



CHILD SAFETY AND WELLBEING POLICY

1 INTRODUCTION

Minaret College (the **College**) is committed to promoting and protecting the interests, safety and wellbeing of all children and students.

The College has no tolerance for child abuse and harm to children and students.

All Staff at the College are responsible for providing a supportive and safe College Environment where every child and student has a place, a voice and their story is known and respected.

The Child Safety and Wellbeing Policy (**Policy**) and the Child Safety and Wellbeing Procedure (**Procedure**) have been drafted in consultation with the College community and approved by the College Board.

This Policy has been drafted considering the diversity of the College Environment.

If any person believes a child or student is at immediate risk of abuse or serious harm, telephone 000 and ask to speak to Victoria Police.

2 PURPOSE

The purpose of this Policy is to:

- a) establish controls and procedures to prevent child abuse and harm occurring within the College Environment;
- b) promote an organisational culture of child safety and wellbeing including by ensuring that physical and online environments promote safety and wellbeing while minimising the opportunity for children and students to be harmed;
- c) provide a clear statement of “no tolerance” for child abuse and strictly forbidding child abuse or harm to children and students;
- d) ensure all parties are aware of their responsibilities for identifying child abuse and harm, and the risk of child abuse and harm;
- e) establish controls and procedures for identifying and preventing child abuse or harm, and detecting it when it occurs in the College Environment;
- f) provide guidance regarding action that should be taken where abuse or harm occurs or is suspected within or outside College Environment, including following a disclosure of abuse from a child or receipt of a complaint of child abuse or harm;

- g) ensure everyone knows their responsibilities to prevent and report child abuse and harm;
- h) ensure all complaints, concerns and safety incidents are reported so that they can be analysed to identify causes and systemic failures and inform continuous improvement;
- i) ensure all complaints, concerns and safety incidents are documented, all required reports are made and information is shared lawfully and when required by law pursuant to the Recordkeeping, Retention and Destruction Policy;
- j) provide a culturally safe and inclusive environment for the diverse needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, and children who are vulnerable;
- k) provide assurance that complaints of child abuse and harm will be taken seriously, reported, properly investigated, and responded to in a child-focused manner; and
- l) place an emphasis on genuine engagement with and empowerment of children and students.

The Policy forms the foundation of the College's procedures, practices, decision-making processes and ultimately the College's culture with respect to child safety.

3 DEFINITIONS

- a) “**CCYP**” means the Commission for Children and Young People.
- b) “**Child**” or “**children**” means a child or young person under the age of 18 years, unless otherwise defined by law or noted in this Policy or Procedure. A young person is a child aged 10-17 years old.
- c) “**child abuse**” means:
 - a. any act committed against a child involving:
 - i. a sexual offence; or
 - ii. grooming; and
 - b. the infliction, on a child, of:
 - i. physical violence; or
 - ii. serious emotional or psychological harm; and
 - iii. the serious neglect of a child.
- d) “**child safety**” includes 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 suspicions, incidents, disclosures or allegations of child abuse.

- e) **“Child-connected work”** means work authorised by the College Board and performed by an adult in the College Environment while children or students are present or reasonably expected to be present.
- f) **“Child-related work”** means (among other things) work at educational institutions or homestay accommodation that usually involved direct contact with a child.
- g) **“CISS”** means Child Information Sharing Scheme.
- h) **“CSOs”** means Child Safety Officers.
- i) **“College”** means Minaret College Ltd.
- j) **“College Environment”** means any of the following physical, online or virtual places, used during or outside school hours:
 - a. a campus of the College;
 - b. online or virtual College environments made available or authorised by the College Board for use by a child, young person or student (including email, social media, intranet systems, software applications, collaboration tools, and online services); and
 - c. other locations provided by the school or through a third-party provider for a child, young person or student to use including, but not limited to, locations used for:
 - i. camps;
 - ii. approved homestay accommodation;
 - iii. delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers or another school; or
 - iv. sporting events, excursions, competitions or other events.
- k) **“College Board”** means the Board of Directors of Minaret College Ltd.
- l) **“DFFH”** means the Department of Families, Fairness and Housing.
- m) **“Mandatory Reporter”** means a mandatory reporter under section 184 of the *Children, Youth and Families Act 2005* (Vic) (as amended from time to time) and includes the Principal, registered teachers, registered nurses, registered psychologists, youth, social or welfare workers, registered early childhood teachers and persons in religious ministry.
- n) **“Policy”** means this Child Safety and Wellbeing Policy.
- o) **“Procedure”** means the Child Safety and Wellbeing Reporting Procedure.

- p) **“Reportable Conduct Scheme”** is the scheme which requires the College to respond to allegations of child abuse and child-related misconduct made against Staff and Volunteers, to notify CCYP of those allegations, and enable CCYP to oversee the College’s responses to these allegations.
- q) **“Staff”** means an individual working in a College Environment who is:
- a. directly engaged or employed by the College (including employees and homestay families and designated care givers);
 - b. a contracted service provider (a body corporate or any other person) engaged by the College to perform child-related work; or
 - c. a minister of religion, a religious leader or an employee or officer of a religious body associated with the College.

This means Staff includes teachers, non-teaching staff, counsellors, pastoral staff, administration staff, sporting coaches, music teachers and contractors engaged for an excursion, incursion or camp.

- r) **“Student”** means a student enrolled at the College.
- s) **“Volunteers”** includes a person who performs work without remuneration or reward for the College in the College Environment, including Board members.

4 SCOPE

This Policy applies to all Staff and Volunteers.

Staff and Volunteers must comply with the Policy, Procedure and Child Safety Code of Conduct.

This Policy applies in all College Environments. This means it applies whether or not Staff or Volunteers work face-to-face, online or remotely with children.

5 GUIDING PRINCIPLES

This Policy is based on the following guiding principles:

- a) the College has no tolerance for child abuse and harm;
- b) the best interests of children and Students is paramount;
- c) child safety is a shared responsibility of everyone in the College community;
- d) all children have a right to feel safe and be safe at the College, and have equal rights to protection from abuse and neglect;
- e) the views of the Child and a child’s rights to safety, information, participation, privacy, social connections and learning opportunities must be respected; and
- f) all children and students, regardless of their gender, race, religious beliefs, age, disability, or family or social background, have equal rights to protection from abuse and harm, and to special care and support.

6 RECOGNISING CHILD ABUSE

The legal definition of “**child abuse**” is:

- a) any act committed against a child involving:
 - a. a sexual offence; or
 - b. grooming; and
- b) the infliction, on a child, of:
 - a. physical violence; or
 - b. serious emotional or psychological harm; and
 - c. the serious neglect of a child.

This includes conduct towards, against, with or in the presence of a child or student, or threatening to engage in such conduct. Some examples include:

- a) forced marriage;
- b) family violence.

Type of child abuse	More details and examples
Sexual offence or grooming	Harassment. Encouraging a child to engage in, or be involved in, sexual activity. Compelling sexual touching.
Physical abuse	See indicators of harm below.
Serious emotional and psychological harm	when a child has suffered or is likely to suffer emotional or psychological harm that causes the child’s emotional or intellectual development is or is likely to be, significantly damaged and the child’s parents have not protected, or are unlikely to protect, the child from harm.
Serious neglect	Neglect is an omission. serious harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, medical care.

Indicators of harm can be behavioural or physical. Indicators of harm vary for different types of child abuse and can co-occur with multiple types of child abuse. Examples of indicators of harm include but are not limited to:

Physical violence
<ul style="list-style-type: none">• unexplained bruises, burns, welts, cuts grazes or scratches (or vague or unlikely explanations);• avoidance of physical contact, or disproportionate reactions or limited emotion displayed;• unexplained absences and decline in academic performance;• wearing clothing that is unsuitable for the weather conditions (to hide injuries);• substance abuse, self-harm or suicide attempts.
Sexual offences
<ul style="list-style-type: none">• signs of pain, itching or discomfort in the genital or rectal area;• sexualised behaviours;• withdrawal, low self-esteem, suicidal ideation, self-harm;• manifestation of psychological diagnoses including anxiety, depression and substance misuse;• presence of sexually transmitted diseases;• frequent urinary tract infections;• pregnancy (actual or suspected);• self-mutilation;• displaying age-inappropriate sexual behaviour or knowledge;• inappropriate expressions of affection;• sudden fears of specific places or particular adults;• obsessive and compulsive washing;• complaining of headaches, stomach pains or nausea;• sleeping difficulties;• poor self-care or personal hygiene;• regressive behaviours such as bedwetting and speech loss;• substance abuse, self-harm or suicide attempts.
Emotional or psychological harm
<ul style="list-style-type: none">• delays in emotional, mental or physical development;• speech impairments such as stuttering or being selectively mute;• rocking, thumb-sucking or other infantile behaviours;• eating disorders;

- exhibiting high anxiety or symptoms of stress;
- poor self-image or low self-esteem;
- displaying aggressive, demanding or attention-seeking behaviour;
- compulsive lying or stealing;
- unexplained mood swings or depression;
- poor social and interpersonal skills;
- excessive neatness or cleanliness;
- substance abuse, self-harm or suicide attempt.

Neglect

- Frequent hunger, or stealing or begging for food;
- Poor hygiene;
- Lack adequate or suitable clothing;
- Refusal or reluctance to go home;
- appearing dirty and unwashed;
- unattended health problems;
- appearing pale and weak;
- inadequate shelter or unsanitary living conditions;
- aggressive or self-destructive behaviour;
- involvement in criminal activity;
- poor, irregular or non-attendance at school;
- limited positive interaction with parents, carers or guardians;
- poor academic performance; and
- substance abuse.

7 RESPONSIBILITIES OF THE COLLEGE BOARD

The College Board has responsibility for the detection and prevention of child abuse and complying with the Victorian Child Safe Standards and Ministerial Order 1359.

The College Board's responsibilities include:

- a) ensuring child safety and wellbeing is embedded in leadership, governance and culture;
- b) ensuring appropriate and effective internal control systems are in place, including processes to respond to risks, complaints, concerns, disclosures, with regular reviews and evaluation of child safety and wellbeing policies, procedures and practices after any significant child safety incident or at least every two years;
- c) ensuring complaints, concerns and safety incidents are analysed to identify causes and systemic failures and inform continuous improvement;

- d) implementing policies, procedures and codes of conduct to ensure Staff and Volunteers know how to protect and prevent child abuse, and report it when it occurs or is suspected;
- e) embedding a culture of child safety and wellbeing that promotes the identification and mitigation of risks; and
- f) monitoring the College's overall compliance with its child safety policies, procedures and practices.

8 RESPONSIBILITIES OF THE EXECUTIVE PRINCIPAL

The Executive Principal of the College is responsible for:

- a) taking all practical measures to ensure this Policy and the College's Child Safe Code of Conduct are implemented effectively and that a child safe culture is maintained in all College Environments;
- b) appointing an investigator to investigate reports of child abuse and harm, and ensuring that the investigation is carried out in accordance with legislative requirements;
- c) ensuring Staff and Volunteers engaged in child-connected work receive training and information on child safety consistent with this Policy;
- d) ensuring all adults in the College community are aware of their obligation to report suspected child abuse and harm, or risk of child abuse and harm;
- e) performing the responsibilities of the Head of Entity under the Reportable Conduct Scheme;
- f) providing assurance to the College Board that key identified risks have been appropriately assessed, managed and reported (including risk treatments); and
- g) ensuring ongoing compliance to law and Child Safe standards in a manner which is culturally sensitive and aligned to the College's [Statement of Faith](#)

9 RESPONSIBILITIES OF THE HEADS OF CAMPUS AND HEADS OF SCHOOLS

All Heads of Campus and Heads of School must ensure they:

- a) promote child safety and wellbeing at all times;
- b) assess the risk of child abuse and harm within their area of control and eradicate / minimise any risk to the greatest extent possible;
- c) ensure risk management processes are in place and operating effectively within their areas of delegated responsibility;
- d) educate Staff about the prevention and identification of child abuse and harm;
- e) facilitate the reporting of any misconduct, inappropriate behaviour or suspected abuse pursuant to the Procedure; and

- f) be familiar with the types of abuse and harm which might occur within their area of responsibility and be alert for any indicators of such conduct.

10 RESPONSIBILITIES OF THE COLLEGE'S WELLBEING TEAM AND TEACHERS (CSOS)

A number of Staff have been nominated as the College's Student Wellbeing Specialists. Our Student Wellbeing Specialists receive additional specialised training with respect to child safety issues and are the first point of contact for raising child safety concerns within the College.

CSOs at the College are any employee that is a mandatory reporter.

Our Student Wellbeing and Pastoral Care Specialists and CSOs are responsible for:

- a) championing child safety;
- b) reporting any risks to child safety to the Executive Principal;
- c) helping coordinate responses to child safety and wellbeing incidents;
- d) promptly responding to a concern or complaint of child abuse, and ensuring concerns and complaints are taken seriously;
- e) overseeing investigations of complaints and disclosures of child abuse and harm, as directed by the Executive Principal; and
- f) supporting Staff, Volunteers and others in the community to maintain a child safe College Environment, including by listening, discussing and clarifying issues in relation to child safety.

11 RESPONSIBILITIES OF STAFF

All Staff have a responsibility to prevent, identify and mitigate risks related to child safety and wellbeing, and must:

- a) promote child safety and wellbeing at all times, and provide a safe College Environment for children and students;
- b) read and comply with this Policy and the Child Safety Code of Conduct;
- c) respond to all reports, allegations, complaints, concerns and disclosures of child abuse and harm, or a risk of child abuse or harm, seriously, in a child-focused manner, with sensitivity and professionalism;
- d) be observant and report any concerns about actual, suspected or risk of child abuse or harm as soon as possible in accordance with the Procedure;
- e) report any breach or suspected breach of this Policy or the Child Safety Code of Conduct in accordance with the Policy and Procedure as soon as possible;
- f) cooperate fully with any investigation conducted by the College, DFFH, Victoria Police, law enforcement authorities, regulators, CCYP, or an investigator pursuant to the Reportable Conduct Scheme;

- g) create and maintain records of all report allegations, complaints, concerns, disclosures, safety incidents, risks, decisions and all actions taken as required by the College's Recordkeeping, Retention and Destruction Policy; and
- h) providing support for children at risk or where an allegation, complaint or disclosure has been made.

Staff are strongly encouraged to report child safety concerns to the Head of School as soon as possible.

A Staff member who holds a significant concern for the safety or wellbeing of a child or student, or believes on reasonable grounds that a child or student is in need of protection from child abuse:

- a) may disclose that information to Victoria Police or DFFH; and
- b) is strongly encouraged to tell the College.

12 RESPONSIBILITIES OF VOLUNTEERS

Volunteers must:

- a) promote child safety and wellbeing at all times, and provide a safe College Environment for children and students;
- b) read and comply with this Policy , Procedure and the Child Safety Code of Conduct;
- c) be familiar with their legal obligations with respect to reporting child abuse;
- d) be aware of key risk indicators of child abuse;
- e) raise any concerns they may have relating to child abuse with one of the College's Student Wellbeing and Pastoral Care Specialists or Deputy Head of School, Head of School or Head of Campus.

13 RISK MANAGEMENT AND PREVENTION

Child safety risks can arise:

- a) in the online environment;
- b) on overnight stays such as camps;
- c) when children or students participate in events and activities:
 - a. away from the College campuses including but not limited to as excursions, sports festivals and interschool sports;
 - b. involving adults not associated with the College or the College community.

Risks to child safety can include:

- a) images or videos being taken of children or students;
- b) an adult being alone with a student or failing to provide adequate supervision.

To mitigate and prevent these risks, the College:

- a) annually reviews risks, and monitor and evaluate the effectiveness of the implementation of the risk controls (the College Board, and Risk and Governance Committee);
- b) makes child safety and wellbeing a part of its overall risk management strategy approach; and
- c) ensures Staff, Volunteers and Board members receive appropriate training and guidance.

Child safety is a standing item at Board meetings to ensure the College Board:

- a) Regularly considers risks to children and students in the College Environment;
- b) implements strategies to ensure child safety in all College Environments; and
- c) regularly reviews, and evaluates, the School's Child Safety and Wellbeing policies, procedures and practices.

The College conducts Child Safety Risk Assessments to consider risks of specific activities by the College, and the characteristics of children and students expected to be present in that environment. Risks must be recorded.

14 RECRUITMENT AND ONGOING SUITABILITY

The College has a comprehensive recruitment and screening process for Staff which aims to:

- a) ensure people working with children are suitable;
- b) promote and protect the safety and wellbeing of all children and students within the College Environment;
- c) identify and recruit the safest and most suitable candidates who share the College's values and commitment to protect children and students; and
- d) prevent a person from working at the College if they pose a risk of harm to children.

In all decisions relating to the recruitment of Staff, the safety and wellbeing of children and students is paramount.

Staff and Volunteers have ongoing supervision to ensure they remain suitable for child-connected work, including:

- a) periodically, between checks, including via review of the status of any accreditations and any incident reports;
- b) during any scheduled performance review; and
- c) after any concern is raised regarding their conduct with children and students.

14.1 WORKING WITH CHILDREN CHECKS

The College has a requirement for Working with Children Checks to be valid. Staff and Volunteers must comply with this Policy.

15 TRAINING

Providing ongoing training and information to Staff, Volunteers and Board members is a key risk mitigation step of the College. Training also ensures people working with children are supported to reflect child safety and wellbeing values in practice.

Each year, the College provides Staff with appropriate guidance and training about:

- a) this Policy;
- b) the Child Safety Code of Conduct;
- c) the College's procedures for responding to complaints or concerns relating to child abuse and harm;
- d) child abuse and harm risks in the College Environment;
- e) recognising the indicators of child harm including harm caused by other children and students;
- f) responding effectively to issues of child safety and wellbeing and supporting colleagues who disclose harm or risk of harm;
- g) how to build culturally safe environments for children and students;
- h) their information sharing and recordkeeping obligations;
- i) how to identify and mitigate child safety and wellbeing risks in the College Environment without compromising a child or student's right to privacy, access to information, social connections and learning opportunities;
- j) individual and collective obligations and responsibilities for managing the risk of child abuse and harm, including reporting obligations and offences.

The College ensures Volunteers engaged in child-connected work at the College receive training and information that will equip them with the knowledge, skills and awareness required to keep

children and students safe, and that is appropriate to the nature and responsibilities of their role. This may include:

- a) this Policy;
- b) the College's Child Safety Code of Conduct; and
- c) guidance on:
 - d) how to recognise indicators of child harm including harm caused by other children and students;
 - e) how to respond effectively to issues of child safety and wellbeing and support colleagues and children and students who disclose harm;
 - f) how they can contribute to building culturally safe environments for children and students;
 - g) any information sharing and recordkeeping obligations; and
 - h) how to identify and manage child safety and wellbeing risks relevant to the role the volunteer will undertake, without compromising a child or student's right to privacy, access to information, social connections and learning opportunities.

Each year, the College Board receives appropriate guidance and training about:

- a) child abuse risks in the College Environment;
- b) individual and collective obligations and responsibilities for implementing the Child Safe Standards and managing the risk of child abuse and harm;
- c) child safety and wellbeing risks in the College Environment; and
- d) the College's child safety policies, procedures and practices.

16 FAMILY ENGAGEMENT AND COMMUNICATION

To ensure families and communities are informed and involved in promoting child safety and wellbeing and have a say in the development of child safety and wellbeing-related policies and practices, the College:

- a) communicates with families, carers and the College community about its child safe approach; and
- b) publishes this Policy, Procedure and the Child Safety Code of Conduct and other information on its website so families and the College community are informed about the operations and governance of the College relating to child safety and wellbeing.

Any person who holds a significant concern for the wellbeing of a child or student, or believes on reasonable grounds that a child is in need of protection from child abuse:

- a) may disclose that information to Victoria Police or DFFH; and
- b) is encouraged to tell a teacher, Head of Campus or the Executive Principal at College.
- c) teachers can listen, discuss and clarify issues confronting Staff in relation to child abuse and harm, and risk of child abuse and harm.

The College provides information about child safety, including this Policy, the Procedure and its complaint processes, via the following communications:

STUDENTS	FAMILIES & COMMUNITY	STAFF	VOLUNTEERS & BOARD MEMBERS
<ul style="list-style-type: none"> • Website • Assemblies • School Health and Wellbeing curriculum • Information posters around school grounds 	<ul style="list-style-type: none"> • Conditions of enrolment • Website • Sentral Parent Portal • Parent information evenings • School Communications (e.g. letters) 	<ul style="list-style-type: none"> • Website/Intranet • Letters of appointment/contracts • Induction training • Regular training • Welcome pack • Performance development and coaching sessions (as applicable) 	<ul style="list-style-type: none"> • Website • Application forms • Induction • Welcome pack • Letters of appointment

Generally, the College includes families in decisions related to child safety and wellbeing that affect their child, however, there may be times when the College will need to report concerns of child safety to the DFFH or Victoria Police without notifying a parent, carer or guardian. For example, when there are concerns that the parent, carer or guardian is involved in perpetrating the harm, or communication may increase the risk of harm.

When assessing whether to communicate with parents, carers or guardians about a child safety concern, the safety of children and students is paramount.

17 EMPOWERMENT OF CHILDREN AND STUDENTS

The College empowers children and students to know their rights, participate in decisions affecting them and are taken seriously by implementing the Empowerment of Children Policy.

18 DIVERSITY AND EQUITY FOR CHILDREN AND STUDENTS

The College is committed to providing a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.

To ensure the College ensures equity and respects diverse needs in policy and practice, the College pays particular attention to the needs of children and students identified as vulnerable, including those listed under the Child Safe Standards

The College provides information to children and students about child safety and wellbeing, and their rights, via a range of strategies to ensure this information is accessible, easy to understand and age-appropriate. The College does this by:

- a) for younger children and students, by communicating key messages about child safety and the Policy and Procedure in person (and any other method deemed appropriate and effective for the particular age of the child or student);
- b) for children and students living with a disability, by communicating key messages about child safety and the Policy and Procedure in person (and any other method deemed appropriate and effective for the particular disability and needs of that child or student); and
- c) for children and students from culturally and linguistically diverse backgrounds, by communicating key messages about child safety and the Policy and Procedure in person, with the aid of a translator if required, and using language which is culturally safe.

19 RESPONDING & REPORTING

When there are concerns a child is in immediate danger, call Victoria Police on 000.

All Staff and Volunteers must follow the Procedure, which sets out when and how they must report:

- a) breaches of the Policy, Procedure or Child Safety Code of Conduct; and
- b) actual or suspected child abuse or risk of harm to students or children.

When the College receives information that a child or student has been harmed or is at risk of harm, the College will respond in a child-focused and professional manner which prioritises the safety of children, taking into account the diverse characteristics of the children and students involved.

The College understands that discussing matters of a sexual nature can be considered taboo or be confronting or upsetting. To promote child safety, the College supports open, honest and respectful communication. The College will support members of our community to report child safety concerns in a manner they feel comfortable – for example, by speaking with someone of the same gender.

When an allegation is made against Staff member or Volunteer, a CSO will follow the Procedure in consultation with the Executive Principal or delegate.

19.1 INVESTIGATIONS

The Executive Principal or delegate will appoint an independent investigator to investigate allegations of child abuse and harm against Staff and Volunteers, and may appoint an

investigator to investigate breaches of the Policy, Procedure or Child Safety Code of Conduct.

The College will cooperate with law enforcement and relevant authorities as required. The College will not allow an independent investigation to interfere with investigations conducted by DFFH, Victoria Police or CCYP.

The Executive Principal will make every effort to keep investigations confidential and protect individuals' privacy. However, from time to time, Staff or Volunteers may need to be consulted in conjunction with the investigation (e.g., to provide witness statements).

Investigations will be conducted in accordance with procedural fairness, child focused and ensure the safety and wellbeing of children is paramount.

20 RECORDKEEPING

Staff must create and maintain records of all complaints, concerns, safety incidents, risks, disclosures, decisions and of all actions taken in relation to a child safety complaint or disclosure.

Staff must follow the College's Recordkeeping, Retention and Destruction Policy.

When the College identifies a risk of child abuse in the College Environment, the risk and the actions taken (or that will be taken) to reduce or remove the risk must be recorded. Records must be factual and not conjectural or interpretative. Places, times, dates, names of people, observable behaviours or evidence of harm must be recorded.

Incident Reports must be securely stored by the Executive Principal or delegate and all reports made and stored in accordance with the College's Recordkeeping, Retention and Destruction Policy.

21 PRIVACY

The College must handle personal information about individuals (including Students, Staff Volunteers and parents and guardians) according to its Privacy Policy, Recordkeeping, Retention and Destruction Policy and its other legal obligations.

Staff and Volunteers must respect individuals' privacy, and limit sharing or disclosing information about child abuse and harm when it is not necessary to comply with reporting obligations, this Policy or Procedure, or support the child or student. For example, Staff should not discuss child abuse concerns in the Staff room when many people are present. Instead, Staff should arrange a private time and space to talk to a CSO.

22 BREACHES

If the College becomes aware of a breach or suspected breach of this Policy, Procedure or Child Safety Code of Conduct, it will take immediate steps to ensure the safety and wellbeing of any child who may be at risk. A breach of this Policy, Procedure or the Child Safety Code of Conduct

may result in disciplinary action (up to and including the immediate termination of engagement or employment with the College).

Suspected breaches will be investigated in accordance with the Policy and any relevant legislation (for example, the Reportable Conduct Scheme), and in a manner which is child-focused and provides procedural fairness.

At all times and in all decisions relating to a breach or potential breach of this Policy, the Procedure or the Child Safety Code of Conduct, the safety of children and students is paramount.

23 MONITORING AND REVIEW

The College welcomes feedback from all members of the community on ways that it can improve its approach to child safety and wellbeing.

Children, students, families and communities have a say in the development and review of the College's policies and procedures.

The College reviews and evaluates this Policy and Procedure, Child Safety Code of Conduct and the College's child safety procedures and practices every year as well as after any significant child safety incident. This includes evaluating the effectiveness of the College's risk controls and risk treatments.

The Executive Principal is responsible for ensuring this review is conducted.

24 RELATED POLICIES, PROCEDURES AND LEGISLATION

Related policies include:

- a) Staff Code of Conduct;
- b) Child Safety Code of Conduct;
- c) Privacy Policy;
- d) Recordkeeping, Retention and Destruction Policy;
- e) Duty of Care Policy;
- f) Bullying Prevention and Intervention Policy;
- g) Online Safety and Online Conduct Policy;
- h) Procurement Policy;
- i) Diversity and Inclusion Policy; and
- j) Grievances and Complaints Policy.

This Policy must be read in conjunction with:

- a) the law of the Commonwealth and of Victoria; and
- b) the College's Child Safety Code of Conduct.

DOCUMENT CONTROL

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CHILD SAFETY AND WELLBEING REPORTING PROCEDURE

This Child Safety and Wellbeing Reporting Procedure (**Procedure**) applies to Staff and Volunteers of the College, whether they work face-to-face, online or remotely with children. It should be read in accordance with the Child Safety and Wellbeing Policy (**Policy**) and Child Safety Code of Conduct.

Defined terms are set out in the Policy.

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1 STEP 1: IMMEDIATE DANGER

If a Staff member or Volunteer believes the child or student is at immediate risk of child abuse or harm, they must telephone 000.

A Staff member or Volunteer who believes that a child is at risk of serious or immediate harm must take all reasonable steps to ensure their immediate safety. This may include staying with the child until action has been taken to reduce or remove the risk, removing the child or student from any circumstances that could lead to further harm, separating alleged victims and others involved and/or administering first aid.

When possible, Staff and Volunteers should offer support and respond in a calm and compassionate manner. How Staff and Volunteers respond must be sensitive to the child's specific circumstances and tailor their support and response to specific needs. Staff and Volunteers should consider the child's age and maturity, cultural background, existing physical or emotional needs, if they are vulnerable.

Responding to a disclosure

If a child or student tells a Staff Member or Volunteer about an incident of abuse or harm, the Staff Member or Volunteer must deal with this sensitively and professionally. Staff should follow the steps below.

H – Hear. Actively listen to the child making the disclosure. Believe the person’s experience. Do not interrupt.

E – Empathy. Respond to the disclosure with empathy. Validate their experience.

A – Affirm. Affirm that the alleged abuse or harm is not the child’s fault and that they have done the right thing by telling someone.

R – Record. Record the disclosure, focusing on using the child’s own words, and recording observational facts.

T – Tell. Tell someone, such as a Head of School.

S – Self-care. Remember to check in with yourself after a disclosure and seek support if you need it.

2 STEP 2: IS THERE AN OBLIGATION TO REPORT?

2.1 INTERNALLY

If a Staff Member or Volunteer identifies a risk of child abuse or harm, has a concern, receives a disclosure or complaint about child abuse or harm, they are strongly encouraged to make an internal report to a teacher. Where a report is made, the Staff Member must complete an Incident Report and submit this to the College's Student Wellbeing and Pastoral Care Specialists, Deputy Head of School, Head of School or Head of Campus.

The Incident Report must include:

- a) the name, age and address of student;
- b) the reason for suspecting that the behaviour or injury is a result of abuse;
- c) an assessment of the immediate danger to the child or student;
- d) a description of the injury or behaviour observed;
- e) the current whereabouts of the child or student;
- f) any other information about the family; and
- g) any specific cultural details, e.g. English speaking, disability, etc.

All Staff members **are strongly encouraged** to discuss any concerns, suspicions, allegations or disclosures of child abuse or harm with a Wellbeing Specialist. Wellbeing Specialists can help Staff follow this Procedure.

2.2 EXTERNALLY

This Procedure sets out the different external reporting obligations that may apply in different circumstances and to different Staff or Volunteers.

2.2.1 MANDATORY REPORTING

Staff who:

- a) are Mandatory Reporters (defined in the Policy) including the Principal, registered teachers, registered nurses, registered psychologists, youth, social or welfare workers, registered early childhood teachers and persons in religious ministry; and
- b) in the course of carrying out their duties form a belief on reasonable grounds that:
- c) a child is in need of protection because they have suffered or are likely to suffer from significant harm as a result of **physical injury** or **sexual abuse**; and
- d) the child's parents have not or are unlikely to protect the child from harm,
- e) **must** report that information to the DFFH.

Mandatory Reporters must make a report to DFFH **each time** a they become aware of further ground for their belief a child may have suffered or is likely to suffer harm. An Incident Report should also be completed each time (Internal report).

Physical injury means injury which results from abuse. The injury may be intentionally inflicted or may be the inadvertent consequence of physical punishment, or the physically aggressive treatment of a child.

Sexual abuse includes but is not limited to sexual offences. Sexual offences are defined in this policy.

2.2.2 DISCRETIONARY REPORT TO THE DFFH

Any person **may** make a report to the DFFH if they hold a significant concern for the wellbeing of a child.

2.2.3 FAILURE TO DISCLOSE SEXUAL ABUSE OFFENCE

Any adult who forms a belief on reasonable grounds that a **sexual offence** has been committed in Victoria against a child under the age of 16 by an adult, **must** make a report to Victoria Police as soon as practicable.

A sexual offence includes:

- a) rape;
- b) indecent assault;
- c) sexual penetration;
- d) grooming a child for sexual conduct;
- e) encouraging a child to engage in, or be involved in, sexual activity;
- f) compelling sexual touching;
- g) assault with intent to commit a sexual offence;
- h) threat to commit a sexual offence;
- i) causing a child to be present during sexual activity;
- j) facilitating a sexual offence against a child;
- k) administration of an intoxicating substance for a sexual purpose;
- l) procuring a sexual act by fraud or threat; or
- m) an attempted sexual offence or an assault with intent to commit a sexual offence.

A reasonable belief is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a reasonable belief¹ might be formed when:

- a) a child tells you they have been sexually abused;
- b) a child tells you they know someone who has been sexually abused (sometimes the child may be talking about themselves);
- c) professional observations of the child's behaviour or development leads you to believe the child has been sexually abused or is likely to be abused; or
- d) signs of sexual abuse lead to a belief that the child has been sexually abused.

2.2.4 FAILURE TO PROTECT OFFENCE

A Staff member or Volunteer in a position of authority who is aware of a substantial risk that a child will become the victim of a sexual offence committed by an adult associated with the College **must not negligently fail** to reduce or remove that risk.

This means there is a duty to take immediate action to remove or reduce that risk. Reporting to DFFH or Victoria Police is one way to reduce or remove the risk.

Staff and Volunteers will be in a position of authority when they are responsible for supervision of children or students, such as a coach of a sports team. An adult associated with the College could be a Board member, Staff member or Volunteer.

2.2.5 REPORTABLE CONDUCT SCHEME

The Executive Principal **must** report any reportable allegation made against a Staff member to the CCYP within 3 business days of becoming aware of the reportable allegations.

Staff members must advise a Head of School immediately if they become aware of conduct that may constitute a reportable allegation, which includes conduct which occurs outside someone's employment.

A **reportable allegation** is made where a person makes an allegation based on a reasonable belief that a Staff member has:

- a) committed reportable conduct; or
- b) committed misconduct which may constitute reportable conduct.

Reportable conduct includes:

- a) sexual offences committed against, with or in the presence of a child;
- b) sexual misconduct committed against, with or in the presence of a child;
- c) physical violence committed against, with or in the presence of a child;
- d) any behaviour which can cause significant emotional or psychological harm to a child; and
- e) significant neglect of a child.

3 STEP 3: HOW TO MAKE A REPORT

To report to the DFFH, telephone the DFFH intake line:

- a) North Division intake: 1300 664 977
- b) South Division intake: 1300 655 795
- c) East Division intake: 1300 360 391
- d) West Division intake: metropolitan: 1300 664 977
- e) West Division intake: rural and regional: 1800 075 599

DFFH's Child and Family Information, Referral and Support Team is known as Child FIRST.

To report to Victoria Police, ring 000.

To report to CCYP, ring (03) 8601 5281 or email contact@ccyp.vic.gov.au.

It may also be appropriate for the Executive Principal to contact other organisations, including:

- a) for child safety concerns involving international students, contact the Victorian Registrations and Qualifications Authority.
- b) for child safety concerns about registered teachers, contact the Victorian Institute of Teachers.

When making a report, Staff and Volunteers should:

- a) provide the following information:
 - a. name, age and address of the student;
 - b. the reason for suspecting the indicator of harm is a result of child abuse;
 - c. an assessment of the immediate danger to the child or student;
 - d. a description of the indicator of harm, injury or behaviour observed;
 - e. the current whereabouts of the child or student;
 - f. other relevant information about the child or student's family; and
 - g. any specific vulnerability or cultural details, e.g. English speaking, disability, etc.;
and
- b) request that, if an interview is to take place at the College, the visiting police officer or DFFH representative is in plain clothes and the College is told the time of the interview so a meeting room can be organised. If the student agrees to be interviewed by DFFH and/or Victoria Police, nominated support person should offer to be present at the interview to support the student.

4 STEP 4: INTERNAL ACTION FOR THE COLLEGE

When a Head of School becomes aware of a report, a Case Management Group (that may consist of the teacher, the Wellbeing Coach, the Wellbeing Specialist, Deputy Head of School, Head of School, Head of Campus, Counsellor and /or the Executive Principal or delegate) will be set up to monitor and review the risks related to child safety and offer support to the student and reporter.

Where it is not appropriate for a Head of School to perform their role, concerns should be raised with the Head of Campus or Executive Principal, who will be responsible for managing an alternative procedure for responding to an allegation or disclosure.

4.1 CARE FOR THE STUDENT

After any immediate risk of harm has been removed or mitigated (Step 1), the Case Management Group members should consider additional support for the child(ren) or students(s) concerned. This may include referral to a wellbeing professional or external support services, developing a student support plan, engaging in regular communication and follow up, supporting the student to be around their friends in the College Environment.

The College recognises that friendships and peer support are important to help children and students feel safe and be less isolated.

4.2 EMPLOYMENT AND STAFF MATTERS

Where the College becomes aware of concerns or complaints that a Staff member or Volunteer may have engaged in conduct which could give rise to a risk of harm to a child, the College may, at its discretion:

- a) stand the Staff member or Volunteer down;
- b) remove or limit their contact with children or students; and/or
- c) direct the Staff member or Volunteer to return any keys, passes or equipment and to provide access codes and passwords.

4.3 INVESTIGATIONS

Before commencing an investigation under the Policy or Procedure, the Executive Principal will consult with relevant authorities to determine whether the College can commence an investigation.

If the allegation is considered a reportable allegation, the Executive Principal will notify the CCYP of who is going to conduct the investigation and comply with timeframes required by the Reportable Conduct Scheme.

4.4 RECORDKEEPING

Staff and Volunteers must create and maintain records of the report (Step 2) and actions taken in relation to reducing or removing the risks.

5 STEP 5: PRIVACY AND CONFIDENTIALITY

Following a report, it is important to protect privacy and confidentiality, and the interests and safety of the child at all times.

The College will not share information about a child safety concern with a child or student's family if the College considers this will create or increase a risk of harm to the child or student.

The identity of a person making a report is confidential.

Information about child safety concerns and complaints is confidential and will be handled according to the College's Privacy Policy, except when this information must be disclosed by law (for example, the Reportable Conduct Scheme).

6 STEP 6: REPORTABLE CONDUCT SCHEME

Within 3 days of becoming aware of a reportable allegation the Executive Principal must make a notification to the CCYP.

Within 30 calendar days after becoming aware of any reportable allegation/s, the Executive Principal must provide the CCYP with:

- a) detailed information about the reportable allegation;
- b) information about proposed disciplinary or other action to be taken in response to the allegation; and
- c) any written submissions made by the Staff member or Volunteer, or about that disciplinary or other action.

As soon as reasonably practicable after the independent investigation has concluded, the Executive Principal must provide the CCYP with:

- a) a copy of the investigation findings and reasons;
- b) a copy of the investigation report produced by the investigator;
- c) any documentation and evidence annexed to the investigation report; and
- d) additional information about proposed disciplinary or other action to be taken in response to the allegation.

7 STEP 7: PROTECTION OF REPORTERS

Any Staff member or Volunteer who makes a report in good faith in accordance with their reporting obligations will be supported by the College, will not be penalised by the College for making the report and will be protected from prosecution and liability.

8 STEP 8: CHILD INFORMATION SHARING SCHEME

The Executive Principal will consider whether the College should to disclose confidential information to another Information Sharing Entity (**ISE**) about any person for the purpose of promoting the wellbeing or safety of a child or group of children. If the:

- a) sharing of information would:
 - a. promote the wellbeing and safety of a child; and
 - b. help the receiving ISE make a decision, assessment or plan, start or conduct an investigation, provide a service and or manage any risk to child safety and wellbeing; and
- b) information is not excluded information (that cannot be shared under the CISS);

the Executive Principal will share that information.

The CISS includes an obligation to talk to the child (when age-appropriate) and family (when appropriate, considering the risk of harm to the child) prior to sharing information.

9 STEP 9: EVALUATION

Following child safety and wellbeing incidents, the Executive Principal must review and evaluate the College's Policy, this Procedure and child safety and wellbeing practices, including the effectiveness of risk controls and risk treatments.

Each Board meeting, a summary report of reported Child Safe incidents is provided to the Board. Policy changes as a result of each review are also included for Board review and final off.