



Talbot Primary School

Failure to Disclose

Date Approved: 22nd August 2019

Policy Statement

Talbot Primary School hold all people, but especially children, young people and the most vulnerable, the highest respect. Within this context, effective schools provide a safe, supportive and secure environment that promotes respect and care and values diversity. The mental, physical, and emotional wellbeing of children and young people are essential preconditions for successful learning.

These qualities cannot be developed for individuals in isolation from the health and wellbeing of the school community as a whole.

Talbot Primary School is committed to the creation of a safe, just and respectful environment that supports wellness for all members of the school community. In this, there is a moral obligation and shared responsibility to protect the most vulnerable members of the community.

Talbot Primary School believes that, while protecting children and young people against sexual abuse is a community wide responsibility, schools have particular moral and legal responsibilities to ensure children and young people are safe in their care and to actively and intentionally work to eliminate all forms of abusive behaviours towards children. There are also particular moral and legal obligations for those in authority to prevent, reduce and minimise child abuse and exploitation in all forms.

PURPOSE

This policy applies to the whole school community in supporting safe environments for all children and young people. The obligations of 'failure to disclose' are separate from, and in addition to, Mandatory Reporting obligations.

Its purpose concerns the new criminal offence under the Victorian Crimes Act, commencing 27 October 2014, 'failure to disclose, which provides that:

- all adults who form a reasonable belief that a sexual offence has been committed by another person against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.
- an adult will not be guilty of the offence if they have a reasonable excuse for not disclosing the information. A reasonable excuse includes: fear for safety & where the information has already been disclosed.

Note: It is a reasonable excuse to not disclose where a person believes on reasonable grounds that the information has already been disclosed to police and they have no further information to report. For example, where the person has already made a report under the mandatory reporting obligation specified in the Children, Youth and Families Act 2005.

Evaluation

This policy will be reviewed as part of the school's two-year review cycle.

Chrissy Drummond
PRINCIPAL

Amanda Conn
SCHOOL COUNCIL PRESIDENT