

## Child Protection – Child Safe Policy

This Policy was written to demonstrate the strong commitment of the Board, School Leadership Team, staff, volunteers and contractors to child safety and to provide an outline of the policies and practices we have developed to keep everyone safe from any harm, including abuse.

**If you believe a child is at immediate risk of abuse phone 000.**

### 1.0 Our commitment to child safety

St Michael's Grammar School is committed to child safety.

We want children to be safe, happy and empowered. We support and respect all children, as well as our staff and volunteers. At the centre of our community of learners are the values of Dignity, Respect, Care and Compassion which are translated into action daily through positive relationships and encapsulated by the School community's belief in autonomy and integrity.

We are committed to the safety, participation and empowerment of all children.

The welfare of the children in our care will always be our first priority and we have zero tolerance of child abuse<sup>1</sup>. All allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.

We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.

The School is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.

The School has robust human resources and recruitment practices for all staff and volunteers and is committed to regularly training and educating our staff and volunteers on child abuse risks.

We support and respect all children, as well as our staff and volunteers in our diverse learning community. We are committed to the cultural safety of Aboriginal and Torres Strait Islander children, the cultural safety of children from a culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.

We have specific policies, procedures and training in place that support our School Leadership Team, staff and volunteers to achieve these commitments. The School's commitment to child safety extends beyond the physical surrounds of the School. Our child safety policy applies to any dealings between the School's staff and volunteers, either onsite, at offsite activities or any online dealings. The School and its volunteers also have obligations to report any suspected child safety issues potentially affecting its students.

### 1.1 Our children

<sup>1</sup> **Child abuse** is defined in section 3 of the Child Wellbeing and Safety Act (2005) (Vic) as including:

- any act committed against a child involving —
  - a sexual offence or
  - an offence under section 49M(1) 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.

<b>First Issued:</b> Version 1 - Oct 2016	<b>Current Issue:</b> Version 2 - Feb 2019	<b>Page:</b> 1 of 7
<b>Approved By:</b> Legal, School Executive and Board of Directors	<b>Next Review:</b> Feb 2021	<b>Prepared By:</b> Risk & Compliance Officer <b>Policy Area:</b> Risk & Compliance

## Child Protection – Child Safe Policy

This Policy is intended to empower children who are vital and active participants in our School. 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 the School, 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.

### 1.2 Our staff and volunteers

This Policy guides our staff (including contractors) and volunteers on how to behave with children in the School.

We have also developed a Child Safety Code of Conduct (**Code of Conduct**) to provide guidance to our staff and volunteers. 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. All staff and volunteers, as well as children and their families, are given the opportunity to contribute to the development of the Code of Conduct.

Both this Policy and the Code of Conduct appear on St Michael's Grammar School website. Copies of specific policies and procedures that support our School Leadership Team, staff and volunteers to achieve the School's commitment to child safety are available to students, parents and guardians on request.

### 1.3 Training and supervision

Training and education is important to ensure that everyone in our School understands that child safety is everyone's responsibility and that everyone acts on their responsibility where necessary.

The St Michael's Grammar 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.

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 the 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 the Code of Conduct to understand appropriate behaviour further). Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services, Victoria Police and the Commission for Children and Young People, depending on the severity and urgency of the matter.

<b>First Issued:</b> Version 1 - Oct 2016	<b>Current Issue:</b> Version 2 - Feb 2019	<b>Page:</b> 2 of 7
<b>Approved By:</b> Legal, School Executive and Board of Directors	<b>Next Review:</b> Feb 2021	<b>Prepared By:</b> Risk & Compliance Officer <b>Policy Area:</b> Risk & Compliance

## Child Protection – Child Safe Policy

### 1.4 Recruitment

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. This includes mandatory interview questions for both applicants and their referees. The School 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 or the equivalent Victorian Institute of Teaching registration card and to provide evidence of this. Please see the [Working with Children Check](http://www.workingwithchildren.vic.gov.au) website <[www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au)> or the [Victorian Institute of Teaching](https://www.vit.vic.edu.au/registered-teacher/renewing-my-registration) website <<https://www.vit.vic.edu.au/registered-teacher/renewing-my-registration>> for further information.

We carry out reference checks, and in relevant circumstances, police record checks to ensure that we are recruiting the right people. Police record checks are retained on our records 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 and context.

### 1.5 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 to children and families on progress and any actions we as a school take.

## 2.0 Privacy

All personal information collected, held and stored by the School will be managed in accordance with the *Privacy Act 1988 (Cth)* and the *Australian Privacy Principles (APPs)*. Further information on this can be found in the School's **Privacy Policy**.

## 3.0 Legislative responsibilities

St Michael's Grammar School takes its 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.<sup>2</sup>

<sup>2</sup> A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed.

<b>First Issued:</b> Version 1 - Oct 2016	<b>Current Issue:</b> Version 2 - Feb 2019	<b>Page:</b> 3 of 7
<b>Approved By:</b> Legal, School Executive and Board of Directors	<b>Next Review:</b> Feb 2021	<b>Prepared By:</b> Risk & Compliance Officer <b>Policy Area:</b> Risk & Compliance

## Child Protection – Child Safe Policy

- **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.<sup>3</sup>
- Any personnel who are **mandatory reporters** must comply with their duties<sup>4</sup>
- The Head of School must investigate and report to the Commission for Children and Young People allegations of reportable conduct<sup>5</sup>, or misconduct that may involve reportable conduct, committed by staff (including contractors) and volunteers.

### 4.0 Risk management

In Victoria, organisations are required to protect children when a risk is identified (see information about *failure to protect* above). In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.

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 attending the School on social media).

### 5.0 Regular review

This Policy will be reviewed every two years and following significant incidents, if they occur. We will ensure that staff, volunteers, 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.

### 6.0 Allegations, concerns and complaints

St Michael's Grammar School takes all allegations seriously and has procedures<sup>5</sup> in place to investigate thoroughly and quickly. Our staff and volunteers 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 (see information about failure to disclose above).

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Further information about the failure to disclose offence is available via the School's **Child Protection – Child Sexual Abuse Crimes Act Policy**.

<sup>3</sup> Further information about the failure to protect offence is available via the School's **Child Protection – Child Sexual Abuse Crimes Act Policy**.

<sup>4</sup> Mandatory reporters including doctors, nurses, midwives, teachers (including early childhood teachers), principals (Head of the School) 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.

Further information, including mandatory reporting procedures are available via the School's **Child Protection – Reporting Policy**.

<sup>5</sup> Reporting procedures are available via the School's **Child Protection – Reporting Policy, Child Protection – Child Sexual Abuse Crimes Act Policy and Reportable Conduct Scheme Policy**.

<b>First Issued:</b> Version 1 - Oct 2016	<b>Current Issue:</b> Version 2 - Feb 2019	<b>Page:</b> 4 of 7
<b>Approved By:</b> Legal, School Executive and Board of Directors	<b>Next Review:</b> Feb 2021	<b>Prepared By:</b> Risk & Compliance Officer <b>Policy Area:</b> Risk & Compliance

## Child Protection – Child Safe Policy

If an adult has a reasonable belief that an incident has occurred then they must report the incident. Factors contributing to reasonable belief may be:

- a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
- behaviour consistent with that of an abuse victim is observed<sup>6</sup>
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.

Members of the School Community can report any child safety concerns to a member of the School's Leadership Team or our Child Safety Officer (CSO). The CSO is currently the Risk and Compliance Manager. Where necessary, investigations may be outsourced to third party professionals.

### 7.0 Identifying abuse

The following information is provided to help in the identification of different forms of abuse:

#### 7.1 Physical abuse

Physical abuse or injury may consist of any non-accidental form of injury or serious physical harm inflicted on a child by any person. Physical injury and significant harm to a child may also result from the failure of a parent, carer or guardian to adequately ensure the safety of a child by exposing the child to extremely dangerous or life-threatening situations. Examples of physical abuse may include:

- beating, shaking or burning
- assault with implements
- fabricated illness syndrome
- female genital mutilation.

#### 7.2 Sexual abuse

A child is sexually abused when another person uses their authority or power over the child to engage in sexual activity.

Sexual activity may include fondling genitals, masturbation, oral sex, vaginal or anal penetration by a finger, penis or any other object, voyeurism and exhibitionism. It can also include exploitation through pornography or prostitution.

<sup>6</sup> For example behaviour, please see [Sexually abusive behaviours treatment services: <https://services.dhhs.vic.gov.au/sexually-abusive-behaviours-treatment-services>](https://services.dhhs.vic.gov.au/sexually-abusive-behaviours-treatment-services) or the School's **Child Protection – Reporting Policy**.

<b>First Issued:</b> Version 1 - Oct 2016	<b>Current Issue:</b> Version 2 - Feb 2019	<b>Page:</b> 5 of 7
<b>Approved By:</b> Legal, School Executive and Board of Directors	<b>Next Review:</b> Feb 2021	<b>Prepared By:</b> Risk & Compliance Officer <b>Policy Area:</b> Risk & Compliance

## Child Protection – Child Safe Policy

### 7.3 Grooming

Grooming occurs when an adult communicates (by words or conduct) with a child under 16 years of age, with the intention of facilitating the child's engagement in sexual conduct.

It is an offence for an adult to communicate with a person who has responsibility for care, supervision or authority over a child with the intention of grooming the child in their care. Such persons can include parents, stepparents, legal guardians, carers, teachers, employers and sports coaches.

Grooming includes actions deliberately undertaken with the intention of befriending and establishing an emotional connection with a child, to lower their inhibitions and facilitate sexual conduct with the child. Communication technologies such as online gaming, instant messaging, email, voice over internet protocol, social media and mobile phones can also be used in the grooming process. In these cases, the grooming process may continue for months before the offender arranges a physical meeting.

### 7.4 Emotional abuse

Emotional abuse occurs when a child is repeatedly rejected, isolated or frightened by threats or by witnessing family violence. It also includes hostility, derogatory name-calling and put-downs, and persistent coldness from a person, to the extent that the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired. Emotional abuse may occur with or without other forms of abuse.

### 7.5 Neglect

Neglect includes a failure to provide the child with an adequate standard of nutrition, medical care, clothing, shelter or supervision to the extent that the health or physical development of the child is significantly impaired or placed at serious risk.

A child is neglected if he / she is left uncared for over long periods of time or is abandoned.

The two types of neglect include:

- **serious neglect:** situations where a parent consistently fails to meet the child's basic needs for food, shelter, hygiene or adequate supervision to the extent that the consequences for the child are severe
- **medical neglect:** when a parent's refusal or failure to seek treatment or agree to a certain medical procedure, leads to an unacceptable deprivation of the child's basic rights to life or health.

### 7.6 Family violence

Family violence is behaviour by a person towards a family member that may include:

- physical violence or threats of violence
- verbal abuse, including threats
- emotional or psychological abuse
- sexual abuse
- financial and social abuse.

<b>First Issued:</b> Version 1 - Oct 2016	<b>Current Issue:</b> Version 2 - Feb 2019	<b>Page:</b> 6 of 7
<b>Approved By:</b> Legal, School Executive and Board of Directors	<b>Next Review:</b> Feb 2021	<b>Prepared By:</b> Risk & Compliance Officer <b>Policy Area:</b> Risk & Compliance

## Child Protection – Child Safe Policy

### 8.0 Related policies and procedures

- Anti-Bullying (Student) Policy
- Behavioural Expectations Policy (K-12)
- Child Protection – Child Sexual Abuse Crimes Act Policy
- Child Protection – Past Abuse Response Policy
- Child Protection – Reporting Policy
- Child Protection – Risk Management Strategy
- Child Safety Code of Conduct
- Disclosure Policy
- Incident Report – Child Abuse
- Our way of Doing, Being and Becoming
- Reportable Conduct Scheme Policy
- Restraint of Student Policy
- Triage Process
- VIT Registration Policy
- Working with Children Check Policy.

These policies and procedures may be updated from time to time.

### 9.0 References

- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Children Legislation Amendment (Reportable Conduct) Act 2017*
- *Children, Youth and Families Act 2005 (Vic)*
- *Child Wellbeing and Safety Act 2005 (Vic)*
- *Crimes Act 1958 (Vic)*
- *Crimes Amendment (Protection of Children) Act 2014 (Vic)*
- *Education and Training Reform Act 2006 (Vic)*
- *Family Law Act 1975 (Cth)*
- *Ministerial Order 870 – Child Safe Standards - Managing the risk of child abuse in schools (Vic)*
- *Reportable Conduct Scheme 2016 (Vic)*
- *Victim's Charter Act 2006 (Vic)*
- *Victorian Institute of Teaching Act 2001 (Vic)*
- *Working with Children Act 2005 (Vic)*
- *Wrongs Amendment (Organisational Child Abuse) Act 2017 (Vic)*

<b>First Issued:</b> Version 1 - Oct 2016	<b>Current Issue:</b> Version 2 - Feb 2019	<b>Page:</b> 7 of 7
<b>Approved By:</b> Legal, School Executive and Board of Directors	<b>Next Review:</b> Feb 2021	<b>Prepared By:</b> Risk & Compliance Officer <b>Policy Area:</b> Risk & Compliance