

6.5.5 Child Safety Policy

CHILD SAFETY IS EVERYONE'S BUSINESS



Our Vision

Seeking the Kingdom of God in Education

Our Mission

We provide Parent-governed, Christ-centred schooling with learning experiences that challenge each student to actively live for God in His world, while partnering with Christian parents in the nurture of their children at a price affordable to those who are committed.

6.5.5 - CHILD SAFETY POLICY

PREAMBLE

Ministerial Order 1359 outlines the updated requirements for schools in implementing the following minimum child safety standards. These new standards came into effect on 1 July 2022.

The standards are as follows:

Standard 1: Ensure that culturally safe environments are established in which the unique identities and experiences of Aboriginal students are respected and valued.

Standard 2: Ensure that child safety and well-being is embedded in leadership, governance and culture.

Standard 3: Ensure that students are empowered about their rights, participate in decisions affecting them and are taken seriously.

Standard 4: Ensure that families and communities are informed, and involved in promoting child safety and well-being.

Standard 5: Ensure that equity is upheld, and diverse needs are respected in policy and practice.

Standard 6: Ensure that people working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

Standard 7: Ensure that processes for complaints and concerns are child focused.

Standard 8: Ensure that staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

Standard 9: Ensure that physical and online environments promote safety and wellbeing while minimising the opportunity for students to be harmed.

Standard 10: Ensure that the implementation of this Order is regularly improved and supported.

Standard 11: Have policies and procedures that document how schools are safe for students.

This policy seeks to implement child safe standards that exceed the minimum standards of the Ministerial Order and applies to the Kindergarten, MECS School campus and Ranges TEC. References to 'our school' or 'the school' implies all of these settings and applies to all employees, volunteers, and contractors across these settings.

Issues related to child safety are also referred to in the following policies:

- 6.9.1 Educational Support Policy;
- 6.4.1 Student Discipline and Behaviour Policy;
- 6.5.1 Student Welfare Policy;
- 6.5.2 Mandatory Reporting Policy;
- 6.5.3 Prohibited Substances Policy;
- 6.5.4 Bullying and Harassment Policy; and
- 6.6.1 Student Grievance and Dispute Resolution Policy.

RATIONALE

In our Educational Creed, among other things:

WE CONFESS that people, as God's image-bearers, are given dominion over the creation to rule it, manage it and develop it for God, who is King over Kings and Lord over Lords;

That human life is fulfilled only in a life of free, willing submission to God; a life lived in harmony with the law of God for his creation made known in the integral revelation of the Word of God;

That being now fallen into sin, people can attain this fulfilment only through renewal by the Holy Spirit after the image of his Creator;

That for people to attempt anything at all in independence of God or in ignorance of God's revelation is inherently destructive of humanity and of the creation over which they are given dominion;

That it is a person's glory, as God's image-bearer to do everything so that the glory of God is revealed in their doing;

That the development of the child as the image-bearer of God is a central concern of the educational task.

Consequently, any action or behaviour that results in the abuse of a child or young person who is part of our community, or violates their safety, is completely rejected by us because of its destructive nature. This policy therefore outlines how our school seeks to prevent such abuse.

POLICY SUMMARY

This policy outlines the framework and guidelines for our implementation of the Child Safe Standards as mandated in Ministerial Order 1359.

The Assistant Principals, Kindergarten Director and Director of Ranges TEC (or their delegates) are the Child Safety Officers responsible to the Principal for the implementation of this policy.

All adults in our school, including teaching and non-teaching staff, parents, visiting specialists, volunteers, and contractors, have a responsibility to protect children and young people from any kind of harm or abuse. These adults are required to adhere to our Child Safety Code of Conduct.

GUIDING PRINCIPLES

All students have a right to be safe and feel safe from all forms of abuse and neglect.

The school works in partnership with families to ensure that they are engaged in decision making processes, particularly those that have an impact on child safety and protection.

The school is responsible to provide an effective education to students in all aspects of personal safety, in partnership with their parents/guardians/caregivers. All adults in our school, including teaching and non-teaching staff, parents, visiting specialists, volunteers, and contractors, have a responsibility to protect children from any kind of harm or abuse.

Our policies regarding child safety will exceed mere compliance with legislative requirements. Our practices will demonstrate cooperation with governments, the police and human services agencies.

Staff, volunteers, contractors, parents and students should feel free to raise concerns about child safety, knowing these will be taken seriously by school leadership.

Appropriate confidentiality will be maintained, with information being provided to those who have a right or a need to be informed, either legally or pastorally.

COMMITMENT TO CHILD SAFETY

Our school is committed to the wellbeing and safety of all children and young people.

We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our policies and procedures.

Our school is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.

We seek to develop a caring community in which children, parents, staff and volunteers are loved and respected.

We are committed to listening to our students so that they are empowered to be active participants in our school, consequently we take their views seriously and address concerns they raise with us.

We are committed to teaching our students in an age appropriate manner the necessary skills and understanding to maintain their personal safety and wellbeing.

We communicate with, and listen to, the views of parents and carers about the wellbeing of their children and our child safety policies and procedures.

We rigorously follow our legal and moral obligations to contact authorities when we are worried about a child or young person's safety.

Our school has human resources and recruitment practices for staff and volunteers that minimise the risk of child abuse.

We are committed to the cultural safety of Aboriginal students, the cultural safety of students from a culturally and/or linguistically diverse background, and to providing a safe environment for students with a disability.

We have specific policies, procedures and training in place that support our leadership team, staff and volunteers to achieve these commitments.

IMPLEMENTATION

ORGANISATIONAL RESPONSIBILITIES

Everyone who works at the school as an employee or volunteer is responsible to understand the important role they play to ensure the wellbeing and safety of all students. The Assistant Principals (APs), Kindergarten Director and Director of Ranges TEC (or their delegates) will oversee the implementation of this policy on behalf of the Principal in their section of the school.

The AP's, Kindergarten Director and Director of Ranges TEC will ensure that all staff and volunteers are informed of their requirements in regards to Mandatory Reporting and are aware that all issues need to be handled sensitively and promptly.

Regular staff meetings and morning briefings enable the communication and dissemination of information that involves issues of child safety.

The School Executive appoints the Assistant Principal Primary (APP), Assistant Principal Secondary (APS), the Kindergarten Director and the Director of Ranges TEC (or their delegate) to be Child Safety Officers within the school and to facilitate the implementation of this policy. If unavailable, then under the guidance of other Executive members, other nominated leaders will assume such responsibilities. It is the relevant Child Safety Officer or the Student Welfare Officer who is usually the conduit between government bodies such as the Department of Families, Fairness and Housing (DFFH), Child FIRST, The Orange Door, the Police, the Court system, and the school.

It is the role of the Child Safety Officers to assist members of the school community, who have concerns in regards to an individual student's safety, in reporting these concerns to the appropriate authority.

The Principal is responsible for the reviewing of school's policies and procedures in order to gauge the effectiveness of the school in managing its child safe strategies and to ensure that the policy is distributed to all members of the school community and is visible to the wider community on the school website.

SCHOOL LEADERSHIP RESPONSIBILITIES

The School Board, Principal, Assistant Principals & Directors, Administration Manager, and all school leaders must exercise their particular responsibility in ensuring the development of strategies that promote a culture of openness, awareness of and shared responsibility for student safety.

As such these leaders seek to:

- › Create an environment for students to be safe and to feel safe.
- › Uphold our principles and standards for all staff, parents, volunteers, and contractors.

- › Promote respectful models of behaviour between adults and children/young people.
- › Ensure that thorough and rigorous practices are applied in the recruitment and screening of staff and volunteers.
- › Ensure that staff have effective and appropriate learning to develop their knowledge of child safety matters, and enhance ability to address such matters.
- › Regularly clarify and confirm legislative obligations, policy and procedures in relation to child protection and wellbeing ensuring the school meets the specific requirements of the Victorian Child Safe Standards as set out in Ministerial Order No. 1359.
- › Regularly review and improve the implementation of the Child Safe Standards.
- › Document the policy and procedures that promote and uphold the safety and wellbeing of all students.

SCHOOL STAFF RESPONSIBILITIES

School staff (employees, volunteers, and contractors) are responsible to:

- › Treat children with dignity and respect, act with propriety, provide a duty of care, and protect children in their care.
- › Follow legislative and school processes in the course of their work, if they form a reasonable belief that a child or young person has been or is being abused or neglected.
- › Provide a physically and psychologically safe environment where the wellbeing of children is nurtured.
- › Undertake regular training and education in order to understand their individual responsibilities in relation to child safety.
- › Assist children to develop positive, responsible and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse.
- › Maintain currency of a Working with Children Check or professional registration requirements such as registration with the Victorian Institute of Teaching (VIT).
- › Follow the school's Child Safety Code of Conduct.

CHILD SAFETY CODE OF CONDUCT

All staff, volunteers, contractors, and board members are responsible for supporting the safety of children and young people as follows:

Positive Behaviours

- › Uphold and implement the school's commitment to child safety at all times.
- › Listen and respond to the views and concerns of children and young people, particularly if they are telling you that they or another child/young person has been abused or that they are worried about their own safety or the safety of another child/young person.
- › Establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
- › Ensure the cultural safety, participation and empowerment of children and young people with culturally and/or linguistically diverse background by having a zero tolerance of discrimination.
- › Uphold the cultural safety, participation and empowerment of children and young people with a disability.

- › Promote and establish physical and online environments where the safety and wellbeing of children and young people are paramount.
- › Empower children and young people about their rights in regard to their physical and online safety, and provide opportunities for participation in the decisions that affect them.
- › Partner with our families and community in promoting child safety and wellbeing.
- › Ensure that as far as practicable adults are not alone with a child or young person.
- › Report any allegations of child abuse or child safety concerns to the appropriate Child Safety Officer.
- › Comply with all reporting obligations as they relate to Mandatory Reporting.
- › Where allegations of abuse are made, ensure as quickly as possible, that the individual/s are safe.
- › Report to the Victorian Institute of Teaching, any charges, committals for trial, or convictions in relation to a sexual offence, by a registered teacher, or certain allegations or concerns about a registered teacher.

Unacceptable Behaviours

- › Must not disregard any suspected or disclosed child abuse.
- › Must not develop any special relationships with children and young people that could be seen as favouritism.
- › Must not exhibit behaviours with children and young people which may be construed as unnecessarily physical.
- › Must not put children or young people at risk of abuse through isolation (for example by locking doors).
- › Must not initiate unnecessary physical contact with children and young people or do things of a personal nature that a person can do for themselves.
- › Must not engage in open discussions of a mature or adult nature in the presence of children or young people (for example, personal social activities).
- › Must not use inappropriate language in the presence of children or young people.
- › Must not express derogatory views on cultures, race, or sexuality in the presence of children or young people.
- › Must not discriminate against any child or young person in regards to religion, age, gender, race, culture, vulnerability, sexuality, ethnicity or disability.
- › Must not have private or isolated contact with a child/young person or their family outside of school without appropriate discussion with an Executive staff member (for example, unauthorised afterhours tutoring, private instrumental/other lessons or sport coaching, babysitting). This does not preclude normal social interaction between families of the school community. Nor does it preclude incidental contact (such as seeing a student in the street).
- › Must not have any online contact of a personal or confidential nature with a child/young person (including by social media, email, instant messaging, etc.) or their family unless necessary for enabling students' school work through the school's learning management system or email system.
- › Must not be friends on any online platform with any student from the school.
- › Must not photograph or video a child or young person without the consent of the parent or guardians.
- › Must not work with children and young people whilst under the influence of alcohol or drugs (whether prescription or illegal).
- › Must not consume alcohol at school or at school events in the presence of children or young people; except for events that are authorised by the school Board.

The school provides a mechanism to record the acknowledgement that all staff and volunteers have an understanding of this code of conduct and a commitment to adhere to it.

STUDENTS

We actively encourage all students to openly express their views and feel comfortable about giving voice to the things that are important to them.

Students will learn about what they can do if they feel unsafe. We enable them to understand, identify, discuss and report on child safety issues.

We empower student leaders to voice concerns or forward suggestions that can make the school a safer learning environment.

Students are reminded that they can directly approach the Child Safety Officers, Assistant Principals, Counsellors, their teachers and School Nurses to seek advice or receive assistance.

The school also promotes child safety through the curriculum in appropriate places.

RECRUITMENT OF SCHOOL STAFF AND VOLUNTEERS

The school applies effective screening processes in the recruitment of its employees and volunteers. Our commitment to child safety and our screening requirements are provided to all applicants for paid or voluntary positions. This means that application packs must include a copy of the school's Child Safety Policy (which includes the Child Safety Code of Conduct).

When recruiting and selecting employees, contractors and volunteers involved in child connected work, we:

- › obtain proof of personal identity and any professional or other qualifications
- › confirm the applicant's Working with Children Check and/or National Police Check status and/or professional registration (as relevant)
- › verify the applicant's history of work involving children
- › obtain references that address the applicant's suitability for the job and working with children and young people.

ONGOING REQUIREMENTS FOR SCHOOL STAFF

We monitor and assess the continuing suitability of school staff to work with children and young people, through regular reviews of the status of Working with Children Checks and staff professional registration requirements such as Victorian Institute of Teaching (VIT) registration.

The school provides employees, volunteers and contractors with regular and appropriate opportunities to develop their knowledge and abilities in relation to child safety matters. This includes induction, ongoing training and professional learning to ensure that everyone understands their professional and legal obligations and responsibilities, and the procedures for reporting suspicion of child abuse and neglect.

RESPONDING TO ABUSE

Our school complies with legal obligations that relate to managing the risk of child abuse under the Children, Youth and Families Act 2005 (Vic.), the Crimes Act 1958 (Vic.). In that light:

We recognise that while the child safe standards focus on organisations, every adult who reasonably believes that a child or young person has been abused, whether in this organisation or not, has an obligation to report that belief to authorities.

We recognise that 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).

We recognise that 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 for our principals, teachers and early childhood educators.

We recognise that the **failure to protect** criminal offence 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 fail to do so.

Our **Mandatory Reporting Policy** sets out the actions required under the relevant legislation when there is a reasonable belief that a child or young person at our school is in need of protection or a criminal offence has been committed, and provides guidance and procedures on how to make a report.

The school records any child safety complaints, disclosures or breaches of the Child Safety Code of Conduct, and stores the records in accordance with security and privacy requirements.

We train staff to identify the indicators of when a child or young person may be in need of protection, understand how a 'reasonable belief' is formed, make a report of a child or young person who may be in need of protection, and comply with mandatory reporting obligations under child protection law and their legal obligations relating to criminal child abuse and grooming under criminal law.

RESPONDING IF A PARENT/CARER/STUDENT DISCLOSES OR REPORTS ABUSE IN OUR SCHOOL OR KINDERGARTEN OR RAISES A SAFETY CONCERN

If a parent or carer advises that their child has been abused in the school or raises a safety concern regarding their child, the following steps must be taken:

- › Determine and advise the relevant Child Safety Officer to work with the parent or carer through the response process.
- › Explain that we ensure all abuse allegations are taken very seriously.
- › Ask about the wellbeing of the child.
- › Act in relation to the well-being of the child.

The following steps will be carried out by the relevant Child Safety Officer:

- › Allow the parent/carer/student to talk through the incident in their own words (be sensitive to the need for an interpreter in the case of someone from a non-English speaking background, or the need for support where the parent/carer or child has hearing or cognitive impairment).
- › Advise the parent/carer 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 School Executive or Child Safety Officer, the police or personnel from DFFH.
- › Do not make promises in regard to outcomes, except that you will do your best to keep the child safe.
- › Provide them with an incident report form to complete, or complete it together if appropriate.
- › 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.
- › If an allegation of abuse involves an Aboriginal child, ensure a culturally appropriate response.

Our Grievance and Dispute Resolution Policy may also be relevant in such circumstances.

BREACHES

Where an employee is suspected of breaching any obligation, duty or responsibility within this Policy, the Principal shall enact the processes of this policy and the Staff Performance Counselling and Discipline Policy.

Where a member of the School Executive is suspected of breaching any obligation, duty or responsibility within this policy, the concerned party should contact the school Board. In such cases the Board Chair shall enact the processes of this policy and the Executive & Board Performance and Discipline Policy.

POLICY APPROVED

By: Executive

On: November 2022

POLICY TO BE REVIEWED

By: Executive

In: Annually

APPENDIX 1: Definitions used in this Policy

Child: A child or a young person enrolled as a student at the school.

Child abuse includes:

- a. any act committed against a child involving:
 - i. (i) a sexual offence
 - ii. (ii) an offence under section 49B(2) of the Crimes Act 1958 (grooming)
- b. the infliction, on a child, of:
 - i. physical violence
 - ii. serious emotional or psychological harm
- c. serious neglect of a child. (Ministerial Order No. 870)

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. (Ministerial Order No. 870)

Child neglect: The failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing (Safe Schools Hub).

Child physical abuse: Generally, child physical abuse refers to the non-accidental use of physical force against a child that results in harm to the child. Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning. The fabrication or induction of an illness by a parent or carer (previously known as Munchausen syndrome by proxy) is also considered physically abusive behaviour.

Child protection: Statutory services designed to protect children who are at risk of serious harm.

Child sexual abuse: Any sexual activity between a child under the age of consent (16) and an adult or older person (i.e. a person five or more years older than the victim) is child sexual abuse.

Child sexual abuse can also be:

- › any sexual behaviour between a child and an adult in a position of power or authority over them (e.g. a teacher); the age of consent laws do not apply in such instances due to the strong imbalance of power that exists between young people and authority figures, as well as the breaching of both personal and public trust that occurs when professional boundaries are violated
- › any sexual behaviour between a child and an adult family member, regardless of issues of consent, equality or coercion
- › sexual activity between peers that is non-consensual or involves the use of power or coercion
- › non-consensual sexual activity between minors (e.g. a 14-year old and an 11-year old), or any sexual behaviour between a child and another child or adolescent who, due to their age or stage of development, is in a position of power, trust or responsibility over the victim. Sexual activity between adolescents at a

similar developmental level is not considered abuse.

Mandatory Reporting: The legal requirement to report suspected cases of child abuse and neglect is known as mandatory reporting. Mandated persons include teachers, nurses, police, psychologists, psychiatrists and medical practitioners.

Reasonable Belief: When staff are concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a 'reasonable belief'. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

School environment means any physical or virtual place made available or authorised by the school governing authority for use by a child during or outside school hours, including:

- a. a campus of the school
- b. online school environments (including email and intranet systems)
- c. other locations provided by the school for a child's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions, and other events).

School staff means an individual working in a school environment who is:

- a. directly engaged or employed by a school governing authority
- b. a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary)



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