



Birregurra Primary School

Child Abuse (Including Grooming)

Identification and Response

Policy & Procedures

Purpose

The purpose of this policy is to:

- describe how staff at Birregurra Primary School identify and respond to child safety concerns and child abuse following the 4 Critical Actions
- ensure our staff and school community raise concerns about child abuse.

Scope

This policy applies to any concern of child abuse or reportable conduct:

- by any adult engaged by the school or school council or any other adult while connected to the school environment (including e.g. staff, volunteers, contractors, service providers and visitors)
- between students
- towards students by members of their family
- towards students by members of the community.

Child abuse and reportable conduct can occur in any physical or online environment and include grooming.

Definitions

There are many types of child abuse. For more information, see [Types of child abuse and what to look for](#) and [Child Safety Definitions](#).

Child abuse includes:

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

Grooming is a criminal offence under the *Crimes Act 1958* (Vic) and is a form of child abuse and sexual misconduct. It is also a form of Reportable Conduct. The offence of grooming is when an adult engages in predatory conduct to prepare a child or young person under the age of 16 for future sexual activity. This can be with the groomer or with another adult. Grooming can occur face-to-face, online or a combination of both.

Grooming behaviour can involve the use of a variety of manipulative and controlling techniques. These can be used to build trust or normalise sexually harmful behaviour.

Reportable Conduct includes:

- a sexual offence committed against, with or in the presence of a child
- sexual misconduct committed against, with or in the presence of a child
- physical violence committed against, with or in the presence of a child
- behaviour causing significant emotional or psychological harm to a child
- significant neglect of a child

by any adult working or volunteering at our school including any employees, volunteers or contractors.

For further information see: [Reportable and Notifiable Conduct Policy](#).

Policy

Everyone at Birregurra Primary School has an important role to:

- prevent child abuse (including grooming) in our school or during school activities
- identify and respond to concerns of child abuse using the 4 Critical Actions – based on the source of abuse:
 - [by an adult engaged by the school](#)
 - [between students](#)
 - [in the family](#)
 - [in the community](#).

Birregurra Primary School follows the Department of Education policies on the Policy and Advisory Library (PAL):

- [Child abuse \(including grooming\) – identification and response](#)
- [Student to Student Abuse and Harmful Sexual Behaviour](#)
- [Reportable and Notifiable Conduct policy](#).

Birregurra Primary School has other policies that are part of our child safety framework and describe actions we take to ensure students are safe and feel safe to raise a complaint. These include:

- Child Safety and Wellbeing Policy
- Child Safety Code of Conduct
- Complaints Policy.

These policies are available on our school website at <https://www.birregurraps.vic.edu.au/>

Procedure for Responding to an Incident, Disclosure, or Allegation of Child Abuse

All staff at our school must use the 4 Critical Actions to identify and respond to child abuse. The 4 Critical Actions are:

- Identify child abuse
- Support students in the school
- Refer student to community services
- Report abuse to authorities.

At all times all staff must:

- [Respond to an emergency](#)
- [Adapt to changing circumstances](#)
- [Document their actions](#).

All staff must follow the [4 Critical Actions](#) - based on the source of abuse:

- [4 Critical Actions to identify and respond to child abuse by an adult engaged by the school](#)
 - Any allegation, complaint, disclosure or concern of abuse (including grooming) by an adult engaged by a school may be reportable conduct under Victoria's [Reportable Conduct Scheme](#) and **must be reported**.
- [4 Critical Actions to identify and respond to student-to-student abuse](#)
 - As soon as you form a reasonable belief that a student has been, or is at risk of being, abused by another student **you must act**.
- [4 Critical Actions to identify and respond to child abuse in the family](#)
 - As soon as you form a reasonable belief that a student has been, or is at risk of being, abused by someone in the family **you must act**.
- [4 Critical Actions to identify and respond to child abuse in the community](#).

- As soon as you form a reasonable belief that a student has been, or is at risk of being, abused by someone in the community **you must act**.

Our school follows detailed guidance on the [4 Critical Actions](#) for each source of abuse on the [PROTECT website](#). This includes guidance on how to [respond to a disclosure](#) of child abuse made by a student or young person in a trauma-informed way and provide appropriate support, including suggested language to use.

To ensure the 4 Critical Actions are followed, staff must immediately notify one of our school's relevant child safety nominated contacts on becoming aware that a student is, or may be, experiencing child abuse (including grooming).

Our child safety nominated contacts are listed in the table below. Our school's child safety nominated contacts work with staff and school leadership to provide oversight and ensure:

- child safety concerns are taken seriously
- the school's response is prompt and thorough
- the relevant 4 Critical Actions and PROTECT guidance are followed.
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Anyone can contact these staff about a child safety concern. This includes students, parents/carers, volunteers, or anyone else in the school community who has concerns about child abuse including grooming.

Role	Name	Phone
Principal	Jessica Kattwinkel jessica.kattwinkel@education.vic.gov.au	5236 2222
Other child safety contacts	Brendan King Mental Health & Wellbeing Leader brendan.king@education.vic.gov.au	5236 2222

Escalating concerns

Following the 4 Critical Actions ensures that our staff take all the necessary steps where there is a concern about abuse, including grooming. If any staff member is concerned that these processes have not been followed they must:

- raise their concerns with the principal and escalate to the regional office via [1800 338 663](tel:1800338663) or email enquiries@education.vic.gov.au if they remain unsatisfied
- report concerns to the appropriate authorities (e.g. Victoria Police or Child Protection) in line with the 4 Critical Actions.

Reporting concerns about child safety contacts or school leadership

To report any allegations or concerns of abuse including grooming about a listed child safety contact, notify the principal.

To report any allegations or concerns of abuse including grooming by a principal, please contact:

- Department of Education
 - Anyone can contact the Department of Education.
 - Email: enquiries@education.vic.gov.au
 - Phone: 1800 338 663
 - For more information see: [Report abuse if you're a current student](#).
- Department of Education Speak Up service
 - Staff can use the Speak Up service to report improper conduct, fraud or corruption (including to make an anonymous report) or other improper conduct.
 - Website: <https://www.pkftalkintegrity.com/?det>
 - Email: educationspeakup@pkf.com.au
 - Phone 1800 633 462.

Meeting our legal obligations

Our staff must take reasonable steps to minimise risks of harm to students in their care that is reasonably foreseeable. For further information see: [PROTECT child safety frameworks and legal obligations](#).

Further information on relevant child safety frameworks and legal obligations is in **Appendix 1**.

Communication

This policy will be communicated to our school community. It may be:

- published on our school's website
- included in staff induction processes and annual staff training
- included in volunteer induction processes and training for relevant volunteers
- discussed in annual staff briefings or meetings
- included in staff handbook or manual
- made available in hard copy available from school administration upon request.

Further information and resources

The following Department of Education and Training policies and guidance are relevant to this policy:

- [PROTECT](#)
- [Child Safe Standards](#)
- [Reportable and Notifiable Conduct Policy](#)
- [Child abuse \(including grooming\) – identification and response](#)
- [Student-to-student abuse and harmful sexual behaviour](#)
- [Managing and Reporting School Incidents](#)
- [Duty of Care](#)
- [Restraint and Seclusion](#)

Policy Review and Approval

Policy last reviewed	
Consultation	With School Council
Approved by	Principal – Jessica Kattwinkel
Next scheduled review date	June 2028 or following a relevant child safety incident

Appendix A

Legal Obligations relating to reporting Child Abuse

The following information outlines the various legal obligations relating to the reporting of child abuse to relevant authorities.

It is important to note that the procedures outlined in the above policy ensure compliance with the below reporting obligations, and also include additional steps to ensure compliance with Department policy and our school's duty of care obligations.

Mandatory reporting to Department of Families, Fairness and Housing (DFFH) Child Protection

The following individuals are mandatory reporters under the *Children, Youth and Families Act 2005* (Vic):

- registered teachers and early childhood teachers (including principals and school staff who have been granted permission to teach by the VIT)
- 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 coordinators, student wellbeing coordinators, mental health practitioners, chaplains, and Student Support Services staff
- nurses
- registered psychologists
- police officers
- registered medical practitioners
- out of home care workers (excluding voluntary foster and kinship carers)
- early childhood workers
- youth justice workers
- people in religious ministry
- midwives

All mandatory reporters must make a report to the Department of Families, Fairness and Housing (DFFH) Child Protection as soon as practicable if, during the course of carrying out their professional roles and responsibilities, they form a belief on reasonable grounds that:

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

A mandatory reporter who fails to comply with this legal obligation may be committing a criminal offence. It is important for all staff at Birregurra Primary School to be aware that they are legally obliged to make a mandatory report on each occasion that they form a reasonable belief that a child is in need of protection and they must make a mandatory report even if the principal or any other mandatory reporter does not share their belief that a report is necessary.

If charged with not making a mandatory report, it may be a defence for the person charged to prove that they honestly and reasonably believed that all of the reasonable grounds for their belief had been the subject of a report to child protection made by another person.

The identity of a person who reports any protective concerns to DFFH Child Protection is protected by law. It is an offence for a person, other than the person who made the report, to disclose the name of the person who made a report or any information that is likely to lead to their identification.

At our school, all mandated school staff must undertake the *Mandatory Reporting and Other Obligations eLearning Module* annually. We also encourage all other staff to undertake this module, even where they are not mandatory reporters.

The policy of the Department of Education and Training (DET) requires **all staff** who form a reasonable belief that a child is in need of protection to discuss their concerns with the school leadership team and to report their concerns to DFFH and in some circumstances to Victoria Police, or to ensure that all the information relevant to the report has been made by another school staff member.

Any person can make a report to DFFH Child Protection (131 278 – 24 hour service) if they believe on reasonable grounds that a child is in need of protection even if they are not a mandatory reporter listed above.

Reporting student wellbeing concerns to Orange Door

At Birregurra Primary School we also encourage staff to make a referral to Orange Door when they have significant concern for a child's wellbeing. For more information about making a referral to Child FIRST/Child FIRST see the Policy and Advisory Library: [Protecting Children – Reporting and Other Legal Obligations](#).

Reportable Conduct

The Reportable Conduct Scheme is focussed on worker and volunteer conduct and how organisations investigate and respond to suspected child abuse. The scheme aims to improve organisational responses to suspected child abuse and to facilitate the identification of individuals who pose a risk of harm to children.

There are five types of 'reportable conduct' listed in the *Child Wellbeing and Safety Act 2005*:

- sexual offences against, with or in the presence of, a child
- sexual misconduct (which includes grooming) 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 to a child
- significant neglect of a child.

A reportable conduct allegation is made where a person makes an allegation, based on a reasonable belief, that a worker or volunteer has committed reportable conduct or misconduct that **may** involve reportable conduct.

If school staff or volunteers become aware of reportable conduct by any current or former employee, contractor or volunteer, they must notify the school principal immediately. If the allegation relates to the principal, they must notify the Regional Director.

The principal or regional director must notify the Department's Employee Conduct Branch of any reportable conduct allegations involving current or former employees of the school (including Department, allied health, casual and school council employees), contractors and volunteers (including parent volunteers).

- Employee Conduct Branch: 03 7022 0005 or employee.conduct@education.vic.gov.au

The Department's Secretary, through the Manager, Employee Conduct Branch, has a legal obligation to inform the Commission for Children and Young People when an allegation of reportable conduct is made.

For more information about reportable conduct see the Department's *Policy and Advisory Library*: [Reportable Conduct](#) and the Commission for Children and Young People's [website](#).

Failure to disclose offence

Reporting child sexual abuse is a community-wide responsibility. All adults (i.e. persons aged 18 years and over), not just professionals who work with children, have a legal obligation to report to Victoria Police, as soon as practicable, where they form a 'reasonable belief' that a sexual offence has been committed by an adult against a child under the age of 16 in Victoria.

Failure to disclose information to Victoria Police (by calling 000, local police station or the Police Assistance Line 131 444) as soon as practicable may amount to a criminal offence unless a person has a 'reasonable excuse' or exemption from doing so.

"Reasonable belief" is not the same as having proof. 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 when:

- a child states that they have been sexually abused
- a child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves)
- someone who knows a child states that the child has been sexually abused
- professional observations of the child's behaviour or development leads a mandated professional to form a belief that the child has been sexually abused
- signs of sexual abuse leads to a belief that the child has been sexually abused.

"Reasonable excuse" is defined by law and includes:

- fear for the safety of any person including yourself or the potential victim (but not including the alleged perpetrator or an organisation)
- where the information has already been disclosed to Victoria Police and you have no further information to add (for example, through a mandatory report to DFFH Child Protection or a report to Victoria Police from another member of school staff).

Failure to protect offence

This reporting obligation applies to school staff in a position of authority. This can include principals, assistant principals and campus principals. Any staff member in a position of authority who becomes aware that an adult associated with their school (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the age of 16 under their care, authority or supervision, must take all reasonable steps to remove or reduce that risk.

This may include removing the adult (ie persons aged 18 years and over) from working with children pending an investigation and reporting your concerns to Victoria Police.

If a school staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence.

Further information

For more information about the offences and reporting obligations outlined in this fact sheet refer to: [Protecting Children — Reporting and Other Legal Obligations](#).

Appendix B

Managing Disclosures of Child Abuse Important Information for Staff

When managing a disclosure relating to child abuse you should:

- listen to the student and allow them to speak
- stay calm and use a neutral tone with no urgency and where possible use the child's language and vocabulary (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 below.

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).