

**Mount Waverley Primary School**  
**Child Safe Environment Policy**



***'Achieving Excellence Together'***

**2019**

**Principal: Greg Paine**

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## MOUNT WAVERLEY PRIMARY SCHOOL

### Child Safe Environment Policy

#### RATIONALE

On 26 November 2015, the Victorian Parliament passed the Child Wellbeing and Safety Amendment (Child Safe Standards) Bill 2015 to introduce child safe standards into law. The standards commenced from 1 January 2016 for most organisations working with children, with the aim of promoting cultural change in the way organisations manage the risk of child abuse and neglect.

The child safe standards are part of the Victorian Government's response to the Betrayal of Trust Inquiry into the Handling of Child Abuse by Religious and other Non-Government Organisations. The Betrayal of Trust Report found that while the majority of children are safe in organisations and in the community, more work could be done to strengthen existing approaches to child safety.

The child safe standards aim to drive cultural change in organisations that provide services for children so that protecting children from abuse is embedded in everyday thinking and practice.

#### **The Child Safe Standards:**

To create and maintain a child safe organisation, an entity to which the standards apply must have:

**Standard 1:** Strategies to embed an organisational culture of child safety, including through effective leadership arrangements

**Standard 2:** A child safe policy or statement of commitment to child safety

**Standard 3:** A code of conduct that establishes clear expectations for appropriate behaviour with children

**Standard 4:** Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel (see VIT and Working with Children Policies)

**Standard 5:** Processes for responding to and reporting suspected child abuse ( DET Mandatory Reporting policy which can be found at <http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx>)

**Standard 6:** Strategies to identify and reduce or remove risks of child abuse

**Standard 7:** Strategies to promote the participation and empowerment of children (see Student Engagement, Wellbeing and Inclusion Policy)

#### **Legal Responsibilities**

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

If a person / staff member believes a student is at immediate risk of abuse phone **000**.

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).

More information about [failure to disclose](#) 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](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence)

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.

More information about [mandatory reporting](#) is available in the *Child protection manual* [www.cpmanual.vic.gov.au/advice-and-protocols/advice/intake/mandatory-reporting](http://www.cpmanual.vic.gov.au/advice-and-protocols/advice/intake/mandatory-reporting)

**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](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first)

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 have the power or responsibility to reduce or remove the risk, but negligently failed to do so.

Further information about [failure to protect](#) can be found on the Department of Justice and Regulation website:

[www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence)

and the Department of Health and Human Services website.

## **PURPOSE**

The Child Safe Environment Policy sets out the school's approach to creating a safe organisation where children and young people are safe and feel safe, and provides the policy framework for the school's approach to the Child Safe Standards.

This policy applies to all staff, volunteers, contractors, whether or not they work in direct contact with children or young people. This policy will apply across a range of school forums (e.g. camps, online) and outside of school hours.

## **Our Commitment To Child Safety**

- Mount Waverley PS is committed to the safety and wellbeing of all children and young people. This will be the primary focus of our care and decision-making
- Mount Waverley PS has zero tolerance for child abuse
- Mount Waverley PS is committed to providing a child safe environment where children and young people are safe and feel safe, and their voices are heard about decisions that affect their lives. Particular attention will be paid to the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds, as well as the safety of children with a disability
- Every person involved in Mount Waverley PS has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all children and young people is at the forefront of all they do and every decision they make.

### **A Child-Safe Culture**

Mount Waverley Primary School's culture encourages staff to raise, discuss and scrutinise concerns making it more difficult for abuse to occur and remain hidden.

### **Personnel Understand Responsibilities / Code of Conduct**

School Leadership will ensure each person understands their role, responsibilities and behaviour expected in protecting children and young people from abuse and neglect. Staff will comply with the school's Child Safe Code of Conduct.

The school's Code of Conduct sets out clear awareness of the difference between appropriate and inappropriate behaviour. Refer to the Victorian Institute of Teaching and Victorian Teachers Professional Codes of Conduct and Ethics.

### **Human Resources Practices and Staff Training**

The school applies best practice standards in the recruitment and screening, and will take all reasonable steps to ensure it engages the most suitable and appropriate people. We will ensure staff induction, education and training programs are a vital part of our commitment to safeguarding children and young people from abuse and neglect. All prospective staff and volunteers are required to undergo National Criminal History Records check and maintain a valid Working with Children Check.

### **Reporting a Child Safety Concern or Complaint**

The school has clear expectations for staff and volunteers in making a report about a child or young person who may be in need of protection. Immediate action should include reporting their concerns to the DHHS Child Protection, Police or another appropriate agency and notifying the Principal or a member of the school leadership team of their concerns and the reasons for those concerns.

### **Risk Reduction and Management**

The school believes the wellbeing of children and young people is paramount, and is vigilant in ensuring proper risk management processes and procedures are in place. The school recognises there could be potential risks to children and young people and will take a risk management approach by undertaking preventative measures.

### **Listening to Children**

The school has developed a safe, inclusive and supportive environment that involves and communicates with children, young people and their parents/caregivers. We encourage child and parent/caregiver involvement and engagement that informs safe school operations and builds the capability of children and parents/care givers to understand their rights and their responsibilities.

### **Confidentiality and Privacy**

Considerable importance is placed on safeguarding the confidentiality and privacy of information about particular children and their families. The collection, use and storage of information is included in school policies. Breaches of Duty of Care and Mandatory Reporting obligations are identified in the specific policies.

#### **Professional Development**

School Council and staff will be provided with annual training on their individual and collective obligations and responsibilities for managing the risk of child abuse.

#### **Communication**

The school community will be informed of this policy through the Newsletter and the policy will be available on the School Website.

#### **Definitions**

Ministerial Order 870 provides definitions, including:

Child abuse includes;

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

**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.

**School environment** means any physical or virtual place made available or authorised by the school governing authority for use by a child during or outside school hours, including:

- a campus of the school
- online school environments (including email and internal electronic systems)
- other locations provided by the school for a child's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions and other events).

#### **School staff means:**

In a government school, an individual working in a school environment who is:

- employed under Part 2.4 of the *Education and Training Reform Act 2006 (ETR Act)* in the government teaching service or
- employed under a contract of service by the council of the school under Part 2.3 of the ETR Act or
- a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary).

### **POLICY GUIDELINES**

**MWPS has a NO tolerance policy to abuse, neglect, bullying and harassment.**

**All staff, volunteers and community members of Mount Waverley PS are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of students, as noted below.**

**All personnel of MWPS are responsible for supporting the safety, participation, wellbeing and empowerment of students by:**

- adhering to MWPS Student Wellbeing, Engagement and Inclusion Policy and upholding MWPS statement of commitment to child safety at all times

- taking all reasonable steps to protect students from abuse, neglect, bullying and harassment
- treating everyone with respect
- teaching students how to use electronic media safely and provide safety curriculum and opportunities to practise safety skills
- being observant of student behaviours and vigilant in supervision of students
- being perceptive of signs of distress or suspected incidents of abuse, neglect or bullying
- listening and responding to the views and concerns of students, particularly if they are telling you they or another student has been abused or bullied and/or are worried about their safety or the safety of another
- promoting the cultural safety, participation and empowerment of Aboriginal students (for example, by never questioning an Aboriginal student's self-identification)
- promoting the cultural safety, participation and empowerment of students with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination)
- promoting the safety, participation and empowerment of students with a disability (for example, during personal care activities)
- ensuring as far as practicable that teachers are not left alone with a student. Volunteers working with students must be supervised by teachers
- making efforts to remove opportunities for abuse or bullying by actively supervising the yard and classroom and other learning environments including excursions, camps, first aid, bus travel, swimming programs
- reporting any allegations of student abuse to the school Principal / Student Wellbeing Coordinator/ School Leaders, and ensure any allegation are reported to the police or child protection as per the mandatory reporting guidelines and Children, Youth and Families Act
- reporting any student safety concerns to the school Principal / Student Wellbeing Coordinator/ School Leaders
- if an allegation of child abuse is made, ensuring as quickly as possible the student is removed from the source of distress and safe
- encouraging students to 'have a say' and participate in all relevant organisational activities where possible, especially on issues that are important to them
- undertaking Mandatory Reporting updates and following reporting guidelines
- understanding and complying with all reporting processes and obligations.

**Staff and volunteers must not:**

- develop any 'special' relationships with students that could be seen as favouritism (for example, the offering of gifts or special treatment for specific students)
- exhibit behaviours with students which may be construed as unnecessarily physical (for example inappropriate sitting on laps. Sitting on laps could be appropriate sometime, for example while reading a storybook to a young student in an open plan area)
- put students at risk of abuse (for example, by locking doors)
- do things of a personal nature that a student can manage or do for themselves, such as toileting or changing clothes – support or assistance for a student with special needs and/or a disability may be required as agreed by the Student Support Group or School Leadership
- engage in open discussions of a mature or adult nature in the presence of students (for example, personal social activities)

- use inappropriate language in the presence of students such as swearing, lewd, crude or coarse language or language like sarcasm, innuendos, insults
- express personal views on cultures, race or sexuality in the presence of students
- discriminate against any student because of age, gender, culture, race, ethnicity, vulnerability, sexuality or disability
- have contact with a student or their family outside of our organisation without the school Principal/AP knowledge and/or consent (for example, no babysitting). Accidental contact, such as seeing people in the street, is appropriate
- have any online contact with a child or their family unless necessary, for example, providing families with e-newsletters and/or emails which are of an educational nature
- ignore or disregard any suspected or disclosed child abuse.

### **DOCUMENTS RELATING TO THIS POLICY**

- Mandatory Reporting Policy
- MWPS - A Step By Step Guide To Making A Report
- Child Safe Code of Conduct
- Child Safe Processes and Procedures
- Duty of Care Policy
- Onsite Supervision Policy
- DET Child Wellbeing and Safety Framework

### **POLICY IMPLEMENTATION**

Mount Waverley Primary School is committed to the safety and wellbeing of all children and young people. This will be the primary focus of our care and decision-making, with particular attention paid to the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds, as well as the safety of children with a disability.

In its planning, decision-making and operations, Mount Waverley Primary School will:

1. Take a preventative, proactive and participatory approach to child safety
2. Value and empower children to participate in decisions which affect their lives
3. Foster a culture of openness that supports all persons to safely disclose risks of harm to children
4. Respect diversity in cultures and child rearing practices while keeping child safety paramount
5. Provide written guidance on appropriate conduct and behaviour towards children
6. Engage only the most suitable people to work with children and have high quality staff and volunteer supervision and professional development
7. Ensure children know who to talk with if they are worried or are feeling unsafe, and that they are comfortable and encouraged to raise such issues
8. Report suspected abuse, neglect or mistreatment promptly to the appropriate authorities
9. Share information appropriately and lawfully with other organisations where the safety and wellbeing of children is at risk
10. Value the input of and communicate regularly with families and carers.

### **Processes and Procedures**

MWPS has comprehensive child safe processes and procedures to meet child safe standards which include:-

- zero tolerance to child abuse and a commitment to child safety

- a commitment to cultural safety for Aboriginal students, cultural safety for students from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for students with a disability
- expectations and requirements of staff and volunteers to ensure the protection of students as outlined in the *MWPS Child Safe Code of Conduct*
- Mandatory Training for all teaching staff
- support for staff, students and parents by School Leadership, SSSO and or outside agencies
- the provision of contact details to staff and parent/carers to access information in relation to student wellbeing and child safety
- reporting procedures and leadership responsibilities in relation to student wellbeing and child safety
- recruitment practices which are screened and include employment of Victorian Institute of Teaching registered teachers with successfully completed Police Checks
- recruitment practices which are screened for school personnel such as office staff and Education Support Staff which include Police Checks and/or Working with Children Checks
- screening practices for community volunteers, visitors and contractors who are supervised and have current Working With Children Checks
- risk management strategy and procedures.

**If a student discloses an incident of abuse, Staff will respond to the allegation/s using the following process and procedure:-**

1. If a staff member believes a student is at immediate risk of abuse phone 000
2. Separate the student/s from the other students discreetly and listen to them carefully
3. Let the student use their own words to explain what has occurred
4. Reassure the student that you take what they are saying seriously, and it is not their fault and they are doing the right thing
5. Advise the student you will take notes during the discussion to capture all details
6. Explain to them this information may need to be shared with others, such as with their parent/carer, specific staff in the school, or the police
7. Do not make promises to the student such as promising not to tell anyone about the incident, except you will do your best to keep them safe
8. Do not leave the student in a distressed state. If they seem at ease in your company, stay with them
9. 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
10. Some students 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 a disability](#) can be found on the Department of Health and Human Services website:

[www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/communicate-and-consult-with-people-with-a-disability/communication-with-people-with-disabilities](http://www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/communicate-and-consult-with-people-with-a-disability/communication-with-people-with-disabilities)

11. As quickly as possible after the disclosure, report the disclosure to the Principal / Student Wellbeing Coordinator/ School Leadership, Police or Child Protection
12. As quickly as possible, ensure the disclosure is recorded accurately. Record the information using the student's words. Ensure the record is stored securely in confidential files in the school office
13. Together with school Leadership complete a Child Safe Incident Report form using the student's words/ language
14. The School Principal/Leadership may need to investigate allegations further, interview staff, students and/or personnel
15. School Leadership will respond to a report of abuse as soon as possible
16. School Leadership will notify the parent/s of student/s of concern as soon as possible
17. School Leadership action may include contacting outside agencies, Police and/or Child Protection
18. School Leadership action may include contacting Emergency and Security Management, IRIS Alert, Student Online Case System, SSSO, Legal Branch, NEVR.

**If a parent/carer says their child has been abused within the school environment / organisation or raises a concern:-**

1. If a parent/ carer believes their child is at immediate risk of abuse they will be advised to phone 000
2. Explain MWPS has processes to ensure all abuse allegations are taken very seriously
3. Ask about the wellbeing of the child
4. Advise the parent / carer that you will take notes during the discussion to capture all details
5. Allow the parent / carer to talk through the incident in their own words
6. Explain to the parent / carer the information may need to be repeated to authorities or others, such as the Principal, Student Wellbeing Coordinator / School Leadership, the Police or Child Protection
7. Do not make promises at this early stage, except that you will do your best to keep the child safe
8. Explain the Principal / Student Wellbeing Coordinator / School Leadership will be notified as soon as possible
9. Teacher should complete an incident report form using the parent / carer words as soon as possible after the concern has been raised
10. Reassure the parent they will have contact / support / advice as soon as possible from School Leadership and or specialist / outside agency if applicable
11. School Principal / Leadership will 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
12. 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 people's needs where possible, such as having an interpreter present (who could be a friend or family member)

**EVALUATION**

To ensure ongoing relevance and continuous improvement, this policy will be reviewed in the context of school self-evaluation undertaken as part of the school accountability framework every two years.

<b>Policy Area:</b> <b>Student Wellbeing</b>	<b>Ratified by School Council:</b> <b>2019</b>	<b>Next Review:</b> <b>2021</b>
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