



Child Safety Reporting Obligations Policy

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All of the School's procedures for reporting and responding to child safety incidents or concerns are designed and implemented taking into account the diverse characteristics of the School community.

What is a Child Safety Incident or Concern?

Child safety incidents or concerns can take many forms. At Strathcona Baptist Girls Grammar School (Strathcona), we define child safety incidents or concerns to include:

- all of the different definitions of child abuse or other harm in various legislation, and the key indicators of child abuse and other harm, which are set out in detail in the [Appendix](#)
- breaches of our Child Safety and Wellbeing Codes of Conduct.

Unfortunately, the nature of child abuse and other harm is complex. Abuse or other harm may occur over time and potential indicators of abuse or harm are often difficult to detect. The perpetrator may be a parent, carer, other family member, staff member, Volunteer, Contractor, another adult or even another child.

The legal obligations for reporting allegations of child abuse or other harm can vary depending on the circumstances of the child safety incident or concern.

How to Report Child Safety Incidents or Concerns to the School

Students

There are no limits on how or to whom students at the School can disclose any child safety incident or concern or make a complaint about a staff member, Volunteer or Contractor. We have multiple, child-focused pathways, including a pathway for anonymous disclosure, to enable all students to raise child safety incidents or concerns.

Parents/carers, family members and other community members

Parents/carers, family members and other community members who have child safety concerns about a student at the School are asked to follow the procedures set out in our [Child Safety and Wellbeing Policy](#) and [Procedures for Managing Child Safety Incidents or Concerns](#) by contacting our Child Safety and Wellbeing Champion. They may also use the procedures set out in our [Complaints Handling Policy](#) and [Child Safety and Wellbeing Complaints Management Policy](#). These policies are available on our public [website](#).

Staff, Volunteers and Contractors

For the purposes of this policy, all Staff, Volunteers and Contractors are together referred to as Staff or staff members.

Staff members **must** report any and all child safety incidents or concerns involving our students to the School. They can do this by contacting the Principal or the Child Safety and Wellbeing Champion, or if the matter involves the conduct of the Principal and/or the Child Safety and Wellbeing Champion – the Deputy Principal.

Staff members must also follow our procedures for responding to incidents or disclosures of child abuse or other harm, or suspected child abuse or other harm, including by making any required reports to external agencies.



These policies and procedures make clear that reporting internally to or consulting with the Principal or the Child Safety and Wellbeing Champion does not change any obligation under legislation to report to an external authority.

To ensure that staff meet all their child safety reporting obligations, it is strongly recommended that staff consult with the Child Safety and Wellbeing Champion whenever they have any concerns about child safety involving our students.

The School's Response to Internal Reports

The School will take appropriate, prompt action in response to all child safety incidents or concerns, including all allegations or disclosures of abuse or other harm, that are reported internally to the School, including by:

- all matters that meet the required relevant thresholds being reported externally to Child Protection, the Police, the Commission for Children and Young People (CCYP), and/or the Victorian Institute of Teaching, depending on the issues raised
- the School fully cooperating with any resulting investigation by an external agency
- protecting any student connected to the incident or concern until it is resolved and providing ongoing support to those affected
- taking particular measures in response to child safety incidents or concerns about an Aboriginal or Torres Strait Islander student, a student from a culturally and/or linguistically diverse background or a student with a disability
- securing and retaining records of the child safety incident or concern and the School's response to it.

Child safety incidents or concerns involving the conduct of a current or former staff member that are raised by a student, parent/carer or family or community member will be addressed in accordance with our [Procedures for Managing Child Safety Incidents or Concerns](#) together with any relevant guidelines set out in our [Complaints Handling Policy](#) and [Child Safety and Wellbeing Complaints Management Policy](#), regardless of how that concern was raised. These policies are available on our public [website](#).



Obligations to Respond and to Report to External Agencies

There are a number of legal obligations that Strathcona and its Staff must follow when responding to child safety incidents or concerns. These are summarised below.

Before making an external report, Staff should consult with the Child Safety and Wellbeing Champion for guidance and support.

Failure to Protect

In Victoria, it is a crime if a person who occupies a position within or in relation to the School:

- knows that there is a substantial risk that:
 - a child (aged under 16) who is under the care, supervision or authority of the School
 - will become a victim of a sexual offence committed by an adult associated with the organisation and
- has, by reason of their position, the power or responsibility to reduce or remove that risk and
- negligently fails to reduce or remove that risk.

This criminal offence is known as 'Failure to Protect' and, in the School context, it covers failures to protect a student aged under 16 from sexual abuse by any adult staff member.

The School also has a common law duty to protect **all** students from reasonably foreseeable risks of harm, including risks of **all** types of child abuse or other harm that may arise from Staff as well as from others.

To help Staff meet these obligations, it is our policy that if a staff member knows that **any** adult associated with the School (including Staff, Volunteers, Contractors, students aged 18 or over, parents/carers and other family members of students) poses a substantial risk of sexually abusing a student, or a reasonably foreseeable risk of child abuse or other harm to a student, they **must** take any actions to reduce or remove that risk that are within their power or responsibilities to take.

In addition, they **must** report the matter to the Principal (or to the Deputy Principal if the adult who poses the risk is the Principal).

They **must** also follow their obligations to make appropriate external reports as listed below.

Mandatory Reporting to Child Protection

Although everyone has a moral and social responsibility to report concerns about child abuse or other harm, some professionals are legally required to make a report to the Department of Families, Fairness and Housing (Child Protection) if – during the course of their professional work or carrying out duties of their office, position or employment – they:

- form a belief on reasonable grounds
- that a child (aged under 17) is in need of protection because:
 - the child has suffered or is likely to suffer significant harm as a result of physical injury or sexual abuse and
 - the child's parents have not protected or are unlikely to protect the child from the harm.



At Strathcona, the following people are Mandatory Reporters:

- teachers
- the Principal
- medical practitioners
- nurses
- registered psychologists
- early childhood workers
- persons in religious ministry
- school counsellors.

Mandatory Reports must be made either to Child Protection or to the Police.

Non-Mandatory Reporting to Child Protection

Under the law, **anyone** can report the following to Child Protection:

- significant concerns for the wellbeing of a child (aged under 17) (wellbeing reports)
- a child (aged under 17) who the person believes on reasonable grounds to be in need of protection (protective intervention reports)
- a child (aged under 18) who the person believes on reasonable grounds is in need of therapeutic treatment because they are exhibiting sexually abusive behaviours (therapeutic treatment reports).

Together, we call these 'Non-Mandatory Reports to Child Protection.'

All of these reports are voluntary under the law.

However, although non-mandatory reporting to Child Protection is voluntary under the law, it is the School's policy that **all** Staff (including those who are not Mandatory Reporters) **must**, in certain circumstances, make wellbeing reports, protective intervention reports and therapeutic treatment reports to Child Protection.

This aligns with the 4 Critical Actions set out in [PROTECT Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse](#).

Mandatory Reporting (of Sexual Offences Against Children) to Police (Failure to Disclose)

Victorian law requires that any person aged 18 or over who forms a reasonable belief that a sexual offence has been committed by an adult (a person aged 18 years or over) against a child (aged under 16) must report that information to the Police.

We call this Mandatory Reporting to Police.

Failure to do this is a criminal offence known as 'Failure to Disclose.'

Any adult at the School who has concerns that another adult, including a staff member or any other adult, has committed a sexual offence against a person who, at the time of the offence, was aged under 16 (including a current or former student) must immediately report their concerns to the Victoria Police, except in certain circumstances.



Sexual offences committed against a child aged under 16 by a student who is themselves aged under 18 do not fall under the Failure to Disclose offence. However, this must still be reported to Police (see [Responding to Student Sexual Offending](#) below).

Non-Mandatory Reporting to Police

Although not required by law to do so, it is the School's policy that the following must be reported to Police:

- sexual offences committed by a student under the age of 18 against another person. See [Responding to Student Sexual Offending](#) below.
- concerns for a student's immediate safety
- knowledge or suspicions that a student aged 18 or over is being abused or harmed, but only if the student consents to the report or, if they do not consent, to lessen or prevent a serious or imminent threat to an individual's life, health, safety or welfare
- where a student is partaking in illegal activity that is extreme in nature or poses a high risk to the student. See [Responding to Other Concerns About the Wellbeing of a Student](#) below.

Reportable Conduct

Victorian law requires the "head" of the School to report to the Commission for Children and Young People (CCYP) any allegation that a School staff member has committed reportable conduct or misconduct that may involve reportable conduct (a reportable allegation).

For the purposes of the Reportable Conduct Scheme, the "head" of the School is the School Principal. The Principal has authorised the Deputy Principal to assist in performing their functions under the scheme.

If the allegations are against the Principal, then the Deputy Principal will take on the role of "head" of the School.

Reportable conduct includes:

- a sexual offence or sexual misconduct committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded
- physical violence committed 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.

To enable the School to fulfil its reporting obligations, it is our policy that if a staff member forms a reasonable belief that another staff member at the School has engaged in reportable conduct or misconduct that may involve reportable conduct, they **must** immediately report their concerns to the Principal (or Deputy Principal should the allegation involve the Principal).

They must also consider whether they are required to make a Mandatory or Non-Mandatory report to Child Protection, take any other action or make any other external reports.



Teacher Misconduct that is Reportable to the Victorian Institute of Teaching

Registered teachers in Victoria are exempt from the Working with Children Check (WWCC) scheme. To align teacher registration with the WWCC scheme, Victorian law requires that registered teachers notify the Victorian Institute of Teaching (VIT) if they are charged with, committed for trial for, or convicted or found guilty of certain criminal offences (that accord with those relevant to Working with Children Checks) or if they have been issued with a negative notice in relation to the Working with Children Check.

Victorian law also requires that the School notify the VIT if it becomes aware that a teacher has been charged with, or convicted or found guilty of, these criminal offences or has been given a negative notice.

The School must dismiss or remove from its employment or engagement any teacher who has been convicted or found guilty of these criminal offences or been given a negative notice.

The School must also notify the VIT if the School has taken any action against a registered teacher in response to allegations that raise concerns about the teacher's fitness to teach.

To enable the School to fulfil its obligations, it is our policy that:

- registered teachers **must** inform the Principal (or, if they are the Principal, the Chair of the School Board) if they are charged with, committed for trial for, or convicted or found guilty of a relevant offence or if they have been given a negative notice in relation to a WWCC
- all Staff **must** immediately report to the Principal (or, if the incident or allegation involves the Principal, to the Chair of the School Board) any incident or allegation that raises concerns about a teacher's fitness to teach.



Responding to Sexual Behaviour in Children and to Student Sexual Offending

Knowing how to identify and respond to all sexual behaviour in students, whether it be age-appropriate, concerning, harmful or student sexual offending, helps Staff to support the development of healthy sexuality and protect students from abuse and other harm.

Recognising and Responding to Sexual Behaviour in Children

The School references the [True Traffic Lights® Framework](#) to enable Staff to identify, recognise and respond to all forms of sexual behaviour. The Traffic Lights® Framework categorises sexual behaviour as green, orange or red light.

As a general guide:

- **Red light sexual behaviours** are those that are problematic or harmful, including forceful, secretive, compulsive, coercive or degrading sexual behaviours. These behaviours signal the need to provide immediate protection and follow up support.
- **Orange light sexual behaviours** are those that are outside normal behaviour in terms of persistence, frequency or inequality in age, power or ability. These behaviours signal the need to monitor and provide extra support.
- **Green light sexual behaviours** are those that are normal, age-appropriate, spontaneous, curious, mutual, light-hearted and easily diverted experimentation. These behaviours provide opportunities to talk, explain and support.

All green, orange and red light behaviours require some form of action and support.

Most red light (harmful) sexual behaviour by a student aged 10 or over that is directed at another person would be considered student sexual offending. Some orange light (concerning) behaviours could also be student sexual offending.

Orange and red light behaviours may therefore require external reporting.

Responding to Student Sexual Offending

Student sexual offending refers to sexual behaviour that:

- is led by a student aged 10 or over
- is directed at another person and
- constitutes a sexual offence.

When a staff member becomes aware of, or suspects, student sexual offending, or that a student is at risk of perpetrating or suffering student sexual offending, they must follow [PROTECT Four Critical Actions for Schools: Responding to Student Sexual Offending](#).

The Four Critical Actions require that incidents of or concerns about student sexual offending must be reported to Police, and that additional reports be made, if relevant, to Child Protection or Child First/Orange Door.



Responding to Other Concerns About the Wellbeing of a Student

Any concerns about the wellbeing of a student, regardless of whether it has been caused by abuse or other harm, will be taken seriously and acted upon.

The School and its staff members owe a duty of care to all students at the School to ensure that they feel safe and are supported at the School.

Concerns about the wellbeing of a student, that do not appear to be the result of abuse or other harm, may still be reported by Staff to:

- one of the School's Child Safety and Wellbeing Officers
- Victoria Police
- Child Protection
- Child FIRST/the Orange Door

depending on the age of the student and the nature of the concern.

The School will also consider whether a referral to a support service may assist.



Appendix: Definitions

<p>Care, Supervision or Authority</p>	<p>Under section 37 of the Crimes Act the circumstances in which a person will have a child (under 18) under their care, supervision or authority include, but are not limited to, if the person is:</p> <ul style="list-style-type: none"> • the child's parent or stepparent • the child's teacher • the child's employer • the child's youth worker • the child's sports coach • the child's counsellor/psychologist • the child's health professional • a person with parental responsibility for the child • a religious or spiritual guide, or a leader or official (including a lay member) of a church or religious body, however any such guide, leader, official, church or body is described who provides care, advice or instruction to the child or has authority over the child • a Police officer acting in the course of their duty in respect of the child. <p>At the School, persons in positions of care, supervision or authority over a child therefore include all teaching Staff, sports coaches, youth workers, counsellors/psychologists, registered nurses and religious leaders or officials.</p> <p>Because the definition in section 37 is not limited to the above categories, persons in positions of care, supervision or authority may also include Direct Contact Volunteers and Direct Contact Contractors, such as tutors, persons who provide or assist at extra-curricular activities and persons who provide or assist at School camps and excursions.</p>
<p>Child and young person</p>	<p>A child and young person is defined in the Child Wellbeing and Safety Act 2005 (Vic), as a person who is under the age of 18 years.</p> <p>However, for some of the criminal offences in the Crimes Act 1958 (Vic) (particularly those relating to sexual offences and grooming), a child is defined as a person under the age of 16 or a person aged 16 or 17 if the person is under the care, supervision or authority of the alleged offender. For the purposes of the Failure to Protect and Reporting to Police (Failure to Disclose) offences, a child is defined as a person under the age of 16.</p> <p>For the purposes of Mandatory Reporting to Child Protection and Non-Mandatory Reporting to Child Protection of a child who may be in need of protection, a child is defined as a person under the age of 17 (unless the child is subject to a child protection order that continues in force, in which case a child is defined as under the age of 18).</p> <p>For the purposes of Reportable Conduct and WWC Check obligations, a child is defined as a person under the age of 18.</p>
<p>Child abuse and other harm</p>	<p>"Child abuse and other harm" is not a defined term in Victorian law. However, various sources of legislation provide a definition of "child abuse" as well as other concepts and conduct which, together, provide guidance as to what is child abuse and other harm in Victoria.</p> <p>At Strathcona, for the purposes of this Child Safety Reporting Obligations and our Child Safety and Wellbeing Program, the phrase child abuse and other harm refers to incidents of or concerns about, including concerns about a risk of, physical, sexual, psychological and emotional harm, neglect, grooming and exposure to family violence, regardless of by whom or how this harm occurs.</p> <p>Harm to a child can also be caused by practices that attempt to change or suppress the child's sexual orientation or gender identity. These practices are prohibited under the Change or Suppression (Conversion) Practices Prohibition Act 2021 (Vic).</p>
<p>Child safety and wellbeing</p>	<p>Where the phrase "child safety and wellbeing" is used in our Child Safety and Wellbeing Program it refers to the safety and wellbeing of children and young people, which includes but goes further than the protection of them from child abuse and other harm.</p>



<p>Child safety and wellbeing program (the “program”)</p>	<p>The Child Safety and Wellbeing Program is the name given to the full collection of policies and procedures that assist the School to be a child safe organisation and to meet the requirements of the Victorian Child Safe Standards, Ministerial Order 1359 and the National Principles. It includes policies and procedures for:</p> <ul style="list-style-type: none"> • responding to and reporting child safety incidents and concerns • child safe human resources management (including WWC clearances) • participation and empowerment of students • informing and involving families and relevant communities in child safeguarding issues • equity and diversity • child safeguarding risk management strategies • strategies for embedding a culture of child safety at the School and • regular reviews and continuous improvement of child safety and wellbeing policies, procedures and practices.
<p>Child safety incident or concern</p>	<p>At Strathcona, and in our Child Safety and Wellbeing Program, a “child safety incident or concern” means an incident of or a concern about:</p> <ul style="list-style-type: none"> • “child abuse” as defined in Ministerial Order 1359 and the Child Wellbeing and Safety Act 2005 (CWS Act). These define “child abuse” as: <ul style="list-style-type: none"> • any act committed against a child involving: <ul style="list-style-type: none"> • a sexual offence against a child • the criminal offence of grooming (which includes grooming of a child or of a person with care, supervision or responsibility for the child with the intention of facilitating the child being engaged or involved in the commission of a sexual offence) • the infliction, on a child, of physical violence or “serious” emotional or psychological harm* • the “serious” neglect of a child, including exposure to family violence and its effects* • a child being “in need of protection” as defined in the Child, Youth and Families Act 2005 (Vic) (CYF Act). This includes: <ul style="list-style-type: none"> • abandonment of the child by their parents and no other suitable person can be found who is willing and able to care for the child • the child’s parents are dead or incapacitated and no other suitable person can be found who is willing and able to care for the child • “significant” harm as a result of physical injury, from which the child’s parents have not or are not likely to protect the child* • “significant” harm as a result of sexual abuse (including likely future sexual abuse as a result of grooming), from which the child’s parents have not or are not likely to protect the child* • “significant” emotional or psychological harm, from which the child’s parents have not or are not likely to protect the child* • “significant” neglect by the child’s parents* • “reportable conduct” as defined in the CWS Act. Reportable conduct is conduct by an employee (whether in the course of their employment or not) involving: <ul style="list-style-type: none"> • a sexual offence committed against or in the presence of a child • sexual misconduct committed against or in the presence of a child • physical violence committed against or in the presence of a child • any behaviour that causes “significant” emotional or psychological harm to a child* • “significant” neglect of a child* • a criminal offence against a child as set out in the Crimes Act 1958 (Vic). These include: <ul style="list-style-type: none"> • sexual penetration or sexual assault of, or sexual activity in the presence of, a child aged under 16 or a child aged 16 or 17 under the care, supervision or authority of the offender • grooming a child aged under 16 or a child aged 16 or 17 under the care, supervision or authority of the offender • grooming an adult who has a child under their care, supervision or authority



	<ul style="list-style-type: none"> • encouraging a child aged under 16 or a child aged 16 or 17 under the offender’s care, supervision or authority to be involved in sexual activity • a practice to change or suppress a child’s sexual orientation or gender identity, which is prohibited under the Change or Suppression (Conversion) Practices Prohibition Act 2021 (Vic) • a breach of our Child Safety and Wellbeing Codes of Conduct, such as: <ul style="list-style-type: none"> • a teacher engaging in undisclosed private meetings with a student who is not their own child • a Volunteer sports coach engaging in inappropriate online personal communications with a student • a Contractor music tutor publishing online photos, movies or recordings of a student without parental/carer consent. <p>*“Serious” emotional or psychological harm and “serious” neglect involve harm that has a lasting permanent effect. “Significant” emotional or psychological harm and “significant” neglect involve harm that is more than trivial or insignificant, but need not be as high as “serious” and need not have a lasting permanent effect.</p>
<p>Direct Contact Contractors</p>	<p>Direct Contact Contractors are individuals who provide contractor services to the School where, in the normal course of providing the services, they could potentially have direct contact with students in circumstances where they:</p> <ul style="list-style-type: none"> • may be left alone, one-on-one, with a student (for example, 1:1 tutor or learning support) • a reasonable person would consider that the contact may enable the individual to form a relationship of trust with a student (for example, casual teacher, coach of a sports team, music tutor, canteen worker, regular maintenance worker) • a reasonable person would consider that the contact could create a potential risk to the safety of a student (for example, casual teacher, music tutor). <p>Examples of Direct Contact Contractors may include:</p> <ul style="list-style-type: none"> • maintenance workers who regularly work at times when students are present • tutors • specialist music or drama teachers • casual teachers • sporting team coaches • outdoor education specialists • physical education service providers. <p>This also includes music tutors and other extra-curricular tutors and instructors who are engaged by students and their families directly, rather than the School, but have an agreement with the School to use the School’s facilities.</p>
<p>Direct Contact Volunteer</p>	<p>Direct Contact Volunteers are volunteers who are involved in providing support, guidance and supervision directly to students and could potentially have direct contact with students during the normal course of providing the volunteer service.</p> <p>The Worker Screening Act 2020 (Vic) defines “direct contact” in section 3 as any contact between a person and a child (aged under 18) that involves:</p> <ul style="list-style-type: none"> • physical contact • face-to-face contact • contact by post or other written communication • contact by telephone or other oral communication • contact by email or other electronic communication. <p>Direct Contact Volunteers may have direct contact with students in circumstances where:</p> <ul style="list-style-type: none"> • they may have limited supervision by School Staff in their role • they may be left alone, one-on-one, with a student (for example, 1:1 tutoring or learning support) • a reasonable person would consider that the contact may enable the individual to form a relationship of trust with a student (for example, coaching a sports team, helping with a drama production, or regularly working in a canteen or library) • a reasonable person would consider that the contact could create a potential risk to the safety of a student (for example, responsibility for a group of students during an excursion without a member of Staff present).



	<p>Examples of Direct Contact Volunteers include individuals who:</p> <ul style="list-style-type: none"> • attend a School camp or excursion • assist a student during a learning activity • assist a student to complete tests or exams (e.g. as a scribe or reader) • coach, manage, or assist with the coaching or managing, of sports at the School • assist with theatre or music productions • tutor, or assist with the tutoring of, a student in extracurricular activities such as music, choir or debating • volunteer in the School canteen or uniform shop.
<p>Encouragement to engage in sexual activity</p>	<p>It is a criminal offence for an adult to encourage a child to engage in, or to be involved in, sexual activity where the adult seeks or gets sexual arousal or sexual gratification from either the encouragement of the activity or from the sexual activity itself.</p> <p>There are two "encouragement" offences in the Crimes Act:</p> <ul style="list-style-type: none"> • section 49K: encouraging a child under the age of 16 to engage in, or be involved in, sexual activity • section 49L: encouraging a child aged 16 or 17 under care, supervision or authority to engage in, or be involved in, sexual activity. <p>A section 49K offence carries a maximum 10-year term of imprisonment. A section 49L offence carries a maximum five-year term of imprisonment.</p> <p>An example of conduct prohibited by these offences is an adult asking a child to watch pornography and the adult obtaining sexual arousal either as a result of asking the child to do so or from the child actually doing so.</p> <p>The Crimes Act defines 'encourage' as including "suggest, request, urge and demand". Examples of encouragement include offering money or gifts or threatening harm. The encouragement can be done in person or by electronic communication. Conduct which occurred outside Victoria or while the child was outside Victoria can still constitute an offence.</p> <p>The type of sexual activity that the child may be encouraged to engage in, or be involved in, does not necessarily have to be a sexual offence in its own right for the encouragement behaviour to be captured by these offences. For example, if the child was encouraged, in contravention of sections 49K or 49L, to watch inappropriate material, the act of watching is not a sexual offence, but the encouragement to do so is.</p> <p>It does not matter whether the sexual activity that was encouraged in fact involved or was engaged in by the child, and, if the sexual activity did involve or was engaged in by the child, it does not matter whether the adult was present during the sexual activity.</p> <p>The encouragement offences are in some respects more specific but other respects broader than the grooming offences. For example, encouragement behaviour would generally involve discussions of a sexual nature, while the grooming offences need not. The encouragement offences could also result from a single conversation between the offender and the child, while grooming offences would generally involve a pattern of behaviour. On the other hand, unlike the encouragement offences, grooming offences require that the intended sexual activity with the child constitute an indictable criminal offence.</p> <p>Because the encouragement and grooming offences may involve similar behaviour, refer to Grooming Behaviour and Grooming Offences for definitions and indicators of what might constitute the encouragement offences.</p>
<p>Family Violence</p>	<p>In Victoria "family violence" is a crime. It is defined in section 5 of the Family Violence Protection Act 2008 (Vic) as behaviour by a person towards a family member that is:</p> <ul style="list-style-type: none"> • physically or sexually abusive • emotionally or psychologically abusive • economically abusive • threatening • coercive or • in any other way controlling or dominating of the family member and causes them to feel fear for their own, or other family members' safety or wellbeing.



	<p>Section 5 also includes in its definition of ‘family violence’ behaviours that cause a child to hear, witness, or be exposed to the effects of the above behaviour.</p> <p>A child being a victim of or being exposed to family violence could therefore constitute “child abuse” under the Child Wellbeing and Safety Act 2005 (Vic) and/or a ground for a child being in need of protection under the Child, Youth and Families Act (2005) (Vic).</p> <p>As family violence can result in one or more forms of child abuse (being sexual abuse/sexual offences, physical abuse/physical violence, significant/serious emotional or psychological harm or significant/serious neglect) the physical and behavioural indicators of these types of abuse may also be indicative of a family violence situation.</p> <p>Behavioural Indicators for Older Children and Young People</p> <ul style="list-style-type: none"> • moving away or running away from the family home • entering a relationship early to escape the family home • experiencing violence in their own dating relationships • involvement in criminal activity • alcohol and substance abuse
<p>Grooming Behaviour and Grooming Offences</p>	<p>Grooming refers to behaviours that manipulate and control a child, their family and other support networks, or institutions with the intent of gaining access to the child, obtaining the child’s compliance, maintaining the child’s silence and avoiding discovery of the sexual abuse. Grooming therefore includes behaviour aimed at a person with care, supervision or authority for a child, to make it easier to procure the child for sexual abuse or to ensure that, if the child does disclose, that the person does not believe the child. Grooming does not necessarily involve any sexual activity or even discussion of sexual activity.</p> <p>Grooming is defined as:</p> <ul style="list-style-type: none"> • the use of a variety of manipulative and controlling techniques • with a vulnerable subject • in a range of inter-personal and social settings • in order to establish trust or normalise sexually harmful behaviour • with the overall aim of facilitating exploitation and/or prohibiting disclosure of the harmful behaviour. <p>Grooming behaviour towards children often involves a graduation from attention giving and non-sexual touching to increasingly more intimate and intrusive behaviour. Grooming usually involves a perpetrator establishing a trusting relationship with a child or young person and those associated with the child or young person’s care and wellbeing, to create an environment in which sexual abuse can occur.</p> <p>Grooming behaviours are considered:</p> <ul style="list-style-type: none"> • conduct that could lead to a reasonable belief that the child is likely to suffer sexual abuse, which must be reported under the Child, Youth and Families Act 2005 (Vic) (refer to Mandatory Reporting to Child Protection) • in certain circumstances, an offence under section 49M of the Crimes Act 1958 (Vic) that must be reported to Police under section 327 of the Crimes Act (refer to Reporting to Police) and from which persons at the School, who have the authority to do so, must protect students (refer to Duty to Protect/Failure to Protect) • sexual misconduct which must be reported to the Commission for Children and Young People under the Child Wellbeing and Safety Act 2005 (Vic) (refer to Reportable Conduct) • a breach of the Child Safety and Wellbeing Codes of Conduct. <p>Overlap between Grooming Behaviour, Grooming Offences and Encouragement Offences</p> <p>The behaviours that may constitute grooming and those that may constitute the encouragement offences overlap. For example, as part of the grooming process, a person may encourage a child to be involved in sexual activity and may do so through the provision of gifts or money.</p> <p>However not all grooming behaviour is a grooming offence, not all grooming behaviour is an encouragement offence and not all encouragement offences involve grooming behaviour or a grooming offence. For example:</p> <ul style="list-style-type: none"> • Grooming behaviour by an older child towards a younger child is not a grooming offence because grooming offences can only be committed by persons aged 18 or over.



- Building a relationship with a child to gain trust is grooming behaviour and may be a grooming offence, but – unless there is also a specific act of encouragement for the child to engage in, or be involved in, a sexual activity – would not be an encouragement offence.
- Encouraging a child to be involved in sexual activity that does not itself constitute a sexual offence (for example, viewing pornography) may be an encouragement offence, and indeed may be grooming behaviour, but would not be a grooming offence.

While grooming behaviour, grooming offences and encouragement offences are distinct and separate, due to the possibility for overlap, the indicators set out below are likely to apply to all three.

Grooming Offences

Grooming is, in certain circumstances, an offence under section 49M of the Crimes Act 1958 (Vic) and an offence under sections 474.26 and 474.27 of the Criminal Code Act 1995 (Cth).

For the purposes of the Victorian offence, grooming is defined as:

- an adult communicating, by words or conduct (whether or not a response is made to the communication), with a child who is aged under 16 or with a person who has a child under their care, supervision or authority
- with the intent of facilitating the child engaging or being involved in the commission of a sexual offence by the offender or by another adult.

Conduct by the offender which occurred outside Victoria, but while the child or the person with care, supervision or authority for the child were in Victoria is included in the offence. Conduct by the offender which occurred inside Victoria, but while the child or the person with care, supervision or authority for the child were outside Victoria is also included in the offence.

Under the Criminal Code Act 1995 (Cth), “Using a carriage service to procure persons under 16 years of age”, and “Using a carriage service to groom persons under 16 years of age” are additional criminal offences.

Carriage services include services for carrying communications, such as the post, telephone services, internet access services and ‘voice over internet’ services.

For both of these offences, it is a crime for an adult (the sender) to use a carriage service to transmit communications to a person aged (or who the sender believes to be aged) under 16 (the recipient) with the intention of procuring the recipient to engage in sexual activity with or in the presence of either the sender or another person (the participant).

Online Grooming

Online grooming is defined as an adult using electronic means (including social media) in a predatory fashion to try and lower a child’s inhibitions, or heighten their curiosity regarding sexual behaviour or activity, with the aim of eventually meeting them in person for the purposes of sexual activity. This can include communications through social media, online chat rooms, sexting or emails.

Identifying Grooming Behaviour, Grooming Offences and Encouragement Offences

Grooming can be very difficult to identify. Grooming includes a range of techniques, many of which are not explicitly sexual or directly abusive in themselves. Most techniques do not appear unusual or remarkable in isolation, but instead involve many discrete acts that, on their own, are not necessarily criminal or abusive.

Encouragement offences may be more easily identified. Possible indicators of an encouragement offence could include an adult engaging in grooming behaviour that specifically involves communication with a child about sexual activity, communication that appears to threaten the child and/or the provision of money or gifts. The encouragement need not involve a pattern of behaviour.

Possible Grooming/Encouragement Behaviour by Adults Associated with the School

- persuading a child or group of children that they have a special relationship
- asking a child to keep the relationship to themselves
- inappropriately allowing a child to overstep the rules
- testing boundaries, for example by undressing in front of a child
- manoeuvring to get or insisting on uninterrupted time alone with a student
- buying a student gifts



- insisting on physical affection such as hugging, wrestling or tickling even when the student clearly does not want it
- being overly interested in the sexual development of a student
- taking a lot of photos of a student
- engaging in inappropriate or excessive physical contact with a student
- sharing alcohol or drugs with a student
- making inappropriate comments about a student's appearance or excessive flattery
- using inappropriate pet names
- making jokes or innuendo of a sexual nature
- making obscene gestures or using obscene language
- sending correspondence of a personal nature via any medium
- inviting, allowing, or encouraging students to attend a staff member's home without parental/carer permission
- entering change rooms or toilets occupied by students when supervision is not required or appropriate
- communicating with a child's parent/stepparent, legal guardian, teacher, religious official or spiritual leader with the intention of facilitating the child's involvement in sexual conduct
- inappropriately extending a relationship outside of work
- photographing, audio recording, or filming students via any medium without authorisation or having parental consent to do so

Indicators That a Child May Be Subject to Grooming/Encouragement

- developing an unusually close relationship with an adult
- displaying significant mood changes, including hyperactive, sensitive, hostile, aggressive, impatient, resentful, anxious, withdrawn or depressed behaviour
- using 'street' or different language they learned from a new or older 'friend'
- having new jewellery, clothing, expensive items or large amounts of money that were gifts from a new or older 'friend'
- using a new mobile phone excessively to make calls, videos or send text messages to a new or older 'friend'
- being excessively secretive about their use of social media or online communications
- frequently staying out late or overnight with a new or older 'friend'
- being dishonest about where they have been or who they were with
- drug and alcohol use
- being picked up in a car by a new or older 'friend' from home or school or 'down the street'

Indicators that a Child May Be Subject to Online Grooming/Encouragement

- discovery of pornography on their computer or device
- receiving or making calls to unrecognised numbers
- increasing or excessive amount of time spent online
- increased secrecy in what they are doing online and efforts to try and hide what they are doing online
- evidence of people on their 'friends' list that are unknown and they have never met them offline

What is Not Grooming?

Certain behaviours or acts will not in isolation constitute grooming behaviour. However, where there is a repeating pattern of indicative behaviour, or several incidents of indicative behaviour, it may constitute grooming behaviour.

Similarly, not all physical contact between a student and a staff member or any person engaged by the School to provide services to children, including a Volunteer, will be inappropriate and/or an indicator of possible grooming behaviour.

The following physical contact with students is not grooming behaviour:

- administration of first aid
- supporting students who have hurt themselves



	<ul style="list-style-type: none"> • non-intrusive gestures to comfort a student who is experiencing grief, loss or distress, such as a hand on the upper arm or upper back • non-intrusive touching i.e. shaking a student's hand or a pat on the back to congratulate a student.
<p>Physical Abuse and Physical Violence</p>	<p>Physical child abuse can consist of any nonaccidental infliction of physical violence on a child by any person, which can result in nonaccidental injury or serious harm.</p> <p>Physical violence can be inflicted in many ways including:</p> <ul style="list-style-type: none"> • beating • shaking • burning • throwing • biting • using weapons (such as belts and paddles) • poisoning • giving children illegal drugs or inappropriate medication. <p>Physical abuse and physical violence do not always leave visible marks or injuries. It is not how bad the mark or injury is, but rather the act itself that can cause injury or trauma to the child.</p> <p>Physical abuse and physical violence do not include reasonable discipline, though they can result from excessive or inappropriate discipline.</p> <p>Possible Physical Indicators of Physical Abuse and Physical Violence</p> <ul style="list-style-type: none"> • unexplained bruises • bruises or welts on facial areas and other areas of the body, including back, bottom, legs, arms or inner thighs • any bruises or welts in unusual configurations, or those that look like the object used to make the injury, for example, fingerprints, handprints, buckles, iron or teeth • burns that show the shape of the object used to make them, such as an iron, grill, cigarette, or burns from boiling water, oil or flames • fractures of the skull, jaw, nose or limbs, especially those not consistent with the explanation offered or with the type of injury probable/possible at the child's age and development • cuts and grazes to the mouth, lips, gums, eye area, ears or external genitalia • human bite marks • bald patches where hair has been pulled out • multiple injuries, old and new <p>Possible Behavioural Indicators of Physical Abuse and Physical Violence</p> <ul style="list-style-type: none"> • inconsistent or unlikely explanation for an injury • inability to remember the cause of an injury • fear of specific people • wearing clothes unsuitable for weather conditions (such as long-sleeved tops) to hide injuries • wariness or fear of a parent/carer and reluctance to go home • no reaction or little emotion displayed when hurt • little or no fear when threatened • habitual absences from school without explanations (the parent/carer may be keeping the child away until signs of injury have disappeared) • overly compliant, shy, withdrawn, passive and uncommunicative • fearfulness when other children cry or shout • unusually nervous or hyperactive, aggressive, disruptive and destructive to self and/or others • excessively friendly with strangers



	<ul style="list-style-type: none"> • regressive behaviour, such as bed wetting or soiling • poor sleeping patterns, fear of dark, nightmares • sadness and frequent crying • drug or alcohol misuse • poor memory and concentration • suicide attempts • academic problems
<p>Serious Emotional or Psychological Harm and Significant Emotional or Psychological Harm</p>	<p>The infliction of emotional or psychological harm (often referred to as “emotional abuse”) is one of the most common forms of child abuse and other harm. Emotional abuse occurs when an adult associated with the child repeatedly rejects, isolates or frightens (by threats) the child, or through the child the witnessing of family violence. Emotional abuse also includes hostility, derogatory name-calling and put-downs, or persistent coldness from a person, to the extent that the child suffers, or is likely to suffer, significant or serious emotional or psychological harm.</p> <p>Significant or serious emotional or psychological harm could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.</p> <p>Emotional abuse may occur with or without other forms of abuse.</p> <p>“Serious” emotional or psychological harm is the highest level of emotional or psychological harm and is “child abuse” under the Child Wellbeing and Safety Act 2005 (Vic) (CWS Act). It occurs when the harm has a lasting permanent effect.</p> <p>“Significant” emotional or psychological harm can be defined with reference to section 3 of the CWS Act which states: <i>“Significant, in relation to emotional or psychological harm ... means that the harm ... is more than trivial or insignificant but need not be as high as serious and need not have a lasting permanent effect.”</i></p> <p>Any adult associated with a child can subject the child to behaviours that may cause significant or serious emotional or psychological harm. At the School, this can include parents, teachers, sporting coaches, musical tutors and Direct Contact Volunteers or Direct Contact Contractors.</p> <p>Where the adult is an employee within the meaning of the Reportable Conduct Scheme, behaviour that causes (at a minimum) significant emotional or psychological harm to a child must be reported to the Commission for Children and Young People under that scheme. For more information, refer to Reportable Conduct.</p> <p>Regardless of who the adult who undertakes this behaviour may be, if the child’s parents have not protected, or are unlikely to protect, the child from (at a minimum) significant emotional or psychological harm, it is a ground for suspecting that the child is in need of protection, which can be reported to Child Protection. For more information, refer to Non-Mandatory Reporting to Child Protection.</p> <p>Possible Physical Indicators of Significant or Serious Emotional or Psychological Harm</p> <ul style="list-style-type: none"> • speech disorders • delays in emotional, mental or even physical development • physical signs of self-harming <p>Possible Behavioural Indicators of Significant or Serious Emotional or Psychological Harm</p> <ul style="list-style-type: none"> • exhibiting low self-esteem • exhibiting high anxiety • overly compliant, passive or undemanding behaviour • extremely demanding, aggressive, or attention-seeking behaviour • anti-social, destructive behaviour • low tolerance or frustration • unexplained mood swings • self-harming



	<ul style="list-style-type: none"> • behaviours that are not age appropriate, for example, overly adult (parenting of other children), or overly infantile (thumb sucking, rocking, wetting or soiling) • fear of failure, overly high standards and excessive neatness • depression, or suicidal thoughts • running away • violent drawings or writing • contact with other students forbidden
<p>Serious Neglect and Significant Neglect</p>	<p>Neglect is the failure to provide a child with an adequate standard of nutrition, medical care, clothing, shelter or supervision. Any person with responsibility for a child can neglect the child, including parents/carers, Staff, Volunteers or Contractors at the School.</p> <p>“Serious” neglect is the highest level of neglect and is “child abuse” under the Child Wellbeing and Safety Act 2005 (Vic) (CWS Act). “Serious” neglect is the continued failure to provide a child with the basic necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child’s health or physical development is, or is likely to be, significantly impaired or placed at serious risk. Serious neglect can also occur if an adult fails, on a single occasion or otherwise, to adequately ensure the safety of a child such that the child is exposed to extremely dangerous or life-threatening situations.</p> <p>Although “serious” neglect is most likely to occur as a result of inactions by a child’s parent, any person with responsibility for a child can seriously neglect a child, including Staff, Volunteers or Contractors at the School. “Serious” neglect must be reported to the relevant external agency. For more information, refer to Non-Mandatory Reporting to Child Protection and Reportable Conduct.</p> <p>“Significant” neglect can be defined with reference to section 3 of the CWS Act which states: <i>“Significant, in relation to ... neglect, means that the harm or neglect is more than trivial or insignificant, but need not be as high as serious and need not have a lasting permanent effect.”</i></p> <p>In relation to neglect by a parent/carer, “significant” neglect is when the child’s parents have not provided, arranged or allowed the provision of basic care or effective medical, surgical or other remedial care, or are unlikely to do so, such that the child’s physical development or health has been or is likely to be significantly harmed. Neglect by parents/carers that meets this definition may mean that Child Protection should be notified. For more information, refer to Non-Mandatory Reporting to Child Protection.</p> <p>“Significant” neglect can also result from the actions or inactions of Staff, Volunteers or Contractors at the School, in which case it is Reportable Conduct.</p> <p>In relation to Staff, Volunteers and Contractors, “significant” neglect is defined by the Commission for Children and Young People as “a significant, deliberate or reckless failure to meet the basic needs of a child in circumstances where the adult understood the needs of the child, or could have understood those needs if they had turned their mind to the question, and had the opportunity to meet those needs but failed to do so”. Significant neglect by Staff, Volunteers or Contractors that meets this definition must be reported to the Commission for Children and Young People under the Reportable Conduct scheme. For more information, refer to Reportable Conduct.</p> <p>Possible Physical Indicators of Significant or Serious Neglect</p> <ul style="list-style-type: none"> • consistently dirty and unwashed • consistently inappropriately dressed for weather conditions • consistently without adequate supervision and at risk of injury or harm • consistently hungry, tired and listless, falling asleep in class, or malnourished • unattended health problems and lack of routine medical care • inadequate shelter and unsafe or unsanitary conditions • abandonment by parents • poor hygiene <p>Possible Behavioural Indicators of Significant or Serious Neglect</p> <ul style="list-style-type: none"> • begging or stealing food • gorging when food is available



	<ul style="list-style-type: none"> • inability to eat when extremely hungry • alienated from peers, withdrawn, listless, pale, and thin • aggressive behaviour • delinquent acts, for example, vandalism, drug or alcohol abuse • little positive interaction with parent/carer • appearing miserable or irritable • poor socialising habits • poor evidence of bonding, or little stranger anxiety • indiscriminate with affection • poor, irregular or non-attendance at school or kindergarten/childcare • staying at school for longer hours • self-destructive • dropping out of school • taking on an adult role of caring for a parent • misusing alcohol or drugs • academic issues
<p>School Board / School governing authority</p>	<p>School Board is Strathcona's "school governing authority" for the purposes of Ministerial Order 1359.</p> <p>School Board includes all members irrespective of their level of interaction with students or School policy.</p>
<p>Sexual Abuse and Sexual Offences</p>	<p>Child sexual abuse is when a person uses their power or authority over a child to involve them in sexual activity. Children may be bribed or threatened physically or psychologically to make them participate in the activity, or 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.</p> <p>Child sexual exploitation is a form of sexual abuse where offenders use their power (physical, financial, or emotional) over a child to sexually abuse them. It often involves situations and relationships where young people receive something (food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money etc.) in return for participating in sexual activities. Sometimes the young person may not even realise they are a victim.</p> <p>Sexual offences, many of which are not child-specific, are defined in the Crimes Act 1958 (Vic) and include:</p> <ul style="list-style-type: none"> • rape • sexual assault • indecent acts • other unwanted sexualised touching. <p>Specific sexual offences against children are outlined in Division 1, Subdivisions 8B and 8C of the Crimes Act 1958 (Vic). These sexual offences generally occur when a person:</p> <ul style="list-style-type: none"> • involves a child in particular kinds of sexual activity • deliberately puts a child in the presence of sexual behaviour; or • grooms or encourages a child to engage or be involved in sexual activity. <p>Sexual abuse and sexual offences can include a wide range of sexual activity including:</p> <p>Contact Behaviours</p> <ul style="list-style-type: none"> • fondling the child's genitals • oral sex • vaginal or anal penetration by a penis, finger or other object <p>Non-Contact Behaviours</p> <ul style="list-style-type: none"> • exposure of the child to pornography • talking to a child in a sexually explicit way • sending sexual messages or emails to a child



	<ul style="list-style-type: none"> • exposing a sexual body part to a child • forcing a child to watch a sexual act • having a child pose or perform in a sexual manner • voyeurism and invasion of privacy <p>Possible Physical Indicators of Sexual Abuse and Sexual Offences</p> <ul style="list-style-type: none"> • injury to the genital or rectal areas, such as bruising or bleeding • vaginal or anal bleeding or discharge • discomfort in urinating or defecating • presence of foreign bodies in the vagina and/or the rectum • inflammation or infection of the genital area • sexually transmitted diseases • pregnancy, especially in very young adolescents • bruising and other injury to breasts, buttocks or thighs • anxiety related illnesses such as anorexia or bulimia • frequent urinary tract infections <p>Possible Behavioural Indicators of Sexual Abuse and Sexual Offences</p> <ul style="list-style-type: none"> • the student discloses sexual abuse • persistent and age-inappropriate sexual activity, including excessive masturbation, masturbation with objects, rubbing genitals against adults, playing games that act out a sexually abusive event • drawings or descriptions in stories that are sexually explicit and not age appropriate • a fear of home, a specific place, a particular adult, or excessive fear of men or of women • poor or deteriorating relationships with adults and peers • poor self-care/personal hygiene • regularly arriving early at school and leaving late • complaining of headaches, stomach pains or nausea without physiological basis • frequent rocking, sucking or biting • sleeping difficulties • reluctance to participate in physical or recreational activities • regressive behaviour, such as bedwetting or speech loss • the sudden accumulation of money or gifts • unplanned absences or running away from home • delinquent or aggressive behaviour • depression • self-injurious behaviour, including drug/alcohol abuse, prostitution, self-mutilation, or attempted suicide • the sudden decline in academic performance, poor memory and concentration • wearing of provocative clothing, or layers of clothes to hide injuries • promiscuity
Student	<p>A student is defined in Ministerial Order 1359 as a person who is enrolled at or attends the School.</p> <p>Similarly, where the term “student” is used, it refers to all students enrolled at or attending the School including those aged 18 and above.</p>