**The Child Safe Standards**

**Ministerial Order No. 870 sets out the specific action that schools need to take to meet the child safe standards. The introduction of child safe standards form part of the Victorian Government’s response to the recommendations of the Betrayal of Trust report, which found that more must be done to prevent and respond to child abuse in schools.**

**The standards will promote cultures where protecting children from abuse is part of everyday thinking and practice in organisations.**

**The Child Safe Standards set out to create safe places for children to fully and actively participate in the life of the community benefiting everyone. Woodend Primary School will ensure that the children in its care are protected to the best of its ability and in line with their duty of care and the compulsory child safe standards.**

**The Standards**

**To create and maintain a child safe school, we will comply with the following standards.**

**Standard 1 – Good leadership and governance in child safe school –** strategies to embed a school culture of child safety, including through effective leadership arrangements

**Standard 2** – **Commitment to Child Safe Policy** – a child safe statement of commitment to child safety

**Standard 3** – **Code of Conduct** – a code of conduct that establishes clear expectations for appropriate behaviour with children

**Standard 4** – **Human Resources Practices** – screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel

**Standard 5** – **Reporting Child Abuse** – processes for responding to and reporting suspected child abuse

**Standard 6** – **Identifying and Reducing Risks** – strategies to identify and reduce or remove risks of child abuse

**Standard 7** – **Empowering Children** – strategies to promote the participation and empowerment of children

Ministerial Order No. 870 has set out the specific actions for school to take to meet these requirements – *these are included in this folder.*

In complying with the child safe standards above, we will be mindful of the diversity of students and school communities and include the following **inclusion principles** as part of each standard:

* promoting the cultural safety of Aboriginal children
* promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds
* promoting the safety of children with a disability

***(See Glossary of Terms for Descriptions)***

A cornerstone of the development of universal child safe procedures is the rights that are outlined in the United Nations Conventions on the Rights of the Child (CROC). CROC specifically recognises that children have a right to be protected from physical and mental harm and neglect and be able to enjoy the full range of human rights – civil, cultural, economic, political and social rights. An extract of the convention can be found below.

**United Nations Convention on the Rights of the Child**

**Highlights of the convention (in relation to the states of Australia)**

* Every child has the inherent right to life, and states shall ensure to the maximum child survival and development
* Every child has the right to a name and nationality from birth
* Children shall not be separated from their parents, except by competent authorities for their wellbeing
* States shall facilitate reunification of families by permitting travel into, or out of, their territories
* States shall provide parentless children with suitable alternative care. The adoption process shall be carefully regulated and international agreements should be sought to provide safeguards and assure legal validity if and when adoptive parents intend to move a child from his or her country of birth
* Disabled children shall have the right to special treatment, education and care
* Children are entitled to the highest attainable standard of health. States shall ensure that health care is provided to all children, placing emphasis on preventive measures, health education and reduction of infant mortality
* Primary education shall be free and compulsory. Discipline in all schools shall respect the child’s dignity. Education should prepare the child for life in a spirit of understanding, peace and tolerance
* Children shall have time to rest and play and equal opportunities for cultural and artistic activities
* States shall protect children from economic exploitation and from work that may interfere with their education or be harmful to their health or wellbeing
* States shall protect children from the illegal use of drugs and involvement in drug production and trafficking
* All efforts shall be made to eliminate the abduction and trafficking of children
* Capital punishment or life imprisonment shall not be imposed for crimes committed before the age of 18
* Children in detention shall be separated from adults; they must not be tortured or suffer cruel or degrading treatment
* No child under 15 shall take part in any hostilities; children exposed to armed conflict shall receive special protection
* Children of minority and indigenous populations shall freely enjoy their own culture, religion and language
* Children who have suffered mistreatment, neglect or exploitation shall receive appropriate treatment or training for recovery and rehabilitation
* Children involved in infringements of the penal law shall be treated in a way that promotes their sense of dignity and worth and aims at reintegrating them into society.
* States shall make the rights set out in the convention widely known to both adults and children



**Woodend Primary School**

**Good Leadership and Governance in a Child Safe School**

**(Child Safe Standard 1)**

**Woodend Primary School**

**Leadership in a child safe environment**

Working with children can be very rewarding and it brings extra responsibilities.

Woodend Primary School will act to protect children from abuse and build an environment where children feel respected, valued and encouraged to reach their full potential. We do this by providing a culture of child safety, embedded throughout our school so that child safety is part of everyone’s everyday practice and thinking. This culture has been achieved through the proactive leadership in demonstrating appropriate values, attitudes and behaviours of Woodend Primary School.

Our child safe environment is the product of a range of strategies and initiatives. At Woodend Primary School, we foster a culture of openness, inclusiveness and awareness. Children and adults are made aware of what to do if they observe or are subject to abuse or inappropriate behaviour.

All staff and volunteers must consider the safety of all children and recognise the importance of cultural safety for Aboriginal children, cultural safety for children from culturally and linguistically diverse backgrounds and the safety of children with a disability.

**Governance in a child safe environment**

Leadership at Woodend Primary School takes a preventative, proactive and participatory approach to child safety issues. The safety and wellbeing of children in our school is of paramount consideration when developing activities, policies and management practices.

**Leadership responsibilities**

Leadership at Woodend is responsible for embedding a culture of child safety, including the use of the tools provided by the education department. The leadership team takes the lead in protecting children from abuse and are aware of child abuse allegations and risks and take responsibility for ensuring an appropriate response.

Woodend Primary School will ensure that all allegations of child abuse and child safety concerns are treated very seriously. This includes complying with all legal requirements, including reporting suspicions of child abuse to police and or child protection.

**Identify and analyse risk of abuse**

Woodend Primary School adopts an approach to prevent, detect and respond to child abuse risks to the best of our ability. This includes a risk management strategy and policy that sets out how our school identifies, assesses and takes steps to reduce or remove child abuse risks.

Please note: The Department of Health and Human Services provides risk management tools for school use.

**If you believe a child is at immediate risk of abuse phone 000**

**In its commitment to Child Safe Standards, Woodend Primary School has:**

**Developed a Child Safe Policy**

This child safe policy outlines our commitment to promoting children’s wellbeing and protecting children from abuse.

**Developed Codes of Conduct**

Woodend Primary School has developed a code of conduct which specifies the standards of conduct and care required when working with and interacting with children. Teachers are regulated by the Victorian Institute of Teaching (VIT) under the Victorian Teaching Profession Code of Conduct.

The Victorian Institute of Teaching (VIT) developed the Code of Conduct as required by Part 2.6 of the *Education and Training Reform Act 2006.* The Code of Conduct is a set of principles or standards for the behaviour and conduct of all Victorian teachers in the Victorian Government Teaching Service and the non-Government sector.

The following principles are of particular relevance when using social media tools:

Principle 1.5: Teachers are always in a professional relationship with the students in their school whether at school or not. Teachers hold a unique position of influence and trust that should not be violated or compromised. They exercise their responsibilities in ways that recognise that there are limits or boundaries to their relationships with students.

Principle 1.7: Teachers work in collaborative relationships with students’ families and communities.

Principle 2.1: The personal conduct of a teacher will have an impact on the professional standing of that teacher and the profession as a whole.

While teachers can be friendly with students, parents and communities their relationship must always remain professional. It is important for teachers to consider the consequences of their actions. The world of social media can seriously damage reputations and propel bullying to new levels. Even with security settings in place, issues may still arise.

Woodend Primary School has also developed a specific Code of Conduct that encourages appropriate behaviour between children called the Student Code of Conduct.

**Chosen suitable employees and volunteers**

Woodend Primary School takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children. Alongside the Department of Education and Training (DET) recruitment processes, it will ensure it includes:

* Selection criteria in job descriptions where required
* Police record and identity checks where required
* Working with Children Checks where required
* Face to Face interviews
* Detailed reference checks from previous employers including from the applicants most recent line manager

All volunteers are required to have a current Working With Children check WWCC( refer to WWCC policy) and at all times will work under the direct supervision of a DET employee.

**Supported, trained, supervised and enhanced performance**

Woodend Primary School ensures that volunteers and employees who work with children have ongoing supervision, support and training so that their performance is developed and enhanced to help protect children from abuse. Our child safety officer (the Principal) at Woodend Primary School is the person who has knowledge of child safety issues and will be a point of contact for others who have questions or concerns or want to report an allegation of abuse.

**Promoted Inclusion**

Woodend Primary School is inclusive to all children and families. In particular establishes a culture that support:

* Cultural safety for Aboriginal children, for example by working in partnership with Aboriginal peoples and Aboriginal community controlled organisations
* Cultural safety for children from culturally and/or linguistically diverse backgrounds for example by using inclusive language and images in policy documents and communications such as the website and newsletters
* the safety of children with a disability for example by ensuring that Woodend Primary School is accessible to everyone and ensuring appropriate training and supervision of staff and volunteers working with children with a disability

**Empowered and promoted the participation of children in decision making**

Woodend Primary School promotes the involvement and participation of children in developing and maintaining child safe environments. Woodend Primary School provides opportunities for children to express their views on the Student Code of Conduct and then incorporate this feedback to improve our policies and practices. Ideas from children are sought through Junior School Council meetings and feedback sessions.

Woodend Primary School endeavours to listen to children and take their ideas or concerns seriously particularly if they are disclosing abuse or concerns for safety or the safety of other children.

**Further information**

*Further information on child safe standards can be found on the Department of Health and Human Services website: www.dhs.vic.gov.au/about-the-department/plans,-programs-and-projects/projects-and-initiatives/children,-youth-and-family-services/creating-child-safe-organisations*

## Key activities of a school child safety officer/leader role

**A school leader for child safety should have sufficient status and authority, including leadership support and the ability to direct other staff (where appropriate), to undertake the role effectively**

Broad areas of the role are to:

### Provide authoritative advice

* Act as a source of support and advice to staff on matters of child safety
* Liaise with the principal and school leaders to maintain the visibility of child safety
* Lead the development of the school’s child safety culture, provide coordination in communicating, monitoring, and reporting on strategies regarding child safety

### Raise awareness

* Ensure the school’s policies are known and used appropriately
* Ensure the school’s child safety policy is reviewed in the context of school self-evaluation undertaken as part of the school accountability framework
* Ensure the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school in this
* Be alert to the specific needs of children in need, those with special educational needs and young carers
* Encourage among all staff a culture of listening to children and taking into account their wishes and feelings in measures to protect them

### Train

* Being authoritative in providing advice by:
* keeping their skills up to date with appropriate training carried out every two years
* having a working knowledge of how the Department of Health and Human Services (DHHS) and Community Service Organisations conduct a child protection case conference to be able to attend and contribute to these effectively when required to do so
* Be able to keep detailed, accurate, secure documentation of concerns and referrals.
* Ensure each member of staff has access to and understands the school’s child safety policy and procedures, especially new and part time staff.
* Make sure staff are aware of training opportunities and the latest DHHS and DET policies and guidance.

**Woodend Primary School**

**Commitment to Child Safety Policy**

**(Child Safe Standard 2)**

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**Woodend Primary School**

**Our Commitment to child safety**

Woodend Primary School is 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 are committed to the safety, participation and empowerment of all children.

We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our policies and procedures.

We have legal and moral obligations to contact authorities when we are have a concern about a child’s safety.

Our school is committed to preventing child abuse and identifying risks early and removing and reducing these risks.

Our school has recruitment practices for all staff and volunteers and is committed to regular training and education 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 children, the cultural safety of children from a culturally and/or linguistically diverse background and to providing a safe environment for children with a disability.

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

If you believe a child is at immediate risk of abuse phone 000.

**Aims**

**For 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 including

* promoting the cultural safety, participation and empowerment of Aboriginal children
* promoting the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds
* ensuring that children with a disability are safe and can participate equally

**For our staff and volunteers**

This policy guides our staff and volunteers on how to behave with children in our organisation.

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.

**Implementation**

**Training and supervision**

Training and education is important to ensure that everyone in our school 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 allegation of child abuse or child safety concerns. We train our staff to 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 children, the cultural safety of children from linguistically and/or diverse backgrounds and the safety of children with a disability.

New employees and volunteers will be supervised regularly to ensure they understand our organisations commitment to chid 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 the 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 school understands that when recruiting staff and volunteers we have ethical as well as legislative obligations.

We are open and accept all applications including from Aboriginal people, 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 and the schools’ Working with Children policy.

All DET employees with a Victorian Institute of Teaching (VIT) registration are required to have National Name Check (NNC) and a WWCC. All other DET employees must have a current WWCC and any school employees handling finances are to have a NNC.

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 transparent and based on evidence.

We record all allegations of abuse and safety concerns using our incident reporting form 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 a school 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 to ensure any personal information is protected. Everyone is entitled to know how information is recorded, what will be done with it and who will have access.

**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 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 if child sexual abuse and have the power of responsibility to reduce or remove the risk but negligently fail to do so

**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 protectively 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, and 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).

**Allegations, concerns and complaints**

Our organisation takes all allegations seriously and has practises 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 the 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

**Evaluation**

This policy will be reviewed every three 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 work with local Aboriginal communities, culturally and or linguistically diverse communities and people with a disability.

**Date ratified by School Council: August 2016**

**Review Date 2017 ( new policy)**

**Woodend Primary School**

**Child Safe Code of Conduct**

**(Child Safe Standard 3)**

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**Woodend Primary School**

 Woodend Primary School is committed to the safety and wellbeing of children and young people. Our school community recognises the importance of, and a responsibility for, ensuring our school is a safe, supportive and enriching environment which respects and fosters the dignity and self-esteem of children and young people, and enables them to thrive in their learning and development.

This Code of Conduct aims to protect children and reduce any opportunities for child abuse or harm to occur. It also assists in understanding how to avoid or better manage risky behaviours and situations. It is intended to complement child protection legislation, Department policy, school policies and procedures and professional standards, codes or ethics as these apply to staff and other personnel.

The Principal and school leaders of Woodend Primary School will support implementation and monitoring of the Code of Conduct, and will plan, implement and monitor arrangements to provide inclusive, safe and orderly schools and other learning environments. The Principal and school leaders of Woodend Primary School will also provide information and support to enable the Code of Conduct to operate effectively.

All staff, contractors, volunteers and any other member of the school community involved in child-related work are required to comply with the Code of Conduct by observing expectations for appropriate behaviour below. The Code of Conduct applies in all school situations, including school camps and in the use of digital technology and social media.

**Acceptable behaviour:**

* As staff, volunteers, contractors, and any other member of the school community involved in child-related work individually, we are responsible for supporting and promoting the safety of children by:
* upholding the school’s statement of commitment to child safety at all times and adhering to the school’s child safe policy
* treating students and families in the school community with respect both within the school environment and outside the school environment as part of normal social and community activities
* listening and responding to the views and concerns of students, particularly if they are telling you that they or another child has been abused or that they are worried about their safety/the safety of another child
* promoting the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander students
* promoting the cultural safety, participation and empowerment of students with culturally and/or linguistically diverse backgrounds
* promoting the safety, participation and empowerment of students with a disability
* reporting any allegations of child abuse or other child safety concerns to the school’s leadership and/or child safety officer
* understanding and complying with all reporting or disclosure obligations (including mandatory reporting) as they relate to protecting children from harm or abuse
* If child abuse is suspected, ensuring as quickly as possible that the student(s) are safe and protected from harm.

**Unacceptable behaviours**

* As staff, volunteers, contractors, and any other member of the school community involved in child-related work we must not:
* ignore or disregard any concerns, suspicions or disclosures of child abuse
* develop a relationship with any student that could be seen as or amount to ‘grooming’ behaviour
* exhibit behaviours or engage in activities with students which may be interpreted as abusive and not justified by the educational, therapeutic, or service delivery context
* ignore behaviours by other adults towards students when they appear to be overly familiar or inappropriate
* discuss content of an intimate nature or use sexual innuendo with students, except where it occurs relevantly in the context of parental guidance, delivering the education curriculum or a therapeutic setting
* treat a child unfavourably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity
* communicate directly with a student through personal or private contact channels (including by social media, email, instant messaging, texting etc.) except where that communication is reasonable in all the circumstances, related to school work or extra-curricular activities or where there is a safety concern or other urgent matter
* photograph or video a child in a school environment except in accordance with school policy or where required for duty of care purposes[[1]](#footnote-1)
* in the school environment or at other school events where students are present, consume alcohol contrary to school policy [[2]](#footnote-2) or take illicit drugs under any circumstance.

**Woodend Primary School**

**Human Resources Practices**

**(Child Safe Standard 4)**

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**Woodend Primary School**

**Overview**

It is important for schools to have strong human resource practices to help protect children from abuse. At Woodend Primary School we foster a culture of openness and inclusiveness as well as being aware that people who may wish to harm children could target schools. We believe that robust human resource practices are a good way of reducing these risks. Human resource practices include the recruitment, training and supervision of all personnel. To achieve this, we provide opportunities for employees and volunteers to develop and maintain skills to ensure child safety. This will support staff and volunteers to understand the importance of child safety and wellbeing and enable them to consistently follow child safety policies and procedures. Woodend Primary School reinforces our commitment to child safety by recognising the good work and practices of employees and volunteers in keeping children safe and protected.

**Child Safety Officer (Principal)**

Employees and volunteers are supported through the appointment of an individual child safety officer with specified ‘child safe’ duties in their job description including being the designated person to hear or be informed about all allegations or concerns and providing support to other personnel. This will assist us in ensuring that child safety is prioritised and that any allegations or abuse or safety concerns are recorded and responded to consistently and in line with DET legal requirements and policies and procedures. The designated child safety officer also provides a single contact for children, parents and employees/volunteers to seek advice and support regarding the safety and wellbeing of children associated with the organisation.

**Training and Induction**

Training and education is an important tool to help people understand that child safety is everyone’s responsibility. Woodend Primary School’s employees and volunteers (in addition to parents/guardians and children) are supported to discuss child protection issues and to detect signs of potential child abuse. Staff will receive induction and ongoing training. New staff will be provided support and information when they begin their new role and existing staff provided support to develop new skills and knowledge to meet the requirements of their positions and expand their career options. We believe that training and support promotes an awareness of the appropriate standards of care required to be met by employees and volunteers to ensure that Woodend Primary School meets its duty of care when providing services to children.

**Employees and volunteers working with children will receive training in the following areas:**

* Identifying, assessing and reducing or removing child abuse risks
* Woodend Primary School’s policies and procedures ( including the Code of Conduct and Child Safe Policy)
* Legislative requirements such as obligations to report child abuse, reduce or remove known risks of child abuse and to hold Working With Children Checks where required
* How to handle a disclosure or suspicion of abuse, including reporting guidelines
* Cultural awareness training

**Training can be formal such as:**

* DET online training modules
* Higher education training and accreditation
* Training offered by external organisations
* Training developed and delivered internally
* On the job training meeting key objectives

**Training can also be informal such as:**

* Inviting other professional to speak at meetings or functions
* Inviting local aboriginal elders, aboriginal community controlled organisations and community members to speak at meetings and events
* Inviting local culturally and or linguistically diverse community members to speak at meetings and events
* Internal monitoring and coaching

**Supervision**

Supervision of employees and volunteers is managed in a way that protects children from abuse and improves accountability and performance without being onerous or heavy handed. As a matter of good practice new employees and volunteers are supervised regularly to ensure they understand their role and learn skills as well as to check that their behaviour towards children is appropriate. Any warning signs should be reported through appropriate channels including the Woodend Primary School internal reporting procedures such as the child safety officer and leadership, DHHS or police if a child is believed to be at imminent risk.

**Code of Conduct and disciplinary procedures**

Disciplinary procedures are accessible and transparent and clearly demonstrate the consequences of breaches of the code of conduct. These procedures will be used if an allegation of child abuse is made or a breach of the code of conduct is known or suspected. Employees and volunteers will be made aware of reporting and disciplinary procedures and how to communicate concerns regarding the improper behaviour of any person within Woodend Primary School. Members of our school will also be made aware of their duty to raise concerns about the behaviour of any person who may present a risk of child abuse without fear of repercussions. Our Code of Conduct is publicly available. Children and their families will be encouraged to raise any concerns about the behaviour of any person and can expect to be listened to and supported. Woodend Primary School’s disciplinary procedures clearly outline what employees or volunteers should do if they are concerned that their actions or words have been misunderstood or they believe that their concerns have not been investigated in a timely manner.

**Woodend Primary School**

**Mandatory Reporting Policy**

**(Child Safe Standard 5)**

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**Woodend Primary School**

**Rationale:**

All children have a right to feel safe and to be safe. In schools we have a legal and moral responsibility to reposed to serious incidences involving abuse and neglect of the children with whom we have contact and to report instances that we believe involve physical abuse, sexual abuse or neglect. 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.

**Aim:**

To ensure that children’s rights to be safe are maintained and each child is protected against physical and sexual abuse and neglect.

**Implementation:**

* All members of the teaching service are mandated by law to report signs or risks of harm, disclosures of abuse or neglect or a reasonable belief a student is subjected to sexual abuse or physical harm.
* 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 DHHS Child Protection.
* All other 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 sexual 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 ( see attachment for process).
* In cases where staff have concerns about a child or young person they should also discuss their concerns with the Principal or Child Safety Officer.
* New staff will be informed of mandatory reporting responsibilities and procedures as part of their induction procedure.
* Staff will be reminded of mandatory responsibilities annually.
* All concerns must be reported immediately to the Principal ( Child Safety Officer) or in their absence the Assistant Principal.
* The Principal will keep a record of all discussions about a student with whom there is a concern.
* If a belief has been formed by a staff member that a mandatory report must be made, a ‘Mandatory Reporting Information Sheet’ available from the Principal must be completed and filed in the Principal’s office.
* The teacher and/or Principal class officer will contact DHHS by telephone as soon as possible to make an official notification – **(03) 94796222 – or after school hours crisis line 131278 – North Western Region on 9488 9488**
* In the case of international students the Principal must notify the International Education Division of the Department on **(03) 9637 2990** to ensure that appropriate support is arranged for the student.
* Members of DHHS or associated support or intervention services that visit the school following a notification will interview staff and children only in the presence of a Principal class member or his/her nominee.
* All ‘Mandatory Reporting Information Sheets’ remain filed in the Principal’s office.
* All reports information sheets and subsequent discussions and information are to be recorded and remain strictly confidential.
* All incidents are to be monitored and any subsequent signs or indications or abuse are also to be reported.
* While only mandated by law to report incidents of physical and sexual abuse and neglect, teachers are also encouraged to report incidents of emotional abuse or emotional neglect.
* Students who disclose to staff a desire to harm themselves or others must be reported by staff to the Principal.
* Legal Obligations – see “PROTECT – Identifying and Responding to all forms of Abuse in Victorian Schools” @

http://www.education.vic.gov.au/Documents/about/programs/health/protect/ChildSafeStandard5\_SchoolsGuide.pdf

**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.

For additional information

http://www.education.vic.gov.au/Documents/about/programs/health/protect/ChildSafeStandard5\_SchoolsGuide.pdf

The child safe standards require schools to have processes for responding to and reporting suspected child abuse. This resource can be provided to a child or their family if they disclose an allegation of abuse or safety concern in our school. Teaching and school staff can also use this resource to record disclosures. All incident reports must be stored securely.

The incident report is attached

**Evaluation:**

This policy will be reviewed every three years and following significant incidents if they occur:

Date ratified by School Council: August 2016

Review Date: 2017 ( new policy)

**Woodend Primary School**

**Incident Report Form**

**(Child Safe Standard 5)**

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**Woodend Primary School**

**If you believe a child is at immediate risk of abuse call 000**

**Incident details**

|  |  |
| --- | --- |
| **Date of incident** |  |
| **Time of incident** |  |
| **Location of incident** |  |
| **Name(s) of child/children involved** |  |
| **Name of staff/volunteer involved** |  |

Does the child identify as Aboriginal or Torres Straits Islander?

No Yes, Aboriginal Yes, Torres Straits Islander

Please categorise the incident

|  |  |
| --- | --- |
| Physical violence |  |
| Sexual offence |  |
| Serious emotional or psychological abuse |  |
| Serious neglect |  |

Please describe the incident

|  |  |
| --- | --- |
| When did it take place? |  |
| Who was involved? |  |
| What did you see? |  |
| Other information |  |

Parent/carer/child use

|  |  |
| --- | --- |
| Date of incident |  |
| Time of incident |  |
| Location of incident |  |
| Name(s) of child/children involved |  |
| Names(s) of staff/volunteer involved |  |

Office Use

|  |  |
| --- | --- |
| Date incident report received |  |
| Staff member managing incident |  |
| Follow up dates |  |
| Incident ref. number |  |

Has the incident been reported?

|  |  |
| --- | --- |
| Child Protection |  |
| Police |  |
| Another third party ( please specify) |  |

Incident reporter wishes to remain anonymous

Yes No

**Woodend Primary School**

**Procedures when an allegation of child abuse is made**

**(Child Safe Standard 5)**

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**Woodend Primary School**

To be read in conjunction with Mandatory Reporting Policy and procedures. The following provides for step by step procedures to follow with the child if the situation arises at school.

**If a child discloses an incident of abuse to you:**

* Try and separate them from other children discreetly and listen to them carefully.
* Let the child use their own words to explain what has occurred.
* Reassure the child that you take what they are saying seriously and it is not their fault and that they are doing the right thing.
* Explain to them that this information may need to be shared with others such as with their parent/carer, specific people in your organisation, or the police.
* Do not make promises to the child such as promising not to tell anyone about the incident except that you will do your best to keep them safe.
* Do not leave the child in a distressed state. If they seem at ease in your company stay with them.
* Complete the incident report with the child.
* As soon as possible after the disclosure record the information using the child’s words and report the disclosure to your principal or the organisations child safety officer, police or child protection.
* Ensure the disclosure is recorded accurately and the record is stored securely.

**If a parent/carer says their child has been abused at school or raises a concern:**

* Explain that the school has processes to ensure all abuse allegations are taken very seriously.
* Ask about the wellbeing of the child.
* Allow the parent/caregiver to talk through the incident in their own words.
* Advise the parent/caregiver that you will take notes during the discussion to capture all details.
* Explain to them the information may need to be repeated to authorities or others such as the principal and or child safety officer, the police or child protection.
* Do not make promises at this early stage except that you will do your best to keep the child safe.
* Provide them with an incident report form to complete or complete it together.
* Ask them what action they would like to take and advise them of what the immediate next steps will be.
* Ensure the report is recorded accurately and that the record is stored securely.

You need to be aware that some people from culturally and or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police and communicating in English may be a barrier for some. You need to be sensitive to these issues and meet peoples needs were possible such as having an interpreter present ( could be a friend or family member).

If an allegation of abuse involves an Aboriginal child you will need to ensure a culturally appropriate response. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community controlled organisations to review policies and procedures.

Some children with a disability may experience barriers disclosing an incident. For example children with hearing or cognitive impairments may need support to help them explain the incident including through sign language interpreters. Advice on communicating with people with disability can be found on the DHHS website.

Legal responsibilities

While the child safe standards focus on organisations, every adult who reasonably believes that child has been abused whether in school or not, has an obligation to report that belief to authorities.

The ***failure to disclose*** criminal offence requires all adults ( aged 18 and over) who hold a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 to disclose that information to police ( unless they have a reasonable excuse not to for example because they fear for their safety or the safety of another).

Further information about ***failure to disclose*** is available on the Department of Justice and Regulation website.

While failure to disclose only covers child sexual abuse all adults should report other forms of child abuse to authorities. Failure to disclose does not change mandatory reporting responsibilities.

***Mandatory Reporters*** (doctors, nurses, midwives, teachers (including early childhood teachers, principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

See the DHHS website for information about how to make a report to child protection.

The failure to protect criminal offence (commenced on 1 July 2015) applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and has the power or responsibility to reduce or remove the risk but negligently failed to do so.

**Woodend Primary School**

**Duty of care - Policy and Procedures**

**(Child Safe Standard 6)**

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**Woodend Primary School**

**Background:**

All government school staff will be made aware of their legal responsibilities. As part of the government school principal contract, government school principals are required to plan, implement and monitor arrangements to ensure the safety, security and wellbeing of students. Creating safe places for children to fully and actively participate in the life of the community benefits everyone. Woodend Primary School ensures the children in its care are protected to the best of its abilty and in line with their duty of care and the compulsory Child Care standards. These Child Safe standards are compulsory for all organisations providing services to children and aim to drive cultural change in organisations so that protecting all children from abuse is embedded in the everyday thinking and practice of leaders, staff and volunteers. They will assist the organisations to:

* Prevent child abuse
* Encourage reporting of any abuse that does occur
* Improve responses to any allegations of child abuse

The Child Safe Standards also strongly promote the safety of Aboriginal children; children from culturally and/or linguistically diverse backgrounds and the safety of children with a disability.

**Definition:**

Whenever a student-teacher relationship exists, the teacher has a special duty of care. This is defined as: “A teacher is to take such measures as are reasonable in the circumstances to protect a student under the teacher’s charge from risks of injury that the teacher should reasonably have foreseen”. (Richards v State of Victoria (1969) VR 136 at p. 141) As part of that duty , teachers are required to supervise students adequately. This requires not only protection from known hazards, but also protection from those that could arise (that is, those that the teacher should reasonably foresee) and against which preventative measures could be taken.

Schools normally satisfy the duty of care by allocating responsibilities to different staff. For example, the principal is responsible for making and administering such arrangements for supervision as are necessary according to the circumstances in each school and teachers are responsible for carrying out their assigned supervisory duties in a way that students are as far as can be reasonably expected, protected from injury. This duty extends to intervention in single sex areas if need be by a teacher of the other gender.

**Rationale:**

In addition to their professional obligations, principals and teachers have a legal duty to take reasonable steps to protect students in their charge from risks of injury that are reasonably foreseeable.

**Aims:**

To ensure that staff have an understanding of their duty of care to students and behave in a manner that does not compromise these legal obligations.

**Implementation:**

Although the general duty is to take reasonable steps to protect students from reasonably foreseeable risks of injury, specific ( but not exhaustive) requirements of the duty involving providing adequate supervision in the school or on school activities as well as providing safe and suitable buildings, grounds and equipment.

A teacher’s duty of care is not confined to the geographic areas of the school or to school activities or to activities occurring outside the school where a student is acting on a teacher’s instructions. The duty also applies to situations before and after school where a teacher can be deemed to have “assumed” the teacher pupil relationship. Apart from mandatory reporting requirements, a teacher has a concurrent duty of care to protect a student from harm that is reasonably foreseeable. A breach of this duty may lead to legal action being taken against the individual teacher or teachers concerned. A breach of this duty of care will be established if a teacher or principal failed to take immediate and positive steps after having acquired actual knowledge or formed a belief that there is a risk that a child is being abused or neglected, including sexual abuse.

The teacher’s duty of care is greater than that of the ordinary citizen in that a teacher is obliged to protect a student from reasonably foreseeable harm or to assist an injured student while the ordinary citizen does not have a legal obligation to respond.

Staff members are also cautioned against giving advice on matters that they are not professionally competent to give (negligent advice). Advice is to be limited to areas within a teacher’s own professional competence and given in situations arising from a role (leader of an area, unit etc) specified for them by the principal.

Teachers must ensure that the advice they give is correct and where appropriate in line with the most recent available statements from institutions employers. Teachers should not give advice in areas outside those related to their role where they may lack expertise.

**Risks to students outside the school environment**

Legal cases establish that a teacher’s duty of care does not start nor end at precise times during the day. The approach generally taken that a teacher’s duty applies irrespective whether the risk occurs in or outside the school environment. However the important issue in all cases will be whether the school took reasonable steps to protect the student from the risk.

Risk outside the school environment may sometimes call for immediate and positive steps by a school depending on the age of students, urgency and threat of injury.

All staff must follow DET guidelines when organizing an excursion, incursion or camp. All procedural steps contained in the school camping, excursions and incursions policy and procedure outlines must also be followed.

**Informing Staff of the legislative liability of Duty of Care**

All staff will be informed of their legal requirement via:

* A copy of this document will be provided to each member of staff at the commencement of the school year and will be available on the school intranet/server
* New staff will be informed of their Duty of Care as part of the school’s Induction program
* Staff will be directed to familiarise themselves with the section Student Safety of the Victorian Government School’s Policy Advisory Guide
* Staff will complete a risk assessment including duty of care when completing planning for camps,excursion and incursions
* Staff will be directed to the student wellbeing policy annually

**Evaluation:**

**This policy will be reviewed as part of the school’s three year review cycle**

**Date ratified by school council August 2016**

**Review date 2017 ( new policy)**

**Woodend Primary School**

**Strategies to identify and reduce or remove the risk of abuse**

**(Child Safe Standard 6)**

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**Woodend Primary School**

**Strategies to identify and reduce or remove the risk of abuse**

**Description:**

Woodend Primary School has adopted a risk management approach by identifying and considering child safety risk(s) based on a range of factors including the nature of activities undertaken with children, physical and online environments and the characteristics of children – including the cultural safety for Aboriginal children; children from culturally and/ or linguistically diverse backgrounds and the safety of children with a disability. It covers both usual risks at school and risks posed by specific activities such as excursions and camps. Where risks are identified, Woodend Primary School institutes measures to reduce or remove them.

**Rationale:**

Woodend Primary School has an active approach to its duty of care in protecting children and has a risk management approach and a commitment to continuous improvement. Additionally implementation of a risk management approach is part of Woodend Primary School’s recognition of its legal responsibilities to ensure the safety of children.

**Implementation:**

We implement this standard by:

* Ensuring clear and accessible processes for evaluating risks posed by situations and activities appropriate to Woodend Primary School, its size and resources, physical and online environments and the characteristics of its children.
* Recording and communicating clear processes for removing risks to children.
* Providing staff with training in identifying child abuse risks.
* Engaging methods for continual improvement in how risks are managed including policy review and staff training.
* Ensuring supervision requirements for staff and volunteers who work with children.
* Instituting processes for periodic review of risk management approaches and or processes and following any incidents.
* Recognising and adapting to the needs of particular children and communities including Aboriginal children, culturally and or linguistically diverse children and children with a disability.
* Recognising and addressing risks to Aboriginal children which might exist because of their experiences.
* Recognising and addressing risks to children with a culturally and or linguistically diverse background which might exist because of their experiences.
* Recognising and addressing risks to children with a disability.
* Having a Child Safety Officer (Principal) for staff to raise concerns and get advice.
* Including statements about shared responsibility for management of risks in position statements.
* Having a consistent risk management approach across the school.
* Including discussion about apparent risks in staff meetings.

**Successful implementation of this standard will mean:**

* Situational risks are considered and understood by all staff.
* Steps are put in place to reduce risks where possible.
* Risk management approaches are regularly reflected on and improved.
* Specific risks to Aboriginal children are identified, assessed and mitigated.
* Specific risks to children from a culturally and or linguistically diverse background are identified, assessed and mitigated.
* Specific risks to children with a disability are identified, assessed and mitigated.

**Woodend Primary School**

**Strategies to promote the participation and empowerment of children**

**(Child Safe Standard 7)**

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**Woodend Primary School**

**Description**

Woodend Primary School ensures children feel safe and comfortable in reporting concerns or allegations of abuse. We have accessible processes that help children understand what to do if they want to report an abuse, inappropriate behaviour or concerns for their safety. All staff at Woodend Primary School will have an awareness of children’s rights and adult’s responsibilities regarding child abuse.

**Rationale**

Children often do not report abuse because they feel uncomfortable or they do not know how to raise their concerns or allegations of abuse.

**Woodend Primary School will implement this standard by:**

* Providing children with child appropriate (age appropriate) and accessible information about their rights to make decisions about their body and their privacy and how they can raise concerns.
* Ensuring information, processes and services for reporting concerns are accessible to all children including Aboriginal children, culturally and or linguistically diverse children and children with a disability.
* Translating school information into relevant community languages.
* Gather feedback through surveys and focus groups from children about their feelings of safety.
* Enabling children to express their views and make suggestions on what child safety means to them.
* Train staff on methods for empowering children and encouraging their participation and decision making contributions
* Raising awareness of children’s rights through the newsletter, website and other communication channels.
1. SPAG: <http://www.education.vic.gov.au/school/principals/spag/safety/pages/photoandfilm.aspx> . The policy says the school should get consent before taking and publishing photos of a student. This applies every time a photo is taken. The same policy applies for excursions and school activities. [↑](#footnote-ref-1)
2. SPAG: <http://www.education.vic.gov.au/school/principals/spag/safety/pages/alcohol.aspx>. The policy says the school must obtain school council approval before alcohol can be consumed on school grounds or at a school activity. The policy says staff members should not consume alcohol during camps and excursions. It is silent on whether they can consume alcohol at other school events where students are present, this is a matter that the school needs to decide upon – draft text is provided in the guidance fact sheet

**Evaluation:** This Code of Conduct was endorsed by School Council on August 2016

The policy will be next reviewed 2017 or earlier if there are legislative or other changes required in the interim. [↑](#footnote-ref-2)