



# Child Safety Policy 2016 – 2018





## **Contents Page**

<b>Child Safety Commitment</b>	<b>4</b>
<b>Child Safety - Code Of Conduct</b>	<b>4</b>
<b>Training and Supervision</b>	<b>6</b>
<b>Staff Recruitment</b>	<b>6</b>
<b>Fair Procedures for Personnel</b>	<b>7</b>
<b>Legislative responsibilities</b>	<b>7</b>
<b>Mandatory Reporting Policy and Procedures</b>	<b>9</b>

# **Mount View Primary School - Child Safety Policy**

## **Child Safety Commitment**

At Mount View Primary School we are 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. We promote diversity and tolerance and are committed to the cultural safety of Aboriginal 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 are committed to the safety, participation and empowerment of all children.

We have zero tolerance of child abuse, and all allegations and safety concerns are 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.

We are committed to preventing child abuse and identifying risks early, and removing and reducing these risks.

We have comprehensive human resources and recruitment practices for all staff and volunteers.

We are committed to regularly training and educating our staff and volunteers on child abuse risks.

We have specific policies, procedures and training in place that support our leadership team, staff and volunteers to achieve these commitments.

## **Child Safety - Code of Conduct**

**The purpose of this code of conduct is to:**

- promote child safety in the Mount View Primary School environment
- set standards about the ways in which staff/visitors in the Mount View PS environment are expected to behave and conduct themselves when interacting with our students
- have documentation and processes in place to ensure that visitors are aware of these expectations including 'Working with Children Checks.'

## **Scope**

All individuals who are working/visiting in the Mount View environment are required to comply with this code of conduct at all times. Such individuals include those who are:

- directly engaged or employed by Mount View and include its teachers, non-teaching staff, specialist coaches and music instructors
- a volunteer or a contracted service provider.
- a family member e.g. parents/grandparents/siblings etc.

## **Overarching Principles**

- The adult/child relationship should be professional at all times
- An adult's response to a child's behaviour or circumstances should be commensurate with the child's age and vulnerability and the adult's responsibility for the care, safety and welfare of the child.

## **Standards of Conduct**

All staff will:

- respect the privacy of children
- protect children from violence, abuse, bullying, torment, ridicule and neglect
- protect children from child abuse

- respect the language and customs of a child's family
- treat everyone in the school community with respect
- maintain a duty of care towards children
- avoid covert or overt sexual behaviours when interacting with children
- maintain appropriate physical and emotional boundaries in their interactions with children
- refrain from possessing or using illegal drugs or alcohol when working with children
- behave as positive role models
- listen and respond to the views and concerns of children, particularly if they are telling you that they or another child has been abused or that they are worried about their safety/safety of another child
- promote the culture of safety, participation and empowerment of all children, regardless of age, gender, culture, vulnerability, sexuality, ethnicity or ability
- report immediately to the Principal or Principal's delegate if they have a reasonable belief or suspicion that a child has been or is being abused or neglected
- if an allegation of child abuse is made, ensure as quickly as possible that the child(ren) is (are) safe
- alert the Principal or another Executive member if a breach of this code is observed.

## **CHILD SAFETY CODE OF CONDUCT**

The Principal will:

- report to the Victorian Institute of Teaching any charges, committals for trial or convictions in relation to a sexual offence by a registered teacher, or certain allegations or concerns about a registered teacher.

All staff will:

- behave in a respectful, courteous, tolerant, non-discriminatory way towards children regardless of their race, culture, religion, sex or disability
- provide opportunities for every student to learn
- work and behave within the limits of their professional expertise and as required by the principles relating to relationships with students as set out in the Victorian Teaching Profession Code of Conduct published by the Victorian Institute of Teaching.

These principles include:

- knowing their students well, respecting their individual differences and catering for their individual abilities
- working to create a safe environment which promotes mutual respect
- modelling and engaging in respectful and impartial language
- protecting students from intimidation, embarrassment, humiliation and harm
- respecting a student's privacy in sensitive matters
- interacting with students without displaying bias or preference
- not violating or compromising the unique position that a teacher holds of influence and trust in their relationship with students.

## **Related Policies include:**

- Child Safety Policy
- Code of Ethical Conduct

- Mandatory Reporting and Child Protection Policy
- Responsible Online Behaviour Policy
- Responsible Use of Technology Policy

### **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.

### **Training and Supervision**

We expect 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. Our staff members are trained to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We also support our staff 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 staff/visitors will receive induction training to ensure they understand our 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. Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services and Victoria Police, depending on the severity and urgency of the matter.

### **Staff 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. Our organisation understands that when recruiting staff and volunteers we have ethical as well as legislative obligations.

We welcome 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 and to provide evidence of this Check. Please see the Working with Children Check website [www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au) for further information.

We carry out reference checks and through the Victorian Institute of Teaching (VIT) all new staff members have police record checks to ensure that we are recruiting the right people. Police record checks are used only for the purposes of recruitment and are discarded after the recruitment process is complete. We do retain our own records (but not the actual criminal record) if an applicant's criminal history affected our decision making process.

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.

### **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 by informing the Occupational Health and Safety Representative who then logs the incident/hazard on Edusafe. This includes any 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 an organisation take.

## **Privacy**

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, parents or children, unless there is a risk to someone's safety. We have safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it.

## **Legislative responsibilities**

Our organisation takes our 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.
- Failure to protect: People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- Any personnel who are mandatory reporters must comply with their duties.

## **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 in organisations on social media).

## **Regular Review**

This policy will be reviewed every two years and following significant incidents if they occur. We will ensure that 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.

## **Allegations, Concerns and Complaints**

Our organisation takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff and volunteers are trained to deal appropriately with allegations.

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).

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
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.

Please find the Mandatory Reporting Policy and Procedures



Mount View PS  
Shepherd Road  
Glen Waverley, 3150  
Victoria, AUSTRALIA  
Principal: **Colin  
Dobson**



## **Mandatory Reporting Policy and Procedures**

### **Statement**

A broad range of professional groups are identified in the *Children Youth and Families Act 2005* (CYFA) as mandatory reporters. Mandated staff members must make a report to Child Protection as soon as practicable after forming a belief on reasonable grounds that a child or young person is in need of protection from significant harm as a result of physical injury or sexual abuse, and the child's parents are unable or unwilling to protect the child.

The following professionals are prescribed as mandatory reporters under section 182 of the CYFA:

- primary and secondary school teachers and principals (including students in training to become teachers)
- registered medical practitioners (including psychiatrists)
- nurses (including school nurses)
- police.

There may be times when two or more mandated staff members, for example, a teacher and a principal, have formed a belief about the same child or young person on the same occasion. In this situation it is sufficient for only one of the mandated staff members to make a report. The other staff member is obliged to ensure that the report has been made and that all of the grounds for their own belief were included in the report made by the other staff member.

### **Non-mandated staff members**

Section 183 of the CYFA states that **any person**, who believes on reasonable grounds that a child is in need of protection, may report their concerns to Child Protection. This means that any person, including non-mandated school staff, is able to make a report to Child Protection when they believe that a child or young person is at risk of harm and in need of protection, and the child's parents are unable or unwilling to protect the child.

### **Forming a belief on reasonable grounds**

A person may form a belief on reasonable grounds that a child is in need of protection after becoming aware that a child or young person's health, safety or wellbeing is at risk and the child's parents are unwilling or unable to protect the child.

There may be reasonable grounds for forming such a belief if:

- a child or young person states that they have been physically or sexually abused
- a child or young person states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves)

- someone who knows the child or young person states that the child or young person has been physically or sexually abused
- a child shows signs of being physically or sexually abused.
- the staff member is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on the child or young person's safety, stability or development
- the staff member observes signs or indicators of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision
- a child's actions or behaviour may place them at risk of significant harm and the child's parents are unwilling or unable to protect the child.

### **Reporting a belief**

Staff members, whether or not mandated, need to report their belief when the belief is formed in the course of undertaking their professional duties. A report must be made as soon as practicable after forming the belief and on each occasion on which they become aware of any further reasonable grounds for the belief.

If one staff member has a different view from another staff member about making a report and the staff member continues to hold the belief that a child is in need of protection, that person is obliged to make a report to Child Protection.

### **Protecting the identity of the reporter**

Confidentiality is provided for reporters under the CYFA. The CYFA prevents disclosure of the name or any information likely to lead to the identification of a person who has made a report in accordance with legislation, except in specific circumstances.

The identity of a reporter must remain confidential unless:

- the reporter chooses to inform the child, young person or family of the report
- the reporter consents in writing to their identity being disclosed
- a court or tribunal decides that it is necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child
- a court or tribunal decides that, in the interests of justice, the reporter is required to attend court to provide evidence.

Information provided during a protective investigation may be used in a court report if the risks to the child or young person require the case to proceed to court. In these circumstances, the source of the information may be required to provide evidence to the court.

If Child Protection decides that the report is about a significant concern for the wellbeing of a child, they may refer the report to a community-based child and family service and disclose the identity of the reporter to that service. However, the CYFA provides that neither Child Protection nor the community-based child and family service may disclose the reporter's identity to any other person without the reporter's consent.

### **Professional protection for reporters**

If a report is made in good faith:

- it does not constitute unprofessional conduct or a breach of professional ethics on the part of the reporter
- the reporter cannot be held legally liable in respect of the report.

This means that a person who makes a report in accordance with the legislation will not be held liable for the eventual outcome of any investigation of the report.

### **Failure to report**

A failure by mandated professionals and staff members to report a reasonable belief that a child is in need of protection from significant harm as a result of physical or sexual abuse may result in the person being prosecuted and a court imposing a fine under the CYFA.

### **Making a report to Child Protection**

The CYFA allows for two types of reports to be made in relation to significant concerns for the safety or wellbeing of a child – a report to Child Protection or a referral to Child FIRST.

A report to Child Protection should be considered if, after taking into account all of the available information, the staff member forms a view that the child or young person is in need of protection because:

- the harm or risk of harm has a serious impact on the child's immediate safety, stability or development
- the harm or risk of harm is persistent and entrenched and is likely to have a serious impact on the child's safety, stability or development
- the child's parents cannot or will not protect the child or young person from harm.

Where during the course of carrying out their normal duties, a school staff member forms the belief on reasonable grounds that a child is in need of protection, the staff member must make a report to Child Protection regarding this belief and the reasonable grounds for it as soon as practicable.

Staff members may form a professional judgement or belief, in the course of undertaking their professional duties based on:

- warning signs or indicators of harm that have been observed or inferred from information about the child
- legal requirements, such as mandatory reporting
- knowledge of child and adolescent development
- consultation with colleagues and other professionals
- professional obligations and duty-of-care responsibilities
- established protocols
- internal policies and procedures in an individual licensed children's service or school.

Upon receipt of a report, Child Protection may seek further information, usually from professionals who may also be involved with the child or family, to determine whether further action is required.

In most circumstances, Child Protection will inform the reporter of the outcome of the report. When the report is classified by Child Protection as a Wellbeing Report, Child Protection will, in turn, make a referral to Child FIRST.

Any person who is registered as a teacher under the *Education and Training Reform Act 2006*, or any person who has been granted permission to teach under that Act, including principals, is mandated to make a report to Child Protection. In the course of undertaking their professional duties, mandated staff members are required to report their belief, when

the belief is formed on reasonable grounds, that a child is in need of protection from significant harm as a result of sexual abuse or physical injury.

School policy and procedures stipulate how teaching staff fulfil their duty of care towards children and young people in their school.

Teachers are encouraged to discuss any concerns about the safety and wellbeing of students with the principal or a member of the school leadership team. If a principal or member of the leadership team does not wish to make a mandatory report, this does not discharge the teacher's obligation to do so if they have formed a reasonable belief that abuse may have occurred. If the teacher's concerns continue, even after consultation with the principal or member of the leadership team, that teacher is still legally obliged to make a mandatory report of their concerns.

Information about the identity of a person making a report to Child Protection must be kept confidential unless the reporter consents to the disclosure of their identity. If the staff member wishes to remain anonymous, this information should be conveyed at the time that the reporter makes the mandatory report.

### **The role of school staff**

School staff have a duty of care to protect and preserve the safety, health and wellbeing of children and young people in their care and staff must always act in the best interests of those children and young people. If a staff member has any concerns regarding the health, safety or wellbeing of a child or young person it is important to take immediate action.

Note: The role of investigating an allegation of child abuse rests solely with Child Protection and/or Victoria Police.

The roles and responsibilities of staff in supporting children and young people who are involved with Child Protection may include acting as a support person for students, attending Child Protection case plan meetings, observing and monitoring students' behaviour, and liaising with professionals.

### **Confidentiality**

Staff must respect confidentiality when dealing with a case of suspected child abuse and neglect, and may discuss case details and the identity of the child or the young person and their family only with those involved in managing the situation.

When a child or young person has moved to another school, professional judgement should be exercised as to what information needs to be passed on. This will be guided by usual procedures for passing on information about a child's general wellbeing or special needs, and the role of the school in any ongoing care plans.

### **Interviews at Victorian schools**

Child Protection may conduct interviews of children and young people at school without parental knowledge or consent. However, a child will be interviewed at a Victorian school only in exceptional circumstances and if it is in the child's best interests to proceed in this manner. Child Protection will notify the school of any intention to interview a child or young person. This may occur regardless of whether the school is the source of the report to Child Protection.

When Child Protection practitioners arrive at the school, the principal or their nominee should ask to see their identification before allowing Child Protection to have access to the child or young person.

### **Support persons**

Children and young people should be advised of their right to have a supportive adult present during interviews. If a child is too young to understand the significance of the interview, a staff member should make arrangements for a supportive adult to attend with the child.

A staff member may be identified as a support person for the child or young person during the interview. Prior to the commencement of the interview, the Child Protection practitioner should always authorise the staff member to receive information regarding Child Protection's investigation.

This may occur verbally or in writing using the relevant Child Protection proforma.

A principal or their delegate may act as an independent person when the child or young person is to be interviewed, unless they believe that doing so will create a conflict of interest. Independent persons must refrain from providing their opinions or accounts of events during interviews.

### **Advising parents, carers or guardians**

Staff do not require the permission of parents, carers or guardians to make a report to Child Protection, nor are they required to tell parents, carers or guardians that they have done so.

It is the responsibility of Child Protection to advise the parents, carers or guardians of the interview at the earliest possible opportunity. This should occur either before, or by the time the child arrives home

### **Ensuring that a Child Protection interview takes place**

The school does not have the power to prevent parents, carers or guardians from removing their children from the school and should not attempt to prevent the parents, carers or guardians from collecting the child. If a parent/carer or guardian removes a child before a planned interview has taken place, the principal and/or their nominee should contact Child Protection or Victoria Police immediately.

### **Staff Training**

Staff will be informed of Mandatory Reporting requirements as part of their initial induction to the school and will be provided with supporting documentation in their staff handbook. All staff must adhere to the requirements set out by DET and complete the Online Mandatory Reporting module every year.

A register of staff completing the Mandatory on-line module will be kept by the HR manager. The principal will be notified of staff members who have not met the obligations of the DET in regard to Mandatory reporting and inform them of their obligations. If no action is taken by the staff member then a formalised process outlining consequences will be put into place.

Mandatory briefings will also be a part of the general induction program at the start of each year. Semester based reminders will be sent out to staff members to ensure all staff members complete the required online module.