

POLICY STATEMENT: CHILD SAFE

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Our commitment to child safety

Cranbourne Park 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 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.

Cranbourne Park Primary School is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.

Cranbourne Park Primary School has robust human resources and recruitment practices for all staff and volunteers.

Cranbourne Park 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 children, the cultural safety of children from a culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.

We 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.

Our children

This policy is intended to empower children who are vital and active participants at Cranbourne Park Primary School. 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 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.

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 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 Cranbourne Park Primary School's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate (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. Cranbourne Park Primary School 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 form¹, 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

Cranbourne Park Primary School takes our legal responsibilities seriously, including:

- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.²
- **Failure to protect:** People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.³
- Any personnel who are **mandatory reporters** must comply with their duties.⁴

Risk management

In Victoria, organisations are required to protect children when a risk is identified (see information about failure to protect above). In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.

We have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments (for example, any doors that can lock), and online environments (for example, no staff or volunteer is to have contact with a child in organisations on social media).

Regular review

This policy will be reviewed every two years and following significant incidents if they occur. We will ensure that families and children have the opportunity to contribute. Where possible we do our best to work with local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

Allegations, concerns and complaints

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

We work to ensure all children, families, staff and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.

We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place (see information about failure to disclose above).

If an adult has a **reasonable belief** that an incident has occurred then they must report the incident. Factors contributing to reasonable belief may be:

- a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
- behaviour consistent with that of an abuse victim is observed⁵
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.

Notes

1 See resource seven in the toolkit.

2 A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed.

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

<www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence>.

3 Further information about the failure to protect offence is available on the Department of Justice and Regulation website

<www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence>.

4 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 Department of Health and Human Services website for information about how to make a report to child protection <www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first>.

5 For example behaviour, please see An Overview of the Victorian child safe standards:

<www.dhs.vic.gov.au/_data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc>

Reporting Child Abuse

Any staff member, volunteer or contractor who has grounds to suspect abusive activity must immediately notify the Principal who will contact the appropriate child protection service or the police.

In situations where the supervisor 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.

All staff, visitors or contractors must report complaints of suspected abusive behaviour or misconduct to the Principal/Leadership who will then report the concern to any external regulatory body such as the police.

Mandatory reporting obligations

Legislation	Mandated reporters	When must a report be made	Who is a child?
Crimes Act 1958 (Vic)	Any person 18 years or older	A mandated reporter must make a report if they form a reasonable belief that a sexual offence has been committed in Victoria against a child by another person of or over the age of 18 years. NB: exceptions may apply.	A person under 16 years old
Children, Youth and Families Act 2005 (Vic)	<ul style="list-style-type: none">Registered medical practitioners, midwives and registered nurses.Teachers registered or granted permission to teach under the Education, Training and Reform Act 2006.Principals.Police.	A mandated reporter must make a report if: <ul style="list-style-type: none">They form a belief on reasonable grounds that a child is in need of protection from physical injury or sexual abuse;The parents cannot or will not protect the child; andThe belief is formed in the course of practising his/her position of employment. NB: exceptions may apply.	A person under 17 years old

Legislation	Mandated reporters	When must a report be made	Who is a child?
Family Law Act 1975 (Cth)	the Registrar or a Deputy Registrar of a Registry of the Family Court of Australia; <ul style="list-style-type: none"> • the Registrar or a Deputy Registrar of the Family Court of Western Australia; • a Registrar of the Federal Circuit Court of Australia; • a family consultant; • a family counsellor; • a family dispute resolution practitioner; • an arbitrator; or • a lawyer independently representing a child's interests. 	A mandated reporter must make a report if, in the course of performing their duties, functions or powers, they have reasonable grounds for suspecting that: <ul style="list-style-type: none"> • a child has been abused; or • a child is at risk of being abused. 	A person under 18 years old .

Voluntary reporting

Voluntary reporting is not legally required to be included in your policies and procedures, however it could help you prevent and respond to cases of child abuse and neglect. The table below sets out the key features of each state and territory's voluntary reporting duties.

Legislation	Voluntary Reporters	When can a report be made?	Who is a child?
Children, Youth and Families Act 2005 (VIC)	Any person	A voluntary reporter may make a report if the person has a significant concern for the wellbeing of a child.	A person under 17 years old
Family Law Act 1975 (Cth)	The Registrar or a Deputy Registrar of a Registry of the Family Court of Australia; <ul style="list-style-type: none"> • a Registrar of the Federal Circuit Court of Australia; • a family consultant; • a family counsellor; • a family dispute resolution practitioner; • an arbitrator; or • a lawyer independently representing a child's interests 	A voluntary reporter may make a report if, in the course of performing their duties, functions or powers, they have reasonable grounds for suspecting that a child:	A voluntary reporter may make a report if, in the course of performing their duties, functions or powers, they have reasonable grounds for suspecting that a child:

Making a report

Any person who believes a child is in immediate danger should contact the police immediately. Otherwise, call the relevant numbers below.

Department of Health and Human Services	
During business hours – contact the appropriate local government area:	
Eastern suburbs	1300 360 391
Southern suburbs	1300 655 795
After hours and to report concerns about the immediate safety of a child:	
Child Protection Crisis Line (24 hours)	13 12 78
Victoria Police - Sexual Offences and Child Abuse Investigation Team (SOCIT)	
Eastern Victoria	(03) 5820 5878
Southern Metropolitan	(03) 9556 6128

Procedures

Responsibilities:

The School Council of Cranbourne Park Primary School has ultimate responsibility for the detection and prevention of child abuse and by ensuring that appropriate and effective Policies and Procedures are in place. The Council is also responsible for ensuring that appropriate policies and procedures and a Child Protection Code of Conduct are in place.

The Principal of Cranbourne Park Primary School is responsible for:

- Dealing with and the initial investigating of reports of child abuse;
- Ensuring that all staff, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct;
- Ensuring that all adults within the Cranbourne Park Primary School 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.

All teachers 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; and
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

Teachers 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 Cranbourne Park Primary School'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 their supervisor (or, if their supervisor is involved in the suspicion, to a responsible person in the School); and
- Provide an environment that is supportive of all children's emotional and physical safety.

Employment of New Personnel

Persons applying for a role as a teacher with the School must be registered with the Victorian Institute of Teaching. Cranbourne Park Primary School may require applicants to provide a police check in accordance with the law and as appropriate, before they commence working at Cranbourne Park Primary School and during their time with Cranbourne Park Primary School at regular intervals.

Cranbourne Park Primary School will undertake thorough reference checks as per the approved internal procedure. Once engaged, workers/volunteers must review and acknowledge their understanding of this Policy.

Risk Management

Cranbourne Park Primary School will ensure that child safety is a part of its overall risk management approach. Cranbourne Park Primary School will have a Well Being sub-committee committed to identifying and managing risks at Cranbourne Park Primary School. Well Being sub-committee members will receive regular training in relation to child safety.

If a Report Occurs

Any person receiving an allegation of child abuse should immediately inform the Principal/Leadership so that they can obtain and document the specific details regarding the alleged incident that occurred by asking questions such as:

- Can you tell me what happened from the start?
- When and where did the incident occur?
- Did anyone see the incident?
- Who was there?
- What was said/done?

Where the complaint amounts to a reasonable suspicion based on circumstantial evidence – and such a complaint is quite legitimate – details of the circumstantial evidence should be sought.

At this point, an external body as per the reporting obligations outlined in the tables above should be contacted. You should report to an external authority any suspicions about child abuse, even where it is not required by law – to act otherwise may put a child in danger and may leave people or the School open to accusations of a cover up. The School will act quickly to minimise any ongoing risks to the child and to personnel and the School as a whole. Actions to take include:

We recognize that child abuse is an extremely sensitive, risky and legally complex area.

Definitions

Child means a person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

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

Child abuse means all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial (e.g. for financial gain) or other exploitation of a child and includes any actions that results in actual or potential harm to a child.

Child sexual assault is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with the 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.