



## Child Safety Policy

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### Rationale:

As a school we are committed to providing a child safe environment where children and young people are safe and feel safe, and their voices are heard about decisions that affect their lives, we have a zero tolerance for child abuse. Particular attention is be paid to the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds, as well as the safety of children with a disability.

Every person involved in our school has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all children and young people is at the forefront of all they do and every decision they make.

This policy takes into account relevant legislative requirements within the state of Victoria, including specific requirements of the Victorian Child Safe Standards as set out in Ministerial order 870.

### Aims:

- To ensure that children's rights to be safe are maintained and each child is protected against physical, sexual abuse and neglect. To ensure that staff have up to date training and advice on their responsibilities on child safety.
- Ensure all adults in our school, including teachers and non-teaching staff, volunteers and contractors as well as the broader school community have a responsibility to care for children and young people, to positively promote their wellbeing and to protect them from any kind of harm or abuse.
- 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.
- To work in partnership with families and the community to ensure that they are engaged in decision-making processes, particularly those that have an impact on child safety and protection.

### Implementation:

- This policy has close links to the school's Wellbeing and engagement, Mandatory, Duty of Care, ICT and Acceptable Use of Technology Policies.
- All staff and volunteers to follow the school's Child Safety Code of Conduct.
- At the beginning of each year staff will be directed to the above policies.

- All staff and volunteers will have regular and appropriate learning to develop their knowledge of, openness to and ability to address child safety matters including how to identify and minimise risks of child abuse and to detect potential signs of child abuse.

Our processes include:

- All new staff are provided with a copy of our Child Protection Reporting Policy
  - All staff are provided with time to complete the online DET module.  
<http://www.elearn.com.au/det/protectingchildren/>
  - A training register is kept of staff training
  - All staff are provided with the link to the VRQA Child Safe Standards website for ongoing reference. <http://www.vrqa.vic.gov.au/childsafepages/default.html>
  - Time is allocated during Teaching & Learning meetings for professional learning in this area and to ensure that all staff are aware of their legal obligations.
- The school will promote and model behaviours between adults and children and young adults based on mutual respect, consideration and in line with Positive behaviours 4 Learning (School Wide Positive Behaviours).
  - Provide regular opportunities to clarify and confirm legislative obligations, policy and procedures in relation to a young person's protection and wellbeing.
  - Assist children and young people to develop positive, responsible and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse.
  - Teach students about what they can do if they feel unsafe and enable them to understand, identify, discuss and report on child safety.
  - 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.

#### **Allegations, concerns and complaints:**

- The school takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff and volunteers are trained to deal appropriately with allegations.
- All persons involved in situations where harm is suspected or disclosed will be treated with sensitivity, dignity and respect.
- The school will 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.
- All members of the school community have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place
- Information will be shared appropriately, lawfully and confidentiality will be maintained, with other organisations where the safety and wellbeing of children is at risk.

#### **Recruitment:**

- We develop selection criteria and advertisements which clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities.
- We carry out reference checks and police record checks to ensure that we are recruiting the right people. Police record checks are used only for the purposes of recruitment

- 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.
- Through induction all new employees and volunteers will be supervised regularly to ensure they understand our organisation'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.

#### **Risk management:**

- The school will 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 in organisations on social media).
- All staff will complete a risk assessment, in addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.

#### **Legislative responsibilities:**

- Any personnel who are **mandatory reporters** must comply with their duties. See the Mandatory Reporting Policy.

Our school takes our legal responsibilities seriously and will ensure that staff and volunteers have an understanding of their requirements in relation to:

- **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 organisation 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.

#### **Appendix:**

- Definitions used in this policy are in an attachment
- Further information in regards to areas of this policy.

#### **Evaluation:**

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

This policy was last ratified by School Council on 25<sup>th</sup> June 2019

## **Appendix:**

### **a. Definitions:**

**Child** means a child enrolled as a student at the school.

**Child-connected work** means work authorised by the school governing authority and performed by an adult in a school environment while children are present or reasonably expected to be present.

**Child abuse** includes—

- (a) any act committed against a child involving—
  - (i) a sexual offence; or
  - (ii) an offence under section 49B(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.

**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); and
- (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 governing authority** means:

- (a) the proprietor of a school, including a person authorised to act for or on behalf of the proprietor; or
- (b) the governing body for a school (however described), as authorised by the proprietor of a school or the ETR Act; or
- (c) the principal, as authorised by the proprietor of a school, the school governing body, or the ETR Act.

**School staff** means:

- (a) in a Government school, an individual working in a school environment who is:
  - (i) employed under Part 2.4 of the ETR Act in the government teaching service; or
  - (ii) employed under a contract of service by the council of the school under Part 2.3 of the ETR Act; or
  - (iii) a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary).
- (b) in a non-Government school, an individual working in a school environment who is:
  - (i) directly engaged or employed by a school governing authority;
  - (ii) a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary); or
  - (iii) a minister of religion.

## **b. More Information:**

### **1. Policy Commitments:**

All students enrolled at Heywood and District Secondary College have the right to feel safe and be safe. The wellbeing of children in our care will always be our first priority and we do not and will not tolerate child abuse. We aim to create a child-safe and child-friendly environment where children are free to enjoy life to the full without any concern for their safety. There is particular attention paid to the most vulnerable children, including Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds, and children with a disability.

#### **Our commitment to our students**

- (a) We commit to the safety and wellbeing of all children and young people enrolled in our school.
- (b) We commit to providing children and young people with positive and nurturing experiences.
- (c) We commit to listening to children and young people and empowering them by taking their views seriously, and addressing any concerns that they raise with us.
- (d) We commit to taking action to ensure that children and young people are protected from abuse or harm.
- (e) We commit to teaching children and young people the necessary skills and knowledge to understand and maintain their personal safety and wellbeing.
- (f) We commit to seeking input and feedback from students regarding the creation of a safe school environment.

#### **Our commitment to parents and guardians**

- (a) We commit to communicating honestly and openly with parents and carers about the wellbeing and safety of their children.
- (b) We commit to engaging with, and listening to, the views of parents and carers about our child-safety practice, policies and procedures.
- (c) We commit to transparency in our decision-making with parents and carers where it will not compromise the safety of children or young people.
- (d) We commit to acknowledging the cultural diversity of students and families, and being sensitive to how this may impact on student safety issues.
- (e) We commit to continuously reviewing and improving our systems to protect children from abuse.

#### **Our commitment to our school staff (school employees, volunteers and contractors.)**

- (a) We commit to providing all Heywood and District Secondary College staff with the necessary support to enable them to fulfil their roles. This will include regular and appropriate learning opportunities.
- (b) We commit to providing regular opportunities to clarify and confirm policy and procedures in relation to child safety and young people's protection and wellbeing. This will include annual training in the principles and intent of the Child Safety Policy and Child Safety Code of Conduct, and staff responsibilities to report concerns.
- (c) We commit to listening to all concerns voiced by Heywood and District Secondary College staff, volunteers, and contractors about keeping children and young people safe from harm.
- (d) We commit to providing opportunities for Heywood and District Secondary College school employees, volunteers and contractors to receive formal debriefing and counselling arising from incidents of the abuse of a child or young person.

## 2. Responsibilities and Organisational Arrangements

Everyone employed or volunteering at Heywood and District Secondary College has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all students is at the forefront of all they do and every decision they make.

The school has allocated roles and responsibilities for child safety as follows:

### 2.1 Guide to Responsibilities of School Leadership

The principal, the school council and school leaders at Heywood and District Secondary College recognise their particular responsibility to ensure the development of preventative and proactive strategies that promote a culture of openness, awareness of and shared responsibility for child safety. Responsibilities include:

- creating an environment for children and young people to be safe and to feel safe
- upholding high principles and standards for all staff, volunteers, and contractors
- promoting models of behaviour between adults and children and young people based on mutual respect and consideration
- ensuring thorough and rigorous practices are applied in the recruitment, screening and ongoing professional learning of staff
- ensuring that school personnel have regular and appropriate learning to develop their knowledge of, openness to and ability to address child safety matters
- providing regular opportunities to clarify and confirm legislative obligations, policy and procedures in relation to child and young people's protection and wellbeing
- ensuring the school meets the specific requirements of the Victorian Child Safe Standards as set out in [Ministerial Order No. 870](#).

### 2.2 Guide to Responsibilities of School Staff

Responsibilities of school staff (school employees, volunteers and contractors) include:

- treating children and young people with dignity and respect, acting with propriety, providing a duty of care, and protecting children and young people in their care
- following the legislative and internal 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
- providing a physically and psychologically safe environment where the wellbeing of children and young people is nurtured
- undertaking regular training and education in order to understand their individual responsibilities in relation to child safety and the wellbeing of children and young people
- assisting children and young people to develop positive, responsible and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse
- following the school's Child Safety Code of Conduct. Conduct (**Refer to the HDSC Child Safety Code of Conduct**)

### 2.3 Student Safety and participation:

At Heywood and District Secondary College, we actively encourage all students to openly express their views and feel comfortable about giving voice to the things that are important to them.

We teach students about what they can do if they feel unsafe and enable them to understand, identify, discuss and report on child safety. We listen to and act on any concerns students, or their parents or carers, raise with us.

All students at HDSC are involved in Home Groups – a pastoral care program – where they are supported by one or more key staff member and a small group of their peers. These groups meet daily and weekly for an extended period of time; at which time a variety of activities are undertaken and students have the opportunity to raise any issues/concerns, or share positive events with their group.

HDSC also has a comprehensive Student Wellbeing program in place, overseen by a Wellbeing Coordinator and House Coordinators and Home Group Leaders. Regular meetings are held to discuss progress and concerns and students have the opportunity to meet with their relevant coordinators if the need arises.

### 2.4 Reporting and Responding

Our 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. 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.) and the recommendations of the [Betrayal of Trust](#) report.

Child protection reporting obligations fall under separate pieces of legislation with differing reporting requirements.

Our school's **Mandatory Reporting Policy** (See policy) updated in September 2016, sets out the actions required under the relevant legislation when there is a reasonable belief that a child 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.

Our policy assists staff, volunteers and families to:

- identify the indicators of a child or young person who 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
- comply with mandatory reporting obligations under child protection law and their legal obligations relating to criminal child abuse and grooming under criminal law.

Our school has also established internal processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a student.

Our complaints and disclosure processes are outlined and detailed in the following policies and procedures:

- **Student Engagement and Wellbeing Policy**
- **Complaints Policy**
- **Mandatory Reporting Policy**

### 3. Relevant Legislation

- *Children, Youth and Families Act 2005* (Vic.)
- *Working with Children Act 2005* (Vic.)
- *Education and Training Reform Act 2006* (Vic.)
- *Equal Opportunity Act 2010* (Vic.)
- *Privacy Act 1988* (Cth)
- *Crimes Act 1958* (Vic.) – Three new criminal offences have been introduced under this Act:
  - a) **Failure to disclose offence**: Any adult who forms a reasonable belief that a sexual offence has been committed by an adult 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.
  - b) **Failure to protect offence**: The offence will apply 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.
  - i) **Grooming offence**: This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails.

### 4. Related Policies

#### 4.1 Department of Education Policies

- [Policy 2.2: Guidelines Relating to the Employment of Staff](#) (currently under review)
- [Policy 2.19: Child Protection – Reporting Obligations](#)
- [Policy 2.19a: School Guidelines –Police and DHHS Interview Protocols](#)
- Ministerial Order 199
- Mandatory Reporting

#### 4.2 School Policies

- Child Protection Reporting Policy
- Duty of Care Policy
- Onsite Supervision Policy
- Incursions Policy
- Camps and Excursions Policy
- Student Mobile Phone Policy
- Computers and Internet Policy
- Cyber Safety Policy
- Volunteer's Policy
- Complaints Procedures
- Working with Children Checks Policy

## 5. Breach of Policy

Where an **employee** is suspected of breaching any obligation, duty or responsibility within this Policy, Heywood and District Secondary College may start the process under Complaints, Misconduct and Unsatisfactory Performance guidelines for managing employment concerns. This may result in disciplinary consequences.

Where the **principal** is suspected of breaching any obligation, duty or responsibility within this policy, the concerned party is advised to contact the Regional Director. Relevant notification should also be made to the Department of Education and Training.

Where any **other member of the school community** is suspected of breaching any obligation, duty or responsibility within this policy, the school is to take appropriate action, including in accordance with: Child Protection – Reporting Obligations, Complaints Policy, Working with Children Checks Policy, and/or contact Department of Education (Conduct and Ethics Branch and Legal Branch) and Department of Health and Human Services (DHHS).

## 6. References

Responding to allegations of student sexual assault

[www.education.vic.gov.au/school/principals/spag/safety/Pages/sexualassault.aspx#1](http://www.education.vic.gov.au/school/principals/spag/safety/Pages/sexualassault.aspx#1)

Government Schools Website:

[www.education.vic.gov.au/childhood/providers/regulation/Pages/childsafestandards](http://www.education.vic.gov.au/childhood/providers/regulation/Pages/childsafestandards)

Safe Schools Hub 2014, [National Safe Schools Framework Glossary](#), Australian Government Department of Education and Training.

State of Victoria 2016, [Child Safe Standards](#) – *Managing the Risk of Child Abuse in Schools: Ministerial Order No. 870*, Education & Training Reform Act 2006, Victorian Government Gazette No. S2.

Victorian Government Department of Justice 2016, [Betrayal of Trust Implementation](#).

Victorian Institute of Teaching For Victorian Teaching Profession Codes of Conduct and Ethics and information about employee responsibilities to report action against registered teachers in response to allegations and concerns about registered teachers.

Website: [www.vit.edu.au](http://www.vit.edu.au)