

	<b>CHILD SAFETY POLICY</b>
<b>Approved:</b> College Board	<b>Date approved:</b> 2 August 2016
<b>Responsible Officer:</b> The Principal	<b>Policy Review Date:</b> 12 January 2018

## 1. INTRODUCTION

Billanook College is committed to promoting and protecting the interests and safety of children, and to ensuring that those people who care for our students act in their best interests and take all reasonable steps to provide a safe and secure school environment. We have zero tolerance for child abuse.

Everyone working at Billanook College is responsible for the care and protection of children and reporting information about child abuse. The College has a duty of care to provide safe, open and supportive environments that protect our students, and where those who represent the College (staff, volunteers and contractors) work within the framework of our vision, mission and objectives. In particular we are committed to providing an environment where all of our students are protected from any form of abuse.

## 2. RATIONALE

The purpose of this policy is

1. To facilitate and promote child safety and the prevention of child abuse occurring within Billanook College.
2. To work towards an organisational culture of child safety.
3. To prevent child abuse within Billanook College.
4. To ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs.
5. To provide guidance to staff/volunteers/contractors as to action that should be taken where they suspect any abuse within or outside of the organisation.
6. To provide a clear statement to staff/volunteers/contractors forbidding any such abuse.
7. To provide assurance that any and all suspected abuse will be reported and fully investigated.

## 3. POLICY

Billanook College is committed to promoting and protecting at all times the best interests of children involved in our educational programs. We will embed all relevant aspects of this policy and related policies and procedures into all of the organisation's operations, and ensure compliance with relevant legislation, including *Ministerial Order 870 Child Safe Standards – Managing the risk of child abuse in schools*.

Billanook College has zero tolerance for child abuse. Everyone working at the College is involved in child-connected work and is responsible for the care and protection of the children within our school community and for reporting information about suspected child abuse.

Child protection is a shared responsibility between Billanook College, all employees, workers, contractors, volunteers, and members of the College community.

All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse.

The College will support and assist any child who discloses child abuse, or are otherwise linked to child abuse.

Billanook College will consider the opinions of children and draw on such in shaping our child protection policies.

Billanook College supports and respects all children, staff and volunteers. The College is committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.

This policy applies to all of the school environments (see definitions) both physical and virtual.

#### 4. **ROLES AND RESPONSIBILITIES**

The Board of Billanook College has ultimate responsibility for the detection and prevention of child abuse and is responsible for ensuring that appropriate and effective internal control systems are in place. The Board is also responsible for ensuring that appropriate policies and procedures and a Child Safety Code of Conduct are in place, and being adhered to. Child safety is a standing agenda item at Board meetings, and management reports regularly to the Board on child safety matters, including the implementation and maintenance of strategies to retain a child safe environment at Billanook College.

##### **The College Principal is responsible for:**

- Dealing with and investigating reports of child abuse;
- Ensuring that all staff, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and the College's Code of Conduct;
- Ensuring that all adults within the College community are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures;
- Ensuring that all staff, contractors and volunteers are aware of their obligation to observe the Code of Conduct (particularly as it relates to child safety);
- Providing support for staff, contractors and volunteers in undertaking their child protection responsibilities;

##### **The College Leadership Team (CLT) must ensure that they:**

- Promote child safety at all times;
- Assess the risk of child abuse within their area of control and eradicate/minimise any risk to the extent possible;
- Educate employees about the prevention and detection of child abuse;
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities; and
- Assist and support the Principal in the various responsibilities allocated to that role as outlined above.

The College Leadership Team should be familiar with the types of abuse that might occur within their area of responsibility and be alert for any indications of such conduct.

##### **All staff/volunteers/contractors share in the responsibility for the prevention and detection of child abuse, and must:**

- Familiarise themselves with the relevant laws, the Code of Conduct, and Billanook College's policy and procedures in relation to child protection, and comply with all requirements;
- Report any reasonable belief that a child's safety is at risk to the relevant authorities (such as the police and / or the state-based child protection service) and fulfil their obligations as mandatory reporters;
- Report any suspicion that a child's safety may be at risk to the Principal or a member of the College Leadership Team; and
- Provide an environment that is supportive of all children's emotional and physical safety.

By fulfilling the roles and responsibilities contained in this policy / procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.

#### 5. **TRAINING AND SUPERVISION**

Training and education is important to ensure that the staff, contractors and volunteers at Billanook College understand that child safety is everyone's responsibility.

The College's 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 annually to identify, assess and minimise risks of child abuse and to detect potential signs of child abuse. We provide educational programs to children and parents/carers to support, encourage and enable them to understand, identify, discuss and report child safety matters.

Billanook supports our staff and volunteers through ongoing supervision to: develop their skills to protect children from abuse; and promote the cultural safety of Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability or who are vulnerable.

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 (refer College Code of Conduct to understand appropriate behaviour further.) Any inappropriate behaviour will be reported through the proper channels, including the Department of Health and Human Services Child Protection Service (DHHS) and Victoria Police, depending on the severity and urgency of the matter.

## 6. STAFF RECRUITMENT

Billanook College takes all reasonable steps to employ skilled people to work with our students. We develop selection criteria and advertisements that clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities. We undertake a comprehensive recruitment and screening process for all workers and volunteers which aims to:

- Promote and protect the safety of all children under the care of the College;
- Identify the safest and most suitable people who share the College's values and commitment to protect children; and
- Prevent a person from working at Billanook College if they pose a risk to children.

The College requires all workers/volunteers to pass through the organisation's recruitment and screening processes prior to commencing their engagement with Billanook College.

Persons applying for a role as a teacher with Billanook must be registered with the Victorian Institute of Teaching.

Billanook College requires applicants to provide a police check and a current working with children card in accordance with the law and as appropriate, before they commence working at the College and during their time with Billanook at regular intervals.

Billanook College will undertake thorough reference checks as per the approved internal procedure.

Once engaged, workers/volunteers must review and acknowledge their understanding of this Policy.

For further information refer to the Billanook College Recruitment and Selection Policy.

## 7. RISK MANAGEMENT

Billanook College will ensure that child safety is a part of its overall risk management approach.

College Leadership will report regularly to the Board on the effectiveness of this policy and implemented procedures in identifying and managing risks at Billanook College related to the ongoing commitment to a child safe environment for our students, in all our various locations (at school, off site and out of school hours.)

## 8. REPORTING

Any Billanook College staff member, volunteer or contractor who has grounds to suspect abusive activity must immediately notify the **College Principal or a member of the College Leadership Team** about their concern. Refer to the Billanook College Mandatory Reporting Policy for more information on the process for reporting to DHHS or to Victoria Police.

In situations where the Principal or a member of the College Leadership Team is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision (i.e. any member of the College Leadership Team).

College Leadership members and Direct Reports must report complaints of suspected abusive behaviour or misconduct to the Principal and to the relevant external regulatory body such as the DHHS or the Police.

In accordance with the *Children, Youth & Families Act 2005* and amendments, and the *Crimes Act 1958* and amendments, all staff at Billanook College are required to disclose if they know or reasonably believe that a child has suffered, or is likely to suffer significant harm as a result of physical injury or sexual abuse. Refer to the College's Mandatory Reporting Policy and Child Protection Policy for more information on the process for reporting to the DHHS or the Police.

The College is obligated to report to the Victorian Institute of Teaching (VIT) any charges, committals for trial or convictions in relation to a sexual offence by a registered teacher, or certain allegations or concern's about a registered teacher.

## 9. INVESTIGATING

If the DHHS or the Police decide to conduct an investigation of this report, all employees, contractors or volunteers must co-operate fully with the investigation.

Whether or not the authorities decide to conduct an investigation, the Principal will consult with the authorities to determine whether an internal investigation is appropriate. If it is decided that such an investigation will not conflict with any proceeding of the authorities, the Principal may decide to conduct such an investigation. All employees, contractors and volunteers must co-operate fully with the investigation.

Any such investigation will be conducted according to the rules of natural justice.

The Principal will make every effort to keep any such investigation confidential; however, from time to time other members of staff may need to be consulted in conjunction with the investigation.

After an initial review and a determination that the suspected abuse warrants additional investigation, the Principal shall coordinate the investigation with the appropriate investigators and / or law enforcement officials. Internal or external legal representatives will be involved in the process, as deemed appropriate.

## 10. RESPONDING

The safety and wellbeing of our students is our primary concern.

**If the child is at immediate risk of harm you must ensure their safety by calling 000 for medical and police assistance.**

As part of its duty of care the College will *provide support for any student impacted by abuse. This would include the College pastoral support staff working with DHHS or other wellbeing professionals to develop a student management plan.*

We are also fair and just to our staff. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

If it is alleged that a member of staff, contractor or a volunteer may have committed an offence or have breached the College's policies or its Code of Conduct the person concerned may be stood down (with pay, where applicable) while an investigation is conducted.

If the investigation concludes that on the balance of probabilities an offence (or a breach of the College's policies or Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal or cessation of involvement with the organisation. The findings of the investigation will also be reported to any external body as required.

## 11. RECORDS

All reports made to external authorities such as Department of Human Services, Victoria Police, Commission of Children and Youth Affairs will be detailed on the '*DHS Report Record*' as contained within the *Mandatory Reporting Policy*.

All records or reports about suspected or alleged child abuse and inappropriate behaviour will be retained by the Principal (or Chairman of the College Board, if made about Principal) in a separate, confidential and secure file."

## 12. PRIVACY

All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. Billanook College will have safeguards and practices in place to ensure any personal information is protected in accordance with the Australian Privacy Principles contained in the Commonwealth Privacy Act 1988 and Privacy Amendment (Enhancing Privacy Protection) Act 2012. See the College's Privacy Policy for further details..

## 13. REVIEWING

Every two years, and following every reportable incident, a review shall be conducted to assess whether the College's child protection policies or procedures require modification to better protect the children under our care.

## 14. DEFINITIONS

**Child** means a person below the age of 18 years. Ministerial Order 870 further defines a child as a student enrolled at the school.

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

**Child protection** means any responsibility, measure or activity undertaken to safeguard children from harm.

**Child Safety** encompasses 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 to incidents or allegations of child abuse.

**Child abuse** includes;

- (a) any act committed against a child involving
  - (i) a sexual offence; or
  - (ii) an offence under section 49B (2) of the Crimes Act 1958 (grooming); and
- (b) the infliction, on a child, of
  - (i) physical violence; or
  - (ii) serious emotional or psychological harm; and
- (c) serious neglect of a child.

**Reasonable grounds for belief** is a belief based on reasonable grounds that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

A reasonable belief is formed if a reasonable person believes that:

- (a) The child is in need of protection,
- (b) The child has suffered or is likely to suffer “significant harm as a result of physical injury”,
- (c) The parents are unable or unwilling to protect the child.

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) A child states that they have been physically or sexually abused;
- (b) A child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- (c) Someone who knows a child states that the child has been physically or sexually abused;
- (d) 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/or
- (e) Signs of abuse lead to a belief that the child has been physically or sexually abused.

**School Environment** means any physical or virtual place made available or authorised by the College Board for use by a child during or outside school hours, including;

- (a) A campus of the College;
- (b) Online school environments (including email and intranet systems); and
- (c) Other locations provided by the school for a child’s use (including, without limitations, locations used for school camps, sporting events, excursions, competitions, work experience, homestay accommodation, and other events.)

## 15. RELATED DOCUMENTS

- Child Safety Code of Conduct
- Child Protection Policy
- Mandatory Reporting Policy
- Recruitment and Selection Policy
- Privacy Policy

## 16. RELATED LEGISLATION

- Victorian Government Ministerial Order 870: Child Safe Standards – Managing the risk of child abuse in schools
- Education and Training Reform Act 2006 (Vic)
- Children, Youth and Families Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic)
- Working with Children Act 2005 (Vic)
- Crimes Act 1958 (Vic)
- Family Violence Protection act 2008 (Vic)