

Responding to child abuse reports and allegations policy

1. PURPOSE

The Hutchins School is committed to protecting the children and young people who participate in our learning environment. Accordingly, we have developed this policy on how to respond to child abuse reports and allegations to inform our people of their responsibilities. Our people are required to identify, report, and respond to any concerns about, or incidents of, child abuse or neglect towards children or young people. Our people are required to respond to abuse or neglect perpetrated by people within our organisation or by other persons.

The Hutchins School will promote equity and respect diversity of the children and young people and their parents/carers who access our services as part of our reporting policy. This includes Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, and children and young people with a disability.

We take seriously our responsibility to deliver a 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 learning programs.

As part of that commitment our Board has endorsed this policy.

2. SCOPE

All personnel within our organisation are required to meet the requirements of this policy.

No one within our organisation is exempt from meeting the standards and requirements set out in this policy.

3. DEFINITIONS

Refer to Appendix 1 for a list of definitions.

Responding to child abuse reports and allegations policy

4. RESPONSIBILITIES

Headmaster	<ul style="list-style-type: none"> • Ensure the implementation of policies and procedures across The Hutchins School. • Ensure personnel have access to and understand this policy and related procedures. • Ensure Heads of School, Heads of Faculty, and managers/supervisors have access to support and advice to understand and implement policies and procedures.
Manager People, Culture and Safety	<ul style="list-style-type: none"> • Undertake the duties of the Safeguarding Children Program Co-ordinator. • Review and update this document and supporting resources in consultation with relevant stakeholders. • Support the co-ordination of the Safeguarding Children and Young People (SCYP) framework and implementation. • Provide training and advice in the application of policies and procedures.
Heads of School, Heads of Faculty, managers and supervisors	<ul style="list-style-type: none"> • Ensure policies and procedures are implemented and followed within their areas of responsibility.
Employees/Volunteers	<ul style="list-style-type: none"> • Uphold the requirements of this policy.

5. Policy Statement

Our people are required to report when they know, believe or suspect on reasonable grounds that a child or young person is suffering, has suffered, or is likely to suffer abuse or neglect¹ immediately, or if that is not possible, no later than before ending that person's shift or session of work with our school.

If a child or young person is at **imminent risk** of harm or in **immediate danger**, our personnel are required to report the situation directly to Tasmania Police 1800 333 000.

Under Tasmanian legislation all staff and volunteers at The Hutchins School, are 'mandatory reporters'. Mandatory reporters are individually responsible for sharing with the appropriate authorities concerns of child abuse or neglect. The requirements are detailed in this [fact sheet](#).

When responding to a report or child abuse or neglect our people will consider the specific needs of the child or young person, for example, whether the child is Aboriginal or Torres Strait Islander, has a disability and/or has a culturally and linguistically diverse background.

¹ [Refer to Mandatory Reporting of Child Abuse and/or Neglect for information](#)

Responding to child abuse reports and allegations policy

5.1 Consequences of breaching policy

As a mandatory reporter under the Tasmanian *Children, Young Person and Family Act* a person may be charged with an offence for failing to fulfill their reporting responsibilities. If our people fail to report instances, allegations, disclosures or concerns in relation to abuse or neglect of a child or young person, we view such failure as a serious matter that, depending on the circumstances, may result in disciplinary action or be grounds for dismissal.

Our policy prohibits all personnel from:

- discussing any concerns or allegations with unauthorised personnel – within or outside our school – such prohibition not being designed to limit, in any way, their rights and responsibilities to report their concerns or allegations, but rather as part of our school’s commitment to ensuring privacy, confidentiality and natural justice; and
- making deliberately false, misleading or vexatious allegations.

Our people are obliged to raise any concerns they might have in relation to:

- our school policies designed to safeguard children and young people – such as outlined in our ‘Code of Conduct’, ‘Practice and Behaviour Guidelines’ and in our ‘Responding to Child Abuse Reports and Allegations Policy’; and
- actions of other people within our school community that contravene our policies, or that may otherwise have the potential to harm a child or young person.

6. PROCEDURE

6.1 Mandatory reporters

The following legal mandatory reporting requirements apply to personnel within our organisation:

Mandatory reporting legislation and summary	Relevant personnel who must comply
<p><i>The <u>Children, Young Persons and Their Families Act 1997</u></i></p> <p>This legislation requires that mandatory reporters are individually responsible to share with the appropriate authorities concerns of child abuse or neglect. The requirements are detailed in this fact sheet.</p> <p>Please familiarise yourself with this legislation at https://www.legislation.tas.gov.au/view/html/inforce/current/act-1997-028</p>	<p>All staff of The Hutchins School</p> <p>Volunteers</p>

6.2 Reporting of concerns or allegations regarding abuse or neglect - by family or other external sources

The Hutchins School requires all of its people who know, believe or suspect on reasonable grounds that a child

Responding to child abuse reports and allegations policy

or young person is suffering, has suffered or is likely to suffer abuse or neglect² to report, to:

- A Gateway Service – 1800 171 233 or Child Protection 1300 737 639. before the end of the person's shift/session of work
- The Headmaster or Deputy Headmaster.
- The Mandatory Reporter may also notify Tasmania Police 1800 333 000.
- The Headmaster or Deputy Headmaster will then ensure that the incident is or has been reported to Child Safety Service Tasmania 1300 737 639 and/or Tasmania Police, 1800 333 000, immediately (i.e. before the end of their shift/session of work).
 - If the Headmaster is unavailable (or they are the subject of the complaint), our people (i.e. the mandatory reporter) are required to report the matter to the Deputy Headmaster.

It is important that the Headmaster or, if they are the subject of the complaint, the Deputy Headmaster is informed of any report they made to authorities, to enable our organisation to best provide support to the child or young person, their family and our people, where appropriate.

Our people 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 they have also reported that matter internally.

In taking a report of concern, or of an incident from others within our organisation, our people 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 (the validity of an allegation will then be assessed in the manner described in this policy); and
- 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.

In situations where a child or young person is making an allegation, our people 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, using our school's 'Child Abuse Incident Form';
- record on the Child Abuse Incident Form what was said (where possible, noting the exact words used by the person making the allegation);
- date and sign the record;
- explain to the child (if present) that other people may need to be told, in order to stop what is happening;
- provide reassurance that our school will take immediate action in response to the allegation; and
- Report the matter as per organisational policy requirements, refer above.

² [Refer to Mandatory Reporting of Child Abuse and/or Neglect for information](#)

Responding to child abuse reports and allegations policy

6.3 Additional requirements where concerns or allegations of abuse or neglect involve our employees or volunteers

Our people must report, immediately, to the Headmaster (or Deputy Headmaster if the Headmaster is the subject of the complaint) any breach of the [Practice and Behaviour Guidelines/Code of Conduct](#) arising from an action by an employee or volunteer within our school.

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 Headmaster will investigate and deal with allegations of inappropriate and unacceptable behavior towards a child in line with our organisation's general procedures for complaint resolution and disciplinary measures and in consultation with police and other authorities.

If a 'serious' allegation has been made against a staff member of our school, the Headmaster will:

- fill in a 'Child Abuse Incident Form' form to ensure all relevant details are documented;
- co-operate 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/or
 - removing/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 Aboriginal or Torres Strait Islanders, those who have a disability and/or have a culturally and linguistically diverse background);
 - the person against whom the complaint is made by, for example, offering professional counselling either internally or through the Employee Assistance Program;
 - other personnel impacted by the allegations.
- make clear to all other personnel who are aware of the allegation that:
 - the allegation does not mean the person is guilty, and that the allegation will be properly investigated and will include the right to 'procedural fairness'; and
 - they are not to discuss the matter with any person, except as directed by police, child protection authorities and/or the Headmaster and only in direct relation to investigation of the allegation.

All instances, allegations, disclosures or reasonable concerns of abuse or neglect of a child or young person arising from an action by an employee or volunteer within our school will be investigated and will be the subject of a critical incident review. This will also be reported to the Australian Childhood Foundation within 28 days, in accordance with the requirements of the Safeguarding Children Program. This report will be made by our Headmaster or Manager People, Culture and Safety.

6.4 Confidentiality and privacy

Responding to child abuse reports and allegations policy

Our 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.

6.5 Documentation

As part of our protocols for responding to reports or allegations of child abuse, we have developed a Child Abuse Incident Form, which is to be used by any person to document any allegation, disclosure, incident or concern regarding child abuse. In situations where our people 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 our Child Abuse Incident Form to record their observations and concerns as accurately as possible.

Our Manger People, Culture and Safety will oversee creation of a file to contain the completed Child Abuse Incident 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); and
- electronic documentation stored in a password-protected folder (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 in accordance with this policy and procedure and that requirements for reporting to external authorities are complied with. These records will inform reviews as detailed in section 7.

7. COMMUNICATION

We communicate our Responding to Child Abuse Reports and Allegations Policy requirements to all our personnel involved with children and young people in our organisation. We involve our people in reviews of our Responding to Child Abuse Reports and Allegations Policy requirements. We communicate any significant alterations to our Responding to Child Abuse Reports and Allegations Policy requirements and resources to all personnel.

8. MONITORING AND REVIEW

This document will be reviewed at least every 3 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 Headmaster. 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.

External audit and verification based on a sample, conducted by the Australian Childhood Foundation shall occur at 3 yearly intervals.

9. LEGISLATIVE REFERENCES

Responding to child abuse reports and allegations policy

[Children, Young Persons and Their Families Act 2013](#)

[Registration to Work with Vulnerable People Regulations 2014](#)

10. RELATED DOCUMENTS

[Fact Sheet Mandatory Reporting of Child Abuse and/or Neglect](#)

[The Hutchins School Code of Conduct](#)

[Practice and Behaviour Guidelines](#)

[Safeguarding Children and Young People Policy](#)

11. REFERENCE TO SAFEGUARDING CHILDREN STANDARDS

- Standard 6 – Child abuse reports and allegations

12. ATTACHMENTS

- Child Abuse Incident Report Form

13. DOCUMENT HISTORY

Version No.	Date	Changes Made
1	8 Oct 2018	Policy created

Responding to child abuse reports and allegations policy

Appendix 1 – Definitions

Bullying	<p>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:</p> <ul style="list-style-type: none"> • <i>Verbal</i> (name calling, put downs, threats); • <i>Physical</i> (hitting, punching, kicking, scratching, tripping, spitting); • <i>Social</i> (ignoring, excluding, ostracising, alienating); and/or • <i>Psychological</i> (spreading rumours, stalking, dirty looks, hiding, damaging possessions).
Child or young person	A person under the age of eighteen years.
Emotional or psychological abuse	<p>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 all examples of emotional abuse. These behaviours continue to an extent that results in significant damage to the child’s physical, intellectual or emotional wellbeing and development.</p>
Family violence	<p>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 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 has a significant impact on their wellbeing and development.</p>
Grooming	<p>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 in relation 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 and, 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 take place in any setting where a relationship is formed, such as leisure, music, sports and religious activities, or in internet chatrooms, on social media or by other technological channels.</p>
Harm	<p>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:</p> <ul style="list-style-type: none"> • physical, psychological or emotional abuse or neglect;

Responding to child abuse reports and allegations policy

	<ul style="list-style-type: none"> • sexual abuse or exploitation; • a single act, omission or circumstance; and • a series or combination of acts, omissions or circumstances.
Neglect	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 is, or is 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.
Personnel	All staff and volunteers who work for the organisation whether in a paid or unpaid capacity.
Physical abuse	Physical abuse occurs when a person subjects a child to non-accidental physically aggressive acts. The abuser may inflict an injury intentionally or inadvertently as a result of 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	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 own benefit. It can include making sexual comments to a child, engaging children to participate 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 is also sexual abuse. Engaging children to participate in sexual conversations over the internet is also considered sexual abuse.
Sexual exploitation	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.