

St. Mary MacKillop is a school which operates with the consent

This Policy assists staff at St. Mary MacKillop Primary School (which includes volunteers, contractors, other service providers and religious leaders including clergy) to:

- identify the indicators of a child or young person who may be in need of protection
- understand how a suspicion or reasonable belief is formed
- where possible, refer to the principles of the Victorian Charter of Human Rights and

Child abuse can have a significant effect on a child's physical, social, psychological or emotional health, development and wellbeing. The younger the child, the more vulnerable they are to abuse and the more serious the consequences are likely to be.

There can be physical or behavioural indicators of child abuse and neglect, or a combination of both. While the presence of a single indicator, or even several indicators, does not necessarily prove that abuse or neglect has occurred, the repeated occurrence of either a physical or behavioural indicator,

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than rumour or speculation.

A reasonable belief might be formed if:

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All school staff are required to notify the Principal or, if the Principal is involved in the allegation, a member of the Leadership Team, Regional General Manager or the Executive Director, if they have a reportable allegation. The Principal or a member of the Leadership Team or Regional General Manager (as applicable) must notify the MACS Employee Relations Unit of the allegation of reportable conduct as soon as possible, which in turn will immediately notify the Executive Director.

The Reportable Conduct Scheme does not change mandatory reporting or other reporting obligations, including internal reporting and reporting criminal behaviour to Victoria Police. Reportable conduct reporting should be done in addition to these other reporting obligations.

as soon as a Principal or a member of the Leadership Team, or Regional General Manager (as applicable) becomes aware of it. For further support and advice regarding reporting conduct at St. Mary MacKillop Primary School under the Reportable Conduct Scheme, contact the MACS Employee Relations Unit on 03 9267 0431 or ceoir@macs.vic.edu.au.

In response to the [Betrayal of Trust](#) report, three criminal offences were introduced under the *Crimes Act 1958* (Vic.):

- [Section 51A](#), which requires adults to report to Victoria Police a reasonable belief that a sexual offence has been committed against a child by another adult
- [Section 51B](#), which applies to people in positions of authority within organisations, who knew of a risk of child sexual abuse by someone in the organisation and failed to reduce or remove the risk
- [Section 51C](#), which targets communication with a child or their parents with the intent of committing child sexual abuse.

Any staff member at St. Mary MacKillop Primary School who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 must disclose that information to Victoria Police.

Failure to disclose the information to Victoria Police is a criminal offence if a reasonable belief

Any staff member at St. Mary MacKillop Primary School in a position of authority who has the power or responsibility to remove risk, and becomes aware that an adult associated with the school (such as an employee, contractor, volunteer, sport coach or visitor) poses a risk of sexual abuse to a child who is in the care or supervision of the school, must take all reasonable steps to reduce or remove that risk. At St. Mary MacKillop Primary School, this will include the Principal and Leadership Team.

Failure to take reasonable steps to protect a child in the school from the risk of sexual abuse from an adult associated with the school is a criminal offence under section 49O(1) of the *Crimes Act 1958* (Vic.).

For further information about the failure to protect offence, see the Department of Justice and Community Safety's ['Failure to protect'](#) webpage and [Betrayal of Trust: Fact Sheet](#).

The offence of grooming prohibits predatory conduct designed to prepare or 'groom' a child for future

Individuals associated with the school can include employees, volunteers, office holders, contractors, ministers of religion and religious leaders.

Reasonable precautions that a school could take are not defined in the *Wrongs Act 1958* (Vic.) but, as examples, the following measures are what courts have previously considered to be reasonable precautions in the context of organisational child abuse:

All teachers, mandatory reporters and all other staff at St. Mary MacKillop Primary School will be made aware of and receive training in relation to their mandatory reporting obligations. The school's procedures and process for ensuring that staff are aware of their obligations and the consequences for failing to comply with those obligations are set out in .

In all cases, St. Mary MacKillop Primary School staff members must report internally to the Principal or, if the Principal is involved in the allegation, the Leadership Team.

Additionally:

- where the source of the abuse comes from within St. Mary MacKillop, that is, the suspected or





Make a written record of the report, including the following information:

- the date and time of the report, and a summary of what was reported
- the name and position of the person who made the report, and the person who received the report.

The information initially recorded in [*PROTECT: Responding to Suspected Child Abuse:*](#)

<p>2. When speaking with a child or young person, it is important to remember that if they have decided to speak to you, then there is a good chance they trust you.</p> <ul style="list-style-type: none"> • Give the child or young person your full attention. • Listen calmly and empathically. • Reassure the child or young person that it is right to tell. • Accept the child or young person will disclose only what they are comfortable disclosing and recognise the bravery/strength of the child for talking about something that is difficult. • Let the child or young person take their time. • Let the child or young person use their own words. • Don't make promises you can't keep. 	<p>2. Thank the individual for bringing the allegation to your attention. Offer them support and assistance as necessary. If they are a staff member, refer them to the Employee Assistance Program (EAP), where available.</p>
<p>3. Tell the child or young person what you plan to do next.</p>	<p>3. Explain to the person making the report that the school will manage the concern confidentially and, to protect all parties, they should not discuss the matter.</p>
<p>4. Take a moment to make a record of the allegations. If appropriate, use PROTECT: Responding to Suspected Child Abuse: A Template for all Victorian Schools. You may also make a note in your diary. If a staff member, parent or other adult was present, ask them to make a record as well.</p>	
<p>5. Consider whether you need to refer the matter to Victoria Police or DHHS Child Protection. If necessary, report the matter in accordance with the actions documented in PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools and Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse</p>	

However, if the St. Mary MacKillop staff member has formed a reasonable belief of abuse or significant risk of abuse to the child based on different observations, further indicators or additional information, a further report must be made to the appropriate authority detailing this additional information.

Where it is suspected that a child at

Support provided to students at St. Mary MacKillop includes:

- regularly communicating with the student and their parents/carers where appropriate
- convening a Student Support Group of school wellbeing staff and teachers to plan, support and monitor affected students
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St. Mary MacKillop Primary School may receive complaints or concerns about St. Mary MacKillop staff management of a child protection incident. These complaints or concerns may be voiced by parents/carers or others within the school community.

St. Mary MacKillop should follow its internal complaints-handling procedure and process to ensure that all complaints, concerns or feedback on school policies, procedures or processes are effectively captured and appropriately managed.

It is important that, as a first step, St. Mary MacKillop ensures that the complaint does not raise concerns that child abuse or a risk of child abuse has gone unreported.

If this is the case, St. Mary MacKillop staff should follow [*Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse*](#) to ensure that any new information received through a complaint or concern from a member of the school community is reported to authorities where required.