

# 135 Child Safe Policy

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## **Purpose**

1. This policy outlines how Community College Gippsland (CCG) will take appropriate actions to:
  - Facilitate the prevention of child abuse occurring within the organisation.
  - Work towards an organisational culture of child safety and prevention of child abuse.
  - Ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs.
  - Provide guidance to staff/volunteers/contractors as to action that should be taken where they suspect any abuse within or outside of the organisation.
  - Provide assurance that any and all suspected abuse will be reported and fully investigated.
2. This policy applies to all CCG campuses and learning activities inclusive of both physical and online environments.
3. In Victoria, under the Students, Youth and Families Act 2005 (Vic.) a child or young person is a person under seventeen years of age. In this context CCG refers to children as students.

## **Principles**

### **CCG's Commitment to child safety**

- CCG want students to be safe, happy and empowered. We support and respect all students, as well as our staff and volunteers.
- CCG is committed to the safety, participation and empowerment of all students.
- CCG have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.
- CCG have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.
- CCG is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.
- CCG has robust human resources and recruitment practices for all staff and volunteers.
- CCG is committed to regularly training and educating our staff on child abuse risks.
- CCG supports and respects all students, as well as our staff. CCG is committed to the cultural safety of Aboriginal students, the cultural safety of students from a culturally and/or linguistically diverse backgrounds, and to providing a safe environment for students with a disability.

### **Students at CCG**

This policy is intended to empower all students who are vital and active participants in our organisation. CCG involves them when making decisions, especially about matters that directly affect them. CCG listens to their views and respect what they have to say. CCG promotes diversity and tolerance in our organisation, and people from all walks of life and cultural backgrounds are welcome.

In particular we:

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

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CCG will:

- Take a preventative, proactive and participatory approach to child safety;
- Implement child safety policies and procedures which support ongoing assessment and amelioration of risk;
- Value and empower students to participate in decisions which affect their lives;
- Foster a culture of openness that supports all persons to safely disclose risks of harm to students;
- Respect diversity in cultures and child rearing practices while keeping child safety paramount;
- Provide written guidance on appropriate conduct and behaviour towards students;
- Engage only the most suitable people to work with students and have high quality staff and volunteer supervision and professional development;
- Ensure students know who to talk with if they are worried or are feeling unsafe, and that they are comfortable and encouraged to raise such issues;
- Report suspected abuse, neglect or mistreatment promptly to the appropriate authorities;
- Share information appropriately and lawfully with other organisations where the safety and wellbeing of students is at risk; and
- Value the input of and communicate regularly with families and carers.

### **Policy**

4. CCG is committed to being a child safe organisation that provides a safe and healthy environment at all times for all students in its care. As part of this commitment, CCG will always seek to reduce and remove any potential risks of child abuse that are within its control.
5. CCG will comply with Ministerial Order 870: Child Safe Standards – Managing the Risk of Child Abuse in Schools (Vic) and the Victorian Child Safe Standards as outlined in Appendix 1.
6. Child safety will be a key consideration included in CCG’s Strategic Plan and ECG College Philosophy.
7. All information regarding the Child Safe Standards including the Failure to Disclose and Failure to Protect offences will be communicated to the CCG Community through All Staff Professional Development Days, the internal system Sharepoint, through the Online Induction, CCG’s Handbooks and Website.
8. The Board of Directors, Senior Management Team and Program Leaders will ensure all employees are aware of and adhere to the Child Safe Standards and Child Safe Code of Conduct.
9. Child safety, including risks of child abuse, will also be a standing agenda item at the ECG College staff meetings.
10. CCG will provide all staff, volunteers and contractors with the Child Safe Code of Conduct and Agreement form, which will be read, agreed to and signed by all CCG staff and anyone who has regular contact with students at CCG.

### **Recruitment**

11. All applicants for positions within CCG will be informed of CCG’s child safe practices, and will be provided with a copy of the Child Safe Code of Conduct. The Child Safe Code of Conduct will need to be read, agreed to and signed by the applicant prior to them commencing work at CCG.
12. CCG staff, volunteers and contractors will go through appropriate screening prior to their employment with CCG. Screening will be conducted according to the Employment Practices Policy, and will include:

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- Police Check.
  - Working with Students Check.
  - Proof of personal identity and any professional or other qualifications.
  - The person's history of work involving students.
  - References that address the person's suitability for the job and working with students.
13. Volunteers who provide services at CCG will have appropriate supervision when working with or around students.
14. CCG staff will complete training in Child Safety, which includes training in identifying and reporting suspected child abuse, and what they can do to identify and reduce or remove risks of child abuse at CCG.

### **Reporting of suspected incidents**

15. All CCG staff, volunteers and teaching contractors will adhere to the CCG's 136 Child Safe Reporting Policy and Procedures that will be read in conjunction with this Policy.

### **Risk management**

16. CCG will develop and maintain a specific Child Safe Risk Management Procedure incorporated into the current Risk Management Policy and conduct an individual Risk Assessment for each campus.
17. The Child Safe Risk Management Procedure will identify and mitigate the risks of child abuse while students are enrolled with CCG.
18. The procedure will take into account the nature of each campus environment, the activities expected to be conducted in that environment (including the provision of services by contractors or outside organisations), and the characteristics and needs of all students expected to be present in that environment.
19. CCG acknowledges different risk controls may be necessary for particular groups of students depending on the nature of the risk and the diversity characteristics of students affected by the risk.

### **Reviewing**

20. CCG will review all Child Safe processes and procedures annually and review every reportable incident to assess whether CCG's child protection policies or procedures require modification to better protect the students under the organisation's care.

### **Delegated Responsibility**

21. The Chief Executive Officer, the Directors and the Head of School are the nominated Child Safe Officers and are responsible for ensuring all employees are aware of the requirements for reporting allegations of suspected child abuse.
22. The CCG Child Safety Officers will be the contact point for all employees and students as required applicable.

### **Scope**

23. All employees and students involved with CCG and ECG College.

### **Definitions**

**Child** - A child enrolled as a student at the school or RTO participating in a program.

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

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); and
- the infliction, on a child, of—
  - physical violence; or
  - serious emotional or psychological harm; and
- serious neglect of a child.

**Child safety** - encompasses matters related to protecting all students 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.

**Failure to Disclose** - A new offence came into effect on 27 October 2014 for adults who fail to disclose child sexual abuse to police. The new offence applies to all adults, not just professionals who work with children. Any adult who holds a reasonable belief that a sexual offence has been committed by an adult against a child in Victoria must report that belief to police, unless they have a reasonable excuse for not reporting.

**Failure to Protect** - A new 'failure to protect' offence came into effect on 1 July 2015 that applies to people within organisations who knew of a 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

**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 campus of the school
- online school environments (including email and intranet systems)
- 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).

In a non-Government school, an individual working in a school environment who is:

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

School governing authority

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

The following terms have the same meaning as in the ETR Act:

- child abuse;
- government school;
- government teaching service;
- non-Government school;
- parent;
- principal;

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- registered school;
- school; and
- the Secretary.

**Staff** – refers to all employees of CCG including volunteers and teaching/training contractors

### **Relationships**

**Internal** – Child Safety Reporting Policy and Procedures, Staff Code of Conduct, Child Safety Code of Conduct, Teacher and Trainer Code of Conduct, Bullying Harassment and Discrimination Policy, Risk Management Policy, Risk Management Policy & Procedures, Employment Practices Policy, Legislation Policy, Student Handbook, Employee Handbook, VCAL Parent and Student Handbook

**External** - Education and Training Reform Amendment (Child Safe Schools) Act, Students, Youth and Families Act 2005 (VIC), Child Safe Standards 2016 Managing The Risk Of Child Abuse In Schools Ministerial Order No. 870, Child Protection (Working with Students) Act 2012, Privacy Amendment (Enhancing Privacy Protection) Act 2012, Charter of Human Rights, Failure to Disclose and Failure to Protect laws

**Procedures** – Nil

**Forms** – Child Safe Incident Report Form

### **Appendix 1 - Child Safe Standards**

**Standard 1:** Organisations must have strategies to embed an organisational culture of child safety, including through effective leadership arrangements.

*Minimum child safety standard:* Strategies to embed an organisational culture of child safety in accordance with clause 7.

#### **Clause 7**

1. The **school governing authority** must:
  - a. develop strategies to embed a culture of **child safety** at the school;
  - b. allocate roles and responsibilities for achieving the strategies;
  - c. inform the school community about the strategies, and allocated roles and responsibilities;
  - d. put the strategies into practice, and inform the school community about these practices; and
  - e. periodically review the effectiveness of the strategies put into practice and, if considered appropriate, revise those strategies.

**Standard 2:** Organisations must have a child safe policy or statement of commitment to child safety.

*Minimum child safety standard:* A child safety policy or a statement of commitment to child safety in accordance with clause 8.

#### **Clause 8**

1. The school governing authority must ensure that the school has a **child safety** policy or statement of commitment to **child safety** that details:

- a. the values and principles that will guide the school in developing policies and procedures to create and maintain a child safe **school environment** ; and
- b. the actions the school proposes to take to:
  - i. demonstrate its commitment to **child safety** and monitor the school's adherence to its **child safety** policy or statement of commitment;
  - ii. support, encourage and enable **school staff** , parents, and students to understand, identify, discuss and report **child safety** matters; and.
  - iii. support or assist students who disclose **child abuse** , or are otherwise linked to suspected **child abuse** .
2. The **school governing authority** must inform the school community about the policy or statement, and make the policy or statement publicly available.

**Standard 3:** Organisations must have a code of conduct that establishes clear expectations for appropriate behaviour with students.

*Minimum child safety standard:* A child safety code of conduct in accordance with clause 9.

#### Clause 9

1. The **school governing authority** must develop, endorse, and make publicly available a code of conduct that:
  - a. has the objective of promoting **child safety** in the school environment;
  - b. sets standards about the ways in which **school staff** are expected to behave with students;
  - c. takes into account the interests of **school staff** (including other professional or occupational codes of conduct that regulate particular **school staff** ), and the needs of all students; and
  - d. is consistent with the school's **child safety** strategies, policies and procedures as revised from time to time.

**Standard 4:** Organisations must have screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel

*Minimum child safety standard:* Screening, supervision, training and other human resources practices that reduce the risk of child abuse in accordance with clause 10.

#### Clause 10

1. Subject to the requirements of the **ETR Act** , the **school governing authority** must ensure that the school implements practices for a child-safe environment in accordance with this clause.
2. Each job or category of jobs for **school staff** that involves **child connected work** must have a clear statement that sets out:
  - a. the job's requirements, duties and responsibilities regarding **child safety** ; and
  - b. the job occupant's essential or relevant qualifications, experience and attributes in relation to **child safety** .
3. All applicants for jobs that involve **child connected work** for the school must be informed about the school's **child safety** practices (including the code of conduct).
4. In accordance with any applicable legal requirement or school policy, the school must make reasonable efforts to gather, verify and record the following information about a person whom it proposes to engage to perform **child connected work** :
  - a. Working with Students Check status, or similar check;
  - b. proof of personal identity and any professional or other qualifications;
  - c. the person's history of work involving students; and
  - d. references that address the person's suitability for the job and working with students.

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5. (5) The school need not comply with the requirements in clause (4), above if it has already made reasonable efforts to gather, verify and record the information set out in clauses (4)(a) to (4)(d), above about a particular individual within the previous 12 months.
6. The school must ensure that appropriate supervision or support arrangements are in place in relation to:
  - a. the induction of new **school staff** into the school's policies, codes, practices, and procedures governing **child safety** and **child connected work** ; and
  - b. monitoring and assessing a job occupant's continuing suitability for **child connected work**
7. The school must implement practices that enable the school governing authority to be satisfied that people engaged in child-connected work perform appropriately in relation to **child safety** .

Explanatory note: To be 'satisfied', it is not necessary that the school governing authority make each decision about the selection and supervision of school staff engaged in child-connected work. The school governing authority needs to be satisfied about the appropriateness of the school's arrangements that would regulate or guide other people who make such decisions for or on behalf of the school about child safety matters and child-connected work.

**Standard 5:** Organisations must have processes for responding to and reporting suspected child abuse.

*Minimum child safety standard:* Procedures for responding to and reporting suspected child abuse in accordance with clause 11.

### Clause 11

1. The **school governing authority** must have a clear procedure or set of procedures for responding to allegations of suspected **child abuse** in accordance with this requirement and other legal obligations.
2. The **school governing authority** must ensure that the procedure is:
  - a. sensitive to the diversity characteristics of the school community;
  - b. made publicly available; and
  - c. accessible to students, **school staff** , and the wider community.
3. The procedure must:
  - a. cover all forms of '**child abuse**' as defined in the **ETR Act** ;
  - b. apply to allegations or disclosures of **child abuse** made by or in relation to a child, **school staff** , visitors, or other persons while connected to a **school environment** ;
  - c. identify the positions of the person or people who are responsible for:
    - i. promptly managing the school's response to an allegation or disclosure of **child abuse** , and ensuring that the allegation or disclosure is taken seriously;
    - ii. responding appropriately to a child who makes or is affected by an allegation of **child abuse** ;
    - iii. monitoring overall school compliance with this procedure; and
    - iv. managing an alternative procedure for responding to an allegation or disclosure if the person allocated responsibility under clause (3)(c)(i), above cannot perform his or her role;
  - d. include a statement that fulfilling the roles and responsibilities contained in the procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse;
  - e. clearly describe the actions the school will take to respond to an allegation of **child abuse** , including actions to:
    - i. inform appropriate authorities about the allegation (including but not limited to mandatory reporting);
    - ii. protect any child connected to the alleged **child abuse** until the allegation is resolved; and

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- iii. make, secure, and retain records of the allegation of **child abuse** and the school's response to it.
4. The procedure must not:
    - a. prohibit or discourage school staff from reporting an allegation of **child abuse** to a person external to the school;
    - b. state or imply that it is the victim's responsibility to inform the police or other authorities of the allegation;
    - c. require staff to make a judgment about the truth of the allegation of **child abuse** ; or
    - d. prohibit staff from making records in relation to an allegation or disclosure of **child abuse**
    - e.

**Standard 6:** Organisations must have strategies to identify and reduce or remove risks of child abuse.

*Minimum child safety standard:* Strategies to identify and reduce or remove risks of child abuse in accordance with clause 12.

### Clause 12

1. The **school governing authority** must develop and implement risk management strategies regarding **child safety** in **school environments** .
2. The school's risk management strategies regarding **child safety** must identify and mitigate the risk(s) of **child abuse** in **school environments** by taking into account the nature of each **school environment** , the activities expected to be conducted in that environment (including the provision of services by contractors or outside organisations), and the characteristics and needs of all students expected to be present in that environment.
3. If the **school governing authority** identifies risks of **child abuse** occurring in one or more **school environments** the authority must make a record of those risks and specify the action(s) the school will take to reduce or remove the risks (risk controls).

*Explanatory note:* Different risk controls may be necessary for particular groups of students depending on the nature of the risk and the diversity characteristics of students affected by the risk.

4. As part of its risk management strategy and practices, the school governing authority must monitor and evaluate the effectiveness of the implementation of its risk controls.
5. At least annually, the **school governing authority** must ensure that appropriate guidance and training is provided to the individual members of the **school governing authority** and **school staff** about:
  - a. individual and collective obligations and responsibilities for managing the risk of **child abuse** ;
  - b. **child abuse** risks in the school environment; and
  - c. the school's current **child safety** standards.

**Standard 7:** Organisations must have strategies to promote the participation and empowerment of students.

*Minimum child safety standard:* Strategies to promote child participation and empowerment in accordance with clause 13.

### Clause 13

1. The **school governing authority** must develop strategies to deliver appropriate education about:
  - a. standards of behaviour for students attending the school;
  - b. healthy and respectful relationships (including sexuality);
  - c. resilience; and
  - d. **child abuse** awareness and prevention.

2. The ***school governing authority*** must promote the ***child safety*** standards required by the Order in ways that are readily accessible, easy to understand, and user-friendly to students.