**SURFSIDE PRIMARY SCHOOL**

**RESPONDING TO DISCLOSURES OF ABUSE**

**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 allegation of abuse which may have taken place at Surfside Primary School.**

**This form is to be read in conjunction with the Child Safety Responding and Reporting obligations (including Mandatory Reporting) Policy.**

**Every adult who reasonably believes that a child has been abused, whether within or outside their organisation or not, has an obligation to report that belief to authorities.**

**All students should feel safe to speak to any staff member to raise any concerns about their safety or any other concerns that they have. If a student does not know who to approach at Surfside Primary School they should start with the Wellbeing coordinator, Principal or Assistant Principal.**

**Managing disclosures made by students staff 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
* not ask leading questions, for Surfside Primary 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
* 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?”)
* explain in child-friendly language the processes that are in place at Surfside PS so that they know who to talk to if they are feeling unsafe or have a concern
* 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”).
* **If there is a belief that a child is at immediate risk of abuse phone 000.**

**When managing a disclosure staff 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 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).

**Whilst the Principal, Assistant Principal and Wellbeing Coordinator have a key role and responsibility for monitoring and following up any concerns or reports, this does not displace or discharge any other obligations that arise if a person believes that a child is at risk of child abuse.**

# **If a parent/carer says their child has been abused 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 record 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.

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. It is important 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, staff must have 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. Wherever possible provide the appropriate support.

**General procedures**

Our school will follow the [*Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse*](https://www.education.vic.gov.au/Documents/about/programs/health/protect/FourCriticalActions_ChildAbuse.pdf) (Four Critical Actions) when responding to incidents, disclosures and suspicions of child abuse.

All staff at our school who believe that a child is in need of protection, even if it doesn’t meet the threshold required for mandatory reporting or the staff member is not a mandatory reporter, should in the first instance, speak to the Wellbeing Coordinator or should make the required reports to DHHS Child Protection and/or Victoria Police as necessary.

At our school the Principal will be responsible for monitoring overall school compliance with this procedure.

Nothing in this procedure prevents a staff member or any other person from reporting to the relevant authorities if they form a reasonable belief that a child is at risk of abuse.

**Reporting suspicions, disclosures or incidents of child abuse**

*Responsibilities of all school staff*

If a school staff member reasonably suspects or witnesses an incident of child abuse or receives a disclosure of child abuse, they must:

* If a child is at immediate risk of harm, separate alleged victims and others involved, administer first aid and call 000.
* Speak to the principal/a member of the leadership team/wellbeing team] as soon as possible, who will follow the [Four Critical Actions](https://www.education.vic.gov.au/Documents/about/programs/health/protect/FourCriticalActions_ChildAbuse.pdf).
* Make detailed notes of the incident or disclosure using the [Responding to Suspected Child Abuse: Template](https://www.education.vic.gov.au/Documents/about/programs/health/protect/PROTECT_Schoolstemplate.pdf)] and ensure that those notes are kept and stored securely in at the main office on file.
* If the staff member is a mandatory reporter and reasonably believes that a student has suffered physical and/or sexual abuse from which the child’s parents have not protected the child, they must make a report to DHHS Child Protection.
* If the staff member has formed a ‘reasonable belief’ that a sexual offence has been against a child, they must make a report to Victoria Police.
* In circumstances where a member of the leadership team disagrees that a report needs to be made, but the staff member has formed a ‘reasonable belief’ that the child is in need of protection and/or has been the victim of sexual abuse, the staff member must still contact DHHS Child Protection and/or Victoria Police to make the report.
* The Principal is responsible for promptly managing the school’s response to an incident, suspicion or disclosure of child abuse, and ensuring that the incident, suspicion or disclosure is taken seriously. The Principal is also responsible for responding appropriately to a child who makes or is affected by an allegation of child abuse.
* If the principal/other nominated staff member responsible above is unavailable, the Assistant Principal or Wellbeing Coordinator will take on the role and responsibilities described in this section.

**Duty of care and ongoing support for students**

* Fulfilling the requirements in this procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of abuse.
* All staff have a duty of care to take reasonable steps to prevent reasonably foreseeable harm to students. All staff must ensure that a member of the leadership team is aware of any incidents, suspicions or disclosures of child abuse as soon as possible after they occur. This will allow appropriate supports to be put in place for the student affected.
* **For school visitors, volunteers and school community members**
* All community members aged 18 years or over should be aware of their legal obligations – see *Failure to disclose offence* above, in this Policy.
* Any person can make a report to DHHS Child Protection if they believe on reasonable grounds that a child is in need of protection. For contact details see the Four Critical Actions - <https://www.education.vic.gov.au/Documents/about/programs/health/protect/FourCriticalActions_ChildAbuse.pdf>

**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 a relevant 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 power or responsibility to reduce or remove the risk, but negligently fail to do so.

**Links to Resources**

Advice on [communicating with people with a disability](http://www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/communicate-and-consult-with-people-with-a-disability/communication-with-people-with-disabilities) can be found on the Department of Health and Human Services website [www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/communicate-and-consult-with-people-with-a-disability/communication-with-people-with-disabilities](http://www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/communicate-and-consult-with-people-with-a-disability/communication-with-people-with-disabilities)

See the Department of Health and Human Services website for information about [how to make a report to child protection](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first) [www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first)

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