



Responding to Child Abuse Reports and Allegations Policy

Purpose

Lambert School is committed to protecting the children and young people to whom it delivers a service. Accordingly, we have developed this policy on responding to child abuse reports and allegations as a guide to all our people in meeting their responsibilities in this area. Our staff are required to identify, report, and respond to any concerns about or incidents of child abuse or neglect towards children or young people to whom we provide services. Our staff are required to respond to abuse or neglect perpetrated by staff within our organisation or by other persons. Lambert School will promote equity and respect diversity of the children and young people and their parents. As an organisation tasked with the privilege of providing education, we take our responsibility seriously to deliver a rich learning environment that is caring, nurturing and safe. Our Board is committed to ensuring the safety of all children and young people to whom we provide services or who participate in our programs.

Scope

All staff are required to meet the Policy's requirements on responding to child abuse reports and allegations. No one is exempt from meeting the standards and requirements set out in the Policy. If staff fail to report instances, allegations, disclosures or concerns about abuse or neglect of a child or young person – by staff within our organisation or by others – we view such failure as a serious matter that, depending on the circumstances, may result in disciplinary action or be grounds for dismissal.

The Policy prohibits all staff from discussing any concerns or allegations with unauthorised staff within or outside our organization. Such prohibition is not being designed to limit, in any way, their rights and responsibilities to report their concerns or allegations, but rather as part of our organisation's commitment to ensuring privacy, confidentiality and natural justice and to avoid making deliberately false, misleading or vexatious allegations.

Staff are obliged to raise any concerns they might have concerning:

- Our policies designed to safeguard children and young people such as outlined in Lambert School's Staff Code of Conduct Policy and this Policy.
- Actions of other staff within our organisation that contravene our policies or that may otherwise have the potential to harm a child or young person.

Definition of terms for the purpose of this Policy:

- Bullying involves the inappropriate use of power by one or more persons over another less powerful person or group and is generally an act that is repeated over time. Bullying has been described by researchers as taking many forms which are often interrelated and include: Verbal (name-calling, put-downs, threats) , Physical (hitting, punching, kicking, scratching, tripping, spitting), Social (ignoring, excluding, ostracising, alienating), Psychological (spreading rumours, stalking, dirty looks, hiding or damaging possessions)
- Child or young person is a person under the age of 17 years.
- Emotional or psychological abuse occurs when a child does not receive the love, affection or attention they need for healthy emotional, psychological and social development. Such abuse may involve repeated rejection or threats to a child. Constant criticism, teasing, ignoring, threatening, yelling, scapegoating, ridicule and rejection, or continual coldness are examples of emotional abuse. These behaviours continue to the extent that they result in significant damage to the child's physical, intellectual or emotional wellbeing and development.
- Family Violence occurs when children are forced to live with violence between adults in their home. It is harmful to children. It can include witnessing violence or the consequences of violence. Family violence is defined as violence between members of a family or extended family or those fulfilling the role of the family in a child or young person's life. Exposure to family violence places children and young people at increased risk of physical injury and harm and significantly impacts their well-being and development.
- Grooming is a term used to describe what happens when a perpetrator of abuse builds a relationship with a child with a view to abusing them at some stage. There is no set pattern to the grooming of children. For some perpetrators, there will be a lengthy period of time before the abuse begins. The child may be given special attention. What starts as an apparently normal display of affection, such as cuddling, can develop into sexual touching or masturbation and then into more serious sexual behaviour. Other perpetrators may draw a child in and abuse them relatively quickly. Some abusers do not groom children but abuse them without forming a relationship at all. Grooming can occur in any setting where a relationship is formed, such as leisure, music, sports and religious activities, or in internet chatrooms, social media, or other technological channels.
- Harm to a child is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by: o physical, psychological or emotional abuse or neglect; o sexual abuse or exploitation; o a single act, omission or circumstance; o a series or combination of acts, omissions or circumstances. POLICY: Responding to Child Abuse Reports and Allegations Policy
- Neglect is the persistent failure or deliberate denial to provide the child with the basic necessities of life. Such neglect includes the failure to provide adequate food, clothing, shelter, adequate supervision, clean water, medical attention or supervision to the extent that the child's health and development are, or are likely to be, significantly harmed. Categories of neglect include physical neglect, medical neglect, abandonment or desertion, emotional neglect and educational neglect. The

issue of neglect must be considered within the context of resources reasonably available to all staff and volunteers who work for the organisation, whether in a paid or unpaid capacity.

- Physical abuse occurs when a person subjects a child to non-accidental, physically aggressive acts. The abuser may inflict an injury intentionally or inadvertently due to physical punishment or the aggressive treatment of a child. Physically abusive behaviour includes (but is not limited to) shoving, hitting, slapping, shaking, throwing, punching, biting, burning, excessive and physically harmful over training, and kicking. It also includes giving children harmful substances such as drugs, alcohol or poison. Certain types of punishment, whilst not causing injury, can also be considered physical abuse if they place a child at risk of being hurt.
- Sexual abuse occurs when an adult or a person of authority (e.g. older) involves a child in any sexual activity. Perpetrators of sexual abuse take advantage of their power, authority or position over the child or young person for their benefit. It can include making sexual comments to a child, engaging children in sexual conversations over the internet or on social media, kissing, touching a child's genitals or breasts, oral sex or intercourse with a child. Encouraging a child to view pornographic magazines, websites and videos are also sexual abuse. Engaging children to participate in sexual conversations over the internet is also considered sexual abuse. • Sexual exploitation occurs when children are forced into sexual activities that are then recorded in some way and/or used to produce pornography. Such pornography can be in the form of actual photos or videos or published on the internet. Exploitation can also involve children who are forced into prostitution.

Responsibilities of School management:

- implement policies and procedures across the organisation;
- ensure staff have access to and understand the Policy and related procedures
- ensure all managers/supervisors have access to support and advice to understand and implement policies and procedures.

Roles and Duties:

Deputy Principal/ Principal:

- ensure policies and procedures are followed and implemented.
- review and update the policy and supporting resources in consultation with relevant stakeholders;
- support the coordination of the SCYP framework and implementation
- provide training and advice in the application of policies and procedures.

Staff/Volunteers:

- compliance with the Policy and procedures
- reporting any suspicion that a child's safety may be at risk to their supervisor (or, if their supervisor is involved in the suspicion, to a responsible person at an appropriate level within the organisation)

Mandatory Reporters:

- prescribed persons or mandatory Reporters have a special duty to inform Child Protection Services if they believe, suspect or know that a child has been abused or neglected. Teachers and employees of Lambert School are Mandatory Reporters. If Mandatory Reporters fail to report any reasonable belief or suspicion of child abuse, then you may be subject to a fine or imprisonment. This applies to all states and territories in Australia.

Key Requirements:

- If any staff member within Lambert school suspects harm to a child, they will, in the first instance, make this known to the Principal or Deputy Principal. If the concern involves a Principal, the staff member will make their concerns known to the Deputy Principal. They will do this as soon as is practicable after the concern becomes apparent or if that is not possible, no later than before ending that that person's day of work at Lambert School. If a child or young person is at imminent risk of harm or in immediate danger, staff are required to report the situation directly to:
 - The Tasmanian Police 131 444.
 - Child Protection Services on 1800 000 123. This state-wide number can be used 24 hours a day to report concerns about children. However, outside of usual business hours (8.30am to 5.00pm) it should only be used to report emergencies or urgent concerns regarding the risk of immediate harm.
 - If a child or young person is at immediate risk and Police or medical assistance is required dial 000.

Mandatory reporting legislation and summary:

- Relevant staff who must comply Children, Young Persons and Their Families Act 1997 is to provide for the care and protection of children in a manner that maximises a child's opportunity to grow up in a safe and stable environment and to reach their full potential. All staff, registered teachers, early childhood education and care workers, registered psychologists, employees, volunteers or other persons who work or participate in education.

Responding to Child Abuse Reports and Allegations

Responding to incidents, disclosures and suspicions of child abuse – four critical actions:

STEP 1 – Identify and Respond: In situations where a child or young person is making an allegation, our staff are required to:

- listen to the allegation or disclosure supportively, without dispute;
- clarify the basic details, without seeking detailed information or asking suggestive or leading questions;
- explain to the child (if present) that other people may need to be told in order to stop what is happening;
- provide reassurance that the school will take immediate action in response to the allegation;

- report any instance of serious abuse or neglect (cases in which a child or young person has suffered, or is likely to suffer, significant harm from abuse or neglect) to the Principal or their nominated delegate immediately, or if that is not possible, no later than before ending that that person's day of work at Lambert School and;
- remember that safety and welfare of the child or young person is paramount at all times.
- The Principal or their nominated delegate will complete the school's 'Child Abuse Incident Report Form' in consultation with the person who reported the allegation or abuse.

In situations where a child or young person makes a disclosure in a group situation or to another child, our staff are required to:

- acknowledge that you have heard the student;
- indicate support by explaining that what the student has said sounds important and that it would be better to talk about it privately with the Principal later;
- arrange an appropriate time as soon as possible to see the student away from other students; and
- explain you want to protect their privacy. Do NOT:
 - confront the person believed to be the perpetrator;
 - commence an investigation into the alleged abuse or neglect with any other staff, children or young people or persons outside Lambert school
 - discuss any concerns or allegations without authorized staff within or outside the organisation to ensure our organisation's commitment to privacy, confidentiality and natural justice.

STEP 2 - Report:

- All staff are responsible for making it known if they have 'reasonable grounds' to suspect that a child, or a class of children, is at risk of significant harm from abuse or neglect.
- 'Reasonable grounds' refers to the existence of an objective basis for suspecting a risk of significant harm based on: first-hand observations of the child, young person or family; what the child, young person, the parent or another person has disclosed; and what can reasonably be inferred based on professional training and/or experience.
- Our staff are required to report any instance of serious abuse or neglect (cases in which a child or young person has suffered, or is likely to suffer, significant harm from abuse or neglect) to the Principal or their nominated delegate immediately, or if that is not possible, no later than before ending that person's day of work at Lambert School.
- In making this known to the Principal or their nominated delegate, they will include in the information a statement of the observations, information, opinions, and other grounds upon which the belief, suspicion, or knowledge is based.

- All our staff retain the right to report directly to relevant authorities, such as police or child protection, any concerns they may have in relation to the safety and welfare of a child or young person, regardless of whether or not they have also reported that matter internally.
- We ask that our staff also inform the Principal of any report they make to those authorities, to enable our organisation to best provide support to the child or young person, their family and our staff, where appropriate.

In taking a report of concern or incident from others within our organisation, our staff are:

- not to assess the validity of such allegations or concerns, but to report all allegations or concerns to the nominated person or persons within our organisation as described in this policy
- to disregard factors such as the authority or position of the persons involved and any pre-existing views about the good character, or otherwise, of any person involved or under investigation;
- not to confront the person believed to be the perpetrator; and
- not to commence an investigation into the alleged abuse or neglect with any other staff, children or young people or persons outside Lambert School.

STEP 3 - Contact:

- Tasmania Police 131 444 for Police Assistance and Child Protection Services on 1800 000 123 immediately (i.e. before the end of the workday).
- If a child is at immediate risk and Police or medical assistance is required, dial 000
- For urgent matters where a child or young person needs immediate protection, please call 1800 000 123 at any time.)
- The Principal will ensure that the incident is reported to Tasmanian Police and Child Protection Services immediately (i.e. before the end of the workday). If the Principal is unavailable (or they are the subject of the complaint), our staff are required to report the matter to the Deputy Principal
- All our staff retain the right to report directly to relevant authorities such as police or child protection any concerns they may have concerning the safety and welfare of a child or young person, regardless of whether or not they have also reported that matter internally.
- We ask that our staff also inform the Principal of any report they make to those authorities, to enable our organisation to best provide support to the child or young person, their family and our staff, where appropriate.

STEP 4 - Support:

Experiences of child abuse, including exposure to family violence, can cause trauma and significantly impact the mental health and wellbeing of children. In addition to reporting and referral to relevant authorities, Lambert School staff play a central role in addressing this trauma and have a duty of care to ensure that student feels safe and supported at school including:

- offering support which can include direct support and referral to wellbeing professionals and community services and should involve the development of a student support plan;
- principals must ensure that other impacted students are offered and provided appropriate support;

- support must also be provided to any impacted staff members.

In relation to reportable cases of abuse where Child Protection Services and/or Tasmania Police have been notified, they may wish to carry out student interviews, sometimes jointly, at school.

- Principals are responsible for ensuring students are supported during interviews at school conducted by Tasmania Police or Child Protection Services.
- Before allowing any officers access to information or students, the Principal or their nominated delegate should sight the officer's identification and may also wish to confirm this with a phone call to their station.
- No student will be interviewed at the school against the wishes of the student. It is the Principal or nominated delegate's responsibility to inform the student of this.
- In writing or via electronic mail, the officers must produce for the School official confirmation of an investigation involving a particular child. At the commencement of the interview, the Principal should ask the investigating officers to explain to the student the purpose of the interview and their role in the presence of the Principal, or their nominated delegate.
- The Principal, or their nominated delegate, will inform the student of his or her right to choose a supportive adult to be present at the interview. If a person is nominated by the student, the interview must not commence until that person has arrived. What takes place in the interview becomes part of the investigation and must remain confidential.
- Except in cases which involve a member of the family, it is expected that a parent of the child concerned will be present at any interview with the child. Should the allegations be made against a family member, the parents will be informed of the interview as soon as possible after it has commenced by the relevant authorities or the school if permission has been granted.
- Child Protection Services or Police officers are responsible for communicating with parents about any further matters related to an interview.
- Students should be provided with support and a safe space before and after any such interview.

Reporting of concerns or allegations regarding abuse involving child-to-child conduct: there are a range of circumstances in which child-to-child conduct may be reportable, either to Child Protection Services or to the Tasmania Police. In the case of mandatory reporting to Child Protection Services, Mandatory Reporters are required to report circumstances of problematic sexual behaviour by a child or young person toward another child or young person (that is, conduct outside the bounds of normal sexual behaviour), including child-to-child sexual abuse. Child-to-child sexual abuse can occur when a child or young person involves another child in sexual activity. It can be physical, verbal or emotional and can include but is not limited to a child:

- kissing or holding another child in a sexual manner;
- exposing a sexual body part to a child;
- having sexual relations with a child;
- talking in a sexually explicit way;
- making obscene phone calls or remarks to a child;
- sending obscene messages to a child via technology, including social media; and/or

- fondling a child in a sexual manner.

If you have any concern that problematic sexual behaviour by a child or young person toward another child or young person (including child-to-child sexual abuse) is occurring, you must immediately inform the Principal or their nominated delegate. If you are not sure whether the sexual behaviour is problematic, you should report the behaviour to the Principal or their nominated delegate. The issue of bullying by a student is dealt with in the Anti-Bullying Policy, policies and procedures and where applicable, found in the student handbooks and Learner Protocols. However, depending on the seriousness and nature of the alleged conduct – e.g. physical assault or threats of violence - the matter may also be reportable to Tasmania Police. In such instances, you must immediately advise the Principal or their nominated delegate.

Reporting of concerns or allegations of abuse or neglect involving staff or volunteers: All staff must immediately report to the Principal any breach of Lambert School's Staff Code of Conduct Policy arising from action by a staff member or volunteer within our organisation. In response to any instance of 'serious' breaches which relate to abuse or neglect ('serious' being cases in which the abuse or neglect has resulted in, or is likely to result in, significant harm to a child or young person), the Principal or Deputy Principal will investigate and deal with allegations of inappropriate and unacceptable behaviour towards a child in line with Lambert school's general procedures for complaint resolution and disciplinary measures including consultation with Police and other authorities.

If a 'serious' allegation has been made against a staff member of our organisation, the Principal or Deputy will:

- fill in a Child Abuse Incident Report Form to ensure all relevant details are documented;
- cooperate with the Police and other authorities and assist in their investigation of the allegation;
- take any action necessary to safeguard the child or young person (or other children or young people in our care) from additional harm through options such as: redeploying that staff member to a position where they do not work with children; additional supervision of that staff member; and removing or suspending that staff member from duty until the validity of the allegations is determined.
- assist in addressing the support needs of those impacted by the allegation, including considerations of cultural safety for:
 - the child and their family (this includes any specific support needs for those from an Aboriginal and Torres Strait Islander; culturally and linguistically diverse; or person with a disability background); the person against whom the complaint is made by, for example, offering professional counselling; other staff impacted by the allegations;
- make clear to all other staff who are aware of the allegation that:
 - the allegation does not mean the person is guilty, and that the allegation will be investigated appropriately and will include the right to 'procedural fairness';
 - they are not to discuss the matter with any person, except as directed by police, child protection authorities and/or the Principal and only in direct relation to the investigation of the allegation. All instances, allegations, disclosures or reasonable concerns of abuse or neglect of a child or young person arising from action by a staff member or volunteer at Lambert

School will be investigated and will be the subject of a critical incident review. The Principal will take appropriate action to mitigate further potential harm, and ensure the safety of the student. This may include standing staff down from their position pending a formal investigation of the allegations.

Confidentiality and privacy

Lambert School maintains the confidentiality and privacy of all concerned (including the alleged perpetrator), except if doing so would compromise the welfare of the child or young person and/or investigation of the allegation.

Documentation

As part of our policy for responding to reports or allegations of child abuse, we have developed a Child Abuse Incident Report Form, which is to be used by any of our staff to document any allegation, disclosure, incident or concern regarding child abuse. In situations where our staff become aware of abuse, whether through observation of potential indicators such as bruises or cuts or by directly observing potentially abusive behaviour towards a child or young person, they are required to use the Child Abuse Incident Report Form to record their observations and concerns as accurately as possible.

Child Abuse Incident Report Form

The Principal will oversee the maintenance of a file to contain the completed 'Child Abuse Incident Report Form' and any other documentation relating to the allegation and subsequent action. To prevent access by unauthorised persons, our organisation stores any documentation associated with an allegation of abuse or neglect of a child or young person by having:

- hard-copy documentation stored in a locked filing cabinet (or similar) We maintain and regularly monitor records of child abuse reports as part of our Incident Management processes to ensure that they are responded to effectively according to this policy and that reporting to external authorities is complied with.

Communication

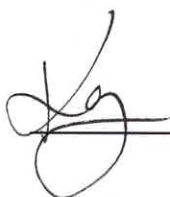
We communicate our policy requirements to all our staff involved with children and young people in our organisation. We involve our staff in reviews of our policy requirements. We communicate any significant alterations to our policy requirements and resources to all staff.

Monitoring and Review

This document will be reviewed at least every three years in consultation with stakeholders. Some circumstances may trigger an early review; this includes but is not limited to legislative changes, organisational changes, incident outcomes and other matters deemed appropriate by the Board and/or Chief Executive Officer. We retain evidence to document each review undertaken. Such evidence may include minutes of meetings and documentation of changes to policies and procedures that result from a review.

Endorsed by School Board:

Signature:

A handwritten signature in black ink, consisting of a stylized 'K' followed by a horizontal line.

7 13 /2022

Effective From: 24/02/2022