



BHI Child Safe Procedure Version 2.2017

Document: Child Safe Procedure BHI

Document No.: ACA-ED-PRO001

Process Area: Educational Delivery



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1 Document Control

Version	Date	Amended by	Changes Made
	3/4/19	Academic Quality Assurance Officer	Minor administrative changes to remove reference to 'BHIG' and 'CAE'
2	27/6/17	Vidya Samlal	Minor changes to insert Reportable Conduct Scheme
1	26/10/2016	Angela Hoare-Lippmann	Final document
0.2	14/10/2016	Angela Hoare-Lippmann Sandra Walls	Recommendations from the Exec. Team, revised definitions, removed reference to 'Prevention of Workplace Discrimination Policy'
0.1	13/09/2016	Michael Meehan and Angela Hoare-Lippmann	Initial document

2 Purpose

To define the roles and responsibilities of Box Hill Institute employees, contractors and volunteers in protecting the safety and wellbeing of children and young people, and to enable employees to:

- identify indicators that a child or young person may be in need of protection
- make a report about a child or young person who may be in need of protection
- comply with reporting obligations under child protection law and criminal law and fulfil their duty of care

This procedure is not intended to require staff to make a judgement about the truth of an allegation.

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3 Scope

This procedure applies to all BHI employees, contractors and volunteers.

4 Responsibilities

Duty of care

All employees, contractors or volunteers of BHI have a duty to take reasonable steps to protect children under the age of 18 who are under our supervision from harm that is reasonably foreseeable. Duty of care towards a student may be breached if an employee, contractor or volunteer fails to act in the way a reasonable or diligent professional would have acted in the same situation.

Employees, contractors or volunteers who form a belief on reasonable grounds that a child or young person is in need of protection should report their concerns to DHHS Child Protection, Child FIRST or Victoria Police.

Mandatory Reporting

Mandatory reporters (see definitions), who believe on reasonable grounds that a child or young person is in need of protection from physical injury or sexual abuse, **must** report their concerns to Department of Health and Human Services (DHHS) Child Protection, Child FIRST, or Victoria Police.

Employees may choose to seek the assistance of the Institute's nominated Mandatory Reporting Officer; the Executive Manager, Student Life (Ext: 9286 9897) their direct line Manager, Head of School or their Executive Team Member in making their report.

Reporting criminal child sexual abuse - failure to disclose offence of children under 18

Any employee who is over the age of 18 who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child *under 18* must disclose that information to DHHS Child Protection, Child FIRST or Victoria Police. Failure to disclose the information is a criminal offence.

The offence applies to all adults in Victoria, not just professionals who work with children. To read more information about the 'failure to disclose' offence, see: [Department of Justice and Regulation – Failure to disclose offence](#)

Protecting children and young people from the risk of sexual abuse - failure to protect offence

Any employee who becomes aware that an adult associated with their organisation (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child or young person under the care, authority or supervision of the organisation, must take all reasonable steps to remove or reduce that risk. This may include, for example, removing the adult from child-related work pending investigation. If an employee fails to take reasonable steps in these circumstances, this may amount to a criminal offence.

To read more information about the 'failure to protect offence', see: [Department of Justice and Regulations – Failure to protect offence](#)

Receiving a Disclosure from a Student

A student who wishes to make a complaint or disclosure alleging sexual abuse should contact the Mandatory Reporting Officer, the Executive Manager, Student Life (9286 9897) or a trusted staff member. If the student making the complaint or disclosure, or is the victim identifies as being Aboriginal or Torres Strait Islander, then the Koorie Liaison Officer must be notified to provide appropriate cultural support. These nominated staff members must act in accordance with this procedure.

There may be occasions where a complaint or disclosure is made regarding a historical occurrence of child abuse. These disclosures should be taken seriously and addressed in accordance with this procedure.

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When a disclosure of abuse is made and/or an employee is concerned that a student has been abused or is at risk of being abused, the employee must inform the student that their confidentiality cannot be maintained. This should be done in language appropriate to the student's age, cultural background and stage of development.

Providing Developmentally and Culturally Appropriate Support

Aboriginal and Torres Strait Islander Children (Koorie) When supporting a Koorie student who has been impacted by child abuse it is essential that culturally appropriate support is provided through the Koorie Liaison Officer and/or other appropriate community members.

Students from Culturally and Linguistically Diverse (CALD) Backgrounds: When supporting a student from a CALD background who has been impacted by child abuse it is essential that culturally appropriate support is provided.

However, this should not detract from ensuring the student's safety and wellbeing. Where appropriate and possible, relevant cultural support services may be used (ensuring confidentiality of the student and the family is maintained). An interpreter may also be engaged when communicating with the students' family if needed.

Students with disabilities: When supporting a student with a disability who has been impacted by child abuse it is important to consider the child's chronological age and their cognitive functioning in order to tailor developmentally appropriate support structures.

International Students: It is imperative that additional support is provided by the International Office, and relevant community support as appropriate.

Reportable Conduct Scheme

The Reportable Conduct Scheme focuses on employees, contractors, volunteers or visitors conduct and how the organisations investigate and respond to suspected child abuse committed by an employee, contractor, volunteer or visitor of the organisation. The scheme requires the allegation(s) of suspected criminal conduct to be reported to the Victoria Police as a first priority.

In addition, the Chief Executive Officer **must** also notify the reportable allegation to the Commission for Children and Young People (the Commission):

- within three (3) business days of becoming aware of the allegation;
- provide the Commission with detailed information about the allegation and action taken within 30 days after becoming aware of the allegation; and
- provide the Commission a copy of the report once the investigation into the allegation has been concluded.

Child Safe Risk Register

The BHI is committed to providing a Child Safe environment. The Child Safe Risk Register contains information that assesses risks to children associated with the organisation and provides a framework for addressing and minimising these risks. The register is reviewed regularly, following any incident, report or disclosure, or following a Safety Audit.

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5 Definitions

Term	Definition
Reasonably Foreseeable	A reasonable person would be able to predict or expect the ultimately harmful result of their actions.
Reasonable Belief	<p>A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation. 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 if:</p> <ul style="list-style-type: none">• a child states that they have been physically or sexually abused• a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves)• someone who knows a child states that the child has been physically or sexually abused• professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused• signs of abuse lead to a belief that the child has been physically or sexually abused.
Reasonable Steps	<p>May include, but are not necessarily limited to:</p> <ul style="list-style-type: none">• Acting on concerns and suspicions of abuse as soon as practicable• Seeking appropriate advice or consulting with other professionals or agencies when a staff member is unsure of what steps to take• Reporting the suspected abuse to appropriate authorities such as the Victorian Police and DHHS Child Protection• Arranging counselling and/or other appropriate welfare support for the child
Grooming	<ul style="list-style-type: none">• When a person engages in predatory conduct to prepare a child for sexual activity at a later time. Grooming can include communicating electronically or face-to-face and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer. For information see: Department of Justice and Regulation – Grooming offence.
Mandatory Reporters	Teachers registered to teach or who have permission to teach pursuant to the Education and Training Reform Act 2006 (Vic), Registered Medical Practitioners, Nurses, Principals and Police Force Members.
Types of child abuse and indicators of harm	<p>Child abuse can have a significant effect on a child's physical or emotional health, development and wellbeing. There are many indicators of child abuse and neglect. The presence of a single indicator, or even several indicators, does not prove that abuse or neglect has occurred. However, the repeated occurrence of an indicator, or the occurrence of several indicators together, should alert employees to the possibility of child abuse and neglect.</p> <p>Types of child abuse include:</p> <ul style="list-style-type: none">• physical abuse• sexual abuse• emotional abuse• neglect• medical neglect• family violence• human trafficking (including forced marriage)

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	<ul style="list-style-type: none">• sexual exploitation (including pornography and prostitution).
Reportable Allegations	An allegation of 'reportable conduct' or misconduct in relation to child abuse by an adult against a child under 18 years of age.
Reportable Conduct	Five types of reportable conduct: <ul style="list-style-type: none">• sexual offences (against, with or in the presence of, a child)• sexual misconduct (against, with or in the presence of, a child)• physical violence (against, with or in the presence of, a child)• behaviour that is likely to cause significant emotional or psychological harm• significant neglect.
Neglect	Occurs when a person does not meet their obligations and responsibilities to keep a child safe and well. Examples are: <ul style="list-style-type: none">• must be more than minor and insignificant• does not need to have a lasting or permanent effect• may be an ongoing situation or a one of incident, as long as it is not minor in nature

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6 Procedure

Step	Description	Employee	External Agency (Ambulance, Police, Child FIRST, DHHS)	Executive Director, Educational Delivery	Executive Manager, Facilities and Campus Services	Mandatory Reporting Officer	Student Life	CEO
1	<p>Responding to an Emergency</p> <p>If a child is at immediate risk of harm, or has been harmed, reasonable steps are taken to protect them:</p> <ul style="list-style-type: none"> • Separate the alleged victim and others involved, ensuring both parties are supervised by an employee • Arrange and provide urgent medical assistance where necessary by: <ul style="list-style-type: none"> ○ Administering first aid ○ Calling 000 for an ambulance and following any instructions from emergency service officers/paramedics. • Call 000 for urgent police assistance if the person who is alleged to have engaged in the abuse poses an immediate risk to the health and safety of any person - identify a contact person for future liaison with police. • Notify all 000 calls to Security as outlined in the <i>'Guidelines for Medical Emergency and Ambulance Call Out'</i>. • Take reasonable steps to preserve the environment, clothing, other items, and potential witnesses until the police/relevant authorities arrive. 	<p style="text-align: center;">Start</p>						

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Step	Description	Employee	External Agency (Ambulance, Police, Child FIRST, DHHS)	Executive Director, Educational Delivery	Executive Manager, Facilities and Campus Services	Mandatory Reporting Officer	Student Life	CEO
2	<p>Reporting to Authorities</p> <p>Once immediate health and safety concerns are addressed, all incidents, suspicions and disclosures of child abuse, including ‘grooming’, should be reported as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.</p> <p><u>If the source of suspected abuse comes from within the Institute</u> (this includes any forms of suspected child abuse involving an employee, contractor, volunteer or visitor):</p> <ul style="list-style-type: none"> • Contact DHHS Child Protection, Eastern Region is phone: 1300360391, or Victoria Police (via your local police station, Box Hill 8892 3200, Lilydale, 97392300, City East, Flinders Lane 96371100). • Notify the Executive Director, Educational Delivery who will brief the CEO. • Notify the Mandatory Reporting Officer. <ul style="list-style-type: none"> ○ In the case of international students, the Mandatory Reporting Officer must notify the Executive Manager, International to ensure that appropriate support is arranged for the student. ○ In the case of Koorie students, the Mandatory Reporting Officer must notify the Koorie Liaison officer so appropriate support for the student can be arranged. ○ CEO to notify the Commission (CCYP) within 3 business days of becoming aware of a reportable allegation; <p>Provide detailed information to the Commission about the allegations within 30 days; and</p> <p>Once the investigation has concluded, provide the outcomes and findings of the investigation to the Commission.</p> <p><u>If the source of suspected abuse comes from within the family or community:</u></p> <ul style="list-style-type: none"> • Report to DHHS if a child is considered to be: 							

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<ul style="list-style-type: none"> ○ In need of protection due to child abuse ○ At risk of being harmed (or has been harmed) and the harm has had, or is likely to have, a serious impact on the child's safety, stability or development ● Report suspected sexual abuse (including grooming) to Victoria Police ● Report internally to the Executive Director, Education Delivery 							
<ul style="list-style-type: none"> ● Consider reporting to Child FIRST if you have other reasonable concerns for the wellbeing of a child, such as concerns due to conflict within a family, parenting difficulties, isolation of a family or a lack of apparent support. 							
<p>3 Contacting Parents/Carers</p> <p>Advice should be sought from the authority you have reported to, (DHHS, Child FIRST or Victoria Police) prior to contacting parents/carers. This is critical to ensure the safety of the child as well as to avoid any compromise to the investigations being conducted by the relevant authority/agency.</p> <p>Advice not to contact the parents will be given in circumstances where:</p> <ul style="list-style-type: none"> ● The parents are alleged to have engaged in the abuse ● A disclosure to the parents/carers may subject the child to further abuse ● If the child assessed to be sufficiently mature and intelligent to make such decisions on his or her own behalf, and have requested that their parents/carers not be notified, the child will nominate another responsible adult to be contacted. ● The notification is likely to adversely affect the investigation of the incident by the relevant authorities. <p>Where advised to be appropriate, contact with parents as soon as possible on the day on the incident, disclosure or suspicion.</p>							

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4	<p>Providing Continued Support</p> <p>In addition to reporting suspected abuse, as an employee you have a critical role in supporting students impacted by abuse, and a duty of care to ensure that the students feels safe and supported at the Institute.</p> <p>Support can include direct support through Student Life, referral to wellbeing professionals and community services, together with the development of an Individual Support Plan.</p> <p>The Institute is responsible for ensuring students are supported during interviews on campus conducted by Victoria Police or DHHS Child Protection.</p> <p>Support may include attending DHHS Child Protection Case Planning Meetings.</p> <p>Support will be provided to any impacted employees through the Employee Assistance Program.</p>							
5	<p>Maintenance of the Child Safety Risk Register</p> <p>The Executive Director, Educational Delivery (or delegate) is responsible for conducting an annual review of the Risk Register and ensuring that risks identified on the Child Safety Risk Register are mitigated through identified actions.</p> <p>The Manager, Student Life is responsible for forwarding the appropriate details of any incident or hazard report involving a child to the Executive Director, Educational Delivery.</p> <p>The Executive Manager, Facilities and Campus Services is responsible for providing the relevant details of any security audit conducted that may inform risks to children to the Executive Director, Educational Delivery.</p>							

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Step	Description	Employee	External Agency (Ambulance, Police, Child FIRST, DHHS)	Executive Director, Educational Delivery	Executive Manager, Facilities and Campus Services	Mandatory Reporting Officer	Student Life	
	The Executive Director, Educational Delivery is responsible for reviewing the Risk Register following any OHS incident or hazard report involving a child; any child safe report to DHHS, Child FIRST, or Victoria Police; or any security audit to ensure that the risks associated with the report are identified and mitigated.							

7 Legend



Responsible - Drives/controls the process



Accountable - Provides "sign off" authority and/or provides budget approval



Consulted - Required to provide comment/feedback



Informed - For information purposes only



Process



Process that MAY be required



Decision point



Indicator used when more than one participant is involved in



Indicator used when one OR another participant(s) is involved in a step



Start of process



End of Process

8 Related Documents

Documents, Standards and reference material associated with this document include:

Child Safe Policy

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8.1 Risk/Opportunity Assessment

Risk/Opportunity	Likelihood	Severity	Assessment Method (if applicable)	Mitigation
Child is harmed whilst under supervision of BHI	Low	Major		All staff have Working with Children checks Security on-site at BHI campuses

9 Process Flowcharts

Nil