



EMERALD SECONDARY COLLEGE

CHILD SAFE STANDARDS POLICY

PURPOSE

Emerald Secondary College is committed to the following to ensure child safety and wellbeing is a priority;

- To ensure all children feel safe and supported at school
- To prevent child abuse by identifying risks early, and removing and reducing these risks
- To ensure that process and procedures are in place to protect children from child abuse
- To ensure that all staff including contractors, volunteers, hirers, visitors to the school and parents and carers understand the school child safety guidelines and how to behave appropriately with and towards children
- To comply with Ministerial Order no. 870 and the Child Safety Standards
- To comply with reporting obligations under the child protection law and criminal law

OBJECTIVE

To explain to Emerald Secondary College staff including Casual Relief Teachers and ES replacement staff and volunteers on how to behave with children in our school.

SCOPE

This policy applies to:

- all staff, including casual relief staff and volunteers
- All staff and volunteers must agree to abide by our code of conduct which specifies the standards of conduct required when working with children

POLICY

Child safety¹ and wellbeing² is the responsibility of all schools as every child deserves to grow and develop in an educational environment that builds confidence, friendships, security and happiness irrespective of a person's family background.

¹ **Child safety:** encompasses matter 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 definition – www.vrqa.vic.gov.au/childsafe).

² **Student wellbeing:** student wellbeing is a student's level of satisfaction about the quality of their life at school. Wellbeing is characterised by positive feelings and attitude, positive relationships with other students and teachers, resilience and satisfaction with self and learning experiences at school.

Emerald Secondary College is committed to child safety and wellbeing and our core values of respect, responsibility, teamwork and relationships intend to ensure that students feel safe, supported and protected in their educational environment, allowing them to learn and grow to their full potential (also see the **Student Engagement Policy**).

Emerald Secondary College support and respect all children, staff and volunteers/visitors to our College. Every child in every community has the right to a **safe environment** regardless of their background or circumstance. We want children at this school to be safe, happy and empowered. We have legal and moral obligations to contact authorities when we are worried about a child's safety.

IMPLEMENTATION

Emerald Secondary College will:

- Embed a zero tolerance to child abuse³ and bullying⁴ (including but not limited to harassment⁵ and cyber bullying⁶). All allegations and safety concerns will be treated very seriously and consistently with our structured policies and procedures.
- Enact our legal and moral obligations to contact authorities when we are worried about a child's safety.
- Endeavour to prevent and identify risks of child abuse and/or bullying early and address, remove or reduce the risk immediately.
- Embed the Child Safety Standards in our human resources and recruitment practices to support our commitment to protecting our students from child abuse and bullying.
- Embed specific policies, procedures and training to support our leadership team, staff and volunteers to assist in the achievement of these commitments.

Our Students

This policy not only demonstrates Emerald Secondary College's commitment to child safety and wellbeing, it is intended to empower our students who are a vital and active part of our educational community. Students will be involved in making decisions, especially about matters that relate directly to them, initially through our student leadership team, student voice participants and then the broader student community.

Emerald Secondary College will promote diversity and tolerance; people from all walks of life and cultural backgrounds are welcome.

Students of Emerald Secondary College must abide by our **Student Code of Conduct**. Students have the opportunity to contribute to the development of the code of conduct and other student related policies. Throughout our documented Curriculum and Wellbeing program, Students will be educated in all matters related to child safety.

³ **Child abuse includes –**

- Any act committed against a child involving -
 - A sexual offence or
 - An offence under section 49B(2) of the *Crimes Act 1958* (grooming)
- The infliction, on a child, of –
 - Physical violence or
 - Serious emotional or psychological harm
- Serious neglect of a child (Ministerial Order No. 870 definition – www.vrqa.vic.gov.au/childsafes).

⁴ **Bullying** – is repeated verbal, physical, social or psychological aggression by a person or group directed towards a less powerful person by a more powerful person or group that is intended to cause, distress or fear. For full description see <http://www.education.vic.gov.au/about/programs/bullystoppers/Pages/what.aspx>

⁵ **Harassment** – the act of systematic and/or continued unwanted and annoying actions of one party or a group, including threats and demands.

⁶ **Cyberbullying** – bullying which is carried out through the internet or mobile devices. For full description see <http://www.education.vic.gov.au/about/programs/bullystoppers/Pages/cyberbullying.aspx>

Our Students – Work Experience & Structured Workplace Learning

This policy also takes into account situations where students are involved in structured off site work experience and/or structured work place learning and does not prohibit or limit their undertaking of these valuable pathways/curriculum based programs. In order to ensure that students are adequately prepared for such pathways options the College will ensure the following:

- Students are prepared for Workplace Learning by completing the required Safe@Work OHS modules (for the chosen workplace) in advance of their placement
- Students are briefed pre-placement in what to do and who to contact in the event of a problem (e.g. bullying, unsafe requests etc.)
- All employers/work placement/work experience providers are sent a copy of the Child Safe Fact Sheet as part of their official paperwork
- The College will contact the employers/ work experience provider and/or student during a work experience placement. For structured work placement the College will contact the employers/work placement supervisor at least once per term with weekly placements (e.g. Friday's) where the placement is for longer than one school term

Our staff, volunteers, hirers and contractors

This policy as well as our Child Safety Code of Conduct guides the school staff and volunteers on how to behave with children in our organisation. All staff, volunteers, hirers and contractors must agree to the Child Safety Code of Conduct which specify the standards of conduct required when working with children.

Training and Supervision

Training and education is important to ensure that everyone in our School understands that the safety of the child is everyone's responsibility. We train our staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

Emerald Secondary College aims to ensure that staff, students and the broader school community feel confident, comfortable and supported in discussing any potential allegations of child safety, bullying and wellbeing concerns.

Not only will staff (including volunteers, hirers and contractors), students and parents be made aware of the school's codes of conduct, staff (including volunteers) will be provided with training to enhance their skills and knowledge, thus reducing exposure to risks.

Emerald Secondary College supports training and supervision in the following ways for staff and where necessary volunteers, hirers and contractors. (Including but not limited to):

- Developing positive relationships with students,
- Identifying and understanding the process to follow when a student is a wellbeing concern (ie. negative attitude towards learning, negative relationships, high absenteeism),
- Identifying, assessing and reducing or removing child abuse and bullying risks,
- Identifying and understanding the policies and procedures which impact child safety and bullying (ie code of conduct, child safety and wellbeing policy),

- Understanding the legislative requirements, such as obligations to report child abuse⁷, reduce and remove the risks of known child abuse⁸, and to hold Working with Children Checks⁹ where required,
- Develop an understanding of how to handle a disclosure or suspicion of abuse, including the school's procedures,
- Having cultural awareness.

At Emerald Secondary College training may include;

- Training from external organisations,
- Training developed and delivered internally,
- Mentoring and coaching, and/or
- Professional Speakers
- Referral to Child Safety Policy materials eg. Staff handbook, Contractor and Hirer handbook

Recruitment/Employment

Emerald Secondary College takes all reasonable steps to employ skilled people to work with our students. Selection criteria and advertisements are developed to 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.

All potential non-teaching employees (including volunteers) are required to hold a Working with Children Check¹⁰ and provide evidence of this Check.

Reference checks and police record checks may be carried out to ensure that we are recruiting the right people. Police record checks are used only for the purposes of recruitment and are discarded after the recruitment process is complete. 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.

For more detail see the **Recruitment/Employment Policy** and the **Ensuring Safety and Welfare of Students with External Providers Policy and Procedures**.

All volunteers, contractors and hirers are required to hold a Working with Children Check and to provide evidence of this check as outlined in the Contractors/Hirers Handbook.

Fair procedures for personnel

The safety and wellbeing of our students is the primary concern. It is also important to ensure that we are fair and just to all employees and volunteers. This will occur through the following of all policies and procedures and when required, incidents will be fully investigated and assessed, disciplinary action will be thorough, transparent and based on evidence.

⁷ The failure to disclose criminal offence requires adults in Victoria to report to police a reasonable belief that a sexual offence has been committed against a child (unless they have a reasonable excuse for not doing so). More information about 'failure to disclose' is available on the Department of Justice website www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence

NOTE: Failure to report does not change mandatory reporting obligations. Certain professionals are mandatory reporters, meaning they are required to report to the Department of Health and Human Services if they believe on reasonable grounds that a child is in need of protection from physical and sexual abuse. More information about 'mandatory reporting' is available in the *Child Protection Manual* www.dhs.vic.gov.au/cpmanual/intake/overview-of-intake-of-reports-under-the-children-youth-and-families-act/1122-mandatory-and-other-required-reporting

⁸ The failure to protect criminal offence applies to people within organisations who knew of a substantial risk of child sexual abuse by someone in the organisation and had the authority to reduce or remove the risk, but negligently failed to do so. More information on 'failure to protect' is available on the Department of Justice and Regulation website www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence

⁹ For more information about 'Working with Children Checks' visit the website www.workingwithchildren.vic.gov.au

¹⁰ For further information see www.workingwithchildren.vic.gov.au

All allegations of abuse, safety and welfare concerns will be recorded using our incident reporting procedures and form¹¹, and/or agency based report forms. All records will be securely stored. Where an allegation of child abuse, safety or welfare concern is raised, updates will be provided to children and families on the progress and any actions which will be taken, subject to privacy.

Legislative responsibilities

Emerald Secondary College takes our legal responsibilities seriously, including but not limited to the following;

- **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.¹²
- **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.¹³
- Any personnel who are mandatory reporters must comply with their duties.¹⁴

Privacy

Emerald Secondary College is committed to protecting the personal and health information that we collect, use and disclose. This policy supports and reflects the Department of Education and Training's Privacy Policy¹⁵ in relation to the need to collect information and the right of the individual to privacy. We will ensure that the collection of personal and health information will be necessary for our services and functions, while recognising the right of individuals to have their information handled in ways that they would reasonably expect and in ways that protect their personal and health information. Emerald Secondary College has adopted the Information and Health Privacy Principles in the *Privacy and Data Protection Act 2014* (Vic) and the *Health Records Act 2001* (Vic) as minimum standards when dealing with personal and health information. This means that, subject to some exceptions, we will not act, or engage in a practice, that contravenes an Information and/or Health Privacy Principle in respect of personal and/or health information collected, held, managed, used, disclosed or transferred by it.

Risk Management

Management of risk is the responsibility of everyone. Government organisations in Victoria are required to protect students when a risk is identified, therefore we will ensure that all employees and volunteers proactively manage risks of abuse to students. This school has risk management strategies to identify, assess and take steps to minimise child abuse risks, which includes risks posed by the physical environment and online environment.

This schools risk management includes, but not limited to:

- The **Child Safety Code of Conduct** – outlines acceptable and unacceptable behaviour with respect to child safety and child abuse.

¹¹ See appendix 2

¹² A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including fear for their safety or where the information has already been disclosed. For further information about the failure to disclose offence is available at www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence

¹³ Further information about the failure to protect offence and who are 'people of authority' is available at www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence

¹⁴ Mandatory reporters (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. See the Department of Health and Human Services website for further information at www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first

¹⁵ For further information on the Department of Education and Trainings Privacy Poly see <http://www.education.vic.gov.au/Pages/privacypolicy.aspx>

- Child Safety Officer
- Screening as part of the staff recruitment process
- Induction for new staff
- Signing in and out processes at College administration
- Working with Children Checks, police record checks, reference checks
- On and off site supervision of children in accordance with Department Guidelines.
- ICT policy
- Social Media Staff policy
- College based practices around ICT usage e.g. internet access.
- Protocols to ensure students do not move around the school unauthorised during class time
- Out of bounds areas in the school
- Processes for hirers and contractors
- Staff training around this policy and other legal obligations e.g. mandatory reporting
- Regular review of all college policies by the required date and/or following significant incidents if they were to occur

Allegations, concerns and complaints – Procedure – child abuse, bullying/harassment and/or wellbeing concern

Allegations, concerns and complaints will be taken seriously. We have clear practices in place to investigate thoroughly and quickly. Staff and volunteers at Emerald Secondary College are trained to deal appropriately with allegations, concerns and complaints.

Our training and communication processes will ensure that all students, families, employees and volunteers know what to do and who to tell if they observe abuse or are a victim, and they notice inappropriate behaviour inside or outside of the classroom (ie. bullying and/or harassment). It must be remembered that we all have a responsibility to report an allegation of child abuse and/or bullying if we have a reasonable belief it took place.

Child Abuse – 4 Critical Actions

Emerald Secondary College implements the suggested four critical actions for schools template ‘**Responding to Incidents, Disclosures and Suspicions of Child Abuse**’ as follows:

1. Responding to an emergency
2. Reporting to authorities
3. Contacting parents/carers
4. Providing ongoing support.

Please refer to Appendix 1.

If an adult has a reasonable belief that an incident of child abuse, bullying and/or wellbeing concern has occurred, then they must report the incident.

Factors contributing to a reasonable belief that child safety has been compromised include, but are not limited to the following;

- A child or parent/guardian states that they or someone they know has been abused or bullied (noting that sometimes the child may in fact be referring to themselves)
- A child or parent/guardian states that they are concerned for the wellbeing of another student (ie. absenteeism, negative attitude to school, negative relationships with fellow students and/or teachers)

- Behaviour consistent with that of an abuse or bullying victim is observed¹⁶
- Someone else has raised a suspicion of abuse or bullying but is unwilling to report it
- Observing suspicious behaviour
- Observing wellbeing alerts (as mentioned above).

When a student or parent/carer discloses an incident of abuse, bullying or wellbeing concern or staff have a reasonable belief of abuse, bullying or wellbeing concern;

- Separate the student from the other students discreetly,
- Contact Wellbeing or a member of the Principal team immediately and complete the following steps (if the Student Welfare Coordinator is not available gain the assistance of a Year Level Coordinator, Sub-school Leader) who will then undertake the following;
 - Listen to the student carefully,
 - Let the student use their own words to explain what has occurred,
 - Reassure the student that you take what they are saying seriously, it is not their fault and they are doing the right thing,
 - Explain to them that the information may need to be shared with others, such as their parents/carers, specific people within student services and/or the police,
 - Do not make promises to the student, such as promising not to tell anyone, except that you will do your best to keep them safe,
 - Do not leave the student in a distressed state.
- In cases of bullying and wellbeing concerns, the Student Wellbeing Coordinator will determine the pathway to be followed and record the relevant information securely.
- If it appears, after forming a reasonable belief, that this is a serious breach of child safety, the staff member is required to stop investigation and contact the relevant authorities e.g. Police, SOCA, DHHS.
- In cases of child abuse (physical violence, sexual offence, serious emotional or psychological abuse and serious neglect) students are to be provided with an incident report form (see Appendix 2) to complete if you think the student is able or complete it together.
- As soon as possible after the disclosure, record the information using the student's words and if not yet completed, report the disclosure to your Student Wellbeing Coordinator, member of the Principal Team or child protection
- Ensure that the disclosure is recorded accurately and that the record is stored securely.

Emerald Secondary College has access to the following professional support services through the Student Welfare Coordinator for students who require extra assistance:

- Psychologist
- Social workers
- Drug and Alcohol Counsellor
- Community Health Nurse
- School Nurse
- Doctor (General Practitioner)
- SSSO

¹⁶ For example behaviour please visit www.dhs.vic.gov.au/_data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc

FURTHER INFORMATION AND RESOURCES

- Child Safety Code of Conduct
- Responding to incidents and disclosures of child abuse
- Bullying and Harassment Policy
- Gender Identity Policy

REVIEW CYCLE

- This policy was last updated August 2019 and is scheduled for review in August 2022.

Appendix 1

FOUR CRITICAL ACTIONS FOR SCHOOLS

Responding to Incidents, Disclosures and Suspicions of Child Abuse

PROTECT



YOU MUST TAKE ACTION

As a school staff member, you play a **critical role** in protecting children in your care.

- You **must** act, by following the 4 critical actions, as soon as you witness an incident, receive a disclosure or form a reasonable belief that a child has, or is at risk of being abused.
- You **must** act if you form a suspicion/reasonable belief, even if you are unsure and have not directly observed child abuse (e.g. if the victim or another person tells you about the abuse).
- You **must** use the *Responding to Suspected Child Abuse* template to keep clear and comprehensive notes.

*A reasonable belief is a deliberately low threshold. This enables authorities to investigate and take action.

1 RESPONDING TO AN EMERGENCY

If there is no risk of immediate harm go to **Action 2**.

If a child is at immediate risk of harm you **must** ensure their safety by:

- separating alleged victims and others involved
- administering first aid
- calling **000 for urgent medical and/or police assistance** to respond to immediate health or safety concerns
- identifying a contact person at the school for future liaison with Police.

Where necessary you may also need to maintain the integrity of the potential crime scene and preserve evidence.

2 REPORTING TO AUTHORITIES

As soon as immediate health and safety concerns are addressed you **must** report all incidents, suspicions and disclosures of child abuse as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.

Q: Where does the source of suspected abuse come from?

WITHIN THE SCHOOL

VICTORIA POLICE

You **must** report all instances of suspected child abuse involving a school staff member, contractor or volunteer to Victoria Police.

You **must also** report internally to:

GOVERNMENT SCHOOLS

- School Principal and/or leadership team
- Employee Conduct Branch
- DET Security Services Unit

CATHOLIC SCHOOLS

- School Principal and/or leadership team
- Diocesan education office

INDEPENDENT SCHOOLS

- School Principal and/or school chairperson

For suspected student sexual assault, please follow the *Four Critical Actions: Student Sexual Offending*.

WITHIN THE FAMILY OR COMMUNITY

DHHS CHILD PROTECTION

You **must** report to DHHS Child Protection if a child is considered to be:

- in need of protection from child abuse
- at risk of being harmed (or has been harmed) and the harm has had, or is likely to have, a serious impact on the child's safety, stability or development.

VICTORIA POLICE

You **must also** report all instances of suspected sexual abuse (including grooming) to Victoria Police.

If you believe that a child is not subject to abuse, but you still hold **significant concerns** for their wellbeing you must still act.

This may include making a referral or seeking advice from Child FIRST (in circumstances where the family are open to receiving support), or to DHHS Child Protection or Victoria Police.

You **must also** report internally to:

GOVERNMENT SCHOOLS

- You **must also** report to:
- School Principal and/or leadership team
- DET Security Services Unit

CATHOLIC SCHOOLS

- You **must also** report to:
- School Principal and/or leadership team
- Diocesan education office

INDEPENDENT SCHOOLS

- You **must also** report to:
- School Principal and/or chairperson

3 CONTACTING PARENTS/CARERS

Your Principal **must** consult with DHHS Child Protection or Victoria Police to determine what information can be shared with parents/carers. They may advise:

- **not to contact** the parents/carer (e.g. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and does not wish for their parent/carer to be contacted)
- **to contact** the parents/carers and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion).

4 PROVIDING ONGOING SUPPORT

Your school **must** provide support for children impacted by abuse. This should include the development of a *Student Support Plan* in consultation with wellbeing professionals. This is an essential part of your duty of care requirements. Strategies may include development of a safety plan, direct support and referral to wellbeing professionals.

You **must** follow the *Four Critical Actions* every time you become aware of a further instance or risk of abuse. This includes reporting new information to authorities.

CONTACT

DHHS CHILD PROTECTION AREA

North Division **1300 664 9777**
South Division **1300 655 795**
East Division **1300 360 391**
West Division (Rural) **1800 075 599**
West Division (Metro) **1300 664 9777**

AFTER HOURS

After hours, weekends, public holidays **13 12 78**

CHILD FIRST

www.dhs.vic.gov.au

VICTORIA POLICE

000 or your local police station

DET SECURITY SERVICES UNIT (03) 9589 6266

STUDENT INCIDENT AND RECOVERY UNIT (03) 9637 2934

EMPLOYEE CONDUCT BRANCH (03) 9637 2595

DIOCESAN OFFICE

Melbourne (03) 9267 0228
Ballarat (03) 5337 7135
Sale (03) 5622 6600
Sandhurst (03) 5443 2377

INDEPENDENT SCHOOLS VICTORIA (03) 9825 7200



APPENDIX 2

Child Safety Incident Report

Step one

Incident details

Date of Incident	
Time of Incident	
Location of Incident	
Name(s) of child/children involved	
Name(s) of staff/volunteer involved	

NOTE: If the child requires immediate medical attention please phone 000

Step two

Does the child identify as aboriginal or Torres Strait Islander? (Circle one of the following)

No

Yes, Aboriginal

Yes, Torres Strait Islander

Step three

Please categorise the incident

Physical violence	
Sexual offence	
Serious emotional or psychological abuse	
Serious neglect	

NOTE: If you suspect serious child abuse please seek advice from Wellbeing and/or Principal team who will follow the Four Critical Actions for Schools (see Appendix 1)

Step four

Please describe the incident

When did it take place?	
Who was involved?	
What did you see?	
Other information	

Step five

Has the incident been reported?

Child Protection	
Police	

Another third party (please specify)	
School Principal Team/Wellbeing	

Step six

Incident reporter (student wishes to remain anonymous? (Circle response)

YES

NO

Step Seven

Please post incident report and referrals onto Compass.

Step Eight

Process following initial report

Date incident report received	
Staff member(s) managing incident	
Follow-up notes (including referrals/ notes on Compass)	