

## CHILD SAFE STANDARD 2: CHILD SAFETY POLICY

**Short description**

Child Safe Policy and Procedures for Oxley Primary School (OPS).

Guidelines for staff and other persons associated with OPS on the prevention of child abuse, the actions to be taken in cases of suspected child abuse and the creation of an environment where all students are able to learn in a safe environment.

**Relevant to**

All OPS staff, volunteers, contractors and the School Council

**Authority**

School Council

**Responsible Officer**

Principal

**Date introduced**

August 2016

**Date(s) modified**

November 28<sup>th</sup>, 2019

**Next scheduled review date**

Updated September 3 2020

**Related School documents**

Attached – see below.

## CHILD SAFE STANDARD 2: CHILD SAFETY POLICY

This policy is required and informed by clause 8 of *Ministerial Order No. 870 – Child Safe Standards – Managing the risk of child abuse in schools*, which sets out what the Child Safe Standards mean in a school environment.

Oxley Primary School is totally opposed to all forms of child abuse. The school is concerned with the holistic growth of each young person. All allegations of child abuse should be reported to the Principal as well as the relevant agency (Department of Health & Human Services, *Child FIRST* and Child Protection) as required under Victoria's Mandatory Reporting requirements.

The Principal will ensure that all legal processes are followed, including those necessitated by Mandatory Reporting, Failure to Protect and other relevant legislation. Care for the child is to be of paramount importance.

This policy is intended to empower and protect all students in all our school environments including our Outside School Hours Care and Vacation Care programs. 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 and Torres Strait Islander children.
- promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds.
- Children who are vulnerable.
- ensure that children with a disability and vulnerable children are safe and can participate equally.

### **Purpose**

Oxley Primary School's Child Safety Policy sets out the school's commitment and approach to creating and maintaining a child 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.

## Scope

This policy applies to all staff, volunteers, and contractors in the school environment, whether or not they work in direct contact with children or young people. This policy also applies to school council members where indicated.

The policy will apply to the school environment (see Definitions section). The policy covers both school hours and outside of school hours.

## Definitions

### Child abuse

Child abuse includes:

- any act committed against a child involving:
  - a sexual offence; or
  - grooming; and
- the infliction, on a child, of:
  - physical violence; or
  - serious emotional or psychological harm; and
- serious neglect of a child.

### Child-connected work

Child-connected work means work authorised by the school, school council, or Secretary of the Department of Education and Training and performed by an adult in a school environment while children are present or reasonably expected to be present.

### Child safety

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

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

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

### School staff

School staff means an individual working in a school environment who is:

- employed by the Department of Education and Training;
- directly engaged or employed by a school council; or
- a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary).

### **Children with a disability**

A disability can be any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities.

### **Child FIRST**

The name of the Child and Family Information, Referral and Support Teams of the Department of Health & Human Services (DHHS), Victoria.

### **Cultural safety for Aboriginal children**

The positive recognition and celebration of Aboriginal culture.

### **Cultural safety for children from culturally and/or linguistically diverse backgrounds**

An environment which is spiritually, socially and emotionally safe, as well as physically safe for children; where there is no assault, challenge or denial of their cultural or linguistic identity, of who they are and what they need.

### **Failure to disclose**

Under amendments to the *Crimes Act 1958* all adults are required to report to Victoria Police if they know or reasonably believe that a sexual offence has been committed by an adult against a child under the age of 16. It is a criminal offence not to comply with this obligation.

### **Failure to protect**

It is an offence for a person in authority within a relevant organisation to fail to reduce or remove the risk of sexual abuse of a child under their care when they know that such a risk exists.

### **Mandated Notifier**

Section 182 of the *Children, Youth and Families Act 2005* states that professionals who are legally required to report child *physical and sexual* abuse include:

- i. registered principals and teachers (including pre-service and visiting teachers)
- ii. registered nurses including school nurses.

### **Person in authority**

A person in authority is someone who by reason of their position within the organization, has the power to reduce or remove a substantial risk that a child under the age of 16, who is under their care, may become the victim of sexual abuse committed by an adult associated with the organisation e.g. Principal of a school would be considered the person in authority.

### **Vulnerable child**

Children who are exposed to child abuse and neglect and need protection and support so they have the best chance in life.

### Reasonable Belief

The legislation defines **Reasonable Belief** in this way: 'reasonable belief' is not the same as having proof. 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 when:

- i. a child states that they have been or know someone who has been physically or sexually abused,
- ii. someone who knows a child states that the child has been physically or sexually abused,
- iii. 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,
- iv. signs of physical or sexual abuse leads to a belief that the child has been sexually abused.

### Reportable Conduct

The legislation defines **Reportable Conduct** and it may include:

- i. any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence), or
- ii. any assault, ill-treatment or neglect of a child, or
- iii. any behaviour that causes psychological harm to a child whether or not, in any case, with the consent of a child.

### Sexual Offences

The legislation also defines **Sexual Offences** as including:

- i. sexual intercourse
- ii. acts of indecency (an act that is contrary to community standards of decency); and
- iii. indecent assault (touching without consent together with circumstances of indecency).

### Sexual Misconduct

The definition of **Sexual Misconduct** includes a range or pattern of behaviour aimed at the involvement of children in sexual acts, including:

- i. inappropriate conversations of a sexual nature
- ii. comments that express a desire to act in a sexual manner
- iii. unwarranted or inappropriate touching
- iv. sexual exhibitionism
- v. personal correspondence (any form) with a child in respect to adult feelings and/or emotions
- vi. exposing the child to sexual behaviour of other, including pornography; and
- vii. possession of child pornography.

### Grooming

The definition of **Grooming** includes:

- i. patterns of behaviour aimed at engaging or 'grooming' a child as a precursor to sexual abuse
- ii. the sexual abuse need not have happened for grooming to have occurred
- iii. persuading the child that a 'special relationship' exists (spending inappropriate special time with the child, inappropriate giving of gifts, showing special favour, allowing the child to overstep certain situations because they are being favoured)
- iv. testing the boundaries (undressing in front of the child, allowing the child to sit on the lap, talking about sex, accidental touching)
- v. a person of or over the age of 18 communicating inappropriately with a child under the age of 16.

### Physical Assault

The definition of **Physical Assault** under common law principles must include three of the following elements:

- i. it is an act committed on or towards a child; and
- ii. it involves either the application of force to a child or an act that causes a child to think that immediate force will be used on them; and
- iii. it is either hostile or reckless (a reckless act is one where a person would reasonably foresee the consequences of or likelihood of inflicting injury or fear, and ignores the risk).

### Psychological Harm

The definition of **Psychological Harm** includes:

- i. persistent and targeted behaviour (scape-goating, humiliation or verbal abuse) although in rare cases the alleged behaviour may be a single incident which is extreme and harmful to the child
- ii. signs of harm being identified (displaying patterns of out of character behaviour such as refusal to attend school, sleep disturbance, anxiety, physical symptoms or self-harm)
- iii. an alleged causal link between the behaviour and the harm
- iv. exposure to domestic violence.

### Relevant Child

A relevant child is a child under the age of sixteen who is, or may come, under the care, supervision or authority of a relevant organisation.

### Relevant Organisation

**Relevant Organisation** includes schools and care services (Outside School Care and Vacation Care services)

## STATEMENT OF COMMITMENT TO CHILD SAFETY AND CHILD SAFETY PRINCIPLES

Oxley 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.

The school's approach to creating and maintaining a child safe school environment is guided by our school philosophy and values. At Oxley Primary School our vision is 'to create a passionate learning community that inspires, challenges and supports all students to achieve their personal best and make a positive contribution to the world in which they live.' We know children can struggle to achieve their personal best if they are not safe from abuse.

At Oxley Primary School our values guide the decisions and behaviours of all members of our school community, including in relation to child safety:

 <p><b>Honesty:</b> is displaying truthfulness and open communication.</p> <p><b>HONESTY</b> at Oxley Primary School may be when:</p> <ul style="list-style-type: none"> <li>You do something wrong, you own up to it and it makes you feel relieved.</li> <li>You self umpire in games.</li> <li>You are true to yourself and don't try to be someone else.</li> </ul>		 <p><b>Responsibility:</b> is a willingness to account for your own personal behaviour.</p> <p><b>RESPONSIBILITY</b> at Oxley Primary School may be when:</p> <ul style="list-style-type: none"> <li>You complete the tasks you have been asked to do.</li> <li>You are reliable and trustworthy.</li> <li>You take control of your own actions / the way you act.</li> </ul>
<p><b>'Committed to nurturing confident, lifelong learners in a friendly rural community.'</b></p>		
 <p><b>Caring:</b> is caring for myself, others and the environment.</p> <p><b>CARE</b> at Oxley Primary School may be when:</p> <ul style="list-style-type: none"> <li>People treat you the way you would like to be treated.</li> <li>You look after the school's and other people's property.</li> <li>We look after the school grounds and the buildings.</li> </ul>	 <p><b>Excellence:</b> is doing our best at all times.</p> <p><b>EXCELLENCE</b> at Oxley Primary School may be when:</p> <ul style="list-style-type: none"> <li>You put lots of effort into everything you do.</li> <li>You keep the school clean and tidy.</li> <li>Our behaviour should be of the highest standard.</li> </ul>	 <p><b>Respect:</b> is recognising, accepting and celebrating differences in opinion ability, race and religion.</p> <p>Showing <b>RESPECT</b> at Oxley Primary School may be when:</p> <ul style="list-style-type: none"> <li>We actively listen with our eyes and ears and follow instructions.</li> <li>We use our manners and are fair to others.</li> <li>We have a positive attitude and always try to do our best.</li> </ul>

We will as a family work together to uphold the school values.

Students' signature: \_\_\_\_\_

Parents' signature: \_\_\_\_\_

Oxley Primary School has zero tolerance for child abuse.

We are 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. Our child safe policies, procedures, strategies and practices will be inclusive of the needs of all children, particularly Aboriginal and Torres Strait Islander children,

children from culturally and linguistically diverse backgrounds, children with disabilities, and children who are vulnerable.

Every person involved in Oxley Primary School has a responsibility to understand the important and specific role they play 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.

### Child safety principles

In its planning, decision-making and operations, Oxley 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 concerns;
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; and
10. Value the input of and communicate regularly with families and carers.

This also applies to our Out of School Hours and Vacation Care program.

### POLICY

#### Strategies to embed a child safe culture

Oxley Primary School's culture encourages staff, students, parents and the school community to raise, discuss and scrutinise child safety concerns. This makes it more difficult for abuse to occur and remain hidden.

Oxley Primary School is totally opposed to all forms of child abuse. The school is concerned with the holistic growth of each young person. All allegations of child abuse should be reported to the Principal as well as the relevant agency (Department of Health & Human Services, *Child FIRST* and Child Protection) as required under Victoria's Mandatory Reporting requirements.

The Principal will ensure that all legal processes are followed, including those necessitated by Mandatory Reporting, Failure to Protect and other relevant legislation. Care for the child is to be of paramount importance.



This policy is intended to empower and protect all students in all our school environments including our Outside School Hours Care and Vacation Care programs. 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.

All child safety documents, including this policy, the Child Safety Code of Conduct, the school's Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures, [Identifying and Responding to All Forms of Abuse in Victorian Schools](#) and the [Four Critical Actions for Schools](#) are readily available online and in hard copy from the front reception for all staff and students to read at any time.

Child safety is everyone's responsibility. **All school staff** are required to:

- Act in accordance with the school's Child Safety Code of Conduct, which clearly sets out the difference between appropriate and inappropriate behaviour
- Act in accordance with the Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures at all times, including following the [Four Critical Actions for Schools](#) where necessary
- Undertake annual guidance and training on child safety
- Act in accordance with their legal obligations, including:
  - Failure to disclose offence (applies to all adults)
  - Duty of care (applies to all school staff)
  - Mandatory reporting obligations (applies to all mandatory reporters, including teachers, principals, registered psychologists, and registered doctors and nurses)
  - Failure to protect offence (applies to a person in a position of authority within the school)
  - Reportable conduct obligations (applies to all school staff in reporting conduct to the principal, and applies to the principal in reporting to Employee Conduct Branch)
  - Organisational duty of care (applies to the school as an organisation)
  - For more information on these obligations, see [Identifying and Responding to All Forms of Abuse in Victorian Schools](#).

As part of Oxley Primary School's child safe culture, **school leadership** (including the principal will:

- Consider the diversity of all children, including (but not limited to) the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, and children who are vulnerable, when implementing the Child Safe Standards
- Ensure that child safety is a regular agenda item at school leadership meetings and staff meetings
- Encourage and enable staff professional learning and training to build deeper understandings of child safety and prevention of abuse

- Ensure that no one is prohibited or discouraged from reporting an allegation of child abuse to a person external to the school or from making records of any allegation.

As part of Oxley Primary School's child safe culture, **school mandatory reporting staff** are required to:

- Complete the [Protecting Children – Mandatory reporting and other obligations](#) online module every year [this is a DET requirement that mandatory reporters complete this training annually].
- Read the school's Child Safety Code of Conduct on induction, and maintain familiarity with that document
- Read the school's Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures on induction, and maintain familiarity with that document
- Read the school's Child Safety Policy (this document) on induction, and maintain familiarity with that document.

As part of Oxley Primary School's child safe culture, in performing the functions and powers given to them under the *Education and Training Reform Act 2006*, **school councils and school council members** will:

- Ensure that child safety is a regular agenda item at school council meetings [
- Consider the diversity of all children, including (but not limited to) the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, and children who are vulnerable, when making decisions regarding the Child Safe Standards
- Undertake annual guidance and training on child safety, such as the [Child Safe Standards School Council Training PowerPoint](#).
- Approve the Child Safety Code of Conduct to the extent that it applies to school council employees and members, and if updated, note the new document in its school council meeting minutes
- When hiring employees, ensure that selection, supervision and management practices are child safe (unless delegated to the principal).

School leadership will maintain records of the above processes.

### **Roles and responsibilities**

School leaders will ensure that 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 Safety Code of Conduct, which sets out clearly the difference between appropriate and inappropriate behaviour.

Specific child safety responsibilities:

- The Principal is responsible for reviewing and updating the Child Safety Policy every year.
- The Principal is responsible for monitoring the school's compliance with the Child Safety Policy. The school community should approach the Principal if they have any concerns about the school's compliance with the Child Safety Policy.

- The Principal is responsible for informing the school community about this policy, and making it publicly available.
- Other specific roles and responsibilities are named in Oxley Primary School's other child safety policies and procedures, including the Child Safety Code of Conduct, Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures, and risk assessment register.

## **Recruitment**

Oxley Primary School follows the Department's Recruitment in Schools guide to ensure child safe recruitment practices, available on the [Department's website](#).

All prospective volunteers are required to comply with our school's Volunteers Policy, including in relation to assessing the suitability of prospective volunteers and obtaining checks required under this policy.

## **Training and supervision**

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

Our school culture aims for all staff and volunteers (in addition to parents/carers and children) to feel confident and comfortable in coming forward with any allegations or suspicions 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. This training occurs annually or more often as required.

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

New employees and volunteers will be inducted into the school, including by being referred to the Child Safety Policy (this document), the Child Safety Code of Conduct, and the Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures on the school website. They will also be supervised regularly to ensure they understand our school's commitment to child safety, and that their behaviour towards children is safe and appropriate. All employees of our school will be monitored and assessed via regular performance review to ensure their continuing suitability for child-connected work. Any inappropriate behaviour will be reported by school staff to the Principal or Assistant Principal and will be managed in accordance with Oxley Primary School's Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures where required.

## **Reporting a child safety concern or complaint**

The school has clear expectations for all staff and volunteers (including homestay providers) in making a report about a child or young person who may be in need of protection. All staff (including school council employees) must follow the school's Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures, including following the [Four Critical Actions for Schools](#) if there



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is an incident, disclosure or suspicion of child abuse. Immediate actions should include reporting their concerns to DHHS Child Protection, Victoria Police and/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.

Oxley Primary School will never prohibit or discourage school staff from reporting an allegation of child abuse. The school will always take action to respond to a complaint in accordance with the school's Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures. In accordance with Action 4 of the Four Critical Actions for Schools, Oxley Primary School will provide ongoing support for students affected by child abuse.

The Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures can be found on the Oxley Primary School's Webpage.

### ***Risk reduction and management***

Oxley Primary School believes the wellbeing of children and young people is paramount, and is vigilant in ensuring proper risk management processes, found in the school's risk assessment register. The school recognises there are potential risks to children and young people and will take a risk management approach by undertaking preventative measures.

We will identify and mitigate the risks of child abuse in school environments by taking into account the nature of each school environment, the activities expected to be conducted in that environment and the characteristics and needs of all children expected to be present in that environment.

Oxley Primary School monitors and evaluates the effectiveness of the actions it takes to reduce or remove risks to child safety, more information can be found in the school's risk assessment register.

### ***Listening to, communicating with and empowering children***

Oxley Primary School has developed a safe, inclusive and supportive environment that involves and communicates with children, young people and their parents/carers. We encourage child and parent/carer involvement and engagement that informs safe school operations and builds the capability of children and parents/carers to understand their rights and their responsibilities. Our school is committed to supporting and encouraging students to use their voice to raise and share their concerns with a trusted adult at any time of need. Students can access information on how to report abuse from the Principal.

When the school is gathering information in relation to a complaint about alleged misconduct with or abuse of a child, the school will listen to the complainant's account and take them seriously, check understanding and keep the child (and/or their parents/carers, as appropriate) informed about progress.

The school will promote the Child Safe Standards in ways that are readily accessible, easy to understand, and user-friendly to children, including:

- All of our child safety policies and procedures will be available for the students and parents at Oxley Primary School to read on the Oxley Primary School's Webpage.
- PROTECT Child Safety posters will be displayed across the school
- School newsletters will inform students and the school community about the school's commitment to child safety, and strategies or initiatives that the school is taking to ensure student safety
- Having age-appropriate discussion of child safety with students, child safety policies and procedures are written in child-friendly language, the Four Critical Actions are actively taught to mandatory reporters and other school staff, the whole school is encouraged to contribute to risk assessment and mitigation.
- The school will use its health and wellbeing programs to deliver appropriate education to its students about:
  - standards of behaviour for students attending the school;
  - healthy and respectful relationships (including sexuality);
  - resilience; and
  - child abuse awareness and prevention through programs such as Respectful Relationships and e-smart programs.

## Communications

This school is committed to communicating our child safety strategies to the school community through:

- Ensuring that the Child Safety Policy (this document), Code of Conduct, and the Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedure are available on the school website
- Once per fortnight reminders in the school newsletter of our school's commitment to child safety
- Ensuring that child safety is a regular agenda item at school leadership meetings and staff meetings for discussion

## Confidentiality and privacy

This school collects, uses and discloses information about particular children and their families in accordance with Victorian privacy law. The principles regulating the collection, use and storage of information is included in the Department of Education and Training's [Schools' Privacy Policy](#).

## Related policies and documents

Related policies and documents include:

- Code of Conduct
- Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures
- Risk assessment register
- [Identifying and Responding to All Forms of Abuse in Victorian Schools](#)
- [Four Critical Actions for Schools](#)



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- [Recording your actions: Responding to suspected child abuse – A template for Victorian schools](#)
- [Identifying and Responding to Student Sexual Offending](#)
- [Four Critical Actions for Schools: Responding to Student Sexual Offending](#)
- [School Policy and Advisory Guide – Duty of Care](#)
- [School Policy and Advisory Guide – Child Protection Reporting Obligations.](#)

### **Policy evaluation and review**

To ensure ongoing relevance and continuous improvement, this policy will be reviewed every [insert number, maximum 3] years. The review will include input from students, parents/carers and the school community.

### **REVIEW CYCLE**

<b>REVIEW DATE</b>	<b>August, 2020</b>
<b>APPROVED AT SCHOOL COUNCIL</b>	<b>20/08/2020</b>
<b>NEXT REVIEW DATE</b>	August, 2021

### **A Child Safety Champion**

- Is a particular person trained to lead staff to in the implementation of the Child Safe Standards.
- Broad areas of the role are to:

### **PROVIDE AUTHORITATIVE ADVICE**

- Act as a source of support, advice and expertise 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, including being a child safety champion and providing coordination in communicating, implementing, monitoring, enhancing and reporting on strategies to embed a culture of 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 account of their wishes and feelings in any measures to protect them.

### **TRAIN**

- Being authoritative in providing advice by: of keeping their skills up to date with appropriate training carried out every two years of 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.

### **PROTECT**

- Be able to keep detailed, accurate, secure written records 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.

## CODE OF CONDUCT

Oxley 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 Oxley 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 Oxley 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 Behaviours**

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
- 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
- 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 favouritism or amount to 'grooming' behaviour (for example, offering gifts)
- 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, ethnicity or any other differences.
- 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
- in the school environment or at other school events where students are present, consume alcohol contrary to school policy 2 or take illicit drugs under any circumstances.
- Supporting children who are vulnerable children.

### **Breach of code of conduct:**

Contractors and volunteers to sign Code of Conduct and Child Safety Policy to reduce the breach of this code.

Where the document is unsigned then the contractor or volunteer will not be allowed to work on site.

Breaches that put a child's safety in risk will be reported using the four critical actions for schools, responding to incidents, disclosures and suspicions of child abuse.

## WORKING WITH CHILDREN CHECK POLICY

### Preamble

The Working with Children (WWC) check aims to assist in protecting children from sexual or physical harm. It is designed to complement good selection, supervision and training practices (including rigorous reference checking).

The intent of this procedure is to outline which positions at the School require a WWC check and the process to be followed.

This procedure applies to all positions at The School including volunteer, honorary, consultant and contractor positions. Any reference to 'candidates' also extends to staff currently occupying a position.

Parents will be reminded each term via the newsletter of how they can obtain a working with children's check.

### Definitions

Child: a person who is under the age of 18 years.

Student: any child who is enrolled at the School

### What is the WWC check?

The WWC check verifies a person's history to make sure they do not have any relevant criminal offences or findings from professional disciplinary bodies. The WWC check is valid for 5 years (unless revoked). During this time the cardholder continues to be checked for new relevant offences or findings. The WWC check is administered by the Department of Justice.

### When is a WWC check required?

A WWC check is required for positions that meet all of the following criteria:

- involve contact with children in connection with our school
- the contact happens on a regular (everyday) basis;
- involve direct contact with children and this contact is not directly supervised;
- and
- the position does not qualify for an exemption as listed under the act.

### What is the application process?

The candidate must complete a Working with Children Check application form. The forms are available online.

Under the section marked 'Details of Organisation', candidates should ensure they state The School

If the applicant passes the check they will be sent a successful Assessment Notice, followed by a WWC check card 2-3 weeks later.

Further information about the application process is available on the [Department of Justice webpage](#).

### **What if the applicant does not pass the check?**

If the applicant does not pass the check they will be given an Interim Negative Notice. The applicant can then make a submission to the Department of Justice to explain why they believe they should pass. If this submission is not successful the applicant will be issued with a Negative Notice. This means they have failed the WWC Check and cannot undertake 'child-related work' or work in the School

### **When can the candidate commence?**

Commencement in The School is conditional upon receipt of a successful Assessment Notice or WWC check card. Any queries should be directed to the Principal.

### **Who pays for the WWC check?**

Candidates who are required to undergo a WWC check as a condition of working in the School will not be able to receive reimbursement for the cost from The School.

### **Responsibilities**

The School must:

- identify all staff who require a Working with Children check;
- ensure existing staff and volunteers are informed of the requirement to undergo the check;
- ensure prospective staff and volunteers have passed a WWC check before commencement;
- check the card's validity on the [Department of Justice webpage](#);
- have a photocopy of the WWC card and with details updated on the school register ( if individual is a staff member, copy to be kept on the staff member's personnel file)
- ensure suitable monitoring procedures are in place to ensure staff members hold a valid WWC check card at all times.

The staff member or volunteer must:

- provide the successful WWC check card prior to commencement at The School
- notify the office if there has been a relevant change in circumstances, for example, if they have been charged or found guilty of a new relevant offence.
- apply for a new WWC check before their card expires.

### **What is the difference between a WWC Check and a police records check?**

A police records check gives information about a person's past criminal record and is only valid at the time of issue. The WWC check is valid for 5 years (unless revoked). During this time, cardholders continue to be checked for new relevant offences or disciplinary findings from professional bodies such as the Victorian Institute of Teaching. In addition, not all criminal offences are relevant to the WWC check. Broadly, the WWC check considers serious sexual and violent drug offences.



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A staff member or volunteer is required to undertake a WWC check even if they have already completed a police records check.

#### **Related Procedures**

- [Police Records Check Procedure](#)

#### **Related Documents**

- [Working with Children Act 2005 \(Vic\)](#)

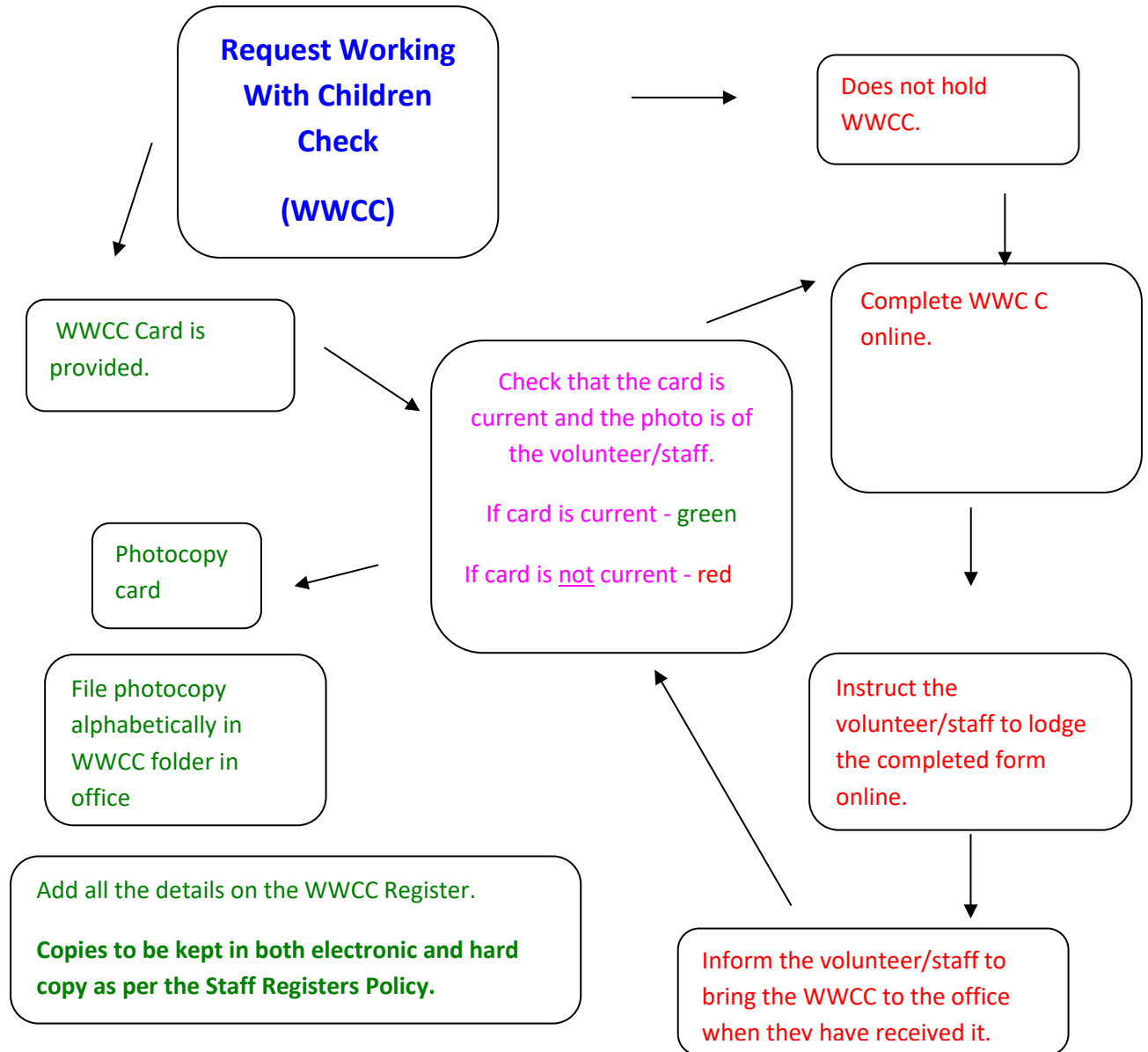
Further information is available from the [Department of Justice Working with Children webpage](#) or the Working with Children information line on 1300 652 879

#### **School Register**

The School will take a copy of each WWC and filed in the Administration Filing Cabinet as per the Staff Registers Policy.

The register will be placed on the admin network.

## FLOWCHART for WORKING WITH CHILDREN CHECKS



**NB: It is mandatory that All volunteers and Locally Employed staff hold current Working with Children Checks.**

Business Manager has primary responsibility for checking and processing WWCCs.

All Administration staff are also responsible for fully implementing this process in the event of the Business Manager's absence or at the instruction of the Business Manager.

## Child Protection - Grooming Policy

Oxley Primary School believes that, while protecting children and young people against sexual abuse is a community wide responsibility, schools have particular moral and legal responsibilities to ensure children and young people are safe in their care and to actively and intentionally work to eliminate all forms of abusive behaviours towards children. There are also particular moral and legal obligations for those in authority to prevent, reduce and minimise child abuse and exploitation in all forms.

### Rationale:

This policy applies to the whole school community in supporting a safe environment for all children and young people.

It concerns the *Crimes Act 1958 (Vic)* and the *Crimes Amendment (Grooming) Act 2014* which commenced in Victoria on 9 April 2014, introducing the offence of Grooming for sexual conduct with a child under the age of 16 years. The Crimes Amendment (Grooming) offence provides that the offence of grooming concerns:

- a. predatory conduct designed to facilitate later sexual activity with a child.
- b. an adult communicating, in person or electronically, by word or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvement in sexual conduct, either with the groomer or another adult.
- c. sexual conduct which constitutes an indictable offence.

**Note:** Grooming does not necessarily involve any sexual activity or even discussion of sexual activity – for example it may involve establishing a relationship with a child, parent or carer for the purpose of facilitating sexual activity at a later time.

The offence can be committed by any person aged 18 years and over. It does not apply to communication between people who are both under 18 years of age.

The offence applies to communication with children under 16 years, but not to communication with 16 and 17 year old children. This distinction between children aged below 16 and those aged 16 or 17 reflects the general age of consent (16 years) recognised by the criminal law in relation to sexual offences.

### Key Principles:

- A safe environment is required to protect children and young people from harm and to prevent staff from abusing their position of authority and trust.

- The child and young person's ongoing safety and wellbeing must be the primary focus of all decision making.
- School leaders and staff must be fully self-aware of, and comply with, their professional obligations and responsibilities.
- The commitment to protecting children is embedded in the organisation's culture and responsibility for taking action is understood and accepted at all levels of the organisation.

### **Definitions:**

#### **Child**

A child is legally defined as a person under the age of 16 years.

#### **Grooming**

Grooming refers to predatory conduct undertaken to prepare a child for sexual activity at a later time. It may involve communication, in person or electronically, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvement in sexual conduct either with the groomer or another adult. There may be no sexual activity or even discussion of sexual activity. The sexual conduct must constitute an indictable sexual offence.

#### **Indictable sexual offence**

This includes offences such as sexual penetration of a child, indecent assault and indecent act in the presence of a child. It does not include summary offences, such as up-skirting and indecent behaviour in public.

Note: The committing of these offences does not come under the definition of grooming, rather grooming is conduct in preparation of these offences.

#### **Person in authority**

A person in authority is someone who, by reason of their position within a relevant organisation, has the power or responsibility to reduce or remove a substantial risk that a child under the age of 16 years, who is under their care, supervision or authority, may become the victim of sexual abuse committed by an adult associated with the organisation. The role may be a formal, management role but may also apply to less formal roles such as a volunteer coach for a sports team.

#### **Reasonable belief**

A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. A 'reasonable belief' is not the same as having proof.

## Sexual abuse

Sexual abuse occurs when a person uses power or authority over a child to involve the child in sexual activity and the child's parent or caregiver has not protected the child. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity, including physical activity and/or exposure of the child to pornography.

### Implementation:

This policy applies to the whole school community in supporting a safe environment for all children and young people.

- It applies to all persons in positions of authority, care or supervision, all employees of the school, and students of 18 years or over to ensure they understand their role and responsibility in protecting the safety and wellbeing of children and young people under the age of 16 in accordance with the Crimes Act 1958 (Vic).
- It applies to any member of the school community aged 18 and over who becomes aware of grooming behaviour by a person aged 18 years or over, they should notify the police and/or the Principal immediately.
- Staff will be fully informed annually of and committed to their obligations and responsibilities to proactively protect children from abuse
- This policy and its requirements will be communicated to all staff and the wider community annually
- This policy and its requirements will be communicated to new staff during induction
- This policy will be made available on the School website
- School staff will be trained in personal safety and the identification of possible sexual abuse, including the recognition of 'grooming'
- Thorough and systematic education in personal safety including safety in relationships, provided for all children/young people
- Prompt and full responses to any allegations will be undertaken immediately, with well documented records retained securely and confidentially
- Risks associated with 'Grooming' will be included, assessed and mitigated in ongoing risk identification and management processes
- Under 'Failure to Protect' requirements, the Principal or others with authority or responsibility, will take action upon becoming aware of suspected grooming behaviour, regardless of the time or location of that behaviour





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### **Related Documentation:**

This policy should be read in conjunction with the other policies and procedures of Oxley Primary School concerned with Child Safety and Pastoral Wellbeing:

Oxley Primary School WWCC Register Procedures

Oxley Primary School WWCC List

Oxley Primary School Duty of Care Policy

Oxley Primary School Excursions Policy

Oxley Primary School Incursions Policy

Oxley Primary School On Site Supervision Policy

Oxley Primary School Privacy Policy

Oxley Primary School Staff Registers Policy

Oxley Primary School Student Engagement and Well Being Policy

Oxley Primary School Visitors in School Policy

VIT Legal Obligations of a Teacher

VIT Teacher Code of Conduct

Child Protection and Safety Policy

Child Protection – Mandatory Reporting Policy

Child Protection – Working With Children Checks Policy

Child Protection – Failure to Protect Policy

Child Protection – Grooming Policy

### **References:**

Crimes Amendment (Protection of Children) Act 2014, online, [http://www.austlii.edu.au/au/legis/vic/num\\_act/caoca201436o2014417](http://www.austlii.edu.au/au/legis/vic/num_act/caoca201436o2014417)

Children, Youth and Families Act (Vic) 2005

Victorian Parliamentary Inquiry into the Handling of Child Sexual Abuse by Religious and Other Non-Government Organisations, Final Report, *Betrayal of Trust*, November 2013.

<b>Date Implemented</b>	November 28 <sup>th</sup> , 2019
<b>Author</b>	Jeremy Campbell
<b>Approved By</b>	School Council
<b>Responsible for Review</b>	Principal
<b>Review Date</b>	November 2021

## Staff Registers Policy

### **RATIONALE:**

In order to comply with DET standards and requirements the school will maintain the following Registers in relation to training, qualification and suitability of employment to undertake certain duties:

### **AIM**

- To provide a system for the recording and monitoring/updating of staff qualifications
- To provide documentation to assist The Teacher In Charge in the identification of suitably qualified staff when planning incursions, excursions and camps.

### **IMPLEMENTATION**

#### **Register of all staff**

The School will keep an electronic and hard copy Register of the following qualifications of Teaching and Education Support Staff.

- The Register will include dates for renewal of qualifications.
- A hard copy of the Register will be kept in a secure location in the administration offices.
- Original copies of all documentation will be kept in a Registration Folder in a secure location.
- **Victorian Institute of Teaching registration:**  
Current registration is required by all Teacher and Principal Class members, including Casual Relief Teachers.

It is the responsibility of the Human Resources Coordinator to ensure prior to employment, that all prospective new employees are compliant with VIT registration.

It is the responsibility of each Teacher and Principal Class member to ensure that their registration is current. This information can be accessed by visiting MyVIT at <http://www.vit.vic.edu.au>

Any Teacher or Principal Class member whose registration lapses or is suspended will be removed from their duties as they have no registration to teach and may have no current WCC.

Provisionally registered Teachers must meet the VIT requirements to gain Full Registration within the time frame set out by the VIT.

• **Working with Children Check:**

A current satisfactory Working with Children Check E (Employment) is required by all Education Support Staff, including Casual ES Staff and any workers based at our school (even if not employed by the school such as the CRE Instructors, Regional Staff). A current satisfactory Working with Children Check V (Volunteer) is required by those volunteers whose work is unsupervised by classroom teachers.

The school also requires all visitors to the school to sign in upon arrival at the school office, present qualifications and certificates as required, currently hold a Working with Children Check, and to not be able to interact with any students or children without the direct supervision of a member of staff. These visitors include:

- registered teachers and educational support staff.
- welfare staff or those in pastoral care roles relationships with students.
- other students.
- administration and support staff.
- contractors such as specialists delivering services to students eg VET units, music, media or recreation lessons or activities.
- volunteers.
- facilities and security staff interacting with students.
- visitors to the school or other persons that may have access to students.

It is the responsibility of the Human Resources Officer to ensure prior to employment that any prospective new employees are compliant with their WWC Check. (Note if a person is registered with the VIT this replaces the requirement for a WWC Check).

WWC Checks are valid for 5 years from the date of issue. It is the responsibility of each ES Staff member, and other workers and volunteers to ensure that their registration is current. This information can be accessed by visiting <https://online.justice.vic.gov.au/wwccu>. Eight weeks prior to the WWC Check expiring, a pre-populated renewal application form will be sent to the cardholder. The card holder is expected to complete this action and the



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office staff will follow up to check that this is done with checks of WWC each term.

Any worker or volunteer who does not have a current satisfactory Working with Children Check will be removed from their duties.

• **First Aid Qualifications**

Only staff sufficiently trained under the OHS Act 2004 and DET First Aid Policy will be placed on the First Aid roster.

The school maintains a Register for First Aid qualifications for all staff. The Principal or Nominee is responsible for providing information to a designated ES staff member regarding the expiry date and the level of attainment for:

- CPR ( 12 months)
- First Aid Training
- Anaphylaxis Training

The Principal/Nominee will check the currency of First Aid qualifications at the beginning of each Semester when the staff duty rosters are being compiled. Staff whose First Aid qualification expire in the next Semester are notified of this.

A copy of all First Aid qualifications is placed in the staff member's personnel file.

<b>Date Implemented</b>	November 28 <sup>th</sup> , 2019
<b>Author</b>	Jeremy Campbell
<b>Approved By</b>	School Council
<b>Responsible for Review</b>	Principal
<b>Review Date</b>	November 2021

## Child Safe Standard 6: Risk Assessment template

[School Policy & Advisory Guide: Risk Management Policy.](#)

Each school will be different and must undertake their school specific assessment.

Risk Event or Environment	Existing risk management strategies or existing controls	Likelihood	Consequence	Current risk rating	New risk management strategies or treatments	Who is responsible?	Target risk rating
No organisational culture of child safety – lack of leadership, public commitment and frequent messaging	Child safety code of conduct Strategies developed to embed culture of child safety	Possible	Severe	Extreme	<ul style="list-style-type: none"> <li>Strategies to embed organisational culture of child safety are reviewed</li> <li>Statement of commitment to child safety is publicly available</li> </ul>	Principal, School Council	Low
Inappropriate behaviour is not reported and addressed	Child safety code of conduct Clear child safety reporting procedures Performance management procedures	Unlikely	Severe	High	<ul style="list-style-type: none"> <li>Strategies to embed organisational culture of child safety are reviewed</li> <li>Refresher training for staff – see eLearning</li> </ul>	Principal, School Council	Low

Risk Event or Environment	Existing risk management strategies or existing controls	Likelihood	Consequence	Current risk rating	New risk management strategies or treatments	Who is responsible?	Target risk rating
Unquestioning trust of long term employees and contractors or norms	Strategies developed to embed culture of child safety Clear child safety reporting procedures	Possible	Major	High	mandatory reporting module  • Refresher training for staff – see eLearning mandatory reporting module	Principal, School Council	Low
Recruitment of an inappropriate person	WWCC or Victorian Institute of Teaching registration	Unlikely	Major	Medium	Processes updated to require: • Criminal history search • Pre-employment reference check includes asking about child safety	Principal, School Council	Low
Engagement with children online	Child safety code of conduct Strategies developed to embed culture of child safety	Possible	Moderate	Medium	• Train students and staff to detect inappropriate behaviour	Principal, School Council	Low

Risk Event or Environment	Existing risk management strategies or existing controls	Likelihood	Consequence	Current risk rating	New risk management strategies or treatments	Who is responsible?	Target risk rating
Unknown people and environments at excursions and camps	Child safety code of conduct Strategies developed to embed culture of child safety Clear child safety reporting procedures	Unlikely	Moderate	Medium	<ul style="list-style-type: none"> <li>Ensure appropriate settings on all student technologies</li> <li>Assessment of new or changed environments for child safety risks</li> <li>Ensure Code and strategies apply in all school contexts</li> </ul>	Principal, School Council	Low
Ad-hoc contractors on the premises (eg maintenance)	Child safe environments Information and awareness for visitors, staff, volunteers and contractors <b>Adequate monitoring</b>	Unlikely	Moderate	Medium	<ul style="list-style-type: none"> <li>Refresher training for frequent contractors</li> </ul>	Principal, School Council	Low