

# What to do when an allegation of child abuse is made

## If a student discloses an incident of abuse to you

### *You should:*

- Try and separate them from the other students discreetly and listen to them carefully.
- Let the student use their own words to explain what has occurred
- Stay calm and use a neutral tone with no urgency and where possible use the child's language and vocabulary (you do not want to frighten the child or interrupt the child)
- Be gentle, patient and non-judgmental throughout
- Highlight to the student it was important for them to tell you about what has happened
- Reassure the student that you take what they are saying seriously, and it is not their fault and that they are doing the right thing. It is important to assure them that they are not to blame for what has occurred
- Do not ask leading questions, for example gently ask, "What happened next?" rather than "Why?"
- Be patient and allow the child to talk at their own pace and in their own words
- Do not pressure the child into telling you more than they want to, they will be asked a lot of questions by other professionals, and it is important not to force them to retell what has occurred multiple times
- Reassure the child that you believe them and that disclosing the matter was important for them to do
- Use verbal facilitators such as, "I see", restate the child's previous statement, and use non-suggestive words of encouragement, designed to keep the child talking in an open-ended way ("what happened next?")
- Tell the child in age-appropriate language you are required to report to the relevant authority to help stop the abuse, and explain the role of these authorities if appropriate (for a young child this may be as simple as saying "I will need to talk to people to work out what to do next to help you").
- Explain to them that this information may need to be shared others, such as with their parent/carer, principal team or Child Safe team at TC, or the police.
- Do not make promises to the student such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- Do not leave the student in a distressed state. If they seem at ease in your company, stay with them.
- Provide them with an incident report form to complete, or complete it together, if you think the student is able to do this.
- As soon as possible after the disclosure, record the information using the student's words and report the disclosure to the principal team or leading teacher, police or child protection.
- Ensure the disclosure is recorded accurately, and that the record is stored securely.

### *You should AVOID:*

- Displaying expressions of panic or shock
- Asking questions that are investigative and potentially invasive (this may make the child feel uncomfortable and may cause the child to withdraw)
- Going over the information repeatedly (you are only gathering information to help you form a belief on reasonable grounds that you need to make a report to the relevant authority)
- Making any comments that would lead the student to believe that what has happened is their fault

- Making promises to the child about what will occur next or that things will be different given the process can be unpredictable and different for each child depending on their circumstances (instead reassure them that you and others will do your best to help).

## If a parent/carer/reporting person says their student has been abused in the care of TC or raises a concern

- Stay calm and use a neutral tone
- Be gentle, patient and non-judgmental throughout
- Explain that TC has processes to ensure all abuse allegations are taken very seriously.
- Ask about the wellbeing of the student.
- Allow the parent/carer/reporting person to talk through the incident in their own words.
- Advise the parent/carer/reporting person that you will take notes during the discussion to capture all details.
- Explain to them the information may need to be repeated to authorities or others, such as the principal team or Child Safe team, the police or child protection.
- Do not make promises at this early stage, except that you will do your best to keep the student safe.
- Provide them with an incident report form to complete or complete it together.
- Ask them what action they would like to take and advise them of what the immediate next steps will be.
- Ensure the report is recorded accurately, and that the record is stored securely.
- Identify if there are any communication barriers such as language or disability and assist in organising support.

If you believe a student is at immediate risk of abuse phone 000.

## Resources

[Four Critical Actions for Schools](#)

[Recording your actions: Responding to suspected child abuse – A template for Victorian schools](#)

## Legal responsibilities

While the child safe standards focus on organisations, every adult who reasonably believes that a student has been abused, whether in their organisation or not, has an obligation to report that belief to authorities.

The **failure to disclose** criminal offence requires all adults (aged 18 and over) who hold a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 to disclose that information to police (unless they have a reasonable excuse not to, for example because they fear for their safety or the safety of another).

More information about [failure to disclose](#) is available on the Department of Justice and Regulation website <[www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence)>

While failure to disclose only covers child sexual abuse, all adults should report other forms of child abuse to authorities. Failure to disclose does not change mandatory reporting responsibilities.

More information about [mandatory reporting](#) is available in the *Child protection manual* <[www.cpmanual.vic.gov.au/advice-and-protocols/advice/intake/mandatory-reporting](http://www.cpmanual.vic.gov.au/advice-and-protocols/advice/intake/mandatory-reporting)>.

**Mandatory reporters** (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

See the Department of Health and Human Services website for information about [how to make a report to child protection](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first) <www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first>.

The **failure to protect** criminal offence (commenced on 1 July 2015) applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently failed to do so.

Further information about [failure to protect](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence) can be found on the Department of Justice and Regulation website <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence>, and the Department of Health and Human Services website>.