



Deer Park North Primary School

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CHILD SAFE POLICY

Introduction

Deer Park North Primary School (DPNPS) is committed to promoting and protecting the interests and safety of children. We have zero tolerance for child abuse.

Everyone working at DPNPS is responsible for the care and protection of children and reporting information about child abuse.

Purpose

The purpose of this policy is

1. To facilitate the prevention of child abuse occurring within DPNPS.
2. To work towards an organisational culture of child safety.
3. To prevent child abuse within DPNPS.
4. To ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs.
5. To provide guidance to staff/volunteers/contractors as to action that should be taken where they suspect any abuse within or outside of the organisation.
6. To provide a clear statement to staff/volunteers/contractors forbidding any such abuse.
7. To provide assurance that any and all suspected abuse will be reported and fully investigated. DPNPS is committed to promoting and protecting at all times the best interests of children involved in its programs.

All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse.

DPNPS has zero tolerance for child abuse. Everyone working at DPNPS is responsible for the care and protection of the children within our care and reporting information about suspected child abuse.

Child protection is a shared responsibility between all employees and members of the DPNPS community.

DPNPS supports and respects all children, staff and volunteers. It is committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.

If any person believes a child is in immediate risk of abuse, telephone 000.

Responsibilities

The Principal of DPNPS has ultimate responsibility for ensuring that appropriate policies and procedures and a Child Safe Code of Conduct are in place.

This includes

Responding appropriately to reports of suspected child abuse;

Ensuring that all staff, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct;

Ensuring that all adults within the DPNPS community are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures;

Ensuring that all staff, contractors and volunteers are aware of their obligation to observe the Code of Conduct (particularly as it relates to child safety);

Providing support for staff, contractors and volunteers in undertaking their child protection responsibilities.

All **staff** must ensure that they promote child safety at all times;

Leadership should facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

All staff will participate in an induction to familiarise themselves with the Child Safe Policy and will be required to abide by the school's Code of Conduct. Staff will be required to confirm their intention to abide by this policy by signing an statement acknowledging that they are familiar with the policy and will abide by the Code of Conduct.

All **staff/volunteers/contractors** share in the responsibility for the prevention and detection of child abuse, and must:

- Familiarise themselves with the relevant laws, the Code of Conduct, and DPNPS's policy and procedures in relation to child protection, and comply with all requirements;
- Report any reasonable belief that a child's safety is at risk to the relevant authorities (such as the police and / or the state-based child protection service) and fulfil their obligations as mandatory reporters;
- Report any suspicion that a child's safety may be at risk to their supervisor (or, if their supervisor is involved in the suspicion, to a responsible person in the organisation); and
- Provide an environment that is supportive of all children's emotional and physical safety.

Definitions

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

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

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

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

aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with the child.

Reasonable grounds for belief is a belief based on reasonable grounds that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

A reasonable belief is formed if a reasonable person believes that:

- (a) The child is in need of protection,*
- (b) The child has suffered or is likely to suffer "significant harm as a result of physical injury",*
- (c) The parents are unable or unwilling to protect the child.*

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere rumour or speculation.

A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed if:

- a) A child states that they have been physically or sexually abused;*
- b) A child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);*
- c) Someone who knows a child states that the child has been physically or sexually abused;*
- d) Professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; and/or*
- e) Signs of abuse lead to a belief that the child has been physically or sexually abused*

Employment of New Personnel

DPNPS undertakes a comprehensive recruitment and screening process for all workers and volunteers which aims to:

Promote and protect the safety of all children under the care of the school community;

Identify the safest and most suitable people who share the school's values and commitment to protect children; and

Prevent a person from working at DPNPS if they pose a risk to children.

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

DPNPS will undertake thorough reference checks as per the approved internal procedure.

Once engaged, workers/volunteers must review and acknowledge their understanding of this Policy.

Risk Management

DPNPS will ensure that child safety is a part of its overall risk management approach.

All teaching staff are required to complete mandatory training updates on an annual basis.

All staff will be advised of the process to follow when they have concerns regarding a child's safety. Risk management includes an internal audit of in-school and out-of-school activities to determine where risks can be reduced or removed. Details will be kept of all identified risks and the actions that were subsequently taken to reduce or remove risks.

Reporting

Any staff member who has grounds to suspect abusive activity must report their concerns to leadership and immediately notify the appropriate child protection service or the police.

In situations where the leadership is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision or an external organisation eg. Police
Leadership must report complaints of suspected abusive behaviour or misconduct to the Principal and also to any external regulatory body such as DHHS or the police.

LEGISLATION :

	Mandated reporters	When must a report be made?	Who is a child?
<u>Mandated Staff</u>			
<i>Children, Youth and Families Act 2005 (Vic)</i>	Registered medical practitioners, midwives and registered nurses Teachers registered or granted permission to teach under the Education, Training and Reform Act 2006 Principals Police	A mandated reporter must make a report if: They form a belief on reasonable grounds that a child is in need of protection from physical injury or sexual abuse; The parents cannot or will not protect the child; and The belief is formed in the course of practising his/her position of employment. NB: exceptions may apply.	A person under 17 years old
<u>Voluntary Personnel</u>			
<i>Children, Youth and Families Act 2005 (VIC)</i>	Any person	A voluntary reporter may make a report if the person has a significant concern for the wellbeing of a child.	A person under 17 years old

Investigating

If the appropriate child protection service or the police decide to conduct an internal investigation of this report, all employees, contractors or volunteers must co-operate fully with the investigation.

Whether or not the authorities decide to conduct an investigation, the principal will consult with the authorities to determine whether an internal investigation is appropriate. If it is decided that such an investigation will not conflict with any proceeding of the authorities, the principal may decide to conduct such an investigation. All employees, contractors and volunteers must co-operate fully with the investigation.

Any such investigation will be conducted according to the rules of natural justice.

The principal will make every effort to keep any such investigation confidential; however, from time to time other members of staff may need to be consulted in conjunction with the investigation.

Appendix 1 : What to do when an allegation of child abuse is made

If a child discloses an incident of abuse to you

- Try and separate them from the other children discreetly and listen to them carefully.
- Let the child use their own words to explain what has occurred.
- Reassure the child that you take what they are saying seriously, and it is not their fault and that they are doing the right thing.
- Explain to them that this information may need to be shared with others, such as with their parent/carer, specific people in your organisation, or the police.
- Do not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- Do not leave the child in a distressed state. If they seem at ease in your company, stay with them.
- Provide them with an incident report form to complete, or complete it together, if you think the child is able to do this.
- As soon as possible after the disclosure, record the information using the child's words and report the disclosure to your manager or your organisation's child safety officer/champion,¹ police or child protection.
- Ensure the disclosure is recorded accurately, and that the record is stored securely.

If a parent/carer says their child has been abused in your organisation or raises a concern

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

You need to be aware that some people from culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police, and communicating in

¹ A child safety officer is a person in your organisation who has knowledge of child safety issues, and could be a point of contact for others who have questions or concerns or want to report an allegation of child abuse. You could consider including child safety officer/champion duties in the person's job description.

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).

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

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

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

Legal responsibilities

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

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

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>

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>.

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>.

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, and the Department of Health and Human Services website>.

Further information

Further information on [child safe standards](#) can be found on the Department of Health and Human Services' website <www.dhs.vic.gov.au/about-the-department/plans,-programs-and-projects/projects-and-initiatives/children,-youth-and-family-services/creating-child-safe-organisations>.

Additional resources for organisations in the child safe standards toolkit can be found on the [Department of Health and Human Services website](#): <www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/child-safe-standards>. In particular, [An Overview to the Victorian child safe standards](#), has information to help organisations understand the requirements of each of the child safe standards, including examples of measures organisations can put in place, a self-audit tool and a glossary of key terms:

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

Registered schools can contact the Department of Education and Training: child.safe.schools@edumail.vic.gov.au