

# Yinnar South Primary School Child Safe Policy



**At Yinnar South Primary School we strive to create a flexible, vibrant and dynamic learning environment that customizes individual development and maximizes personal achievement.**

**This policy was developed in accordance with Ministerial Order 870 Child Safe Standards – Managing the Risk of Child Abuse in Schools. In support of this we have a zero tolerance to child abuse**

## **Rationale:**

All Victorian schools are required to have a child safety policy or statement of commitment to child safety that details:

- the principles that will guide the school in developing policies and procedures to create and maintain a child safe school environment; and
- the actions the school proposes to take to:
- demonstrate its commitment to child safety and monitor the school's adherence to its child safety policy;
- support, encourage and enable school staff, parents, and children to understand, identify, discuss and report child safety matters; and
- support or assist children who disclose child abuse, or are otherwise linked to suspected child abuse
- Ensure that child safety is considered in the recruitment, selection and management of staff (includes contractors and volunteers)

Ministerial Order No. 870 (available at [www.vrqa.vic.gov.au/childsafes](http://www.vrqa.vic.gov.au/childsafes)) states that

Child abuse includes –

- any act committed against a child involving –
  - a sexual offence or
  - an offence under section 49 M (1) of the *Crimes Act 1958* (grooming)
- the infliction, on a child, of –
  - physical violence or
  - serious emotional or psychological harm
- serious neglect of a child

## **Our commitment to child safety**

Yinnar South Primary School is committed to the safety and wellbeing of all children + young people. They will be the primary focus of our care and decision making. We want children to be safe, happy and empowered. We support and respect all children, as well as our staff and volunteers. We are committed to the safety, participation and empowerment of all children. Yinnar South Primary School is committed to providing a child safe environment where children + young people are safe or feel safe, and their voices are heard about decisions that affect their lives. We 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. We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously. Yinnar South Primary School is committed to preventing child abuse and identifying risks early, and removing and reducing these risks. Yinnar South Primary School has robust human resources and recruitment practices for all staff and volunteers. Yinnar South Primary School is committed to regularly training and educating our staff and volunteers on child abuse risks. We support and respect all children, as well as our staff and volunteers. We are committed to the cultural safety of Aboriginal and Torres Strait Islander children, the cultural safety of children from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability and vulnerable children. We have specific policies, procedures and training in place

that support our leadership team, staff and volunteers to achieve these commitments. Every person involved in Yinnar South Primary School has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all children and young people be at the forefront of all they do and every decision they make.

## **Our children**

This policy is intended to empower children who are vital and active participants in our organisation. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

We promote diversity and tolerance in 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 children
- promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds
- ensure that children with a disability are safe and can participate equally

## **Our staff and volunteers**

This policy guides our staff, volunteers, visitors, contractors connected to the school environment on how to behave with children in our school.

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**

Training and education is important to ensure that everyone in our organisation understands that child safety is everyone's responsibility.

Our organisational culture aims for all staff and volunteers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We also support our staff and volunteers through ongoing supervision to: develop their skills to protect children from abuse; and promote the cultural safety of Aboriginal and Torres Strait Islander children, the cultural safety of children from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability and vulnerable children.

New employees and volunteers will be supervised regularly to ensure they understand our organisation's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate (please refer to this organisation's code of conduct to understand appropriate behaviour further). Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services and Victoria Police, depending on the severity and urgency of the matter.

## **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 actively encourage applications from Aboriginal peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability.

All people engaged in child-related work, including volunteers, are required to hold a Working with Children Check and to provide evidence of this Check. Please see the [Working with Children Check](http://www.workingwithchildren.vic.gov.au) website <www.workingwithchildren.vic.gov.au> for further information

We carry out reference checks and 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 using our incident reporting form<sup>1</sup>, including investigation updates. All records are securely stored.

If an allegation of abuse or a safety concern is raised, we provide updates to children and families on progress and any actions we as 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**

Mandatory reporters, who believe on reasonable grounds that a child or young person is in need of protection from physical injury or sexual abuse, must report their concerns to Department of Health and Human Services (DHHS) Child Protection.

All other school staff members who form a belief on reasonable grounds that a child or young person:

☐ is in need of protection, should report their concerns to DHHS Child Protection or Victoria Police.

☐ is displaying sexually abusive behaviours and is in need of therapeutic treatment should report their concerns to DHHS Child Protection.

If staff have significant concerns for the wellbeing of a child or young person they should report their concerns to DHHS Child Protection or Child FIRST.

In cases where staff have concerns about a child or young person, they should also discuss their concerns with the principal or a member of the school leadership team.

#### **Reporting criminal child sexual abuse - failure to disclose offence**

Any staff member who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 must disclose that information to police. Failure to disclose the information to police is a criminal offence, except in limited circumstances such as where the information has already been reported to DHHS Child Protection.

The offence applies to **all adults** in Victoria, not just professionals who work with children. To read more information about the 'failure to disclose' offence, see: Department of Justice and Regulation – Failure to disclose offence

#### **Duty of care**

Tyers Primary School staff have a duty of care to protect the safety, health and wellbeing of children in their care. If a staff member has concerns about the safety, health and wellbeing of children in their care they should take immediate action.

In the case of a child who may be in need of protection or therapeutic treatment, or where there are significant concerns about the wellbeing of a child, school staff can discharge this duty of care by taking action which includes the following:

☐ reporting their concerns to the DHHS Child Protection or another appropriate agency (as identified above),

☐ notifying the principal or a member of the school leadership team of their concerns and the reasons for those concerns.

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<sup>1</sup> See Incident Report form included in the Mandatory Reporting policy.

### **Protecting children from the risk of sexual abuse - failure to protect offence**

Any staff member in a position of authority, who becomes aware that an adult associated with their organisation (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the care, authority or supervision of the organisation, must take all reasonable steps to remove or reduce that risk. This may include, for example, removing the adult from child-related work pending investigation. If a staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence.

The offence applies only to **adults in a position of authority** within an organisation, including Principals, senior school staff, regional directors and other senior managers.

To read more information about the 'failure to protect offence', see: Department of Justice and Regulations – Failure to protect offence Note: Department policies already require school staff to uphold a high standard of care in relation to child safety and wellbeing.

For more information about managing and responding to the risk **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 by School Council annually 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 to DHHS with the support of the current Principal of Yinnar South PS. Factors contributing to reasonable belief may be:

### **Forming a 'reasonable belief'**

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation.

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 belief' might be formed if:

- a child states that they have been physically or sexually abused,
- a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves),
- someone who knows a child states that the child has been physically or sexually abused,
- professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused, and
- signs of abuse lead to a belief that the child has been physically or sexually abused.

Guidelines to support reporting processes can be found in Yinnar South Primary School's Child Safety Reporting Obligations Policy and Procedures.

Fulfilling the role and responsibilities contained in the procedure (making a Childsafe report to the school) does not displace or discharge any other obligation to report to DHS/The Police or Child First, if a person reasonably believes that a child is being abused or at risk of abuse.

The child safe standards referred to throughout this policy are as follows:

- **Standard 1:** Strategies to embed an organisational culture of child safety, including through effective leadership arrangements
- **Standard 2:** A child safe policy or statement of commitment to child safety
- **Standard 3:** A code of conduct that establishes clear expectations for appropriate behaviour with children
- **Standard 4:** Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel
- **Standard 5:** Processes for responding to and reporting suspected child abuse
- **Standard 6:** Strategies to identify and reduce or remove risks of child abuse
- **Standard 7:** Strategies to promote the participation and empowerment of children

Guidance and information to assist services to understand the requirements of each of the child safe standards, is available on the [Department of Health and Human Services website](#)

#### Review

The Yinnar South Primary School School Council and staff will regularly monitor and review the effectiveness of the Child Safe Policy and revise the policy triennially or as required by completing a policy review.

Child Safe Policy updates and requirements will be made available to staff, families and visitors.

This policy was ratified by School Council at the School Council Meeting held 13/11/2018.