

What to do when an allegation of child abuse is made

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

If a child discloses an incident of abuse to you;

- Try to separate them from the other children discreetly and listen to them carefully.
- 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, such as with their parent/carer, specific people in your organisation, or the 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.
- 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 Mooroolbark East PS's Principal or another member of the school's leadership team.
- Ensure the disclosure is recorded accurately, and that the record is stored securely.

If a parent/carer says their child has been abused in your school or raises a concern

- Explain that your organisation has processes to ensure all abuse allegations are taken very seriously.
- Ask about the wellbeing of the child.
- Allow the parent/carer to talk through the incident in their own words.
- Advise the parent/carer that you will take notes during the discussion to capture all details.
- Explain to them the information may need to be repeated to authorities or others, such as the organisation's management or Child Safety Officer, the police or child protection.
- Do not make promises at this early stage, except that you will do your best to keep the child safe.
- Provide them with an incident report form to complete, or complete it together.
- 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, and that the record is stored securely.

You need to be aware that some people 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. You need to be sensitive to these issues and meet people's needs where possible, such as having an interpreter present (who could be a friend or family member).

If an allegation of abuse involves an Aboriginal child, you will need to ensure a culturally appropriate response. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community controlled organisation to review policies and procedures.

Some children with a disability may experience barriers disclosing an incident. For example, children with hearing or cognitive impairments may need support to help them explain the incident, including through sign language interpreters.

LEGAL RESPONSIBILITIES

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

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

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

Please note that reporting internally does not mean that mandatory reporting obligations have been met. The staff member who has formed a reasonable belief regarding child abuse or neglect must also report to DHHS Child Protection or Victoria Police if the child is in immediate risk of harm.

In some circumstances the Principal and/or leadership team may advise you not to proceed with reporting suspected abuse. Regardless of this advice, if you hold a reasonable belief that a child has been, or is at risk of being abused you must still make a report to DHHS Child Protection and/or Victoria Police. This report may be critical in protecting a child from abuse. If you fail to report you may not discharge your duty of care and in some circumstances you may be subject to criminal charges.