



MELBOURNE
GRAMMAR SCHOOL
AN ANGLICAN SCHOOL

Child Safety

Procedure for Responding to Allegations of Suspected Child Abuse

Purpose

These procedures have been formulated in accordance with the School's obligation to maintain a child safe environment under Ministerial Order No. 1359: Implementing the Child Safe Standards – Managing the Risk of Child Abuse In Schools And School Boarding Premises, enacted from 1 July 2022. They apply to allegations or disclosures of suspected child abuse made by or in relation to a child, staff member, contractor, volunteer, visitor, or other person whilst connected to Melbourne Grammar School.

Scope

All members of the School community share a responsibility to ensure the welfare of all students. These procedures extend to School students, staff (whether permanent, fixed term or casual employees of MGS, whether teaching or non-teaching), volunteers, contractors, visitors, or other persons (including children) who may be connected to the School.

Standards

Ministerial Order No 1359 outlines minimum standards for maintaining "child safe environments" for all organisations with direct and regular contact with children. Meeting the minimum standards forms a requirement for School registration and serves to enhance and promote our culture in which protecting our students from abuse is part of everyday thinking and practice within MGS.

Definitions

For the purpose of ensuring a clear understanding of the relevant parts of the Ministerial Order 1359:

Child Abuse includes any act committed against a child involving:

- A sexual offence
- A grooming offence
- The infliction on a child of physical violence, serious emotional or psychological harm or serious neglect.

Examples of Child Abuse are:

- Physical injury which results from abuse or neglect
- Sexual abuse which refers to a situation in which a person uses power or authority over a child to involve the child in sexual activity, and the child's parent or caregiver has not protected the child
- Emotional abuse which involves a parent or caregiver repeatedly rejecting the child or using threats to frighten the child
- Neglect which occurs when a parent or caregiver fails to provide the child with the basic necessities of life; food, clothing, shelter, medical attention, or supervision; to the extent that the child's health and development is, or is likely to be, significantly harmed
- Grooming for sexual conduct is a situation where a person 18 years of age or more communicates with a child under the age of 16 (or their carer) with the intention of that child being involved in a sexual offence at a later time. Grooming is a reportable child sexual offence and is covered by mandatory reporting obligations.

Child Safety encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to suspicions, incidents, disclosures, or allegations of child abuse.



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School environment means any physical, online or virtual place made available or authorised by the School's governing body for use by a child during or outside school hours including:

- a campus of the School
- School Boarding premises
- online or virtual school environments (including email, intranet systems, software applications and online services) made available or authorised by the School
- other locations provided by the School for a child's use (including, without limitation, locations used for School camps, sporting events, excursions, competitions and other School events and by local support providers engaged by the School).

School staff means an individual member of staff working for MGS who is:

- directly engaged or employed by the School's governing body for work performed in the School or the School's Boarding Houses
- a volunteer
- contracted service provider (whether or not they are employed through a body corporate or any other person as an intermediary, and whether or not they are employed in the School or the School Boarding Houses)
- a minister of religion.

School Council means the board of Directors of Melbourne Grammar School.

CCYP: The Commission for Children and Young People.

Child FIRST: The Family Information Referral Support Team run by a registered community service in a local area.

DFFH: Department of Families, Fairness and Housing.

DFFH Child Protection Services: Government Authority which takes responsibility for the protection of children and to whom reports are made.

Mandatory Reporter/Notifier: In the context of MGS, this is the Headmaster, a VIT registered teacher, a person holding Permission to Teach from VIT, a Registered Psychologist, a Registered Nurse, a School Counsellor, or a Person in Religious Ministry.

Mandatory Reporting: Requirement imposed on a Mandatory Notifier to report to government authorities, as required by the Children, Youth and Families Act 2005 (Vic), in the event that the Mandatory Notifier forms a belief on reasonable grounds that a child has suffered or is likely to suffer significant harm as a result of physical or sexual abuse in circumstances where the parents have not protected, or are unlikely to protect, the child from that harm.

Person in Religious Ministry: a person authorised by a church or other religious organisation to perform functions such as teaching of beliefs; leading services such as weddings, baptisms, or funerals; or otherwise providing spiritual guidance to the community.

Registered Nurse: a person registered under the Health Practitioner Regulation National Law to practice in the nursing and midwifery profession as a nurse.

Registered Psychologist: a person registered with the Psychology Board of Australia, which forms part of the Australian Health Practitioner Regulation Agency, to practice as a psychologist.



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School Counsellor: a person who works (other than on a voluntary basis) to provide direct support to school students, at or directly connected with a school, for mental, emotional, or psychological wellbeing.

Teacher: a qualified teacher with VIT registration or a person holding Permission to Teach from VIT.

Volunteer: means a person who performs work without remuneration or reward in the School environment.

Responsibility

The School Council and Headmaster have delegated the responsibility for monitoring overall school compliance with this procedure to the Heads of School.

Procedures

The intention of these procedures is to support the School Community in ensuring a child safe environment at the School, by providing guidance and procedures for School Staff and others connected with the School to appropriately respond to allegations or disclosures or concerns that they have of suspected child abuse or regarding the wellbeing of a child.

These procedures do not displace the obligations of a Mandatory Notifier under relevant legislation. Nor do they displace the obligation placed on any adult under the Crimes Act (Vic) which requires any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 years of age to report that information to police (this includes grooming). Students and families also have access to this procedure and related policies on the School portal and in School handbooks.

Reporting Suspected Child Abuse

In accordance with the Children, Youth and Families Act 2005 (Vic), and the School's Mandatory Reporting of Child Abuse Policy, if a mandatory reporter forms a reasonable belief that a child needs protection from **physical or sexual abuse**, a report **must** be made to **Child Protection Services** and **Victoria Police** as soon as possible. A mandatory reporter may also report other forms of abuse and neglect. The mandatory reporter is encouraged to keep the Head of School, Deputy Headmaster or Headmaster informed but is not obligated to do so. All concerns and observations should be recorded in a confidential file.

If a general staff member, contractor or volunteer forms a belief that a child needs immediate protection from abuse or neglect, they are entitled to make a report to **Child Protection Services**.

For concerns where the immediate safety of the child is not compromised, a report should be made to **Child FIRST**. If you are still unsure who to report or refer to, you should contact either Child Protection or Child FIRST for further advice. The Head of School, Deputy Headmaster or Headmaster should be kept informed. All concerns and observations should be recorded in a confidential file.

There may be circumstances in which a report to Child Protection Services/Child FIRST is not applicable and/or other steps should be taken. Other responses to allegations, disclosures or concerns may include:

- Reporting the matter to the Police: If it is believed that the child's safety is in immediate risk the circumstance will be immediately reported to the Police.
- Contacting the parent or caregiver of the Child in consultation with Child Protection or Victoria Police.
- Convening the MGS Critical Incident Management Team (e.g., if an allegation is made against a current member of



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- staff). This will be done by the Headmaster or Deputy Headmaster, if appropriate.
- Steps to remove the source of concern (e.g., standing down a member of School Staff or student, restricting access to campus of a volunteer or contractor), consistent with appropriate legal advice.
 - Taking all necessary steps to ensure that the child or children who make or is affected by an allegation of child abuse, has a safe School environment and is given appropriate support by MGS.
 - Ensuring that any response by MGS will also consider the needs of children from culturally and linguistically diverse backgrounds, children with disabilities and children who are vulnerable or children who are unable to live at home.
 - The development of a Student Support Plan in conjunction with wellbeing professionals.
 - An investigation – to be carried out by the Headmaster or his nominee, subject to the requirements of any government authority. The School will act appropriately on the findings of any investigation. Where child abuse has resulted from the actions of a member of School Staff, this may include disciplinary action against that person and reporting to authorities in accordance with applicable legislation.
 - A review – the School will conduct a review of its actions in relation to any instance of child abuse and will incorporate any modifications / learnings into these procedures, as may be deemed necessary.

In all cases, the School will also act in accordance with its legal obligations which may involve reporting the matter to appropriate authorities including:

- Victoria Police
- Department of Families, Fairness and Housing
- Department of Education and Early Childhood Development
- The Commission for Children and Young People

In certain circumstances, this may result in the matter (including investigation) being taken over by the relevant authority.

The possible outcomes will depend on the nature of the complaint and allegations. Where an investigation has found that a complaint of child abuse is substantiated, appropriate action will be taken by the School against the person found to be the perpetrator. For employees, this may include a range of sanctions including termination of employment. For students, this may include expulsion from the School.

Documentation

It is important that all concerns and observations are documented in a confidential file and that notes, and records are accurate and contemporaneous. It is also important to record all actions taken. This process of documentation may occur over a period of time. Documentation and records must be stored securely to protect the privacy of all parties involved. Information about child abuse should remain confidential.

It is noted that a Mandatory Notifier acting in good faith under the Children, Youth and Families Act 2005 or an adult acting in good faith under Crimes Act (Vic) has certain protections as to privilege and confidentiality.

Past students

Where an allegation of Child Sexual Abuse is made in respect of a past student, it will be dealt with in accordance with the School's Historical Sexual Abuse Policy. Action may also need to be taken under this Policy if the allegation or disclosure relates to a current School staff member.

Breaches of these Procedures

The School expects that any School staff member who becomes aware of a breach of these instructions and policy by another School staff member will advise the relevant Head of School, Deputy Headmaster/Head of Senior School, or



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the Headmaster without delay. The School will consider each breach of these procedures in the context in which it has occurred and will determine if the matter is a minor breach or a serious breach. In the case of School employees, a serious breach may result in disciplinary action, up to and including termination of employment. In relation to volunteers and contracted service providers, a breach may result in the termination of the person's engagement with MGS and the withdrawal of permission for them to be on the School premises. For students, this may include expulsion from the School.

Applicable Legislation

The legislation relevant to this Policy includes:

Children, Youth and Families Act 2005 (Vic)
Education and Training Reform Act 2006 (Vic)
Crimes Act 1958 (Vic)

Crimes Act Amendment (Protection of Children) 2014
Working with Children Act 2005
Child Safety and Wellbeing Act 2005

Related Policies & Documents

- Child Safety and Wellbeing Policy
- Child Safe Code of Conduct
- Child Safe Standards: Roles and Responsibilities
- Child Safe Human Resources Procedures
- Child Safe Standards Staff Training Procedure
- Mandatory Reporting of Child Abuse Policy
- Historical Sexual Abuse Policy
- Privacy Policy
- ICT Responsible Use Agreement
- Social Media Policy
- Student Passenger Policy
- Billeting and Student Exchange Guidelines
- Department of Education and Training – Four Critical Actions for School in Responding to Incidents, Disclosures and Suspicions of Child Abuse.

Further Information

Further information concerning any aspect of this policy may be directed to the Headmaster or the Deputy Headmaster/Head of Senior School.

Key contacts

Service	Contact number
Victoria Police	000
DFFH Child Protection (West Division Metro)	1300 664 977
DFFH Child Protection (After Hours)	131 278
Commission for Children and Young People	1300 782 978
Child FIRST/Orange Door	(03) 9329 4822
Department of Education and Training	(03) 9637 2000
Independent Schools Victoria	1300 782 978