



# Child Safe Policy

*(Ratified by School Council: February 2018)*

## PURPOSE:

Upwey South Primary School is committed to the safety, participation and empowerment of all children. This policy is intended to empower children who are vital and active participants in our organisation. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

We promote diversity and tolerance in our organisation, and people from all walks of life and cultural backgrounds are welcome. In particular, we:

- promote the cultural safety, participation and empowerment of Aboriginal children
- promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds
- ensure that children with a disability are safe and can participate equally.

We have a zero tolerance approach towards child abuse, and all allegations and safety concerns will be treated very seriously and consistently within our robust policies and procedures.

Please refer to our [Commitment to Child Safety](#) document which outlines our moral, legal and ethical rights, responsibilities and obligations.

This policy guides our staff and volunteers on how to behave with children in our organisation.

All of our staff and volunteers must agree to abide by our Code of Conduct which specifies the standards of conduct required when working with children.

## GUIDELINES:

The Child Safe Standards for schools and institutions working with children are detailed in [Ministerial Order No. 870- Child Safe Standards- Managing the Risk of Child Abuse in Schools](#) and have been made for the purpose of [Section 4.3.1\(6\)\(d\) of the Education and Training Reform Act 2006](#). The Ministerial Order is a key part of the Government's response to the recommendations of the Victorian Parliamentary Inquiry into the Handling of Child Abuse by Religious and other Non-Government Organisations.

In accordance with the definitions outlined in Ministerial Order 870:

- **Child Abuse** includes-
  - (a) any act committed against a child involving-
    - (i) a sexual offence; or
    - (ii) an offence under section 498(2) of the Crimes Act 1958 (grooming); and
  - (b) the infliction, on a child, of-
    - (i) physical violence; or
    - (ii) serious emotional or psychological harm; and
  - (c) serious neglect of a child.
- **Child Safety** encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.

As a minimum standard for school registration under the Education and Training Reform Act 2006, schools must take action, in accordance with the enclosed Ministerial Order, to manage and reduce the risk of child abuse. The Ministerial Order spells out what the Child Safe Standards mean in a school environment, and demonstrates the Government's "zero tolerance" for child abuse in Victorian schools. As the regulator for Victorian schools, the [Victorian Registration and Qualifications Authority \(VRQA\)](#) is given the authority by the Victorian Government to monitor and enforce compliance with the Child Safe Standards, which are:

- Standard 1- [strategies to embed an organisational culture of child safety, including through effective leadership arrangements](#)
- Standard 2- [a child safe policy or statement of commitment to child safety](#)
- Standard 3- [a code of conduct that establishes clear expectations for appropriate behaviour with children](#)
- Standard 4- [screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel](#)
- Standard 5- [processes for responding to and reporting suspected child abuse](#)
- Standard 6- [strategies to identify and reduce or remove risks of child abuse](#)
- Standard 7- [strategies to promote the participation and empowerment of children](#)

In complying with the child safe standards, schools need to be mindful of the diversity of students and school communities and include the following [inclusion principles](#) as part of each standard:

- promoting the cultural safety of Aboriginal children
- promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds
- promoting the safety of children with a disability.

#### **IMPLEMENTATION:**

*All staff, volunteers and School Council members of Upwey South Primary School are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children, as noted below.*

**All personnel of Upwey South Primary School are responsible for supporting the safety, participation, wellbeing and empowerment of children by:**

- adhering to the School's *Child Safe Policy and Code of Conduct* at all times and upholding the School's *Statement of Commitment* to child safety at all times
- taking all reasonable steps to protect children from abuse
- treating everyone with respect
- listening and responding to the views and concerns of children, particularly if they are telling you that they or another child has been abused and/or are worried about their safety or the safety of another
- promoting the cultural safety, participation and empowerment of Aboriginal children (for example, by never questioning an Aboriginal child's self-identification)
- promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination)
- promoting the safety, participation and empowerment of children with a disability (for example, during personal care activities)
- ensuring as far as practicable that adults are not left alone with a child
- reporting any allegations of child abuse or child safety concerns to the Principal or Assistant Principals and ensure that any allegation is then reported to the police or [Child Protection](#)
- if an allegation of child abuse is made, ensure as quickly as possible that the child(ren) are safe
- encouraging children to 'have a say' and participate in all relevant organisational activities where possible, especially on issues that are important to them.

### **Staff and volunteers must not:**

- develop any 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children)
- exhibit behaviours with children which may be construed as unnecessarily physical.
- put children at risk of abuse due to their physical environment (for example, by locking doors)
- do things of a personal nature that a child can do for themselves, such as toileting or changing clothes (for example, these personal tasks should be discussed with or done by a parent if required)
- engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities)
- use inappropriate language in the presence of children
- express personal views on cultures, race or sexuality in the presence of children
- discriminate against any child, including because of culture, race, ethnicity or disability
- have deliberate contact with a child or their family outside of school without the direct knowledge of the Principal and/or consent (for example, no babysitting). Accidental contact, such as seeing people in the street, is appropriate.
- have any online contact with a child or their family that is not related to the school (for example, providing families with e-newsletters or emailing a parent regarding personal learning goals is acceptable but befriending a family or child through social media is not acceptable)
- ignore or disregard any suspected or disclosed child abuse.

### ***By observing these standards all staff and volunteers acknowledge that:***

- ***we have a personal responsibility to adhere to and promote child safe principles and appropriate behaviour towards and in the company of children***
- ***we have a collective responsibility to immediately report any breach of this code to the Principal of Upwey South Primary School (or in their absence the Assistant Principals, or in the absence of the principal class members, report to a Leading Teacher or a Teaching and Learning Leader).***

### **What to do When You Suspect a Case of Child Abuse or a Child in Danger of Abuse**

*If a child discloses an incident of abuse to you, then you must:*

- a) Try and separate them from the other children discreetly and listen to them carefully.
- b) Let the child use their own words to explain what has occurred.
- c) Reassure the child that you take what they are saying seriously, and it is not their fault and that they are doing the right thing.
- d) Explain to them that this information may need to be shared with others, such as with their parent/carer, specific people in your organisation, or the police. (In line with our Mandatory Reporting Policy & Guidelines)
- e) Do not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- f) Do not leave the child in a distressed state. If they seem at ease in your company, stay with them.
- g) Provide them with an incident report form to complete, or complete it together, if in consultation with the Principal you think the child is able to do this.
- h) As soon as possible after the disclosure, record the information using the child's words and report the disclosure to the Principal who is the School's Child Safety Officer, police or child protection.
- i) Ensure the disclosure is recorded accurately, and that the record is stored securely.

*If a child discloses an incident of abuse to you, then you must (cont'd):*

- ***Discuss your concerns and detail the issue immediately with the School Principal, who is our school's Child Safety Officer.***
  - i. In the absence of the School Principal report to the Assistant Principals.
  - ii. In the absence of the members of the principal class report to a Teaching and Learning Leader.
  - iii. In the absence of a Teaching and Learning Leader refer to the SSSO Welfare Officer who will advise of the appropriate steps to take.
- ***Refer to the "When to Report" Section of the school's Mandatory Reporting Policy.***

Simply fulfilling your roles and responsibilities to refer the matter to the school's Child Safety Officer (Principal) does not displace or discharge any other obligations that arise if a person believes that a child is at risk of child abuse.

### **If a Parent/Carer Says Their Child Has Been Abused or Raises a Concern**

*If a parent/ carer discloses an incident of abuse to you, then you must:*

- a) Explain that the School has processes to ensure all abuse allegations are taken very seriously.
  - b) Ask about the wellbeing of the child.
  - c) Allow the parent/carers to talk through the incident in their own words.
  - d) Advise the parent/carers that you will take notes during the discussion to capture all details.
  - e) Explain to them the information may need to be repeated to authorities or others, such as the Principal, the police or child protection.
  - f) Do not make promises at this early stage, except that you will do your best to keep the child safe.
  - g) Provide them with an incident report form to complete, or complete it together.
  - h) Ask them what action they would like to take and advise them of what the immediate next steps will be.
  - i) Ensure the report is recorded accurately, and that the record is stored securely.
- ***Discuss your concerns and detail the issue immediately with the School Principal, who is our school's Child Safety Officer.***
    - i. In the absence of the School Principal report to the Assistant Principals.
    - ii. In the absence of the members of the principal class report to a Leading Teacher.
    - iii. In the absence of the members of the principal class report to a Teaching and Learning Leader.
    - iv. In the absence of a Teaching and Learning Leader refer to the SSSO Welfare Officer who will advise of the appropriate steps to take.
  - ***Refer to the "When to Report" Section of the school's Mandatory Reporting Policy.***

### **What Actions Will the School Take When Responding to an Allegation of Child Abuse**

- a) The School will inform appropriate authorities about the allegation, including but not limited to Mandatory Reporting. Dependent upon the circumstances this would also include reporting the incident to the Security Services Unit 24/7 Hotline on 03 9583 6266.
- b) Take reasonable steps to protect the child connected to the alleged child abuse until the allegation is resolved, in consultation with Child Protection and or the police.
- c) Keep secure records of the allegation of child abuse and the School's response to the incident, including the completion of the Child Safe Incident Reporting Form.

### **Awareness of Diversity**

As an intercultural learning community, we are aware that some people from culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police, and communicating in English may be a barrier for some. All adults need to be sensitive to these issues and meet people's needs where possible, such as having an interpreter present (who could be a friend or family member or a [VITS Registered Interpreter](#)).

If an allegation of abuse involves an Aboriginal child, a culturally appropriate response must be ensured. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community controlled organisations to review policies and procedures.

Some children with a disability may experience barriers disclosing an incident. For example, children with hearing or cognitive impairments may need support to help them explain the incident, including through sign language interpreters. Advice on communicating with people with a disability can be accessed through consulting with the Principal or the SSSO Welfare Officer allocated to the school.

### **Training and Supervision of Staff and Volunteers**

Training and education is important to ensure that everyone in our school understands that child safety is everyone's responsibility.

Our school culture aims for all staff and volunteers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse. This is inclusive of Mandatory Reporting Training for all staff.

We also support our staff and volunteers through ongoing supervision to: develop their skills to protect children from abuse; and promote the cultural safety of Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability.

New employees and volunteers will be supervised regularly to ensure they understand our school's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate (please refer to [Child Safe Code of Conduct](#)). Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services and Victoria Police, depending on the severity and urgency of the matter.

## **Recruitment**

As a school we take all reasonable steps to employ skilled people to work with children. We develop selection criteria and advertisements which clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities. Our organisation understands that when recruiting staff and volunteers we have ethical as well as legislative obligations.

We actively encourage applications from Aboriginal peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability.

All people engaged in child-related work, including volunteers, are required to hold a Working with Children Check and to provide evidence of this Check. Please see the [Working with Children Check website](#) for further information.

When engaging in the recruitment process, we carry out reference checks to ensure that we are recruiting the right people. In accordance with Victorian Institute of Teaching (VIT) Registration requirements, all teaching staff must be VIT registered which includes a WWC and Police Records Check. All other staff members who are not registered with the VIT, are required to provide a In line with Department of Education (DET) guidelines, we do retain our own records (but not the actual criminal record) if an applicant's criminal history has affected our decision making process.

If during the recruitment process a person's records indicate a criminal history then the person will be given the opportunity to provide further information and context.

As a Victorian Government school, Upwey South Primary School must comply with the DET human resources policies and practices.

The Department's Human Resources (HRWeb) website provides schools with access to a wide range of information and support services including:

- careers and recruitment
- diversity and equity
- employment conditions
- professional development
- safety, health and wellbeing
- workforce management.

The Human Resource website can be accessed at:

<http://www.education.vic.gov.au/school/principals/spag/hr/pages/hr.aspx>

## **Fair Procedures for Personnel**

The safety and wellbeing of children is our primary concern. We are also fair and just to personnel. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

We record all allegations of abuse and safety concerns using our [incident reporting form](#), including investigation updates. All records are securely stored.

If an allegation of abuse or a safety concern is raised, we provide updates on progress and any actions we take as a school to the relevant services, the Regional Office and where appropriate the children and families.

## **Privacy**

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, parents or children, unless there is a risk to someone's safety. We have safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it. Queries regarding the storage of and access to information can be made to the Principal.

## **Legislative Responsibilities**

At Upwey South Primary School, we take our legal responsibilities seriously, including:

- ***Failure to disclose:*** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16, have an obligation to report that information to the police.
- ***Failure to protect:*** People of authority in our school will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

*Any personnel who are mandatory reporters must comply with their duties.* Mandatory reporters (including but not limited to doctors, nurses, midwives, 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.

## **Risk Management**

In Victoria, organisations are required to protect children when a risk is identified. In addition to general occupational health and safety risks, we proactively work to minimise the risk of exposure to harm for children in our care. We have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments (for example, any doors that can lock), and online environments (for example, no staff or volunteer is to have contact with a child on social media beyond that of educational purposes approved by School Council).

The School's Student Engagement and Wellbeing Policy details expectations of staff in order to minimise the risk of harm coming to children.

The Risk Management Strategies will be reviewed by the School's Leadership Team and the Policy Review (Education) Sub Committee of the School Council in accordance with the Policy Evaluation Guidelines outlined in the Policy Review Schedule, and following significant incidents if they occur.

## **Allegations, Concerns and Complaints**

Upwey South Primary School takes all allegations seriously and has practices and protocols in place to investigate incidents thoroughly and quickly. Our staff and are trained to deal appropriately with allegations.

We work to ensure all children, families, staff and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.

We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place.

Any concerns or complaints regarding the handling of an incident should be referred in the first instance to the Principal or to the DET Regional Office (refer to: [Parent Complaints- Government Schools](#)).

### **Strategies That Promote Child Empowerment and Participation**

The School's *Student Engagement and Wellbeing Policy* details expectations of all members of the Upwey South Primary School learning community.

Areas of specific reference are:

- a) ***Standards of Behaviour for students attending the School***: which are outlined in the Upwey South Primary School "Student Code of Conduct"
- b) ***Healthy and Respectful Relationships***: which are explicitly taught as part of the School's social/emotional learning program and complemented by year level specific programs.
- c) ***Resilience***: which is explicitly taught as part of the Learning Challenge.
- d) ***Child Abuse Awareness and Prevention***: information of which is shared with the learning community through the school's website and relevant parent and student forums.

### **Legal Responsibilities**

While the child safe standards focus on organisations who interact with children, every adult who reasonably believes that a child 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](#). 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](#).

- ***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 can be found on the [Department of Justice and Regulation website](#).

### **RELATED LEGISLATION:**

*Ministerial Order No. 870- Child Safe Standards- Managing the Risk of Child Abuse in Schools*

*Section 4.3.1(6)(d) of the Education and Training Reform Act 2006.*



**RELATED POLICIES:**

Child Safe Code of Conduct

Commitment to Child Safety

Student Engagement and Wellbeing Policy

Duty of Care Policy

Equal Opportunity, Discrimination and Harassment Policy

Mandatory Reporting Policy

Program for Students with Disabilities Policy

Raising Concerns or Complaints Policy

Staff Recruitment and Professional Learning Policy

Volunteers and Visitors Policy

Working With Children Policy

**POLICY EVALUATION:**

This policy will be reviewed every two years by the Policy Review (Education) Sub Committee of the School Council, and following significant incidents if they occur. We will ensure that families and children have the opportunity to contribute. Where possible we do our best to work with local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

**DUE DATE FOR REVIEW:**

Due for review in March 2020.

Principal signature:

School Council President signature: