



Child Safe Program

Responding to and Reporting Child Safety Incidents or Concerns

Ministerial Order 1359 requires Lakeside College Board to have a clear procedure or set of procedures for responding to complaints or concerns relating to child abuse, as defined in the Child Wellbeing and Safety Act 2005 (Vic) (CWS Act), in accordance with the Order and other legal obligations.

The Department of Education, Catholic Education Commission of Victoria and Independent Schools Victoria's PROTECT Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse (Four Critical Actions) sets out the actions that Staff must take to respond to child abuse and other harm. The Lakeside College's policies and procedures for responding to child abuse and other harm must align with the Four Critical Actions.

This section of the Child Safety Program describes our work systems, practices, policies and procedures for responding to and reporting **all** child safety incidents or concerns, including but not limited to incidents, concerns, complaints, allegations or disclosures of "child abuse" as defined in Ministerial Order 1359 and the CWS Act.

The Policies and Procedures in This Section

The policies and procedures in this section of the Child Safety Program are:

- Managing Your Initial Response to a Child Safety Incident or Concern
- Reporting a Child Safety Incident or Concern Internally
- Duty to Protect/Failure to Protect
- Mandatory Reporting to Child Protection
- Non-Mandatory Reporting to Child Protection
- Reporting to Police

- [Reportable Conduct](#)
- [Reporting Teacher Misconduct to the Victorian Institute of Teachers \(VIT\)](#)
- [Responding to Sexual Behaviour in Children and to Student Sexual Offending](#)
- [Responding to Other Concerns About the Wellbeing of a Student](#)
- [Making Additional Reports](#)
- [Support for Students Interviewed at the Lakeside College](#)

Key Definition: Child Safety Incident or Concern

Definitions relevant to the Child Safety Program as a whole are contained in [Child Safety Program Definitions](#) and [Definitions and Key Indicators of Child Abuse and Other Harm](#).

Of particular relevance to this section is the phrase “child safety incident or concern”.

Child Safety Incident or Concern

At Lakeside College, and in our Child Safety Program, a “child safety incident or concern” means an incident of or a concern about:

- “child abuse” as defined in Ministerial Order 1359 and the CWS Act. These define “child abuse” as:
 - any act committed against a child involving:
 - 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), which includes:
 - 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, which means conduct by an employee of the Lakeside College (whether in the course of their employment or not) involving:
 - 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, or a student aged 18 or over, as set out in the Crimes Act 1958 (Vic), such as:
 - 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
 - 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
 - image-based sexual offences
- a practice to change or suppress a child’s, or a student aged 18 or over’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 Codes of Conduct, such as:
 - 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.

*“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.

For more information, refer to [Child Safety Codes of Conduct](#) and [Definitions and Key Indicators of Child Abuse and Other Harm](#).

Overview of Procedures for Responding to and Reporting Child Safety Incidents or Concerns

Child safety incidents or concerns can take many forms. Unfortunately, the nature of child abuse and other harm is complex. Child 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.

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

Internal Reporting by Students, Parents/Carers and the Community

There are no limits on how or to whom students at the Lakeside College can disclose any child safety incident or concern or make a complaint about a staff member, Volunteer or Contractor. The [Child Safety Complaints Management](#) policy provides multiple, child-focused pathways, including a pathway for anonymous disclosure, to enable all students to raise child safety incidents or concerns in the way with which they are most comfortable.

Parents/carers, family members and other community members who have child safety concerns about a student at the Lakeside College are asked to follow the procedures set out in our [Child Safe Policy](#) which is available on our public website.

Internal and External Reporting by Staff, Volunteers and Contractors

The policies and procedures in this section of our Child Safety Program set out how Staff, Volunteers and Contractors should respond to child safety incidents or concerns. They include procedures for responding to incidents or disclosures of child abuse or other harm, or suspected child abuse or

other harm, and simple and accessible procedures for Staff, Volunteers and Contractors to report a child safety incident or concern internally.

Under these policies and procedures Staff, and relevant Volunteers and Contractors, **must** report all child safety incidents and concerns internally. They **must** also report these to external authorities when required to do so by law, by the Four Critical Actions or by Lakeside College's policy.

These policies and procedures all make clear that reporting internally to or consulting with a Child Protection Officer does not change any obligation under legislation to report to an external authority.

The Lakeside College's Response to Internal Reports

The Lakeside College 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 Lakeside College, including by:

- externally reporting all matters that meet the required relevant thresholds 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
- 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 linguistically diverse background or a student with disability, and other vulnerable students (such as students who are unable to live at home or students who identify as lesbian, gay, bisexual, transgender or intersex)
- sharing information with, or requesting information from, external people or agencies as permitted or required under the Child Information Sharing Scheme and/or the Family Violence Information Sharing Scheme
- securing and retaining records of the child safety incident or concern and the Lakeside College's response to it
- taking broader actions to improve child safety at the Lakeside College (including systemic reviews and resulting improvements).

Child safety incidents or concerns involving the conduct of a staff member, Volunteer or Contractor that are raised by a parent/carer or family or community member will be addressed in accordance with the policies and procedures in Child Safety Complaints Management Program.

Implementation of Procedures for Responding to and Reporting Child Safety Incidents or Concerns

All of the policies and procedures in this section of the Child Safety Program are made available to all Staff, Volunteers, and Contractors via the Lakeside College's PolicyConnect site and through the induction training and ongoing refresher training provided to Staff and to relevant Volunteers and Contractors. For more information, refer to [Child Safety Training](#).

The policies and procedures in this section of the Child Safety Program are made available to parents/carers, students and the wider Lakeside College community in summary in our Child Safe Policy which is available on our public website.

The Lakeside College's responding and reporting policies and procedures are also summarised for students, parents/carers and other community members in our [Procedures for Responding and Reporting Child Safety Incidents or Concerns](#) and Public Procedure for Managing Child Safety Incidents or Concerns involving the School or it's staff which are also available on our public website.

They are also available in hard copy by request.

Source of Obligation

- Victorian Child Safe Standards, Standards 7 and 11
- Ministerial Order 1359, Clauses 11 and 15

Other legislative obligations relevant to specific policies and procedures in this section of the Child Safety Program are set out in the various policies.

Approvals and Reviews of the Policies and Procedures for Responding to and Reporting Child Safety Incidents or Concerns

As required by Ministerial Order 1359, all of the policies and procedures in this section of the Child Safety Program have been approved by Lakeside College Board.

They are regularly reviewed in accordance with the schedule set out in the Regular Reviews and Continuous Improvement section of the Child Safety Program.

All changes to these policies and procedures that result from a review are approved by Lakeside College Board.

Policy administration information, including a record of the initial approval of the relevant policy/procedure in this section, the date of the next scheduled review and the dates of all other reviews and approvals, is set out in the here.