

Child Safety Policy

Monmia Primary School



MONMIA PRIMARY SCHOOL

- Learn and Achieve -

This policy was ratified by School Council in: 25th October, 2016
School Council President: Mary Papaioannou

Rationale

The Victorian Government is committed to the safety and wellbeing of all children and young people. As part of the Victorian Government's commitment to implementing the recommendations of the Betrayal of Trust report, which found that more must be done to prevent and respond to child abuse in our community, there is a new regulatory landscape surrounding child safety, underpinned by the new [PROTECT Child Safe Standards](#).

This policy provides the framework for implementation of Monmia Primary School's commitment to child safety.

Aim

The purpose of this policy is to demonstrate the strong commitment of Monmia Primary School to the care, safety and wellbeing of all students at our school. It provides an outline of the policies, procedures and strategies developed to keep students safe from harm, including all forms of abuse in our school environment, on campus, online and in other locations provided by the school.

This policy takes into account relevant legislative requirements within the state of Victoria, including the specific requirements of the Victorian Child Safe Standards as set out in [Ministerial Order No. 870](#)

This policy applies to school staff, including school employees, volunteers, contractors and visitors.

Implementation

The Implementation of this policy addresses the following key areas,

[Principles for Child Safety](#)

[Definitions used in this Policy](#)

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[Responsibilities and Organisation Arrangements](#)

[Expectation of School Staff - Child Safety Code of Conduct](#)

[Student Safety and Participation](#)

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Principles for Child Safety

- Ensure all students understand they have a right to feel safe and be protected from all forms of abuse and neglect
- Provide a comprehensive education in all aspects of personal safety, in collaboration with parents/guardians
- Foster a culture of openness that supports all persons to safely disclose risks of harm to children

- 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
- Work in partnership with families and the community to engage in open communications that have an impact on child safety and protection
- Respect diversity in cultures and child rearing practices while keeping child safety as the highest priority
- Provide policies, guidelines and codes of conduct for the care, wellbeing and protection of students
- Engage only the most suitable people to work with children and have high quality staff and volunteer supervision and professional development
- Report suspected abuse, neglect or mistreatment promptly to the appropriate authorities
- Share information appropriately and lawfully with other organisations where the safety and wellbeing of children is at risk

Definitions used in this Policy

Child: A child enrolled as a student at the school.

Child abuse includes:

- (a) any act committed against a child involving:
- a sexual offence
 - an offence under section 49B(2) of the **Crimes Act 1958** (grooming)
- (b) the infliction, on a child, of:
- physical violence
 - serious emotional or psychological harm
- (c) serious neglect of a child. ([Ministerial Order No. 870](#))

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. ([Ministerial Order No. 870](#))

Child neglect: The failure by a parent or guardian to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing. ([Safe Schools Hub](#))

Child physical abuse: Generally, child physical abuse refers to the non-accidental use of physical force against a child that results in harm to the child. Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning. The fabrication or induction of an illness by a parent or guardian (previously known as Munchausen syndrome by proxy) is also considered physically abusive behaviour. ([Safe Schools Hub](#))

Child protection: Statutory services designed to protect children who are at risk of serious harm. ([Safe Schools Hub](#))

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Child sexual abuse: Any sexual activity between a child under the age of consent (16) and an adult or older person (i.e. a person five or more years older than the victim) is child sexual abuse.

Child sexual abuse can also be:

- any sexual behaviour between a child and an adult in a position of power or authority over them (e.g. a teacher); the age of consent laws do not apply in such instances due to the strong imbalance of power that exists between young people and authority figures, as well as the breaching of both personal and public trust that occurs when professional boundaries are violated
- any sexual behaviour between a child and an adult family member, regardless of issues of consent, equality or coercion
- sexual activity between peers that is non-consensual or involves the use of power or coercion

- non-consensual sexual activity between minors (e.g. a 14-year-old and an 11-year-old), or any sexual behaviour between a child and another child or adolescent who, due to their age or stage of development, is in a position of power, trust or responsibility over the victim. Sexual activity between adolescents at a similar developmental level is not considered abuse. ([Safe Schools Hub](#))

Mandatory Reporting: The legal requirement to report suspected cases of child abuse and neglect is known as mandatory reporting. Mandated persons include teachers, nurses, police, psychologists, psychiatrists and medical practitioners. ([Safe Schools Hub](#))

Reasonable Belief: When staff are concerned about the safety and wellbeing of a child, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a 'reasonable belief'. 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.

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

- a campus of the school
- online school environments (including email and intranet 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). ([Ministerial Order No. 870](#))

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

- directly engaged or employed by a school council
- a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary) ([Ministerial Order No. 870](#))

Implementation

All students enrolled at Monmia Primary School have the right to feel safe and be safe. The well-being of children in the school's care will always be the school's first priority and child abuse will not be tolerated. The school aims to create a child-safe and child-friendly environment where children are able to enjoy life to the full without any concern for their safety. There is particular attention paid to the vulnerable children, including Aboriginal and Torres Strait Islander children, children from cultural and/or linguistically diverse backgrounds, and children with a disability.

Commitment to Students

- Commit to the safety and wellbeing of all children enrolled in the school.
- Provide children with positive and nurturing experiences.
- Listen to children and empower them by taking their views seriously, and address any concerns that they raise with staff.
- Take action to ensure that children are protected from abuse or harm.
- Teach children the necessary skills and knowledge to understand and maintain their personal safety and wellbeing.
- Seek input and feedback from students regarding the creation of a safe school environment.

Commitment to Parents and Guardians

- Communicate honestly and openly with parents and guardians about the wellbeing and safety of their children.
- Engage with, and listen to, the views of parents and guardians about the school's child-safety practice, policies and procedures.
- Commit to transparency in decision-making with parents and guardians where it will not compromise the safety of children.
- Acknowledge the cultural diversity of students and families, being sensitive to how this may impact on student safety issues.
- Continuously review and improve systems to protect children from abuse.

Commitment to School Staff (school employees, volunteers and contractors)

- Provide all school staff with the necessary support to enable them to fulfil their roles. This will include regular and appropriate learning opportunities.

- Provide regular opportunities to clarify and confirm policy and procedures in relation to child safety, protection and wellbeing. This will include annual training in the principles and intent of the Child Safety Policy and Child Safety Code of Conduct, and staff responsibilities to report concerns.
- Listen to all concerns voiced by school staff, volunteers, visitors and contractors about keeping children from harm.
- Provide opportunities for school employees, volunteers, visitors and contractors to receive formal debriefing and counselling arising from incidents of the abuse.

Responsibilities and Organisation Arrangements

Everyone employed or volunteering at Monmia Primary School 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 students is at the forefront of all they do and every decision they make.

The school has allocated roles and responsibilities for child safety as follows:

1. Guide to Responsibilities of School Leadership

The Principal, School Council and the Leadership Team at Monmia Primary School recognise their particular responsibility to ensure the development of preventative and proactive strategies that promote a culture of openness, awareness of and shared responsibility for child safety. Responsibilities include:

- creating an environment for children to be safe and to feel safe
- upholding high principles and standards for all staff, volunteers, visitors and contractors
- promoting models of behaviour between adults and children based on mutual respect and consideration
- ensuring thorough and rigorous practices are applied in the recruitment, screening and ongoing professional learning of staff
- ensuring that school personnel have regular and appropriate learning to develop their knowledge of, openness to and ability to address child safety matters
- providing regular opportunities to clarify and confirm legislative obligations, policy and procedures in relation to child protection and wellbeing
- ensuring the school meets the specific requirements of the Victorian Child Safe Standards as set out in [Ministerial Order No. 870](#)

2. Guide to Responsibilities of School Staff

Responsibilities of school staff (school employees, volunteers and contractors) include:

- treating children with dignity and respect, acting professionally, providing a duty of care, and protecting children in their care
- following the legislative and internal school processes in the course of their work, if they form a reasonable belief that a child has been or is being abused or neglected
- providing a physically and psychologically safe environment where the wellbeing of children is nurtured
- undertaking regular training and education in order to understand their individual responsibilities in relation to child safety and the wellbeing of children
- assisting children to develop positive, responsible and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse
- following the school's Child Safety Code of Conduct

3. Organisational Arrangements

The school's culture encourages staff to raise, discuss and scrutinise concerns making it more difficult for abuse to occur and remain hidden. As a nationally accredited KidsMatter School, Monmia has established the following whole school wellbeing initiatives, practices and programs to support student safety:

- KidsMatter Action Team
- BounceBack Resilience and Wellbeing Program
- eSmart program and events
- CASEA Program

- Blueearth Wellbeing Program
- Restorative Practices
- Transition Processes for Kindergarten to Prep; Year 6 to 7 and year level transition (step up days)
- Visitor sign-in/out procedures
- OHS Contractors Induction and sign-in/out procedures
- Current Working with Children Check

The school has well established whole school structures to raise the importance of wellbeing and safety.

- Student Engagement and Wellbeing Managers in each Professional Learning Community
- Student Engagement and Wellbeing Key Improvement Team
- Student Engagement and Wellbeing agenda item at Leadership, Guiding Coalition and Professional Learning Community weekly meetings.

The school's Child Safety Officer (Assistant Principal for Student Engagement and Wellbeing) leads the development of the school's child safety culture. The school's plan for creating a child safe culture can be found on the on the Monmia PS website www.monmia.vic.edu.au and at the following school policies:

- [Child Safety - Code of Conduct](#)
- Child Protection - Reporting Obligations Policy
- Mandatory Reporting Policy
- Student Engagement and Wellbeing Policy
- Bullying and Harassment Prevention Policy and Procedures
- Behaviour Management Policy and Procedures
- Program for Students with Disabilities Policy
- [ICT Policy](#)
- [eSmart Policy](#)
- Student Acceptable Use Agreements ([Years P-4](#), [Years 5-6](#), [Parent Letter](#))
- [Electronic Publishing Consent Forms & Parent Letter](#)

The following Victorian Government Agencies are regularly accessed by the Child Safety Officer and staff:

- Department of Health and Human Services (DHHS)
- Department of Education and Training (DET) Emergency Management
- The Victorian Police
- Department of Education and Training (DET) - Student Support Services Officers (SWVR)

Expectation of School Staff - Child Safety Code of Conduct

It is expected that the school community: employees, volunteers, visitors and contractors proactively ensure the safety of students at all times and take appropriate action if there are concerns about the safety of any child at the school. All school staff must remain familiar with the relevant laws, the code of conduct, and policies and procedures in relation to child protection and comply with all requirements. The school has developed a Child Safety [Code of Conduct](#), which recognises the critical role that school staff play in protecting the students in their care and establishes clear expectations of school employees, volunteers and contractors for appropriate behaviour with children in order to safeguard them against abuse and or neglect.

The Code also protects school staff through clarification of acceptable and unacceptable behaviour.

Student Safety and Participation

Monmia Primary School community actively encourages all students to openly express their views and feel comfortable about giving voice to the things that are important to them.

We teach students about what they can do if they feel unsafe and enable them to understand, identify, discuss and report on child safety. We listen to and act on any concerns students, or their parents or carers, raise with us.

As an accredited KidsMatter school the practices and processes listed in *Organisational Arrangements* provide clear expectations for standards of behaviours; healthy respectful relationships and child abuse awareness and prevention. In addition the following strategies are implemented to ensure student voice, safety and participation:

- Delivery of a weekly BounceBack Resilience and Wellbeing Program
- Bucket Filler Program
- Integration of eSmart program
- Embedment of Visible Learning Practices across P-6
- Behaviour Management Processes adopted
- Risk assessment conducted for in-school experiences, sporting events, camps and excursions
- Prep Buddy program
- School Leaders / Leadership Program
- Junior School Councillors (Yr 3-6 representative)
- Trained Peer Mediators (Yr5/6 students)

Reporting and Responding

The school records any child safety complaints, disclosures or breaches of the Child Safety Code of Conduct, and stores the records in accordance with security and privacy requirements. The school complies with legal obligations that relate to managing the risk of child abuse under the *Children, Youth and Families Act 2005* (Vic.), the [Crimes Act 1958 \(Vic.\)](#) and the recommendations of the [Betrayal of Trust](#) report.

Child protection reporting obligations fall under separate pieces of legislation with differing reporting requirements.

The school's Mandatory Reporting Policy [[Insert link to your school's Child Protection – Reporting Obligations Policy](#)], on 15th September, 2014, sets out the actions required under the relevant legislation when there is a reasonable belief that a child at the school is in need of protection or a criminal offence has been committed, and provides guidance and procedures on how to make a report.

This policy assists staff, volunteers and families to,

- identify the indicators of a child or young person who may be in need of protection
- understand how a 'reasonable belief' is formed
- make a report of a child or young person who may be in need of protection
- comply with mandatory reporting obligations under child protection law and their legal obligations relating to criminal child abuse and grooming under criminal law

The school has also established internal processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a student.

The complaints and disclosure processes are outlined and detailed in the following policies and procedures,

- Department of Education and Training Complaints, Unsatisfactory Performance and Misconduct Guidelines
- Communications and Schedule Policy
- Student Engagement and Inclusion Policy
- Bullying and Harassment Policy

- [ICT Policy](#)
- [eSmart Policy](#)

Screening and Recruitment of School Staff

The school will apply thorough and rigorous screening processes in the recruitment of employees and volunteers involved in child-connected work. The school's commitment to child safety and the screening requirements are included in all advertisements for such employee, contractor and volunteer positions, and all applicants are provided with copies of the school's Child Safety Code of Conduct and the Child Safety Policy.

When recruiting and selecting employees, contractors and volunteers involved in child-connected work, the school will make all reasonable efforts to,

- ensure position descriptions for all new positions advertised include the standard 'Child Safe Environments' clause as provided in the 'Recruitment in Schools' Guide
- confirm the applicant's Working with Children Check and National Police Check status and/or professional registration (as relevant)
- obtain proof of personal identity and any professional or other qualifications
- verify the applicant's history of work involving children
- obtain references that address the applicant's suitability for the job and working with children.

Processes for monitoring and assessing the continuing suitability of school staff to work with children, including regular reviews of the status of Working with Children Checks and staff professional registration requirements such as Victorian Institute of Teaching (VIT) registration.

Child Safety - Education and Training for School Staff

Monmia Primary School provides employees and volunteers with regular and appropriate opportunities to develop their knowledge of, openness to and ability to address child safety matters. This includes induction, ongoing training and professional learning to ensure that everyone understands their professional and legal obligations and responsibilities, and the procedures for reporting suspicion of child abuse and neglect. Professional Learning schedule will include:

- Induction Program for new staff
- Annual review of the Child Safety Code of Conduct
- Annual review of mandatory reporting obligations
- Ongoing professional learning on Child Safety practices, including viewing VRQA Child Safety videos
- DET online training modules accessed and completed by all staff

Risk Management

The school is committed to actively and systematically identifying and assessing risks to student safety across the whole school environment, and reducing or eliminating (where possible) all potential sources of harm. The school will document, implement, monitor and periodically review risk management strategies for child safety and ensure that the strategies change as needed and as new risks arise.

Relevant Legislation

- [Children, Youth and Families Act 2005 \(Vic.\)](#)
- [Working with Children Act 2005 \(Vic.\)](#)
- [Education and Training Reform Act 2006 \(Vic.\)](#)
- [Equal Opportunity Act 2010 \(Vic.\)](#)
- [Privacy and Data Protection Act 2014](#)
- [Crimes Act 1958 \(Vic.\)](#) – Three new criminal offences have been introduced under this Act:

- [Failure to disclose offence](#): Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence
- [Failure to protect offence](#): The offence will apply 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 fail to do so
- [Grooming offence](#): This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails

Related Department of Education and Training Policies

- [Human Resources: Recruitment in Schools](#)
- [Child Protection - Reporting Obligations](#)
- [DET Ministerial Order 199](#)

Breach of Policy

Where an **employee** is suspected of breaching any obligation, duty or responsibility within this Policy, Monmia Primary School may start the process under Complaints, Misconduct and Unsatisfactory Performance guidelines for managing employment concerns. This may result in disciplinary consequences.

Where the **principal** is suspected of breaching any obligation, duty or responsibility within this policy, the concerned party is advised to contact the Regional Director. Relevant notification should also be made to the Department of Education and Training.

Where any **other member of the school community** is suspected of breaching any obligation, duty or responsibility within this policy, the school is to take appropriate action, including in accordance with the above listed policies and/or contact Department of Education and Training (Conduct and Ethics Branch and Legal Branch) and Department of Health and Human Services (DHHS).

References

- [Responding to allegations of student sexual assault](#)
- [Government Schools PROTECT website](#)
- Safe Schools Hub 2014, [National Safe Schools Framework Glossary](#), Australian Government Department of Education and Training.
- State of Victoria 2016, [Child Safe Standards](#) – Managing the Risk of Child Abuse in Schools: Ministerial Order No. 870, Education & Training Reform Act 2006, Victorian Government Gazette No. S2.
- Victorian Government Department of Justice 2016, [Betrayal of Trust Implementation](#).
- [Victorian Institute of Teaching](#) For Victorian Teaching Profession Codes of Conduct and Ethics and information about employee responsibilities to report action against registered teachers in response to allegations and concerns about registered teachers.

Evaluation

The school is committed to continuous improvement of child safety systems and practices. Leadership will review this policy as part of the school three year review cycle.

Review Year

2019