

Leibler Yavneh College: Child Safe Reporting Procedure

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1. Purpose

Leibler Yavneh College is a child safe organisation that proactively aims to create a safe and nurturing environment for all its students. As part of this, it expects that all staff, volunteers, Board members, students on placement, contractors and any other members of the community engaged for an educational or pastoral care role can raise child safeguarding concerns.

This document will assist staff, volunteers, Board members, students on placement and contractors to:

- (a) identify the different types of harm or neglect that children and young people may be exposed to
- (b) understand their specific roles in reporting child safeguarding concerns
- (c) report child safeguarding concerns in a timely fashion to all necessary internal and external parties

2. Scope

This procedure applies to all staff, volunteers, Board members, students on placement and contractors engaged in educational and wellbeing services at Leibler Yavneh College. It considers that the responsibility extends to all persons that have any contact with children and young people, or knowledge of abuse of children and young people. This procedure should be read in conjunction with the Child Safety Policy and Child Safe Code of Conduct.

3. Definitions

Relevant parties must understand the definitions of child abuse and be able to act on this knowledge and report to the relevant authority where required.

Child abuse describes an act or omission which results in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power. This can be a single event or a series of traumatic events. Most instances of child abuse fall under the definition of cumulative harm (repeated acts of harm) and multidimensional harm (multiple types of child abuse). Child abuse can be perpetrated by parents, caregivers, other persons of or over 18 years of age, and/or other children and young people. Where sexual abuse is perpetrated by children or young people, it is usually referred to as, 'sexually harmful behaviour'. Child abuse, including child harm and neglect, are commonly divided into the following sub-categories:

- physical abuse;
- emotional abuse;
- neglect;
- sexual abuse;
- grooming; and
- exposure to family violence.

3.1 Physical Abuse

Physical abuse can consist of any non-accidental infliction of physical violence on a child by any person. Examples of physical abuse may include beating, shaking, burning, assault with implements and female genital mutilation.

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3.2 Emotional Abuse

Emotional child abuse occurs when a child is repeatedly rejected, isolated or frightened by threats. It also includes hostility, derogatory name-calling and put-downs, and persistent coldness from a person to the extent that the child suffers, or is likely to suffer, emotional or psychological harm to their physical or developmental health.

3.3 Neglect

Neglect is the failure to provide for the child's basic needs for life to the extent that the child's health and development are, or are likely to be, placed at risk, including:

- Food
- Clothing
- Shelter
- Medical attention
- Supervision or care

The law differentiates between three different levels of neglect:

- 'Minor' neglect is low-level neglect that is trivial or temporary
- 'Significant' neglect is medium-level neglect that causes harm to a child that is more than trivial or temporary
- 'Serious' neglect involves the continued failure to provide a child with the necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child's health, safety and/or development is, or is likely to be, jeopardised. Serious neglect can also occur if an persons of or over 18 years of age fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life-threatening situations.

3.4 Sexual Abuse

Sexual abuse/harm occurs when a person uses power, force, or authority to involve a child in any form of sexual activity. Behaviour sex offenders engage in may include:

- touching or fondling children
- sending obscene or suggestive phone calls/texts to children
- exhibitionism and or voyeurism in front of children
- exposing children to pornographic images
- penetration with penis, finger or other object into the mouth, anus, or vagina.

Child sexual abuse may not always include physical sexual contact and can also include non-contact offences, for example:

- talking to a child in a sexually explicit way
- sending sexual messages or emails to a child
- exposing a sexual body part to a child
- forcing a child to watch a sexual act (including showing pornography to a child)
- having a child pose or perform in a sexual manner (including child sexual exploitation).

Child sexual abuse does not always involve force. In some circumstances a child may be manipulated into believing that they have brought the abuse on themselves, or that the abuse is an expression of love, through a process of grooming.

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Sexually harmful behaviour in children refers to harmful behaviour perpetrated by a child (17 years of age or younger) to another child. Harmful behaviours in children are often an indicator that they have experienced abuse or neglect. Where sexually harmful behaviour occurs, organisations have a duty of care to both children. Note that in children under 10 years of age, such behaviour is often referred to as sexually problematic behaviour.

3.5 Grooming

Grooming is predatory behaviour designed to prepare a child for sexual abuse. Many perpetrators of sexual offences against children purposefully create relationships with children and young people, their families and carers in order to establish the conditions necessary for them to abuse the child. For example:

- giving gifts or special attention to a child or their parent or carer (this can make a child feel special or indebted to an persons of or over 18 years of age)
- controlling a child through threats, manipulation, force or use of authority (this can make a child scared to report unwanted behaviour)
- making close physical contact, such as inappropriate tickling and wrestling
- openly or pretending to accidentally expose the victim to nudity, sexual material and sexual acts (this in itself is classified as child sexual abuse but can also be a precursor to physical sexual assault).

Grooming includes online grooming. It occurs when an persons of or over 18 years of age uses electronic communication (including social media) in a predatory fashion to try to lower a child’s inhibitions, or heighten their curiosity regarding sex, with the aim of eventually meeting them in person for the purposes of sexual activity.

It is important to note that when instances of grooming occur, other members of the child’s community are also ‘groomed’. This allows perpetrators to establish trust and a connection with the child via their support networks, further enhancing the conditions for other forms of child abuse to occur.

3.6 Exposure to Family Violence

The Family Violence Protection Act 2008 (Vic) defines family violence as behaviour by a person towards a family member where the behaviour:

- is physically, sexually, emotionally, economically or psychologically abusive
- is threatening or coercive; or
- in any other way controls or dominates the family member and causes that family member to feel fear for the safety or wellbeing of that family member or another person.

A child can be a direct victim to any of these behaviours. Family violence also includes behaviour that causes a child to hear or witness, or otherwise be exposed to the effects of, any of these behaviours.

4. Roles and Responsibilities

Table 4.1 outlines the key responsibilities of all roles within the organisation in relation to the

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reporting of child abuse, child harm, risk of harm and neglect.

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Table 4.1

Roles	Key Responsibilities
Principal and board	<ul style="list-style-type: none"> • Ensure the <i>Child Safe Reporting Procedure</i> is addressed at the strategic level by regular reporting. • Ensure the principal and delegates are aware of their Reportable Conduct obligations. • Receive, review, and respond to organisational incidents and outcomes (e.g., summary reports/aggregate recording of reports on a quarterly basis • Ensure governance and operational level procedures are appropriate, relevant, understood and regularly reviewed, in line with organisational processes. • Promote child safe practice across the organisation and ensure that employees, volunteers, Board members, contractors, students on placement are aware of their child safe obligations. • Support employees, volunteers, Board members, contractors, students on placement and children, young people and families who have identified, responded, or reported child harm or neglect. • Monitor, manage and continually improve Leibler Yavneh College’s child safe reporting practices. • Collate, review, and respond to organisational incidents and outcomes (e.g., summary reports). • Respond to reports and administer external reporting requirements. • Offer support to the child, the parents, the person who reports and the alleged perpetrator. • Ensure child friendly complaints mechanisms are in place. • Champion child safety including identifying, reporting, and responding to child abuse, child harm and neglect across the organisation and externally.
Employees, and third-party providers	<ul style="list-style-type: none"> • Understand the signs of child abuse, child harm and neglect and how to respond. • Follow the Child Safe Code of Conduct when engaging with children and young people. • Follow appropriate reporting processes, including mandatory reporting processes, when a concern, allegation or disclosure of child abuse arises. • Ensure the organisation is safe for children and young people. • Support peers and children and young people who have identified, responded, or reported child abuse, child harm, risk of harm, and/or neglect. • Contribute to development, implementation, and review processes. <p>Where a child is in immediate danger call 000</p>

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5. Reporting Requirements

The duty to report a child safety concern to DFFH Child Protection applies to a reasonable belief that child abuse is likely to occur in the future, as well as child abuse that may have already happened. Belief on ‘reasonable grounds’ is formed if a reasonable person in the same position would have formed the belief on the same grounds.

As long as reports are 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.

Leibler Yavneh College approaches its reporting responsibilities through a child-focused lens, prioritising the rights of children and young people. The following principles govern this approach:

- A child making a disclosure is always to be believed;
- The best interests of children and young people are paramount;
- Our complaints handling and reporting systems are accessible and recognise the diverse needs of children and young people, and their families; and
- Complaints are dealt with thoroughly and promptly.

5.1 Victorian Child Safe Standards

Leibler Yavneh College’s Child Safe Reporting Procedure reflects the 11 Victorian Child Safe Standards. These standards aim to promote the safety of children, prevent child abuse and ensure organisations have effective processes in place to respond to and report all allegations of abuse. They achieve this by driving changes in organisational culture, providing a minimum standard of child safety across all organisations and highlighting that all community members have a role to keep children safe from abuse. The Standards are underpinned by the understanding that all children are vulnerable and that some children are particularly vulnerable. The Child Safe Reporting Procedure aims to proactively mitigate child safety risks by empowering staff and volunteers to respond appropriately to disclosures and report allegations and suspicions of child abuse to the relevant authorities.

5.2 Criminal Offences

Any complaint which involves an allegation of criminal conduct or creates a suspicion of criminal conduct, should be reported to the Police. These concerns could involve physical abuse/harm, serious forms of neglect, sexual abuse of a child, family violence and/or grooming. A matter under police investigation should not proceed with an internal investigation until after police clearance.

A summary of child related criminal offences in each state and territory can be found at [Appendix 1](#).

5.3 Failure to Protect

An offence applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an persons of or over 18 years of age associated with that organisation. A person in a position of authority in the organisation will commit an offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

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5.4 Failure to Disclose

The failure to disclose offence applies to persons of or over the age of 18 years that have information that leads them to form a 'reasonable belief' that another person of or over the age of 18 years has sexually offended against a child under 16 in Victoria. Such persons of or over the age of 18 years must report the information to Police as soon as possible, unless they have a 'reasonable excuse' for not reporting the information or are exempt from the offence. If they fail to report the information, they may be charged with a criminal offence. The maximum penalty is three years imprisonment.

The failure to disclose offence helps to ensure that protecting children from sexual abuse is the responsibility of the whole community.

5.5 Mandatory and Voluntary Reporting Obligations

Mandatory reporting obligations necessitate reports of a reasonable belief of sexual child abuse, child harm, risk of harm or neglect to the appropriate authorities. All mandated reporters are required to make a report on each occasion that a belief is formed, this is true even if the principal does not share their belief

Leibler Yavneh College expects that everyone, regardless of their legal mandate, has a moral and social responsibility to report concerns about child abuse, child harm, risk of harm and neglect and this approach is reflected in our reporting procedure.

The tables below set out key features of mandatory and voluntary reporting. The table identifies all relevant legislation, what needs to be reported, who is mandated to report, and who is a voluntary reporter.

5.6 Reasonable Excuses for not Reporting to Police

In some instances there may be a 'reasonable excuse' for not reporting information about child sexual abuse to police if, for example:

- you fear for your safety, or the safety of another person, or
- you believe the information has already been reported to the police

If you are charged with the failure to disclose offence, a court or jury may consider whether it was reasonable not to have been report to police in the circumstances. You will not be guilty of an offence if you a reasonable excuse for not reporting.

5.6.i Fear for Safety

You have an excuse for not reporting to police if:

- You reasonably fear for your safety or the safety of another person, except the person you believe committed, or was involved in the sexual offence, and
- Your failure to report is a reasonable response in the circumstances

This excuse helps to protect children, their families and others from harm where reporting information might risk people's safety. For example, a mother may decide not to report her partner sexually abusing her child because she fears violence against her or her child.

The fear must be reasonable from the perspective of that person in those circumstances. This recognizes that this person is best placed to judge whether their safety, or the safety of another person is endangered

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5.6.ii Belief Information has Been Disclosed

You have an excuse for not reporting to police if:

- you believe on reasonable grounds that another person has already disclosed the information to police and,
- you have no further information to add.

For example, you may have this belief if you have disclosed the information in a 'mandatory report' to Department of Health and Human Services Child Protection, as Child Protection will provide the information you have reported to them, to the police.

People who must make mandatory reports are:

- teachers and school principals
- doctors, nurses and midwives
- out-of-home care workers
- early childhood teachers and workers
- registered psychologists
- youth justice workers
- school counsellors
- people in religious ministry

5.6.iii Excuses that are not reasonable

You do not have a reasonable excuse for failing to disclose information if you are only concerned about the 'perceived interests' of:

- the person you believe committed, or was involved in, the sexual offence, or
- any organisation

'Perceived interests' include reputation, legal liability and financial status. For example, a religious minister's concern for the reputation of a church where a person of or over 18 years of age sexually abused a child is not a reasonable excuse for not reporting to the police.

This ensures that a child's best interest are placed first.

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Table 5.5a: Reporting Obligations

	Legislation	When to report	Mandated reporters	Who is a child?
VIC	<i>Children, Youth and Families Act 2005</i>	<p>A mandated reporter must make a report to DFFH Child Protection if:</p> <ul style="list-style-type: none"> • They form the belief on reasonable grounds that a child has suffered, or is likely to suffer significant harm as a result of physical injury or sexual abuse; and • The parents have not protected or are unlikely to protect the child from harm of that type. • The belief is formed in the course of practising his/her position of employment. <p>More information, including reporting pathways can be found here.</p>	<p>Registered medical practitioners, midwives, and nurses</p> <p>Registered teachers</p> <p>Principals</p> <p>Police</p> <p>People in religious ministries</p> <p>Counsellors and psychologists</p>	A person under 18 years old
	<i>Child Safety and Wellbeing Act 2005</i>	The principal must make a report to the Commission for Children and Young People if they become aware of a reportable allegation against an employee, volunteer or contractor of the entity.	The head of an entity that is affected by the Reportable Conduct Scheme	A person under 18 years old
	<i>Crimes Act 1958</i>	A mandatory reporter must make a report to the police if they form a reasonable belief that a physical or sexual offence has been committed in Victoria against a child by another person of or over the age of 18 years.	Any person 18 years or older	A person under 16 years old

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Table 5.5b: Voluntary Reporting Obligations

	Legislation	When to report	Voluntary reporters	Who is a child?
VIC	<i>Children, Youth and Families Act 2005</i>	A voluntary reporter may make a report to a protective intervener (i.e. DFFH Child Protection) if: <ul style="list-style-type: none"> The person believes on reasonable grounds that a child is in need of protection. 	Any person	A person under 18 years old
	<i>Child Safety and Wellbeing Act 2005</i>	A voluntary reporter may disclose a reportable allegation to the Commission for Children and Young People	Any person	A person under 18 years old

5.7 Reportable Conduct Scheme

The Reportable Conduct Scheme requires the principal to report to the Commission for Children and Young People (CCYP) if they become aware of an allegation of child abuse, child harm, risk of harm, serious neglect, or child related misconduct being made against an employee, contractor, or volunteer.

While the principal is legally responsible to report to the external authority, there is also an expectation that any person within an organisation can notify the CCYP of a reportable allegation.

Reportable conduct cases will then be investigated by Leibler Yavneh College, with oversight from the external authority including the Police and DFFH Child Protection. Leibler Yavneh College will also seek advice from the Police, CCYP and DFFH Child Protection regarding appointing an external investigator. Reportable Conduct Schemes and their prescribed processes do not replace the need to report concerns, allegations, and disclosures to the Police when there are indicators that a crime may have been committed, and/or to child protection authorities where there are protective concerns for children and young people.

Once a report has been received and the principal has been notified, the concerns will be reviewed. There are four possible outcomes from this review:

- The concerns are unfounded
- A crime has been allegedly committed
- The Child Safe Code of Conduct has been breached, but no alleged crime has been committed
- Based on the available information, it is not possible to form a conclusive view on the matter

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6 Responding to disclosures

Child safeguarding concerns may arise in a range of ways, for example, through direct disclosure, observation or information received from others. Staff, volunteers and contractors must remain open and aware to the various ways concerns may arise. The types of complaints or concerning behaviours that require reporting may include:

- Suspicions or beliefs that children have suffered or are at risk of suffering abuse, harm or neglect
- Inappropriate relationships developing between children/young people and persons of or over 18 years of ages, or between children of a significant age difference
- Observations of concerning changes in behaviour
- Feelings of discomfort about a relationship between a child/young person and employee, contractor or volunteer.

Disclosures of child abuse must be reported to external authorities.

Any other suspected or actual breach of this Child Safe Reporting Procedure, Child Safety Policy, Child Safe Code of Conduct, or other policy, procedure or practice related to the safety of children must be reported to the principal and your line manager. Leibler Yavneh College expects all staff and contractors to be alert to child abuse, child harm, risk of harm and neglect in all contexts and report concerns in accordance with this document.

Staff are in the privileged position of being able to notice behavioural signs of abuse which serve as signs of disclosure. Such persons are encouraged to talk with a child or young person when they are disclosing a concern. However, this is to be distinguished from an investigative interview process which must be run through a formal process. Disclosures should be enabled through an open approach which includes:

- management establishing honest two-way communication between themselves and others
- management being respectful in all interactions with employees, contractors, volunteers and children and their families
- Staff being open and honest with children and families about confidentiality limits
- Staff educating and supporting personnel to understand their role and to respond to disclosures in a confident and supportive manner

6.6 Safety of At-risk Groups

Leibler Yavneh College recognises the diverse circumstances of children and young people and works in child centred ways that celebrate the strengths and individual characteristics of children and young people and embrace them regardless of their abilities, sex, gender identity, socioeconomic status and cultural background. Staff are educated and supported to recognise and respond effectively to children and young people with diverse needs, with particular focus on vulnerable groups including, Aboriginal and Torres Strait Islander children, children with a disability, children from culturally and linguistically diverse backgrounds and same sex attracted, intersex, non-binary and gender diverse children.

Appropriate cultural awareness is required to understand that 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 the Police and communicating in English may be a barrier for some. Sensitivity to these issues and meeting people's needs, such as having an interpreter present (who could be a friend or family member) may be required.

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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.

Students who live in out-of-home care may also need additional support. Out-of-home care is defined as a temporary, medium or long-term living arrangement for children and young people who cannot live in their family home.

Statutory out-of-home care includes foster care, kinship care, permanent care, residential care and lead tenant arrangements. Teachers should report suspicions or allegations of abuse of students in statutory out-of-home care to DFFH child protection as well as the school principal.

Informal out-of-home care refers to an arrangement in which a child or young person is living with someone other than their parent or legal guardian, without an out-of-home care legal order in place. When a student is living in an informal out-of-home care arrangement, the carer should complete an [Informal Carer Statutory Declaration form](#). The declaration is a written statement that sets out the care arrangements for the child or young person. A completed declaration is required to allow the school the student attends, or where they are seeking enrolment, to work with an informal carer.

Generally, an informal carer who has provided the school with a completed Informal Carer Statutory Declaration may make school-based decisions for the child and may access school information ordinarily provided to a parent. Where teachers have suspicions or allegations of abuse, they are to report in line with the school's external and internal reporting procedure. They are able to treat the informal carer as the student's guardian for reporting purposes.

Subject to any court orders, generally, a parent's decision overrides any decision made by an informal carer. Other factors that might be relevant to decision-making and information-sharing for the child include a consideration of whether the child is a mature minor or any safety and wellbeing concerns.

6.7 Responding to Sexually Harmful Behaviour in Children and Young People

Research indicates that a significant proportion of sexual abuse that occurs in the context of organisations is perpetrated by children and young people. Sexually harmful behaviour involves children and young people engaging another party in sexual activity that is either unwanted or where, due to the nature of the situation, the other party is not capable of giving consent (e.g., children who are younger or who have a cognitive impairment). Leibler Yavneh College is committed to ensuring all personnel have access to education and support which prepares them to prevent and identify sexually harmful behaviours and respond to peer-to-peer abuse in a timely, child-focused and protective manner.

A guide to identifying harmful sexual behaviours in children is included in [Appendix 2](#)

If a child or young person perpetrates abuse or harm, Leibler Yavneh College has a duty of care to both the perpetrator and victim. Leibler Yavneh College recognises that a child or young person who demonstrates sexually harmful behaviours requires therapeutic intervention. They may also have suffered abuse and therefore may require protection.

Leibler Yavneh College staff will consult the appropriate member of the College Executive to agree on the process for notifying parents/carers about the concern. In so doing, they will be guided by advice from relevant authorities, i.e., DFFH Child Protection and the Police.

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6.8 Confidentiality

All staff, volunteers and contractors will ensure that where concerns arise, confidentiality is maintained as far as possible. Internal and external reporting must take place as per this reporting procedure, with internal communication about concerns occurring on a 'need to know' basis only. Therefore, only personnel directly involved in the management of the child's situation and responsible for meeting the reporting obligations are to be involved in discussions regarding the child's identity, or details of the suspected abuse. Exceptional circumstances apply including:

- 6.8.i There is a reasonable belief that a child has been harmed, has suffered neglect, or is at risk of harm necessitating an obligation to report to authorities such as the Police and DFFH Child Protection.
- 6.8.ii The child or young person has consented to a secondary disclosure and has the capacity to consent.

Parents and carers will be required to be informed about the allegation of abuse that has taken place and informed about the internal processes. Where parents and carers are the alleged perpetrators of abuse, Leibler Yavneh College will seek advice from DFFH Child Protection about how information is communicated and how to protect the safety of the child or young person. In the event of an alleged instance of child abuse, staff, volunteers and contractors are expected to seek advice from their line manager and the principal or delegate regarding the dissemination of personal information.

6.9 Record keeping

Timely, clear, and effective record keeping is an important part of ensuring Leibler Yavneh College is a child safe organisation. Record keeping should include details of the child safety concern, including but not strictly limited to:

- Details of the child safety concern such what happened, who was involved, and when did it take place
- Contact details of the person making the record
- If the child safety concern involved a reportable action or allegation – e.g., the Police, DFFH Child Protection, Reportable Conduct Scheme
- Date and time that the parents were contacted and any sensitive information that was/was not communicated
- Witnesses
- Support persons for those involved in the management of the report
- Internal investigators and/or external investigators
- Outcomes of the reporting process including any problems that required addressing
- Support provided/continuing to be provided
- Actions taken and completed e.g., escalation, risk assessments and outcomes, policy change, system fault and correction
- Communication of the outcome with the complainant and subject if relevant, including options for review
- Actions that require ongoing review and/or follow-up e.g., ongoing risk assessment, continued support for child/young person/other parties

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6.4 Responding to Historical Allegations of Abuse

In all circumstances where historical abuse allegations are made which pertain to Leibler Yavneh College, the school will co-operate fully with the Police and/or DFFH Child Protection. Leibler Yavneh College will also review its current policies and procedures in light of any findings of historical abuse investigations to determine if there is learning that may strengthen protective approaches. Leibler Yavneh College will abide by the following procedure when responding to historical allegations of abuse:

- Any allegation of historical abuse which pertains to Leibler Yavneh College should be notified to the principal or their delegate within 24 hours of receipt.
- The principal will be responsible for overseeing the handling of the allegation, including confirming that it has been referred to the relevant authority i.e., the Police, DFFH Child Protect and/or CCYP (Reportable Conduct Scheme) and that all relevant information held by Leibler Yavneh College has been provided to relevant authorities.
- At the conclusion of the Police investigation, the principal will determine whether it is appropriate to undertake an internal investigation, noting that an internal investigation would generally be warranted where the employee, contractor or volunteer implicated in the allegation is still involved with Leibler Yavneh College. Leibler Yavneh College will also seek advice from the CCYP regarding the circumstances of conducting an internal investigation.
- In all circumstances, Leibler Yavneh College will undertake an internal review to determine if there is a need to amend any policies, procedures, or processes. Reviews will be focused upon the identification and application of learning to minimise future risk.

7 Reporting

Once you have formed a reasonable belief that a child is at risk or in need of protection, you will need to 'report'. The following are Leibler Yavneh College's reporting principles as well as a step-by-step reporting procedure:

- If a child is deemed to be at **immediate** risk of harm, the staff, volunteers, Board members, students on placement and contractors should contact **emergency services on '000'** immediately.
- All reports will be treated seriously, whether they are made by an persons of or over 18 years of age or a child or young person.
- Where staff, volunteers, Board members, students on placement and contractors forms a belief that a child has suffered child abuse or is at risk of harm, they must notify the principal or Child Safety Officer within 24 hours.
- Staff, volunteers, Board members, students on placement and contractors are expected to contact the principal and their line manager in the first instance unless doing so would pose a potential conflict of interest or place the child at further risk, e.g., if the line manager is the subject of the concern.
- The involved employee, must complete an *Incident Report Form*. This can found at **Appendix 5**
- The involved staff, volunteers, Board members, students on placement and contractors will work with the principal or their delegate to agree on the appropriate reporting avenues, i.e., the DFFH Child Protection and/or the Police. It is best practice for the recipient of the disclosure to make the report.
- Should the concern relate to risk posed by a Leibler Yavneh College staff, volunteers, Board members, students on placement and contractors, the principal will have overall

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responsibility for dealing with the matter and follow the appropriate procedure including that of the Reportable Conduct Scheme.

- Leibler Yavneh College will treat all matters confidentially, disclose critical information to relevant authorities including the Police, CCYP and DFFH Child Protection, and work in the best interests of the child.

Table 7.1: Reporting Process

Step	Action	Who
<p>Emergencies: In case of emergency or if a child is in immediate danger contact Triple Zero (000) or the local police station.</p> <p>When the report has been made move to the next step. All other concerns or reports start at the next step.</p>		<p>The staff, volunteers, Board members, students on placement and contractors who identified a potential child safe concern.</p>
1	<p>Keep comprehensive notes that are dated and include the following information:</p> <ul style="list-style-type: none"> • Information that has led to concerns about the child's safety (e.g., physical injuries, student behaviour, persons of or over 18 years of age behaviour). • Complete the Leibler Yavneh College <i>Incident Report Form</i> • The source of the report (e.g., observation of behaviour, disclosure from child or another person). • Actions taken as a result of the concerns (e.g., consultation with the Police, manager, DFFH Child Protection etc.). 	<p>The staff, volunteers, Board members, students on placement and contractors who identified a potential child safe concern</p>
2	<p>Discuss any concerns about the safety and wellbeing of children and young people with your line manager and the principal.</p> <p>For internal reporting purposes, the employee or contractor together with the principal or delegate will make a determination regarding the need for reporting and to whom the report should be made including the young person's parents.</p> <p>Nb. The above does not substitute for the employee or contractor's mandatory reporting obligations.</p>	<p>The staff, volunteers, Board members, students on placement and contractors who identified a potential child safe concern, and the principal.</p>
3	<p>Gather the relevant information necessary to make the report using the <i>Incident Report Form</i> This should include the following:</p> <ul style="list-style-type: none"> • Full name, date of birth, and residential address of the child or young person. • The details of the concerns and the reasons for those concerns. 	<p>Principal to be provided with information from staff, volunteers, Board members, students on placement and</p>

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	<ul style="list-style-type: none"> The individual staff, volunteers, Board members, students on placement and contractors involvement with the child or young person. Details of any other agencies who may be involved with the child or young person, if known. 	contractors who identified the potential child safety concern.
4	<p>Make a report to the relevant agency as soon as practicable (Appendix 4)</p> <ul style="list-style-type: none"> Report concerns that are an immediate risk by calling 000 or the local police station. Sexual offences need to be reported to the Police and DFFH Child Protection. Allegations concerning employees, volunteers, councillors, contractors, work experience or work placement students must be reported to the police. Report concerns about the safety of a child within their family to DFFH. Notify the Commission Children and Young People (CCYP) for Reportable Conduct allegations within the required timeframe if the allegations are made in relation to staff, volunteers, contractors, students on placement. (Appendix 3) <p>*Please read step 7 before making your report</p> <ul style="list-style-type: none"> 	Principal and the staff, volunteers, Board members, students on placement and contractors who identified the child safe concern.
5	<p>Update the Reporting template with:</p> <ul style="list-style-type: none"> The date and time of the report and a summary of what was reported/discussed. Log and store the <i>Incident Report Form</i> in a safe and secure location that is accessible to the principal and child safety officers. Information provided to the board as part of the board's periodic update on child safety. 	Principal and the staff, volunteers, Board members, students on placement and contractors who identified the child safe concern
6	<p>Notify relevant staff, volunteers, Board members, students on placement and contractors of any report to Police, and/or DFFH Child Protection Unit.</p> <p>Allegations and all instances must be reported to:</p> <ul style="list-style-type: none"> Child Safe Officer/Principal The relevant authorities (as outlined above) Log and store the <i>Incident Report Form</i> in a designated location 	Principal and the staff, volunteers, Board members, students on placement and contractors who identified the child safe concern

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	<ul style="list-style-type: none"> Undertake a learning review of policies, procedures, and practice 	
7	<p>During the report consult with Police and/or DFFH to determine the information that may be shared with parents/carers, and who should lead this contact (i.e. Police, DFFH or Wyndham City Council representative). This could include advice:</p> <ul style="list-style-type: none"> Not to contact the parents/carers in circumstances where they are alleged to have engaged in the abuse. To contact the parents/carers and provide agreed information as soon as possible. 	<p>Staff, volunteers, Board members, students on placement and contractors who made the report with assistance from the principal/Child Safe Officer if needed.</p>
8	<p>Support should be provided to all parties including students and their families, alleged perpetrator (Staff, volunteers, Board members, students on placement and contractors), witnesses and those involved in the reporting process.</p> <p>It is important that the person providing support to the Child does not attempt to provide support which is outside of the scope of their role.</p> <p>Actions that Leibler Yavneh College will take, where deemed appropriate, to support children and young people who are impacted by child abuse, include:</p> <ul style="list-style-type: none"> Working together and planning support Engaging Allied Health and wellbeing professionals Referring to external supports Providing developmentally and culturally appropriate support Providing support for impacted personnel Supporting students in interviews conducted at our premises Responding to subpoenas or court attendance Responding to complaints or concerns <p>In the context of sexually harmful behaviour, Leibler Yavneh College have a Duty of Care to support all children and young people who are impacted by the abuse – this will include the children and young people who were subjected to the abuse, the children and young people who perpetrated the abuse, and any children and young people who witnessed or were otherwise impacted by the abuse.</p>	<p>Principal/Child Safe Officer/ others as decided on a case by case basis.</p>

If in doubt of one's external reporting requirements, Leibler Yavneh College expects that staff, volunteers, Board members, students on placement and contractors will contact their line manager, child safety officer, the principal and/or external authorities to report any concerns and seek guidance on reporting obligations and processes.

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As per the Child Safe Reporting Procedure and Child Safe Code of Conduct:

- Alleged criminal matters will be referred to the police as soon as practicable, and typically within 24 hours
- Where a conclusive view could not be formed but the concerns are serious, the CCYP, DFFH and/or the police will be notified as soon as practicable, and typically within 24 hours
- The principal will determine the course of action where the Child Safe Code of Conduct has been breached, but no alleged crime has been made. In such circumstances, Leibler Yavneh College will invest the matter and any consequences for the alleged perpetrator will typically be proportionate to the breach, with the child's safety being of paramount significance.

Appendix 1: Criminal Offences

Failure to Report/Failure to Disclose/Grooming		
State/Territory	Legislation	Summary
Victoria	Crimes Amendment (Protection of Children) Act 2014 (VIC)	In 2014, the law in Victoria was changed to create the failure to disclose offence. The failure to disclose offence applies to you if you are a person of or over 18 years of age, and you have information that leads you to form a 'reasonable belief' that another person of or over 18 years of age has sexually offended against a child under 16 in Victoria. If this applies to you, you must report the information to police as soon as possible, unless you have a 'reasonable excuse' for not reporting the information, or you are exempt from the offence. If you fail to report the information, you may be charged with a criminal offence. The maximum penalty is three years imprisonment. The failure to disclose offence helps to ensure that protecting children from sexual abuse is the responsibility of the whole community. More information .
Failure to Protect		
Victoria	Crimes Amendment (Protection of Children) Act 2014 (VIC)	The offence applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by a person of or over 18 years of age 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 power or responsibility to reduce or remove the risk, but <u>negligently fail</u> to do so. More information .
Grooming		
Victoria	Crimes Amendment (Grooming) Act 2014 (VIC)	The <i>Crimes Amendment (Grooming) Act 2014</i> , which commenced in Victoria on 9 April 2014, introduced the offence of Grooming for sexual conduct with a child under the age of 16 years. The offence applies where a person of or over 18 years of age communicates, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvement in sexual conduct, either with the groomer or another person of or over 18 years of age. More information .

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Appendix 2: Identifying Harmful Sexual Behaviour in Children

The following table outlines normal versus concerning sexual development behaviours in children and young people 0 – 18 years.

Normal vs concerning sexual development in children

Traffic Light Model

The following model can be used to help parents and carers to assess if a child is displaying normal or concerning sexual development behaviours.

- Green:** Sexual behaviours that are considered 'normal', healthy, spontaneous, curious, light-hearted, easily distracted, experimental, and that are in line with age and ability level. **Action:** opportunity to give the child or adolescent positive feedback and information.
- Yellow:** Sexual behaviours that are outside the norm in terms of persistence, frequency or disparity in age/development. **Action:** gather more information to assess the most appropriate action.
- Red:** Sexual behaviours outside the norm – behaviour that is excessive, secretive, compulsive, coercive or degrading. **Action:** requires immediate intervention and action.

When using the traffic light model, it is important to remember the model is evidence based and outlines what research shows is normal and irregular sexual behaviours in children at various ages and stages of development.

Considerations

There are various influences on children's sexual behaviour and development, including:

- Parents and family relationships
- Media - television, internet, radio, magazines, etc.
- Peer relationships
- How persons of or over 18 years of ages treat each other
- Children's services
- School environments
- Cultural background and norms
- Social overlays or judgments should be managed carefully in order to appropriately respond to the behaviours in the first instance.

When assessing a child's sexualised behaviour, it is important to consider the following variables:

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- Is the behaviour age appropriate or concerning?
- What is the context of the behaviour?
- What is the age difference and relationship between children?
- What is the vulnerability of the child? (age, cognitive ability, socio economic status)

Situations of sexualised behaviour and peer sexual play which causes concern

- The children engaged in the sexual play do not have an ongoing mutual relationship.
- The children engaged in the sexual play/behaviour are of different ages or development levels.
- Any sexual play/behaviour which continues in spite of consistent and clear requests to stop.
- Sexual behaviour which occurs in public or other places where the child has been told is not acceptable.
- Sexual play/behaviour which is eliciting complaints from other children or adversely affecting them.
- Sexual behaviour which progresses in frequency, intensity or intrusiveness over time.
- Sexual behaviour that is associated with fear, anxiety, deep shame or intense guilt.
- Children who manually stimulate or have oral or genital contact with an animal.
- Sexual behaviours which cause physical or emotional pain to self or others.
- Children who use sex to hurt others.
- When verbal and/or physical expressions of anger precede, follow or accompany the sexual behaviour.
- When coercion, force, bribery, manipulation or threats are associated with sexual behaviours.

0 – 5 Years

Green

- Thumb-sucking, body-stroking, genital holding.
- Curious - wants to touch others' private parts, e.g., when in bath
- Games, e.g., doctor/nurse, 'show me yours, I'll show you mine.'
- Enjoyment being nude, using slang language for toilet functions

Yellow

- Preoccupation with persons of or over 18 years of age sexual behaviour
- Preoccupation with touching others' genitals
- Use of persons of or over 18 years of age sexual language.
- Peeping at others' private body parts, pulling others pants down/skirt up.
- Sexualised play with dolls

Red

- Simulation of foreplay/sexual behaviour in play
- Persistent masturbation, touching or attempting to touch others' genitals.
- Sexual behaviour between children involving penetration with objects.
- Forcing other children to engage in sexual play

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5 - 9 Years

Green

- Self-touching, masturbation to self-soothe.
- Increased curiosity about other children's genitals and persons of or over 18 years of age sexuality (e.g., babies, gender differences)
- Using 'toilet words', body parts as swear words to be silly, telling dirty jokes.
- Increased sense of privacy about bodies

Yellow

- Persistent/recurrent questions about sexual activity
- Writing sexually threatening notes
- Engaging in mutual masturbation
- Constant public touching of own genitals
- Use of persons of or over 18 years of age language to discuss sex e.g., "do I look sexy?"
- Persistent use of dirty words

Red

- Persistent masturbation, especially in front of others
- Sexual behaviours engaging younger/less able children (e.g., sneaking into room of sleeping younger children to touch or engage in sexual play)
- Simulation of sexual acts sophisticated for age e.g., oral sex.
- Persistent sexual themes in talk, play, art, etc.

9 - 12 Years

Green

- Use of sexual language and dirty words/jokes with peers.
- Having girlfriends/boyfriends; consensual kissing with known peers
- Some exhibitionism e.g., flashing/mooning to same age peers
- Increased need for privacy
- Occasional masturbation
- Use of internet to chat online

Yellow

- Sudden change in behavior or dress
- Mixing with new and/or older people
- Bullying involving sexual aggression.
- Pseudo maturity, inappropriate knowledge, discussion of sexuality
- Preoccupation with online chat or pornography
- Persistent expression of fear of pregnancy or STIs
- Mutual masturbation, preoccupation with masturbation

Red

- Persistent masturbation, particularly in front of others
- Sexual activity, oral sex, intercourse, coercion of others into sexual acts
- Sending nude/sexually provocative images of self or others online
- Degradation/humiliation of self or others using sexual themes.
- Presence of STI
- Penetration of children, animals, dolls or other objects

13 - 18 Years

Green

- Sexually explicit conversations with peers; obscenities/jokes within norm
- Solitary masturbation
- Interest in erotica
- Use of internet to chat online.
- Sexual activity: flirting, hugging, kissing, foreplay, handholding, consensual oral sex, intercourse with partner of similar age and development

Yellow

- Sexual preoccupation
- Anxiety interferes with daily function.
- Preoccupation with pornography, online chat, meeting online acquaintance.
- Sexually aggressive themes/ obscenities/ graffiti
- Peeping, exposing, non-consensual sexual touch, violation of other's space.
- Unsafe sexual behaviour i.e., unprotected, intoxicated, multiple partners.
- Sending or receiving sexually provocative images

Red

- Compulsive masturbation (especially chronic or public)
- Degradation of self/others with sexual themes
- Preoccupation with sexually aggressive pornography
- Sexual harassment, attempt/force others to expose genitals.
- Sexual contact or talk with others of a significantly different age developmental status.
- Sending, sharing and publishing sexual photos of others without their consent
- Genital injury to self/others
- Sexual penetration or contact with animals

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Appendix 3: Reportable Conduct Scheme

State	Legislation	Types of reports	Organisations in scope (as of January 2020)	Notifying period	External Authority	Contact
VIC	Child Wellbeing and Safety Act 2005	<ul style="list-style-type: none"> sexual offences committed against, with or in the presence of a child sexual misconduct committed against, with or in the presence of a child physical violence against, with or in the presence of a child any behaviour that causes significant emotional or psychological harm to a child significant neglect of a child 	<ul style="list-style-type: none"> Government or non-government school Registered accredited senior secondary course/qual Courses for student from overseas/exchange Disability provider in residential services Mental health provider with in-patient beds State Government funded – drug or alcohol (in-patient beds), housing service to homeless people with overnight beds for children or young people, child protection service Out-of-home-care service Victorian Government Departments Religious bodies Residential facility for boarding school, overnight camps, public, denominational, private hospital, public health service Approved education and care service Children’s Services Prescribed art centres, libraries, museums, zoos, parks, gardens 	3 days	Commission for Children and Young People	1300 78 29 78 contact@ccyp.vic.gov.au

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Appendix 4: Key reporting bodies

State/Territory	Relevant body	Contact
VIC	Department of Families, Fairness and Housing (DFFH) During business hours – contact the appropriate local government area:	
	Northern and western suburbs	1300 664 977
	Eastern suburbs	1300 360 391
	Southern suburbs	1300 655 795
	South-western rural and regional	1800 075 599
	Western rural and regional	1800 000 551
	North-western rural and regional	1800 675 598
	North-eastern rural and regional	1800 650 227
	Eastern and south-eastern rural and regional	1800 020 202
	After hours and to report concerns about the immediate safety of a child: Child Protection Crisis Line (24 hours)	13 12 78
Victoria Police - Sexual Offences and Child Abuse Investigation Team (SOCIT) Contact the appropriate local office:		
	North-West Metropolitan	(03) 8690 4056
	Southern Metropolitan	(03) 9556 6128
	Western Victoria	(03) 5448 1420
	Eastern Victoria	(03) 5820 5878
	Commission for Children and Young People Contact the Commission by filling out the notification form at: https://ccyp.vic.gov.au/assets/resources/Three-day-notification-head-of-organisation.pdf https://ccyp.vic.gov.au/resources/reportable-conduct-scheme/	1300 78 29 78

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Appendix 5: Incident Report Form

If you believe a child is at immediate risk of abuse or harm, you must phone the Police on 000 (triple zero).

Please complete this form in the event of any:

- Incident
- Disclosure
- Allegation
- Concern of child abuse or:
- Risk of child abuse

Please attach list of additional information, if required.

Once completed, please submit the form to <<INSERT EMAIL ADDRESS/ INTERNAL PROCESS>>.

Name of person completing this form:

First Name:		Surname:	
Position:		Department/ Team:	
Email:		Phone (direct):	
Date:		Time:	

Name of staff/volunteer/contractor in the incident N/A

First Name:		Surname:	
Position:		Department/ Team:	
Email:		Phone (direct):	
Involvement:	Subject of concern	Witness to	Person making report
			Other

First Name:		Surname:	
Position:		Department/ Team:	
Email:		Phone (direct):	
Involvement:	Subject of concern	Witness to	Person making report
			Other

Name(s) of person(s) who witnessed or is aware of the incident N/A

First Name:		Surname:	
Position:		Department/ Team:	
Email:		Phone (direct):	
Date:		Time:	

First Name:		Surname:	
Position:		Department/ Team:	
Email:		Phone (direct):	
Date:		Time:	

Category of the incident/disclosure/allegation/concern (relevant response)

Type	Actual Harm	Risk of Harm
Physical abuse	<input type="checkbox"/>	<input type="checkbox"/>
Sexual abuse	<input type="checkbox"/>	<input type="checkbox"/>
Sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>
Grooming	<input type="checkbox"/>	<input type="checkbox"/>
Emotional abuse	<input type="checkbox"/>	<input type="checkbox"/>
Neglect	<input type="checkbox"/>	<input type="checkbox"/>
Exposure to Family Violence	<input type="checkbox"/>	<input type="checkbox"/>
Sexually harmful behaviour by another child or young person	<input type="checkbox"/>	<input type="checkbox"/>

Details of the incident/disclosure/allegation/concern

Date of incident:		Time of incident:	
Location of incident:			
Details of the incident: <ul style="list-style-type: none"> • What happened? • Who was involved? • When/ where did it take place? • Protective Action Taken? • Other Relevant information 			

Name(s) of child(ren) involved in the incident N/A

First Name:		Surname:	
DOB:		Sex:	
Address:			
Suburb:	State:	Postcode:	
Does the child identify as (<input checked="" type="checkbox"/> relevant response):			
CaLD	<input type="checkbox"/>	Aboriginal or Torres Strait Islander	<input type="checkbox"/> Having a disability <input type="checkbox"/>

First Name:		Surname:	
DOB:		Sex:	
Address:			
Suburb:	State:	Postcode:	
Does the child identify as (<input checked="" type="checkbox"/> relevant response):			
CaLD	<input type="checkbox"/>	Aboriginal or Torres Strait Islander	<input type="checkbox"/> Having a disability <input type="checkbox"/>

 Name(s) of parent/ guardian of child(ren) involved in the incident N/A

First Name:		Surname:	
DOB:		Sex:	
Address*:			
Suburb:	State:	Postcode:	
Do the parent identify as (<input checked="" type="checkbox"/> relevant response):			
CaLD	<input type="checkbox"/>	Aboriginal or Torres Strait Islander	<input type="checkbox"/> Having a disability <input type="checkbox"/>

* If address is different from the child

First Name:		Surname:	
DOB:		Sex:	
Address**:			
Suburb:	State:	Postcode:	
Do the parent identify as:			
CaLD	<input type="checkbox"/>	Aboriginal or Torres Strait Islander	<input type="checkbox"/> Having a disability <input type="checkbox"/>

** If address is different from parent/ guardian listed above

 Has the incident been reported externally? YES N/A

If yes, please complete table below.

If no, please explain why, and/or intentions to do so:

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External Agency	Contact name	Date	Time	Agency Reference Number
Child Protection				
Police				
Reportable Conduct Scheme				
Other Regulatory Body (please specify)				
Report Details:				
Notification Required:		Yes		No
Rationale:		Outcome (if/ when known):		

Has the incident been reported internally?

YES

Role	Name	Date	Time	Signature
Child Safe Officer				
Manager				
CEO or Designate				
Name staff member managing the complaint:				
Contact details:	Email:		Phone:	
Internal Reference (if applicable):	Document Storage Reference:			

What follow action is required?

Role	Rationale	Due date	Outcome (if/ when known)
External Investigation <i>(wait until outcome)</i>			
Internal investigation			
Review of Policies & Procedures			
Risk Assessment Review			

Further information

- Reference internal policies and procedures
- EAP support program
- Contact details of key roles

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