interview

Note: An independent supportive adult may be the Principal or a teacher if a conflict of interest does not exist. A conflict of interest might arise where the Principal or teacher is related to the perpetrator of the child protection incident, the child is a family member, or the Principal or teacher may be the perpetrator.

- arrange for the child to choose an independent supportive adult to be present. If the student is not mature enough to make this decision, a Principal or school staff member can support the student during the interview process
- balance their obligation to protect the rights of students with their obligation to assist Victoria Police and DFFH Child Protection in their exercise of duty
- ensure there is someone acting as an independent supportive adult for students interviewed at school by Victoria Police or DFFH Child Protection workers
- ensure official identification of Victoria Police or DFFH Child Protection is checked before allowing access to any child
- seek to have Victoria Police or DFFH Child Protection put their request for the interview in writing
- observe confidentiality at all times in the management of a mandatory reporting or criminal case
- create a record of the interview, including key information. The Interview Template may be used to assist record keeping
- store and manage records of the interview as per the Public Records Act 1973 (Vic.).

Important: Neither Victoria Police nor DFFH Child Protection are permitted to interview a student (under 18 years of age) at school unless someone is acting as an independent supportive adult for that student. In the event Victoria Police, DFFH Child Protection or an Independent Children's Lawyer insists on no adult being present in an interview, the Principal will contact the College's currently engaged law firm for advice.

5. CONTACTING PARENTS/CARERS PRIOR TO VICTORIA POLICE OR DFFH CHILD PROTECTION INTERVIEWS

There are some circumstances where contacting parents/carers may place a child at greater risk. Before contacting parents/carers, Principals must seek advice from Victoria Police or DFFH Child Protection (depending on who made the interview request) to determine if parents/carers should be present at an interview. The school must record details of this consultation and subsequent decision.

In many cases where it is suspected that a child has been or is at risk of being abused, it is extremely important that parents or carers are notified as soon as practicable.



This enables parents/carers to take steps to:

- prevent or limit their child's exposure to further abuse
- ensure that their child receives the support they require.

6. STUDENT AS A VICTIM OR WITNESS

When the Principal allow interviews to take place involving students who may be victims or witnesses, they should:

- support and encourage the student to provide as much information as possible
- inform the student that a note of the circumstances and the content of the interview will be made and communicated to their parents/carers as soon as possible, unless doing so causes a risk of abuse (including family violence).

If Victoria Police ask to speak with a student who has allegedly been abused by another student, this should preferably be done in the presence of the student's parents/carers or another independent supportive adult who is not a school staff member.

If the matter is urgent and the school is unable to find an independent adult, or if the school is unsure about who an independent adult may be in a particular context, the school should contact the College's currently engaged law firm for advice.

The following table describes how Principals should determine when to grant an interview request with a student who may be a victim or witness.

When the Principal	The Principal should
is asked to allow a child or young person to be interviewed at school	• request the reason for the interview and why it must be conducted at school • ensure that the child's parents/guardians or carers are present where it is practical and appropriate to make these arrangements • ensure that if a parent/guardian/carer cannot be present, an independent supportive adult is present during the interview • ensure appropriate records are kept. The template provided may assist.
is asked to allow a child or young person to be interviewed at school without the parents/ or carers present	• allow the interview if there are reasonable grounds to excuse the parents or carers from the interview Example: The interview relates to an allegation of abuse involving parents, carers, siblings or other members of the student's family or a person with some relationship to the family and the student is supported by an independent adult and • ensure appropriate records are kept. The template provided may assist.



Is satisfied that immediate action is necessary and cannot contact the parents or carers or the parents or carers do not agree	- allow the interview, with the principal or suitable delegate representing the parents or carers, so long as a conflict of interest does not exist - ensure that if a conflict exists, an independent supportive adult is present – this may be a senior staff member at the school and - ensure appropriate records are kept. The template provided may assist.
Is not satisfied that immediate action is required	- only allow the interview when a parent or carer or their nominee is present, or the parents or carers authorise the principal to act as their representative and - ensure appropriate records are kept. The template provided may assist.
Is informed that a number of students need to be interviewed in order to identify potential witnesses	- only allow the interview: - to identify witnesses for further interviews and - to take place with a parent or carer or suitable delegate authorised by the parents or carers (such as the principal) to act as their representative and - ensure appropriate records are kept. The template provided may assist.

7. RECORDKEEPING

The Principal is to ensure that all child safety and wellbeing records are maintained and stored in accordance with the Child Safety and Wellbeing Recordkeeping Procedures.

8. DEFINITIONS

Refer to the Protect Policy or [Glossary of Terms](#) for definitions of terms used in this procedure.

9. SUPPORT

MACS Student Wellbeing Information and Support Service (SWISS) seeks to address matters that impact the wellbeing and educational outcomes of young people arising using a solution-focused framework, and empower and enhance the capacity, competence and confidence of staff to address matters related to the wellbeing of young people.

Phone: 9267 0228 Email: swb@macs.vic.edu.au

Our Lady of Sion College's Child Safety Team supports staff with child safety and wellbeing matters and complaints handling.



10. RELATED POLICIES AND DOCUMENTS

Supporting documents

PROTECT Procedure: Informing staff of reporting obligations
PROTECT Procedure: Responding to all forms of child abuse
PROTECT Procedure: Responding to offences under the Crimes Act 1958 (Vic.)
PROTECT Procedure: Responding to police and Child Protection requests for further information
PROTECT Procedure: Responding to student sexual offending
Student Interview Template: Police or DFFH Child Protection interviews at school

Related policies and documents

[Child Safety Code of Conduct](#)
[Child Safety and Wellbeing Policy](#)
[Child Safety and Wellbeing Record Keeping Policy](#)
[Grievance Resolution Policy](#)
[ICT Acceptable Usage Policy](#)
[Duty of Care Policy](#)
[Pastoral Care of Students Policy](#)
[Staff Recruitment Policy](#)
[Reportable Conduct Policy](#)
[School Supervision Policy](#)

Resources

Charter of Human Rights and Responsibilities Act 2006 (Vic)
Child Information Sharing Scheme
Child Information Sharing and Family Violence Reforms on the CEVN website
DET Mature Minors and Decision Making (2020)
Family Violence Information Sharing Scheme
Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse

11. LEGISLATION AND STANDARDS

Child Wellbeing and Safety Act 2005 (Vic.)
Children, Youth and Families Act 2005 (Vic.)
Crimes Act 1958 (Vic.)
Education and Training Reform Act 2006 (Vic.)
Education and Training Reform Regulations 2017 (Vic.)
Family Violence Protection Act 2008 (Vic.)
Information Privacy Act 2000 (Vic.)
Ministerial Order 1359: Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises Victorian Institute of Teaching Act 2001 (Vic.)
Working with Children Act 2006 (Vic.)
Wrongs Act 1958 (Vic.).



12. PROTECT PROCEDURE – POLICE OR DFFH CHILD PROTECTION INTERVIEWS AT SCHOOL POLICY STATUS AND REVIEW

STATUS OF POLICY	
College Leader Responsible	Deputy Principal Student Wellbeing
Approving Authority	College Board
Approval Date	July 2026
Date of next review	2028
Publication	Website; Staff Portal; Staff Handbook

Record of Review

Details of Amendments	By Whom	Date
	Deputy Principal Student Wellbeing	July 2026