

Student Safety and Wellbeing – Raising and Responding to Concerns Policy and Procedures

Purpose

Rossbourne School is committed to protecting its students from all aspects of harm, and has established strategies, practices, policies and procedures to uphold this public commitment.

This policy sets out in an accessible, child focused, culturally safe and easily understood manner, the ways in which complaints and concerns relating to child abuse made by or in relation to a child or student, school staff, volunteers, contractors, service providers, visitors or other persons while connected to Rossbourne School (physical and online):

- May be brought to the School's attention; and
- Will otherwise be dealt with, both internally and in accordance with the School's external reporting obligations.

Other concerns may be raised by members of the School community in accordance with the Grievance Policy and Procedures (Community).

This policy is a procedure for responding to and reporting child abuse allegations for the purpose of Ministerial Order No. 1359 – Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises, and part of the School's student safety and wellbeing framework (underpinned by the Student Safety and Wellbeing Policy).

Scope

This policy applies to all Board members, employees, volunteers, contractors, labour hire workers, secondees and other authorised personnel required to perform functions on the School's premises, or at School-organised activities and events. Collectively, these individuals are referred to as 'staff'.

This policy extends to any other person who is engaged in student-connected work at the School, or that otherwise has direct and regular contact with the School's students (whether supervised or not).

This policy applies to complaints and concerns relating to child abuse made by or in relation to a child or student, school staff, volunteers, contractors, service providers, visitors or other persons while connected to Rossbourne School (physical and online).

Definitions

Child Abuse	Means all forms of child abuse defined in the Education and Training Reform Act 2006 (Vic) (ETR Act) and Child Wellbeing and Safety Act 2005 (Vic) and includes: • Any act committed against a child involving a sexual offence or grooming. • The infliction on a child, of physical violence or serious emotional or psychological harm. • Serious neglect of a child.
Mandatory Reporter	Has the meaning given to it by section 182 of the Children, Youth and Families Act 2005 (Vic) (CYF Act). It includes but is not limited to registered teachers (including early childhood teachers), staff with post-secondary qualifications employed in the care, education or minding of children, school principals, registered nurses, students in training to become teachers (who have been granted permission to teach under relevant legislation), registered psychologists, out of home care workers, early childhood workers and any other person referred to in section 182 of the CYF Act.
Reasonable Belief	Means a belief that would lead a reasonable person in the same position as you, and with the same information as you to form a belief that child abuse (including sexual abuse) or reportable conduct is occurring or may occur. There must be some objective basis for the belief. However, it is not necessary to have proof to form a reasonable belief, nor do you need to make a judgement about the truth of an allegation. However, a reasonable belief is more than suspicion, mere rumour or speculation. Examples of circumstances where a reasonable belief may be formed are provided in this policy.
School staff member	For the purposes of this policy, School staff members includes a volunteer or contractor engaged by the School to perform child-related work.

Refer to the Student Safety and Wellbeing Policy for further definitions.

Relevant Principles

Staff have a variety of mandatory reporting obligations in relation to child abuse and other reportable conduct. The School is guided by this policy to fulfil its (and a School staff member's) obligations and aims to ensure that:

- Staff, students and members of the school community feel encouraged to raise concerns in accordance with this policy.
- Contact details of Child Safety Officers are readily available and widely known to the school community. (Refer to document Child Safety Officers).
- All concerns are treated seriously, with the utmost importance and are responded to in a prompt, appropriate, sensitive and thorough fashion.

- The School and its staff have knowledge and an understanding of their legal obligations inclusive of their reporting obligations, and comply with these proactively.
- The School's processes for responding to concerns (and the complaints process) are legally compliant (with regard to privacy laws, reporting obligations and employment law), culturally safe and understood broadly - including by children and young people, families and staff.
- Investigations are conducted fairly and without bias, promptly and without undue delay.
- All reasonable steps are taken to protect the identity and wellbeing of a student who is the subject of a concern, and no adverse action is taken against a person who raises a concern (or is a child or young person who is the alleged victim of child abuse or reportable conduct).
- The School will take all reasonable steps to cooperate with law enforcement and relevant authorities regarding child safety concerns and will make reports to external authorities where required by law or where it is otherwise appropriate to protect the safety and wellbeing of a child.
- Members of the school community understand and have confidence in the processes that will be followed by the School in response to concerns.
- Rossbourne School has zero tolerance for child abuse. The School has no appetite for any increase in the risk rating of child safety risks. The school has no appetite for non-compliance with legal and regulatory child safety requirements. Any non-compliance is unacceptable and requires immediate rectification.
- This policy is student-focused and can be easily understood by the school community, in particular students.

When complying with this policy, fulfilling the roles and responsibilities contained herein will not displace or discharge any other obligations that arise if a person reasonably believes that a student is at risk of child abuse or reportable conduct.

Raising Concerns

Any adult associated with the School has a moral obligation to protect any child under their care and supervision from reasonably foreseeable harm. This includes abuse that has or is suspected to have taken place within or outside of school grounds and hours. For specific members of the school community (e.g., Mandatory Reporters), there may be specific legislative requirements in protecting children such as identifying, responding to and reporting child abuse. In some instances, there may be more than one reporting obligation.

If you are a member of the school community (other than a member of staff), with a concern about child abuse or reportable conduct involving a student, then you are expected to raise that concern with the Principal and/or the Senior Child Safety Officer.

The School has appointed the Deputy Principal as its Senior Child Safety Officer. The Deputy Principal together with the Principal has an important role in the promotion and maintenance of a student safe culture at the School. The Principal is responsible for ensuring overall School compliance with the processes outlined in this policy.

Duty of Care Obligations

As the safety and wellbeing of students is the School's paramount consideration, you are strongly encouraged to make a report, whether or not you have formed a belief on reasonable grounds that child abuse or reportable conduct has occurred. School staff have a duty of care to take reasonable steps to protect students under their care and supervision from harm that is reasonably foreseeable (this duty of care applies to all school staff).

Child safety and wellbeing at Rossbourne School is a shared responsibility. Every adult connected with the School community has a role in creating and maintaining a child-safe environment, regardless of their position or level of contact with children. This includes modelling safe and respectful behaviour, being vigilant to signs of abuse or harm, responding to concerns in a timely and appropriate manner and supporting a culture where the safety of children is paramount. The School is committed to ensuring that staff, volunteers, contractors, parents and visitors understand and accept this shared responsibility.

Concerns about the Principal or the Board

Where a concern relates to the Principal or a Board member, concerns should be raised with the Chair of the Board via email at boardchair@rossbourne.vic.edu.au or via post:

Attention Chair of the Rossbourne School Board
131 Power Street Hawthorn, VIC 3122

In those circumstances, the Chair of the Board will be responsible for meeting the Principal's responsibilities as set out in this policy. Where a concern relates to the Chair of the Board, the concern should be raised with the Company Secretary:

Attention Company Secretary of the Rossbourne School Board
131 Power Street Hawthorn, VIC 3122

The School's Response

This section sets out how the School will acknowledge a concern about child abuse or reportable conduct. The Victorian PROTECT framework is the practical benchmark schools are expected to use. All representatives of the School must follow:

- The PROTECT Four Critical Actions for Responding to Child Abuse; and
- The PROTECT Four Critical Actions for Responding to Student Sexual Offending.

The above documents provide summary posters to guide the application of these procedures and serve as an easy reference to assist in training, awareness and implementation.

The School displays the PROTECT posters in staff areas, on SEQTA and other locations to ensure that all representatives know what actions to take as soon as they witness a child safety incident, develop a concern, receive a disclosure, or form a reasonable belief that a child has been or is at risk of being abused or harmed.

Managing Disclosures of Child Abuse

When managing a disclosure relating to child abuse School staff member must:

- Listen to the student and allow them to speak/communicate
- Stay calm and use a neutral tone with no urgency and where possible use the child's language and vocabulary, preferred method of communication (you do not want to frighten the child or interrupt the child)
- Be gentle, patient and non-judgmental throughout
- Highlight to the student it was important for them to tell you about what has happened
- Assure them that they are not to blame for what has occurred
- Do not ask leading questions, for example gently ask, "What happened next?" rather than "Why?"
- Be patient and allow the child to talk at their own pace and in their own words
- Do not pressure the child into telling you more than they want to, they will be asked a lot of questions by other professionals, and it is important not to force them to retell what has occurred multiple times
- Reassure the child that you believe them and that disclosing the matter was important for them to do
- Use verbal facilitators such as, "I see", restate the child's previous statement, and use non-suggestive words of encouragement, designed to keep the child talking in an open-ended way ("what happened next?")
- Tell the child in age-appropriate language you are required to report to the relevant authority to help stop the abuse, and explain the role of these authorities if appropriate (for a young child this may be as simple as saying "I will need to talk to people to work out what to do next to help you")
- Take prompt action in relation to following the procedures outlined in this policy.

When managing a disclosure you should AVOID:

- Displaying expressions of panic or shock
- Asking questions that are investigative and potentially invasive (this may make the child feel uncomfortable and may cause the child to withdraw)
- Going over the information repeatedly (you are only gathering information to help you form a belief on reasonable grounds that you need to make a report to the relevant authority)
- Making any comments that would lead the student to believe that what has happened is their fault
- Making any promises you will keep the information the student provided confidential

- Making promises to the child about what will occur next or that things will be different given the process can be unpredictable and different for each child depending on their circumstances (instead reassure them that you and others will do your best to help).

Responding to an Incident, Disclosure, Allegation or Suspicion of Child Abuse: School Staff Responsibilities

Immediate Action

If a School staff member witnesses an incident of child abuse, or reasonably believes, suspects or receives a disclosure or allegation that a child has been, or is at risk of being abused they must:

- If a student is at immediate risk of harm, separate alleged victims and other involved
- Administering first aid (appropriate to their level of training)
- Call 000 for urgent medical or police assistance where required
- Notify the Senior Child Safety Officer and/or Principal.

If a School staff member is uncertain if an incident, disclosure, allegation or suspicion gives rise to a concern about child abuse they must always err on the side of caution and report the concern to the Senior Child Safety Officer and/or the Principal.

If the Senior Child Safety Officer is the subject of the concern, notify the Principal about the concern.

If the Principal is the subject of the concern, notify the Chair of the Board about the concern.

Reporting to Authorities and Referring to Services

After addressing any immediate health and safety concerns and informing the Senior Child Safety Officer and/or Principal, School staff members must take immediate action to report and respond to any incident, suspicion or disclosure of child abuse in accordance with the PROTECT Four Critical Actions.

In accordance with Victoria's PROTECT framework, School staff members must follow the relevant Four Critical Actions and any additional School procedures.

- All relevant information must be reported to the Department of Families, Fairness and Housing (DFFH) Child Protection, Victoria Police and/or other relevant services, as required under the PROTECT framework
- The incident is documented using the relevant PROTECT reporting template and provided to the Senior Child Safety Officer and/or Principal
- Where an allegation involves an employee, contractor, volunteer or other person engaged by the School and may constitute reportable conduct, the Principal (or delegate) must ensure the matter is notified to the Social Services Regulator (SSR) in accordance with the requirements of the Reportable Conduct Scheme.

- The Principal (or delegate) will ensure that all further reporting and notification obligations are met, including reporting to the School Board and the Risk, Child Safety and Compliance Board Subcommittee, where required.

In circumstances where a School staff member is legally required to report child abuse to DFFH Child Protection or Victoria Police and is unable to confirm that the information has been reported by another person at the School, or where the Principal or Senior Child Safety Officer does not agree that a report needs to be made, the School staff member who has formed the reasonable belief must still contact DFFH Child Protection and/or Victoria Police to make the report.

Where a School staff member believes that a child is not subject to abuse but still holds significant concerns for their wellbeing, they must still take appropriate action. This may include making a referral to The Orange Door (where relevant), DFFH Child Protection and/or Victoria Police.

Contacting Parents or Carers

The Principal must determine, in consultation with DFFH Child Protection, Victoria Police and/or other relevant authorities where appropriate, whether and when parents or carers should be notified of a concern, report or incident involving their child.

Parents and carers will generally be informed and kept updated; however, they must not be notified where DFFH Child Protection, Victoria Police or other relevant authorities advise against this, or where doing so may place a child or another person at risk, compromise an investigation, or otherwise raise safety or wellbeing concerns.

The Principal may seek further guidance on notifying parents and carers and where relevant the wider school community from <https://www.vic.gov.au/protect-resources-schools>

Ongoing Protection and Support

The School Executive team must ensure appropriate steps are taken by the School to protect the child or other children from any continued risk of abuse. These steps must be taken in consultation with any relevant external agency such as DFFH Child Protection and Victoria Police. Ongoing protection will also include further reports to authorities about whether new information comes to light or further incidents occur.

Appropriate culturally sensitive and ongoing support must be offered and provided to all affected students. Ongoing support will be based on any available advice from parents/carers, health practitioners, and other authorities (such as DFFH or Victoria Police) and may include referral to wellbeing professionals, development of a safety plan, Individual plan meetings and for student-to-student incidents, behaviour management and support measures.

The School will also provide appropriate support to staff who make mandatory reports under this policy, or who are assisting the School or families with the process outlined in this policy.

Recordkeeping

The Principal and/or Senior Child Safety Officer will ensure that:

- Detailed notes of the incident, disclosure, allegation or suspicion are taken including where possible by the School staff member who reported the incident, disclosure or suspicion to them
- Detailed notes are taken of any immediate or ongoing action taken by the School to respond to the incident, disclosure, allegation or suspicion
- All notes and other records relating to the incident, disclosure, allegation or suspicion, including the School's immediate and ongoing actions are stored securely in the fireproof, locked safe.
- The incident, disclosure, allegation or suspicion is documented using the relevant PROTECT reporting template and provided to the Senior Child Safety Officer and/or Principal.

Keeping the School informed

It is the School's preference that members of the school community (including students, staff, volunteers, parents, etc) promptly inform the Principal, or the Senior Child Safety Officer of any matters on the subject of a potential reporting obligation under this policy which relate to the school community, so that the School can coordinate the information and support the Police and affected students and their families as required.

However, the School appreciates that in some cases it will be necessary for an external report to be made before the School is notified (and nothing in this policy is intended to limit a person's right, or obligation, to make external reports). At the very least, the Principal, or the Senior Child Safety Officer should be notified after an external report is made.

Reflection and continuous improvement

The School will analyse concerns and incidents to identify causes and (if applicable) systemic changes to inform continuous improvement.

Other Considerations

This policy also applies to concerns involving the behaviour of other students.

For example, mandatory reporting obligations are not limited to the actions of staff, and the failure to disclose offence can also apply to alleged sexual activity by adult students.

Where a concern involves child abuse or other inappropriate behaviour allegedly perpetrated by a student, the School will comply with its mandatory reporting obligations, and may otherwise exercise its discretion to inform the Sexual Offence and Child-Abuse Investigation Team (SOCIT).

Subject to any Police clearance which may be required, the School will otherwise deal with student-on-student behavioural issues in accordance with its student behavioural management procedures and any other relevant student discipline policies and procedures.

Information provided to students

Students are provided with age-appropriate information through School assemblies about what to do in response to an allegation of suspected child abuse and the need to promptly alert a member of staff if they believe that they, or a peer, is suffering from child abuse or reportable conduct.

Information provided to students includes, but is not limited to:

- Remain calm
- Promptly seek help and speak to a trusted School staff member (including the Principal or a Child Safety Officer) about the concern
- Remember this is not your fault, you are not to blame and are not in trouble
- Tell the story in your own words, with as much detail as you can
- Do not be afraid of saying the “wrong” thing
- Listen carefully to any instructions you receive from staff (or if applicable, the Police or other authorities)
- Listen carefully to information you receive from staff about what will happen next (for example, and subject to the circumstances, authorities notified, parents informed, internal and/or external investigation).
- Be reassured that you have done the right thing.

Cooperation with Authorities

The School will cooperate with any external authorities (including but not limited to SSR, Child Protection and Victoria Police) in relation to a concern or report (whether made under this policy or otherwise).

Confidentiality

Appropriate confidentiality will be maintained at all times when dealing with concerns under this policy, with information only being provided to those who have a right or otherwise, on a “needs to know” basis.

Communication

Where appropriate, the School will provide parents, carers and guardians with guidance and support where a student is the subject of a concern.

Staff do not require consent from a student’s parents before making a mandatory report in accordance with this policy. Similarly, staff are not required to disclose that a mandatory report has been made.

Victimisation is Not Tolerated

The School will not tolerate victimisation towards someone because they have raised or participated in a process contemplated by this policy, including by raising a concern or making a mandatory report.

The School May Need to Adjust This Policy to Reflect the Circumstances

This policy applies regardless of whether the alleged behaviour which is the subject of a concern, occurred on or outside School grounds, or concerns current or former students.

It may not be appropriate or possible for the School to investigate a concern in strict accordance with this policy where a concern is raised with the School and:

- An investigation by Victoria Police, SSR or Victorian Institute of Teaching (VIT) relevant to the concern is ongoing.
- Civil or criminal proceedings relevant to the concern are ongoing.
- The concern relates to the conduct of current or former students.
- The concern relates to the conduct of former staff.

In such circumstances, the School will seek and act on legal advice to comply with this policy to the extent it is appropriate to do so (and in particular to protect the safety and wellbeing of all current students of the School).

The School's Reporting Obligations

Schedule 1 sets out the main mandatory reporting obligations that apply to the School and its staff.

The School treats seriously its reporting obligations and recognises that student protection is everyone's responsibility. Whilst the Principal with the support from the School Executive Team and Child Safety Officers are primarily entrusted with day-to-day responsibility for ensuring that these reporting obligations are met, all staff and appropriate personnel are required to uphold the ethos of this policy by ensuring that student safety and wellbeing matters are reported internally, and externally where required.

Staff will receive training on their personal reporting obligations to achieve this, which are summarised below:

This policy is available to staff as part of the School's and the Board's internal policies and procedures. Aspects of (and updates to) the School's student safety and wellbeing framework, including this policy, will be addressed in the School's professional development updates, training programs, bulletins and newsletters. This policy is made publicly available on the School's website (together with other related procedures) and on the School's Learning and Management System SEQTA.

To comply with these obligations:

- (a) The School Board will review this policy and the School's student safety and wellbeing practices at least every two years (or more frequently, including in response to legislative amendments, an incident, changes to the School's internal procedures or practices, or otherwise as requested by the Principal) and implement improvements where applicable.

- (b) Families and the school community will be afforded the opportunity to contribute to the review and development of the School's student safety and wellbeing policies and practises (including this policy).
- (c) Annual training and refresher sessions on this policy are provided to all staff, the School Board and volunteers, contractors engaged in student-connected work .
- (d) The Principal is responsible for monitoring staff compliance with this policy. All staff must ensure that they abide by this policy and assist the School implementing this policy.

Related Documents

- Student Safety and Wellbeing
- Student Safety and Wellbeing - Staff Code of Conduct
- Grievance Policy and Procedures (Community)
- Crimes Act 1958 (Vic)
- Worker Screening Act 2020 (Vic)
- Education and Training Reform Act 2006 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic)
- Children, Youth and Families Act 2005 (Vic)
- Ministerial Order No. 1359

Fact sheets

- [Grooming offence | Department of Justice and Community Safety Victoria](#)
- [Failure to disclose offence | Department of Justice and Community Safety Victoria](#)
- [Failure to protect: a new criminal offence to protect children from sexual abuse | Department of Justice and Community Safety Victoria](#)

POLICY OWNER	APPROVED BY SCHOOL BOARD/PRINCIPAL	DATE APPROVED	VERSION	REVIEW DATE
Principal	School Board	9 Sep 2026	7	9 Sep 2028

SCHEDULE 1

Reporting a Sexual Offence: Failure to Disclose Offence

The Crimes Act 1958 (Vic) makes it a crime to fail to disclose a sexual offence against a child.

As a result, anyone (and not just professionals who work with the School's students, or with children and young people generally) aged 18 or over must make a report to Victoria Police if they form a reasonable belief that a sexual offence has been committed against a child under the age of 16 years, by a person aged 18 years or over.

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere 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. For example, a 'reasonable belief' might be formed if:

- A student states that they have been sexually abused.
- A student states that they know someone who has been sexually abused (sometimes the student may be talking about themselves).
- Someone who knows a student states that the student has been sexually abused.
- Professional observations of the student's behaviour or development leads a professional to form a belief that the student has been sexually abused or is likely to be abused.
- Signs of abuse lead to a belief that the student has been sexually abused.

If you are not sure whether you have a reasonable belief, you must consult with the Principal, or the Senior Child Safety Officer or the appropriate body to which a report must be made.

If you have formed a reasonable belief in relation to a sexual offence, you must immediately report the belief to Victoria Police by calling 000 in an emergency or otherwise, to SOCIT.

You must then make a further report on each occasion on which you become aware of any further reasonable grounds for the reasonable belief.

Please note that fulfilling the roles and responsibilities contained in this policy do not displace or discharge any other obligations that arise if you reasonably believe that a child is at risk of child abuse.

Failure to make a report without reasonable excuse is an offence under section 327 of the Crimes Act 1958 (Vic) and carries a potential term of imprisonment.

However, it may not be an offence not to disclose a sexual offence against a child to Victoria Police if you have a reasonable excuse. You may have a reasonable excuse if you:

- Have a reasonable fear that reporting your reasonable belief to Victoria Police may pose a risk to your own or another person's health and safety (including the relevant child or young person, but not including the alleged perpetrator of sexual offence).
- Were told about the sexual offence by the alleged victim, who was 16 or older at the time they disclosed the abuse, and they have asked you not to report the abuse.
- Believe on reasonable grounds that the information has already been disclosed to Victoria Police by another person (such as a Child Protection authority) and you have no further information.

If there is uncertainty about the need for a report to Police (or another body) you should seek advice from the Principal or the Senior Child Safety Officer about whether you are still required to make a report.

The Reportable Conduct Obligations

The Child Wellbeing and Safety Act 2005 (Vic) established the Reportable Conduct Scheme (**Scheme**) managed by SSR. The Scheme requires the School to report and investigate reportable allegations (as defined in Definitions in the Student Safety and Wellbeing Policy) against a current member of staff.

The Principal (or their delegate) will notify SSR of any alleged reportable conduct or alleged misconduct that may involve reportable conduct in respect of a School staff member. A disclosure can be made using an online form available on SSR's website. SSR may also be contacted by phone on 1300 782 978 or by email at contact@SSR.vic.gov.au in relation to any queries.

Further, the Scheme requires the head of an entity (the Principal) to do certain things upon becoming aware of a reportable allegation about a member of staff. These obligations include, but are not limited to, managing any immediate risks to students, making reports as required by law and investigating the allegations when appropriate clearance has been received (refer below).

Where a reportable allegation is about the Principal, the Chair of the Board will assume responsibility for complying with the head of entity's obligations under the Scheme. As soon as practicable after becoming aware of a reportable allegation, the head of the entity must respond to the reportable allegation by making the notifications to SSR and investigating the allegation:

- Initial notification – within three (3) business days after becoming aware of the reportable allegation.
- Update – as soon as practicable and within thirty (30) calendar days after becoming aware of the reportable allegation.

- Advice about investigation – as soon as practicable.
- Outcome(s) of investigation – as soon as practicable.

Failure to report to the SSR in accordance with the legislative requirements may constitute a breach of the School's legal obligations and will be treated as a serious compliance matter.

Mandatory Reporting

Mandatory reporters (as defined in Schedule 1: Student Safety *and* Wellbeing Definitions in the Student Safety and Wellbeing Policy) have mandatory reporting obligations under the Children, Youth and Families Act 2005 (Vic). Failure to make a mandatory report can constitute an offence under that Act.

If you are a mandatory reporter, and you have formed a reasonable belief that:

- A child has suffered, or is likely to suffer, significant harm, as a result of physical injury or sexual abuse; and
- The child's parents have not protected, or are unlikely to protect, the child or young person from harm of that type,

you must immediately report the belief to Child Protection by calling 9278 4444 during business hours, or 13 12 78 after hours. Additional reports must be made on each occasion where a mandatory reporter becomes aware of any further reasonable grounds for the belief.

A mandatory reporter must make a report even if the Principal and/or Senior Child Safety Officer does not share their belief that the report must be made. The School will afford support where appropriate to mandatory reporters who make a report under this policy.

Mandatory Reporters are:

- Victorian Institute of Teaching (VIT) registered teachers, including Principals, and early childhood teachers.
- School staff who have been granted permission to teach by the VIT.
- Registered medical practitioners, nurses and midwives.
- Police officers.
- Registered psychologists
- People in religious ministry.
- Early childhood workers.
- Youth justice workers.
- Out-of-home care workers (excluding voluntary foster and kinship carers).

- School counsellors including staff who provide direct support to students for mental, emotional, or psychological wellbeing, including (but not limited to) school health and wellbeing staff, primary welfare officers, student wellbeing coordinators, mental health practitioners, chaplains, and Student Support Services staff.

Victorian Institute of Teaching (VIT)

In accordance with the Education and Training Reform Act 2006 (Vic), the School must notify VIT if it has taken any action against a registered teacher in response to allegations:

- Of serious incompetence.
- Of serious misconduct.
- That the teacher is unfit to be a teacher.
- That the teacher's ability to practice as a teacher is seriously detrimentally affected, or likely to be seriously affected, because of an impairment.
- Any other actions against a registered teacher that may be relevant to their fitness to teach.
- The School must also notify VIT if it becomes aware that a registered teacher has been:
 - Charged with, convicted or found guilty of certain criminal offences that affect the right to hold a Working with Children Check (**WWCC**).
 - Given a negative notice in relation to a WWCC.

Referral to Child FIRST / Orange Door

A referral to Child FIRST / Orange Door should be considered if, after taking into account the available information, a School staff member forms a view that the concerns have a low-to-moderate impact on the wellbeing of a student under the age of 17 years, but the student is not at risk of significant harm (meaning a mandatory report is not required).

Anyone with a concern for a student's wellbeing can make a referral to Child FIRST / Orange Door. If the Principal does not wish to make a mandatory report, this does not discharge the mandatory reporter's legal obligation to do so if the mandatory reporter continues to hold a reasonable belief that abuse or a sexual offence may have occurred (including in circumstances where the student's parents have not or are unlikely to protect their child from that harm). In that circumstance, the mandatory reporter must still make a report to Child Protection or a referral to Child FIRST / Orange Door, and in the case of a sexual offence, Victoria Police.

Examples of situations where a referral to Child FIRST / Orange Door may be appropriate include:

- Significant parenting problems that may be affecting the student's development.
- Family conflict, including family breakdown.

- A family under pressure due to a family member's physical or mental illness, substance abuse, disability or bereavement.
- Young, isolated and/or unsupported families.
- Significant social or economic disadvantage that may adversely impact on a student's care or development.

Many cases will not fit neatly into these categories. For guidance about whether a referral to Child FIRST / Orange Door should be considered, staff can refer to the School's Child Safety Officers and information available on the DFFH's website.

Please note that whilst Child FIRST acts as the access point for family services, it is progressively transitioning to the Orange Door. Child FIRST/Orange Door can be contacted at 1800 319 353.

Reporting Obligations under the Child Information Sharing Scheme (CISS) and the Family Violence Information Sharing Scheme (FVISS)

Rossbourne School recognises the Multi-Agency Risk Assessment and Management (MARAM) Framework as Victoria's statewide approach to identifying, assessing and managing family violence risk, including risks to children and young people. Family violence is a significant child safety risk, and the School acknowledges that children and young people may be victim-survivors in their own right. Where concerns relating to family violence are identified, Rossbourne School responds in accordance with its obligations under the MARAM Framework, relevant information-sharing laws, and the Victorian Child Safe Standards, including making referrals and sharing information with authorised services where required to promote student safety and wellbeing

Rossbourne School is an information sharing school under both of the Child Information Sharing Scheme (CISS) and the Family Violence Information Sharing Schemes (FVISS), and is also referred to as an Information Sharing Entity (ISE).

The purpose of the CISS and FVISS is to enable confidential information about vulnerable children and children at risk, including health information, to be shared.

Under the Schemes, consent will not be required to keep a child safe. The school has a duty to respond to any request by an agency. Should a request by an agency to share information under either of the above schemes be received, teaching staff must refer this request to the Principal (or nominee), so the correct protocol is followed.

The Principal must notify the School Board of this request to respond. Refer to the <https://www.vic.gov.au/child-information-sharing-scheme-ministerial-guidelines> and the <https://www.vic.gov.au/family-violence-information-sharing-scheme>

Schedule 2

Student Safety and Wellbeing Record Requirements

Where We Keep Records Related to Student Safety and Wellbeing

The Principal is responsible for keeping all records relating to student safety and wellbeing incidents or concerns, including records of allegations, investigations and findings made, up to date and secure.

Hardcopy records relating to actual or alleged child abuse and reportable conduct are stored in a fireproof, locked safe in the Principal's Office.

Where a student safety and wellbeing incident or concern relates to an allegation against a School staff member (including about breaches of the Student Safety and Wellbeing – Staff Code of Conduct), records may also be maintained as part of Reportable Conduct records and Human Resources Management records.

Documenting the Student Safety and Wellbeing Incident or Concern and the School's Response

Documenting observations and communications about all student safety and wellbeing incidents or concerns, including those that do not meet the relevant threshold for external reporting, ensures that:

- All information about individual students can be taken into account should future student safety and wellbeing incidents or concerns arise,
- Any patterns that might arise from student safety and wellbeing incidents or concerns can inform reviews of the school's student safety and wellbeing strategies.

Therefore, all observations of and verbal and written communications about student safety and wellbeing incidents or concerns (including notes of observations, student disclosures, meetings and telephone calls) must be properly documented, regardless of whether or not the student safety and wellbeing incident or concern meets the relevant thresholds for external reporting. The records should include dates and times and enough detail to record key observations or conversations, especially those relating to the student's disclosure.

In addition, where a School staff member:

- Believes on reasonable grounds that a student is in need of protection as a result of physical or sexual abuse, such that a Mandatory Report to Child Protection has been or will be made,
- Believes on reasonable grounds that a student is in need of protection for any reason or is in need of therapeutic treatment for sexually abusive behaviour, such that a Non-Mandatory Report to Child Protection has been or will be made,
- Has significant concerns for the wellbeing of a student, such that a Non-Mandatory Report to Child Protection has been or will be made,

- Believes on reasonable grounds that a sexual offence has been committed against a child, or that student sexual offending has occurred, such that a Report to Police has been or will be made,
- Believes that other circumstances exist such that a Non-Mandatory Report to Police is required,

they must record written and dated notes of their observations and concerns to assist in reporting the concerns to Child Protection or Police.

How to Document the Student Safety and Wellbeing Incident or Concern

The School requires all student safety and wellbeing incidents and concerns to be recorded. The School staff member who receives the disclosure or observes the concern must record details of the incident or concern. The School staff member can be supported by a Child Safety Officer or member of leadership.

School staff members should use the PROTECT School reporting templates (e.g., Recording Your Actions - Responding to Suspected Abuse Template) to document all student safety and wellbeing incidents and concerns, including observations, beliefs, suspicions, disclosures or allegations of student abuse or other harm. This form must be used regardless of whether the alleged perpetrator may be a parent/carers, other student, School staff member, or any other person.

For volunteers, contractors, labour hire workers and secondees, a Child Safety Officer can complete a form on their behalf.

School staff members should only record what information is observed or offered during the incident, disclosure or allegation and then be sure to report the matter in accordance with the Student Safety and Wellbeing – Raising and Responding to Concerns Policy.

The ‘Process of Review’ section in the form must be completed between four to six weeks after an incident, suspicion or disclosure of abuse, in conjunction with the Principal, a Child Safety Officer or, if the incident or concern involves the Principal, the Chair of the School Board.

The PROTECT School reporting templates must be updated by a Child Safety Officer as Critical Actions are completed. All Critical Actions listed on the form must be completed for the incident to be closed.

Any other notes and records obtained or made by School staff members regarding student safety or wellbeing incidents or concerns should also be given to the Principal or a Child Safety Officer and attached to the PROTECT School reporting templates. Notes and records may include:

- Handwritten notes taken during a disclosure by a student,
- Copies of any written reports made to the police or external bodies about the matter,

- If the allegation includes claims of inappropriate online activity, any digital copies of correspondence between the student and the person or School staff member who is the subject of the allegation.

Working with Children Check Documentation

It is the responsibility of the Director of Business Operations to verify and monitor the WWC clearance status of all School staff members.

The following information for all School staff members who are required to hold a WWC clearance is recorded electronically in a consolidated register, which is updated regularly:

- First name;
- Family name;
- WWC check application receipt number;
- WWC check card number;
- WWC clearance expiry date;
- Notices sent by working with children check Victoria;
- Notices provided by the worker.

The School also maintains records (electronic or hard copy format) of relevant volunteers who are required to hold a WWC clearance including:

- First name;
- Family name;
- WWC check application receipt number;
- WWC check card number;
- WWC clearance expiry date;
- Secondary form of photo identification;
- Notices sent by working with children check Victoria.

The School maintains the WWCC registers and other WWCC documentation indefinitely.

Records of Teacher Registration and VIT Notifications

The School maintains a register of the registration status of all teachers at the School. This register includes:

- Full name;
- Registration number;

- The VIT category of registration;
- The expiry and renewal date;
- A record of the date and type of any notifications made to the Victorian Institute of Teaching (**VIT**) by the school about a registered teacher.

It is the responsibility of the Principal to ensure that the register of teachers is maintained up to date with relevant notifications.

Reportable Conduct Records

When a reportable allegation is made, the School must document certain information throughout the Reportable Conduct process:

- The allegation;
- The school's initial response to the person making the allegation, the alleged victim(s) and the employee who is the subject of the allegation;
- Any communication with the police or other authorities;
- The investigation plan, detailing how the investigation is to be carried out;
- The stage one risk assessment conducted by the Principal;
- All interviews including details of questions and responses. Details should also include the location of the interview, who was present and start and finish times;
- Any decision made, both during and at the conclusion of the investigation, including the person making the decision's rationale, the position and name of the person making the decision and the date that the decision was made;
- Any personal contact, discussions or emails with anyone about the matter (including dates, details of discussions, questions, advice, outcomes, the name of the person making the contact, details of their position and where appropriate, the reason for the contact);
- The investigation report;
- The final report for the SSR that sets out details of the findings in relation to each allegation and the reasons for the findings, the final risk assessment which includes any final decision about the employee and the factors that have been considered and any subsequent action that is to be or has been taken.

All records created in accordance with the Reportable Conduct Scheme, including all allegations, outcomes of internal investigations and decisions to make or not make a report to the SSR are maintained by the Principal.

The School keeps these records in a file that is separate to the employee's personnel file and retains them indefinitely.

Record Keeping About Information Sharing

The School must record the following information when sharing, or responding to a request to share, information about the safety, welfare and wellbeing of a student (Information):

- Who requested the Information and the date of the request (if any);
- Who shared the Information;
- Why the Information was shared (e.g. Whether it was shared pursuant to a statutory or other legal obligation);
- Who the Information was shared with;
- Whether informed consent was sought from, and if so whether it was provided by, the student and/or their parent/carer;
- The approval of the Principal to share the Information;
- The date that the Information was shared.

Whenever a request for Information is made to the School or the School otherwise shares Information, the person managing the Information sharing request or disclosure must record the above information in the Information Sharing Request Form available on SEQTA (essential for the Child Information Sharing Scheme or the Family Violence Information Sharing Scheme).

Completed forms must be attached to the Information Sharing Request Form which must be completed by a Child Safety Officer.

Other Student Safety Human Resources Management Records

It is the responsibility of the Director of Business Operations to record and maintain (electronically or hard copy format) all records relating to student safe human resources management, including records in relation to:

- Recruitment;
- Screening and suitability assessment;
- Supervision, performance monitoring and development;
- Personnel files.

Through the School's SharePoint the School creates and maintains electronic records of all student safety and wellbeing training completed by School staff members.

The School maintains these records indefinitely.

Recording Other Student Safety and Wellbeing Actions

Section 91 of the *Wrongs Act 1958* (Vic) (**Wrongs Act**) imposes a duty of care on the School, as a child-related organisation, schools to take reasonable precautions to:

- Prevent the physical or sexual abuse of a student under its care, supervision or authority;
- By an individual associated with the school.

If a victim of physical or sexual abuse alleged to have occurred at the School or to have involved staff brings a negligence claim against the School, a court will presume that the School breached its duty of care unless the School can prove that it took reasonable precautions to prevent the abuse.

Whether or not the School took reasonable precautions will be assessed by the court in accordance with considerations set out in the *Wrongs Act* and case law.

It is critical that the School maintains accurate and comprehensive records not only of student safety and wellbeing incidents and concerns involving staff, but also of:

- Actions taken in response (including systemic reviews and resulting improvements);
- Biennial reviews of and improvements to the school's student safety and wellbeing policies, procedures, work systems and strategies,

as these could be required as evidence in relation to possible future negligence claims against the School for damages in respect of student physical or sexual abuse.

The following records may assist in demonstrating reasonable precautions taken by the School to prevent the physical or sexual abuse of its students:

- Records that document actions taken by the School in response to specific student safety and wellbeing incidents and concerns (refer to How to Document the Student Safety and Wellbeing Incident or Concern section above and the Student Safety and Wellbeing – Raising and Responding to Concerns Policy);
- Records that document the implementation of the School's student safety and wellbeing risk management strategies;
- Records that document reviews and improvements of our student safety policies, procedures, work practices and systems;
- Records that document the student safety and wellbeing training provided to and completed by School staff members.