Melbourne Archdiocese Catholic Schools

Responding to Requests from Victoria Police and Child Protection

PROTECT Procedure

1. Introduction

Melbourne Archdiocese Catholic Schools Ltd (MACS) is committed to supporting schools to take a proactive role in the care, wellbeing and protection of children and young people.

As law enforcement officers, Victoria Police have broad powers to investigate, question, search and detain. For the most part, Victoria Police will conduct investigations after they receive a report.

However, there will be rare circumstances in which Victoria Police may ask a school to seek further information.

Victorian Department of Families, Fairness and Housing (DFFH) Child Protection workers also have wide powers to investigate and obtain information that is relevant to the protection or development of a child. At times, they may ask schools to seek further information to support their work.

2. Purpose

The purpose of these guidelines is to assist principals to:

- respond to a request from Victoria Police or DFFH Child Protection workers for extra information from or about students or an incident regarding child safety or wellbeing
- respond to a request from Victoria Police or DFFH Child Protection workers to provide photographs of student injuries
- understand and comply with their legal requirements when a request is made by Victoria Police or DFFH Child Protection workers regarding child safety and wellbeing; and
- manage situations which can be stressful and sensitive.

3. Scope

These procedures apply in all MACS schools, including specialist schools operated by MACS subsidiary, Melbourne Archdiocese Catholic Specialist Schools (MACSS) (**MACS schools**).

4. DFFH and Victoria Police requests for further information

If DFFH Child Protection or Victoria Police request further information from a student or about a family regarding a child safety or wellbeing concern, Principals (or nominated staff) **must consider**:

- if there are reasonable grounds to exclude the parent or carer from providing this information
- if seeking further information or engaging in further discussion around this situation with the student may compromise their safety or wellbeing
- that schools should support requests from DFFH and/or Victoria Police within reason having considered the impacts above
- that such a request can be treated as an information sharing request. MACS recording keeping templates and guidance can be found on the CEVN website https://cevn.cecv.catholic.edu.au under *Student Support* / *Child Information Sharing and Family Violence Reforms*; and
- that under the *Children, Youth and Families Act 2005* (Vic), DFFH Child Protection and/or Victoria Police may, in writing, direct any person with relevant information to give information to the authorised person (orally or in writing), or provide documents on any matter concerning the protection or development of the child concerned. It outlines that reasonable assistance be provided to the authorised officer in relation to the child in need of protection or support.

Note: Schools may seek clarity or further information from the MACS Legal about what to do

regarding requests for further investigation.

5. DFFH or Victoria Police requests to provide photos of student injuries

Principals (or nominated staff) **must consider**:

- if there are reasonable grounds to include the parent / carer in providing this evidence
- if the student is mature enough to be able to provide this evidence themselves
- where neither of these are possible, schools should support requests from DFFH Child Protection and/or Victoria Police. They should seek clarity regarding what is required from the photo (e.g. does the student need to be identifiable in the photo)
- that the school must seek the consent of the student to have the photo taken, including knowledge of what will be in the photograph, who will take the photo, who will receive the photo and the purpose for which it will be used
- that in the event the student cannot give informed consent for their photograph to be taken, the school must inform the requesting body that consent is unable to be obtained
- where a student consents to the photo of an injury being taken, the school should consider:
  - who is the most appropriate person to take the photo
  - that where possible, there be at least two adults present
  - that the photo should be taken on a school device (not a personal device)
  - balancing the privacy of the location with the safety of the child and staff involved
  - that once the photo has been shared with the relevant authority and receipt acknowledged, the school should delete the photograph; and the student should be aware this has occurred
  - if DFFH Child Protection or Victoria Police request that a photo be retained by the school, it must be stored securely, with protected access requirements and then deleted when no longer required; and
  - that records should be kept of the relevant details of the photo, when and to whom it was shared and if the photo is deleted, the date on which this occurred and any other relevant information
- that such requests can be treated as an information sharing request under the Child Information Sharing Scheme (CISS) or the Family Violence Information Sharing Scheme (FVISS). MACS record keeping templates and guidance can be found on the CEVN website under *Student Support* / *Child Information Sharing and Family Violence Reforms*; and
- that under the *Children, Youth and Families Act 2005* (Vic), DFFH Child Protection and/or Victoria Police may, in writing, direct any person with relevant information to give information to the authorised person (orally or in writing), or provide documents on any matter concerning the protection or development of the child concerned. It outlines that reasonable assistance is provided to the authorised officer in relation to the child in need of protection or support.

Note: Schools may seek clarity or further information from the MACS Legal about what do in response to requests for photographs of student injuries.

6. DFFH or Victoria Police requests for further information about a student

In certain circumstances, DFFH Child Protection or Victoria Police may ask for information or documents about the student, such as information about the protection or development of the child.

They may also request information about the child or family for the purpose of investigating a report or assessing the risk to a child or young person.

Principals (or nominated staff) should consider:

- if this is a request under the CISS and/or the FVISS and if so, respond as appropriate; and

- that under the *Children, Youth and Families Act 2005* (Vic), DFFH Child Protection and/or Victoria Police may, in writing, direct any person with relevant information to give information to the authorised person (orally or in writing), or provide documents on any matter concerning the protection or development of the child concerned. It outlines that reasonable assistance be provided to the authorised officer in relation to the child in need of protection or support.

Note: Schools may seek clarity or further information from the MACS Legal Unit about what to do regarding requests for further information.

7. Definitions

Refer to the Protect Policy or Glossary of Terms for definitions of terms used in this procedure.

8. Support

MACS Legal seeks to provide schools with support and advice on legal matters.
Phone: 9267 0228
Email: legal@macs.vic.edu.au

MACS Student Wellbeing Information and Support Service (SWISS) seeks to address matters that impact the wellbeing and educational outcomes of young people arising using a solution- focused framework, and empower and enhance the capacity, competence and confidence of staff to address matters related to the wellbeing of young people.
Phone: 9267 0228
Email: swb@macs.vic.edu.au

Child Safety Team supports schools with child safety and wellbeing matters and complaints handling.
Phone: 9267 0288

Reportable Conduct Team supports schools with implementation of the Reportable Conduct Scheme and related matters.
Phone: 9267 0288

9. Related policies and documents

Supporting documents

Informing Staff of Reporting Obligations: PROTECT Procedure
Police or DFFH Child Protection interviews at school: PROTECT Procedure
Police or DFFH Child Protection interviews at school – Student Interview Template
Responding to all forms of child abuse: PROTECT Procedure
Responding to Offences Under the *Crimes Act 1958* (Vic): PROTECT Procedure
Responding to student sexual offending: PROTECT Procedure

Related MACS policies and documents

Child Safety and Wellbeing Policy
Child Safety and Wellbeing Policy – Schools
Child Safety and Wellbeing Recordkeeping Procedures
Child Safe Recruitment Procedures
Code of Conduct for MACS Staff
PROTECT: Identifying and Responding to Abuse – Reporting Obligations Policy
Reportable Conduct Policy

Resources

Charter of Human Rights and Responsibilities Act 2006 (Vic) Child Information Sharing Scheme
Child Information Sharing and Family Violence Reforms on the CEVN website DET Mature Minors and Decision Making (2020)
Family Violence Information Sharing Scheme
Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse

Four Critical Actions for Schools: Responding to Student Sexual Offending National Framework for Protecting Australia's Children 2021–2031
PROTECT on the CEVN Website (schools only, log in required)
PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools PROTECT: Identifying and Responding to Student Sexual Offending
PROTECT: Responding to Suspected Child Abuse: A Template for all Victorian Schools PROTECT: Responding to Student Sexual Offending: Principal Checklist
PROTECT: Responding to Student Sexual Offending: A Template for all Victorian Schools

10. Legislation and standards

Child Wellbeing and Safety Act 2005 (Vic)
Children, Youth and Families Act 2005 (Vic)
Crimes Act 1958 (Vic)
Education and Training Reform Act 2006 (Vic)
Education and Training Reform Regulations 2017 (Vic)
Family Violence Protection Act 2008 (Vic)
Information Privacy Act 2000 (Vic)
Ministerial Order 1359: Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises
Victorian Institute of Teaching Act 2001 (Vic)
Worker Screening Act 2020 (Vic)
Wrongs Act 1958 (Vic)

Policy information table

Approving executive	Director, Child Safety and Risk
Procedure owner	General Manager, Child Safety
Approval date	1 July 2025
Review by	July 2027
Related policy	PROTECT: Identifying and Responding to Abuse – Reporting Obligations Policy
Publication	CEVN, Gabriel, School website
Superseded documents	Protect Procedure: Responding to requests from Police and Child Protection for further information – 2023 Protect Procedure: Responding to requests from Police and Child Protection for further information– 2024