



Child Safety & Wellbeing Policy & Procedures

Rossbourne School is committed to creating a Child Safe Organisation through the implementation of the Child Safe Standards as specified in Ministerial Order No 1359 (2022).

We will implement strategies policies, procedures and practices that will comply with the prescribed standards, to ensure the on-going safety of students.

1. Purpose

The purpose of this document is to ensure so far as is reasonably practicable, the safety of children who attend Rossbourne School and to conform to the Ministerial Order 1359 (Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises).

All persons are responsible for the care, safety and protection of children. This responsibility extends to the identification and timely response to concerns regarding the possible sexual, physical, grooming, psychological and emotional abuse.

All children who come to Rossbourne have a right to feel and be safe. The welfare of the children in our care will always be our first priority and we have a zero tolerance to child abuse.

Child Safety covers the cultural safety of Aboriginal and Torres Strait children, children from culturally and/or linguistically diverse backgrounds, children with disabilities, and children who are vulnerable.

2. Scope

Rossbourne School is committed to compliance with the following prescriptive legal and regulatory Acts:

- Children, Youth and Families Act 2005
- Child Wellbeing and Safety Act 2005
- Education and Training Reform Act 2006
- Working with Children Act 2005
- Crimes Act 1958 (Vic)
- Family Violence Protection Act 2008
- Victorian Crimes Act 1958
- Worker Screening Act 2020

3. Overview

This document covers the following standards as set out in Ministerial Order 1359.

There are 11 Child Safe Standards:

- Standard 1: Culturally safe environments – Establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
- Standard 2: Leadership, governance and culture – Ensure that child safety and wellbeing are embedded in school leadership, governance and culture.
- Standard 3: Child and student empowerment – Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
- Standard 4: Family engagement – Families and communities are informed and involved in promoting child safety and wellbeing.
- Standard 5: Diversity and equity – Equity is upheld and diverse needs are respected in policy and practice.
- Standard 6: Suitable staff and volunteers – People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
- Standard 7: Child-focused complaints processes – Ensure that processes for complaints and concerns are child focused.
- Standard 8: Child safety knowledge, skills and awareness – Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
- Standard 9: Physical and online environments – Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
- Standard 10: Review of child safety practices - Implementation of the Child Safe Standards is regularly reviewed and improved.
- Standard 11: Implementation of child safety practices – Policies and procedures that document how schools are safe for children, young people and students.

4. Responsible

The Principal or nominee of Rossbourne School is responsible for monitoring the overall school compliance of this Policy and Procedures.

This document applies to all Staff (including teachers, administration and education support staff, counsellors, tertiary placement students, and temporary or casual staff), pre-service teachers, Volunteers, Contractors (including external education providers) a clergy, as well as to Visitors.

This document applies in all of Rossbourne's environments, including physical, virtual and online environments, and on-site and off-site grounds (e.g. extra-curricular activities such as sport and other programs, camps and excursions, interstate and overseas travel).

Rossbourne will appoint a dedicated Child Safety Officer with the following responsibilities:

- Ensure the wellbeing of children at risk.
- Manage allegations of suspected child abuse from the beginning to end.
- Ensure Rossbourne conform to statutory regulations

- First point of contact for student/staff/counsellors/contractors/volunteers concerns:

If the Child Safety Officer is unavailable, the Principal will ensure the responsibilities of the Child Safety Officer are performed.

Fulfilling the roles and responsibilities contained in this document does not displace or discharge any other obligation that arises if a person reasonably believes that a child is at risk of child abuse.

Child safeguarding is everyone's responsibility. All adults in the school community have a shared responsibility for contributing to the safety and protection of students.

Standard 1: Culturally safe environments

(Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.)

Rossbourne will establish culturally safe environments in which the diverse and unique identities and experiences of Aboriginal children, young people and students are respected and valued.

We are committed to establishing an inclusive and culturally safe school where the strengths of Aboriginal and Torres Strait Islander culture, values and practices are respected.

We think about how every student can have a positive experience in a safe environment. For Aboriginal and Torres Strait Islander students, we recognise the link between culture, identity and safety and actively create opportunities for Aboriginal and Torres Strait Islander students, their families and their communities (including local Aboriginal communities relevant to Rossbourne) to have a voice and presence in our school's planning, policies, and activities.

Cultural safety includes being provided with a safe, nurturing and positive environment where Aboriginal children and families:

- feel comfortable being themselves
- feel comfortable expressing their culture, including their spiritual and belief systems
- are supported by carers who respect their Aboriginality and encourage their sense of self and identity.

Standard 2: Child safety and wellbeing is embedded in leadership, governance and culture.

Rossbourne will ensure that child safety and wellbeing is embedded in school's leadership, governance and culture.

Strong and clear governance arrangements allow leaders to make sure child safety is a focus within Rossbourne. To assist in the communication of Child Safety at Rossbourne the following meetings will have Child Safety as an agenda item.

- Board meeting
- Executive meetings
- Staff meetings

Within meetings, items to be considered but not limited to are: review of policy and procedures, ongoing training, risk assessments.

An ongoing agenda item of Child Safety will assist in the understanding and expectation of cultural safety, and valuing child safety within Rossbourne.

Embedding Child Safety across Rossbourne will be enhanced by:

- Annual child safety training for all staff including Board members & senior leaders.
- All staff including Board members & senior leaders to complete mandatory reporting modules.
- Child safety as a standard goal in annual Professional Learning and Performance plans.
- School level meetings to discuss child safety awareness and identify risks.

Standard 3: Child and student empowerment

(Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously)

Rossbourne will ensure that children, young people and students are empowered about their rights, participate in decisions affecting them and are taken seriously.

Rossbourne ensures children feel safe to report abuse and have processes in place to ensure that children are empowered to raise any child safety concerns.

It is acknowledged that there is a significant power imbalance between children and adults and specific efforts are taken to ensure the voices of children are heard. Enabling and promoting the participation of children within Rossbourne has many benefits. These include:

- demonstrating Rossbourne's commitment to upholding the rights of children.
- providing Rossbourne with the opportunity to check that what Rossbourne is doing is actually what children want
- strengthening the commitment of children to Rossbourne
- building the communication and leadership skills of children
- building cultural understanding and respect
- enhancing the safety of children.

This is achieved by promoting and educating students in the following areas:

- Behaviour for students
- Healthy and respectful relationship (inc sexually)
- Resilience
- Child abuse awareness and prevention

Process for a child to report abuse.

It is encouraged that a child who wishes to report abuse, or feels worried or unsafe contacts the Child Safety Officer. If this person is not suitable/available or the child is not comfortable to discuss the matter the Principal or their Home Room teacher should be their initial contact.

The Principal and Home Room teacher will then report to the Child Safety Officer to ensure the appropriate procedures/actions are undertaken.

Standard 4: Family engagement

(Families and communities are informed, and involved in promoting child safety and wellbeing)

Rossbourne will ensure that families and communities are informed, and involved in promoting child safety and wellbeing

Rossbourne's Child Safety & Wellbeing Policy is a public document with access via the Rossbourne web site www.rossbourne.vic.edu.au and parent portal. A hard copy can be requested from the schools office during school hours. Rossbourne staff can also view the policy and procedures on the Rossbourne intranet.

Rossbourne will promote the Child Safety & Wellbeing Policy & Procedures by, but not limited to:

- Details to access the document in the "start of year packs"
- Term newsletters
- Posters – to be displayed around the school

Child Safety is included in Rossbourne curriculum and forms part of Health Education which is conducted across all levels within the school.

The curriculum is designed to be:

- culturally respectful
- inclusive of a diverse range of children, and
- demonstrating respect for children of all ages, abilities, social and cultural backgrounds.

Rossbourne School has developed a safe, inclusive and supportive environment that involves and communicates with staff, students and their parents/guardians. We encourage staff, students and parent/guardians involvement and engagement that informs safe school operations and builds the capability of staff, students 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 Child Safety Officer or their home room teacher or the Rossbourne School website

<https://www.rossbourne.vic.edu.au/assets/Documents/ROSSBOURNE-Child-Safety-Policy-Procedures.pdf>

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 Rossbourne School to read on the school's website and parent portal.
- Child SAFETY IS MY RIGHT posters will be displayed across the school
- Display "Four Critical Actions for Schools" - poster
- 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
- Community feedback on policy and implementation – Families participate in decisions affecting their child, organisation engages and openly communicates with families and the community about child safety approach and relevant information is accessible.
- Access to the Child Safety & Wellbeing Policy & Procedures, Commitment to Child Safety, Child Safe Code of Conduct – All Members of the School Community are available via the Rossbourne website and Parent portal
- Rossbourne School promotes the Child Safe Standards by:
 - age-appropriate discussion of child safety with students,
 - child safety policies and procedures are written in child-friendly language,
 - Staff complete child safety training i.e. mandatory reporting
 - School staff are encouraged to contribute to risk assessment and mitigation,
 - the Child Safe Standards are addressed and explained at year level assemblies and/or parent information sessions

Rossbourne 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.

Involving families and communities in decisions relating to their children's safety and wellbeing:

- recognises the important role they play in monitoring children's safety and wellbeing and helping children to disclose concerns
- creates an open and transparent culture
- promotes a greater understanding of child safety
- encourages them to raise concerns or ideas for improvement.

Providing accessible and inclusive child safe information encourages families to engage in child safety and wellbeing discussions.

Staff, students and parents/carers are given the opportunity to comment on, provide ideas and recommendations for Child Safety at Rossbourne by responding to school surveys or attending Child Safety workshops and information sessions designed for consultative fora.

Standard 5: Diversity and equity

Rossbourne will ensure that equity is upheld, and diverse needs respected in policy and practice.

Rossbourne values diversity and does not tolerate any discriminatory practices.

While a child's background should not impact on a decision to report suspected abuse, school staff need to be sensitive to a child's individual circumstances when providing support and working with families impacted by abuse.

It is a requirement under the Child Safe Standards that school governing authorities must "take account of the diversity of all children", including (but not limited to) the needs of:

Children with disabilities

When supporting a child with a disability who has been impacted by child abuse it is critical to consider the child's: chronological age, developmental age and their cognitive functioning in order to tailor developmentally appropriate support strategies vulnerability to ongoing abuse (children with disabilities disproportionately fall prey to child abuse, in particular child sexual abuse) when considering the need to make a further report and/or implement risk mitigation strategies.

Aboriginal and Torres Strait Islander children

When supporting an Aboriginal or Torres Strait Islander child who has been impacted by child abuse it is essential that school staff provide culturally appropriate support. The Rossbourne Principal will contact the Koorie Engagement Support Officer and/or Independent Schools Victoria to arrange appropriate support for the child and/or advise on culturally appropriate support strategies.

Children from Culturally and Linguistically Diverse (CALD) backgrounds

When supporting a child from CALD backgrounds who has been impacted by child abuse it is essential that schools provide culturally appropriate support. However this should not detract from ensuring the child's safety and wellbeing. Where possible, schools should work with relevant cultural support services (ensuring that the confidentiality of the student and family is maintained) and engage an interpreter when communicating with the student's family if needed.

Students with refugee backgrounds

When working with children from refugee backgrounds who have been impacted by child abuse it is important to recognise that they (and their families) may also be experiencing trauma, dislocation and loss. This trauma may significantly affect family wellbeing and parenting capacity and whilst these issues also require sensitive consideration, they should not detract from ensuring the child's safety and wellbeing (or impact on decisions to report suspected abuse). School staff should consider contacting services that specialise in providing support to refugees (ensuring that the confidentiality of the child and their family is maintained). An interpreter may be engaged when communicating with the student's family if needed.

International students

Principals must ensure appropriate measures are taken for the welfare of international students. This may require additional support given that the child's family may not be present to provide support within the home environment.

Rossbourne encompasses and embraces children of various cultural backgrounds including indigenous cultures and children with disabilities. To assist and cater for the education needs of each student an Individual Education Program is prepared taking into account their culture and disabilities. The safety of children is covered as part of Human Relations and covers and explores topics including:

- Personal Health
- Nutrition
- Safety
- The Human Body & Systems
- Sexuality
- Relationships
- Decision Making
- Drug Education

Rossbourne will ensure that all staff, relevant volunteers and contractors have training about Aboriginal and Torres Strait Islander cultures, disability, culturally and/or linguistically diverse backgrounds and will provide developmental and cultural appropriate support.

Standard 6: Suitable staff and volunteers

(People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.)

Rossbourne will ensure that people working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

Selecting suitable and appropriate people to work with children is vital and everyone benefits when the best people, who also share Rossbourne's values about keeping children safe from harm, are chosen. When selecting a staff/volunteer/contractor the following steps will be incorporated:

- All positions advertised within the school that involve child connected work will include the notice of the school's child safety practice.
- All positions involving child connected work shall include a job description that includes expectations that staff **must** provide a child safe environment, duties and tasks of the role.
- Visitors to Rossbourne, including Casual Volunteers and Contractors, will be provided with information about the Child Safe Codes of Conduct and how to report child safety incidents or concerns to the School and to relevant external authorities.
- Staff should have the appropriate qualifications, experience and attributes to perform their duties.

In accordance with any applicable legal requirements, the school will within reasonable grounds verify and record the following information:

- (a) Confirmation of VIT registration
- (b) Working with Children Check status (<https://www.workingwithchildren.vic.gov.au> – card status) , or similar check
- (c) Proof of personal identity (photo ID check i.e. Drivers licence, passport) and any professional or other qualifications
- (d) The person's history of work involving children
 - i. Verify details on curriculum vitae,
 1. Confirm when a candidate worked at the place of employment, start and finish,
 2. Confirm job title,
 3. Confirm job description,
 4. Confirm work with children,
 5. Where possible use independent reference ; and
- (e) References that address the person's suitability for the job and working with children.
 1. Where possible reference checks should be the candidates line manager or Principal of a past school employed at.

Sensitive information received or obtained during the staff selection process should be treated with respect for the privacy of the individual. Individuals should be told what will happen to any information they provide or is obtained and who will have access to the information. Information obtained of unsuccessful applicants should be destroyed after two months unless otherwise agreed with the applicant.

A Working with Children Check is valid for five years and Rossbourne will maintain an up to date register of all relevant staff/volunteers/contractors requiring a check. Working with Children Check can be validated at: <https://online.justice.vic.gov.au/wwccu/checkstatus.doj>

Rossbourne staff, counsellors, contractors and volunteers who are involved in child connected work will be required to have at all times a valid Working with Children Check unless a Police Check is required under their professional requirements (ie. Teacher).

Staff will be provided with ongoing opportunities, support, adequate supervision and training in the area of Child safety and risk management.

New staff, will be inducted to Rossbourne's policy and procedures governing child safety and ongoing staff will be required to annually confirm their acceptance and understanding of Rossbourne's Child Safety & Wellbeing Policy & Procedures. Induction of staff will be managed by the HR Manager, utilising the "Induction Checklist", with a copy of the completed form stored on the staff member's electronic file.

Counsellors, contractors and volunteers, will be inducted to Rossbourne's policy and procedures governing child safety.

All Staff, as well as relevant Volunteers and Contractors also receive refresher and ongoing child safety training at least annually.

Our child safety induction and ongoing training program includes information about:

- Child Safety and Wellbeing Policy & Procedures
- the Child Safety Codes of Conduct
- recognising child abuse and other harm and identifying key indicators
- our policies and procedures for responding to and reporting child safety incidents or concerns (including mandatory reporting, reporting to police and reportable conduct obligations)
- our policies and procedures for information sharing and record keeping about child safety incidents

The Rossbourne Board will be informed of new staff and their suitability to work at Rossbourne School as part of the OHS & Risk Management agenda item.

Staff Review

Staff reviews support Child Safety by creating opportunities for reflection on professional practice.

The purposes of a twice a year Development Review are:

- To provide fair, effective and consistent staff feedback
- To acknowledge initiative and implementation of programmes
- To ensure that students receive the benefit of a school that employs staff with a high level of professionalism and who seek to continually improve their practice
- To provide information enabling the Principal to support staff most effectively
- To promote professional growth
- To support staff having difficulties with their performance – through appropriate guidance, counselling and training

All Staff, as well as relevant volunteers and contractors also receive refresher and ongoing child safety training.

Our child safety induction and ongoing training program includes information about:

- Child Safety and Wellbeing Policy & Procedures
- the Child Safety Codes of Conduct
- recognising child abuse and other harm and identifying key indicators
- our policies and procedures for responding to and reporting child safety incidents or concerns (including mandatory reporting, reporting to police and reportable conduct obligations)
- our policies and procedures for information sharing and record keeping about child safety incidents

Visitors to the Rossbourne, including casual volunteers and contractors working with children, will be provided with information about the Child Safe Codes of Conduct and how to report child safety incidents or concerns to the school and to relevant external authorities.

Standard 7: Complaints processes

Rossbourne will ensure that processes for complaints and concerns are child focused.

Reporting of child abuse can be directed to the Child Safety Officer for guidance or reported directly to the appropriate authorities.

Protecting any student connected to the child safety incident or concern until it is resolved and providing ongoing support to those affected is paramount.

a. What concerns should be reported?

Concerns about the safety and wellbeing of children can range from an uncomfortable feeling through to a direct observation or a disclosure by a child. Staff are encouraged to speak to the Child Safety Officer and be proactive rather than wait until it is too late. Staff/counsellors/volunteers/contractors have a duty of care to children and a legal responsibility to report concerns.

Examples of child safety concerns include:

- concerns about a physical environment that may pose a risk to children (this includes health and hygiene issues)
- inappropriate or special relationships developing between staff/counsellors/volunteers/contractors and children
- inadequate staff–child supervision ratios
- breaches of the Code of Conduct, particularly if they are persistent
- feelings of discomfort about interactions between a staff/volunteer/contractor and a child
- suspicions or beliefs that children are at risk of harm
- observations of concerning changes in behaviour
- children’s disclosures of abuse or harm, which **must** be reported to Child Protection or the police.

When should concerns be reported to the police?

Physical or sexual abuse of children is a crime and must be reported to the police.

b. When should concerns be reported to Child Protection?

Anyone may make a report to Child Protection (Victorian Department of Families, Fairness and Housing) if they believe, on reasonable grounds, that a child is in need of protection. Child Protection provides child-centred, family-focused services to protect children and young people from significant harm caused by abuse or neglect within the family. It also aims to ensure that children and young people receive services to deal with the impact of abuse and neglect on their wellbeing and development. It is the Child Protection practitioner’s job to investigate significant harm.

How to make a report.

- To report concerns that are life threatening call Victoria Police 000
- To report concerns about the immediate safety of a child within their family unit, call the Child Protection Crisis Line 13 12 78 (24 hours, 7 days a week)
Note: This is an emergency service for weekends and after hours only and will pass on cases to the relevant regions the following working day
- To contact a child protection office close to you call a local office where the child lives
<https://services.dffh.vic.gov.au/child-protection-contacts>

The Victorian *Crimes Act 1958* has been amended to include the criminal offence of '*failing to disclose a sexual offence committed against a child under the age of 16 years*'.

It is a legal obligation upon **all adults** to report to Victoria Police where they form a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under the age of 16. Failure to disclose, as soon as it is practicable to do so unless the person has a reasonable excuse for not doing so the information to police is a criminal offence, with some limited exceptions.

A person does not have a reasonable excuse for failing to disclose a sexual offence committed against a child if they are only concerned for the interests of the perpetrator or any organisation. 'Perceived interests' includes reputation, legal liability or financial status. For example, a principal's concern for the reputation of a school or a teacher's worry about missing out on a promotion is not regarded as a reasonable excuse.

c. If a child is in imminent or immediate danger, call 000 immediately.

If a staff member/counsellor/volunteer/contractor has a concern in relation to the safety of a child it is encouraged that they speak to the Child Safety Officer/Principal immediately. Rossbourne will take immediate action (see point 9(f)) in relation to concerns about potential child abuse. Staff should take steps to ensure the immediate safety of the student involved and ensure an appropriate level of care and supervision is provided for the student.

Rossbourne has on staff a qualified Psychologist to support the child.

If necessary the immediate removal of the child from the risk should be undertaken (separating alleged victims and others involved and administer first aid.

If a reasonable belief is formed that a child is in need of protection, then the teacher, counsellor or principal that formed the belief must make a report to Child Protection.

Child Protection (East Division) 1300 36 391

Child Protection (After Hours) 13 12 78

For immediate life threatening concerns call the Police 000

Further assistance can be obtained from:

- The Orange Door
- Child First
- Independent Schools Victoria

d. Mandatory reporting

The following are mandatory reporters in Victoria under the *Children, Youth and Families Act 2005*.

- registered teachers and early childhood teachers
- school principals
- school counsellors
- registered psychologists
- out of home care workers (excluding voluntary foster and kinship carers)
- early childhood workers
- youth justice workers
- nurses
- registered medical practitioners

- midwives
- police officers
- people in religious ministry.

They are required to make a report to Child Protection if they form a belief on reasonable grounds that a child has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse and the child's parents have not protected, or are unlikely to protect, the child from harm of that type.

As long as a report is made in good faith, the report is not unprofessional conduct or a breach of professional ethics and the reporter cannot be held legally liable. Confidentiality is provided for reporters in the Children, Youth and Families Act, and prevents the disclosure of the name or any information likely to lead to the identification of a person who has made a report in accordance with the legislation except in very specific circumstances.

If a reasonable belief is formed that a child is in need of protection, then the teacher, counsellor or principal that formed the belief must make a report to Child Protection.

Child Protection (East Division) 1300 36 391

Child Protection (After Hours) 13 12 78

For immediate life threatening concerns call the Police 000

Examples of concerns:

- You have some general concerns for the wellbeing of the child but have assessed that the child is not at immediate risk of harm, you can make a referral to Child FIRST.
- You are required to notify Department of Families, Fairness and Housing each time you become aware of any further reasonable grounds for your belief.
- You do not have to be able to prove that the child has been abused to notify the Department of Families, Fairness and Housing.
- School staff do not require the permission of parents, carers or guardians to make a report to Child Protection, nor are they required to tell parents, carers or guardians that they have done so. However, often it is going to be good practice and/or necessary to discuss any concerns prior to making a report a referral, and it would be normal to raise the possibility of making a report or referral during such discussions. Consent should not be sought if you believe that it will put you or the child at risk.
- It is your responsibility to report your belief – it is not the responsibility of your supervisor, principal, or child safety officer.
- The Principal does not share your belief that a child or young person is in need of protection, you **must** still notify the Department of Families, Fairness and Housing of your belief. However, it is recommended that you inform your principal that you have made a report.
- If you are one of a group of mandated professional who share the belief, based on reasonable grounds, that a child or young person is in need of protection from physical or sexual abuse, then only one mandated person needs to make the report. However, you **must** be satisfied that the report is made promptly and that all of the reasonable grounds are included in the notification.
- You are not legally required to notify Child First or Child Protection if you form a reasonable belief that a child is in need of protection in your private life or when you are working in a capacity that is not directly related to the professional affiliation under which you are mandated, however such reports can be made voluntarily.
- Details of a mandatory report should remain confidential.
- Children can only be reported under the age of 17.

e. Failure to disclose as sexual offence.

The Victorian *Crimes Act 1958* has been amended to include the criminal offence of '**failing to disclose a sexual offence committed against a child under the age of 16 years**'.

It is a legal obligation upon **all adults** to report to Victoria Police where they form a reasonable belief that a sexual offence has been committed by an adult against a child under the age of 16. Failure to disclose the information to police is a criminal offence, with some limited exceptions.

A person does not have a reasonable excuse for failing to disclose a sexual offence committed against a child if they are only concerned for the interests of the perpetrator or any organisation. 'Perceived interests' includes reputation, legal liability or financial status. For example, a principal's concern for the reputation of a school or a teacher's worry about missing out on a promotion is not regarded as a reasonable excuse.

A *reasonable belief* is formed if a reasonable person in the same position would have formed the belief on the same grounds.

f. Managing initial responses

- Inform appropriate authorities about the allegations (including but not limited to mandatory reporting).
- Protect any child connected to the alleged child abuse until the allegation is resolved make.
- Maintain detailed records of allegations.
- Keep records in a secure location.
- Report the allegations internally – Child Safety Officer/Principal

Non mandated people who believe on reasonable grounds, that a child is in need of protection, should report their concerns to the Child Safety Officer immediately.

g. Non mandated staff include:

Non mandated staff are non-teaching staff including administration, canteen staff & cleaners.

Mandated Staff will be requested annually to confirm their acceptance and understanding of Mandatory Reporting.

h. Support the child, family and staff.

Family services such as Child FIRST and Child Protection are available to help protect vulnerable children.

Child FIRST and Child Protection can now consult Victorian teachers and principals when they are deciding how best to respond to a referral or a report they have received. The legislation allows you to share relevant information with family services about a vulnerable child without needing to be concerned about legal or professional consequences, provided you do so in good faith. However, any information you provide should be directly related to your concerns about the child and not based on second-hand information.

Rossbourne School will support both the child, family and staff linked to suspected child abuse. The support is an essential part of the school's duty of care requirements. Available support are:

- Development of a Student Support Plan which will be prepared by the Rossbourne School Psychologist and Principal. Within the Support Plan the following will be considered, safety plan, address child abuse and trauma, direct support and referral to additional professionals and support organisations. Where appropriate family input is essential in setting the Support Plan.
- Establish regular communication between staff and the child's parent/guardian/carer
- Additional professionals and support organisations
- Principals are responsible for ensuring students are supported during interviews at school conducted by Victoria Police or DHHS Child Protection.
- Staff access to Schools Employee Assistance Program.
- Advice to school staff members on how to appropriately support the student.

All support decisions should be considered if appropriate to the suspected child abuse.

It is very important to validate a child's disclosure, no matter how you feel about it. This means listening to the child, taking them seriously and responding. The Child Safety Officer is available to assist in these matters and it is encouraged to request assistance in the following key steps:

- let the child talk about their concerns in their own time and in their own words. Give them your full attention, the time and a quiet space in which to do this.
- be a supportive and reassuring listener. Comfort the child if they are distressed.
- tell the child it is not their fault and that telling you was the right thing to do.
- let them know that you will act on this information and that you will need to let other people know.
- alert relevant people as per this policy.
- record the child's disclosure using the child's words.
- contact the child's parents to let them know (other than if the disclosure related to abuse within the family).
- assist the child and their family to access appropriate support for the child, such as counselling.
- let the child and their family know about steps Rossbourne is taking, such as an investigation, and any resulting action, such as changes to policy or procedures.
- praise the child for helping Rossbourne become safer for children.

It is important to record all details accurately, maintain confidentiality and ensure records are secure.

i. Failure to report

As from 1 July 2015 it is an offence for failing to protect a child under the age of 16 from a risk of sexual abuse.

The offence 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 (over the age of 18 years) 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. They must take reasonable steps to reduce or remove a known substantial risk.

If you want to report a child in **immediate** risk or danger of a sexual offence please call Triple Zero (000).

This offence is in addition to existing mandatory reporting obligations for specified staff under the *Children, Youth and Families Act 2005*. It applies to any person in authority within a relevant organisation, not just mandatory reporters.

j. Non compliance

Rossbourne School enforces this Child Safety and Wellbeing Policy & Procedures document and our Child Safe Codes of Conduct. In the event of any non-compliance, we will instigate a review that may result in a range of measures including (depending on the severity of the breach):

- remedial education
- counselling
- increased supervision
- the restriction of duties
- suspension
- in the case of serious breaches, termination of employment, contract or engagement.

k. Record keeping

Rossbourne will record any child safety complaint, disclosure or breach of the Child Safety & Wellbeing Policy & Procedures.

Rossbourne will keep all documentation and evidence received by it in relation to any child safety complaint, disclosure or breach of the Child Safety & Wellbeing Policy & Procedures in secure and confidential files under the supervision/control of the Principal.

- (a) Physical documentation to be secured in appropriate storage under the control of the Principal
- (b) Electronic documentation are to be stored with password access under the control of the Principal.

Rossbourne may retain any of the following information:

- (a) The date the school was first advised of the complaint;
- (b) The name of the person making the complaint;
- (c) Details of the complaint, including the identity of the person against whom the complaint is made and other persons involved (such as witnesses);
- (d) The steps taken by the school to address and resolve the complaint; and
- (e) The outcome of any resolution with the complainant.

Records will include action taken, any internal investigations and any reports made to statutory authorities or professional bodies. To avoid confusion and maintain confidentiality, everyone, including children, should be made aware of the need to report serious matters involving child protection to external authorities. You cannot promise confidentiality in these matters; however, you **must** assure privacy in handling the matter and that only those who need to know will be advised.

All personal information collected, held and stored by Rossbourne will be managed in accordance with the Privacy Act 1988 (Cth) and the Australian Privacy Principles.

Rossbourne will share information with, or requesting information from, external people or agencies as permitted or required under the Child Information Sharing Scheme and/or the Family Violence Information Sharing Scheme;

Standard 8: Child safety knowledge, skills and awareness

(Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.)

Rossbourne will ensure that staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training

Ongoing staff training will be made available to all staff. This includes but not limited to:

- Staff completing annually – Non Government Mandatory Reporting: E-learning program
<http://www.elearn.com.au/det/protectingchildren/schools/>
(Certificate to be submitted to Business Manager on completion)
- Staff annual refresher on Mandatory Reporting

Child safety programs for staff are to be regularly reviewed for overall effectiveness and to ensure compliance with all child safety related laws, regulations and standards.

When undertaking these reviews:

- actively seeks, actions, and incorporates feedback from students, families, the wider school community, Staff, Volunteers and Contractors
- analyses any complaints and child safety incidents that may have occurred
- communicates any learnings, adjustments or amendments to policy and practice

All Staff are required to be familiar with the content of our Child Safety & Wellbeing Policy & Procedures, Child Safety Codes of Conduct and our Child Safe Program and their legal obligations with respect to the reporting of child abuse. It is each individual's responsibility to be aware of key risk indicators of child abuse, to be observant, and to raise any concerns they may have relating to child abuse with the Child Protection Officers.

To meet these obligations, all Staff must:

- participate in child safety and wellbeing induction and ongoing training
- act in accordance with the Child Safety Codes of Conduct identify and raise child safety incidents and concerns in accordance with our Procedures for Responding to and Reporting Child Safety Incidents or Concerns,
- ensure students views are taken seriously and their voices are heard when making decisions that affect them
- implement inclusive practices that respond to the diverse needs of students.

All volunteers must comply with our Child Safe Policy & Procedures and Child Safety Code of Conduct

Direct Contact Volunteers must: participate in child safety and wellbeing induction and ongoing training provided, they must:

- be aware of key indicators of child abuse and other harm
- understand their legal obligations with respect to the reporting of child abuse and other harm

- raise all child safety concerns with the Child Safety Officer.

All Contractors must comply with our Child Safety and Wellbeing Policy & Procedures and Child Safety Codes of Conduct.

Standard 9: Child safety in physical and online environments

(Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.)

Rossbourne will ensure that physical and online environments promote safety and wellbeing while minimising the opportunity for children, young people and students to be harmed.

As a guide some activities pose greater risks than others, ie. swimming at the local pool is a high risk activity as there are many safety variables to be considered, while an in house chess competition may pose fewer risks. When planning activities risk management strategies **must** be considered and undertaken to minimise the potential for child abuse or harm to occur. Children's disabilities and cultural background **must** be considered when assessing child safety risks.

Risk Management Assessments are required for activities identified as high risk (See: Rossbourne Risk Management Policy). Assessments will also be undertaken on services provided by contractors and outside organisations identified as high risk.

It is an offence (*Part 4.4 of the Children, Youth and Families Act 2005*) 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.

When evaluating activities and their child safety the following risk are to be considered:

- predatory risks (persons who may become adept at creating opportunities to sexually abuse and avoid detection)
- opportunistic risks (persons who may sexually abuse in low-risk, low-effort situations)
- situational risks (persons who may sexually abuse in a specific set of circumstances)

Risk assessments should consider the following safety issues: children

- Unintentional/accidental harm Physical abuse
- Poor physical environment leading to injury
- Poor supervision
- High-risk activity
- Lack of risk mitigation strategies in place
- Physical punishment
- Pushing, shoving
- Punching, slapping, biting, kicking
- Psychological abuse
- Cultural abuse
- Bullying
- Threatening language
- Shaming

- Intentional ignoring and isolating (either face-to-face, online or via other technology)
- Lack of cultural respect
- Racial or cultural vilification or discrimination
- Lack of support to enable a child to be aware of and express their cultural identity
- Lack of supervision
- Not providing adequate nourishment
- Not providing adequate clothing or shelter
- Not meeting the specific physical or cognitive needs of children
- Sexual abuse, assault and exploitation
- Grooming
- Inappropriate touching
- Inappropriate conversations of a sexual nature (either face-to-face, online or via other technology)
- Crossing professional boundaries

Standard 10: Review of child safety practices

Rossbourne will ensure that implementation of this Order is regularly reviewed and improved.

A review of this document will be conducted after any significant child safety incident, or at least every two years, and improve where applicable

Rossbourne ensure complaints, concerns and safety incidents are analysed to identify causes and systemic failures and inform continuous improvement.

Outcomes on relevant reviews will be communicated to school staff, volunteers, the school community, families and students.

Standard 11: Implementation of child safety practices

(Policies and procedures document how the organisation is safe for children and young people.)

Rossbourne will have policies and procedures that document how the school is safe for students. All Child Safe documentation will be easy to read and prepared after consultation with stakeholders. Staff and volunteers will understand the policies and procedures and will become leaders in its development and implementation.

Rossbourne will implement practices for a child safe environment in accordance with Ministerial Order 1359.

Rossbourne is a child safe and child-centred organisation. We ensure that our physical, virtual and online environments are friendly and welcoming to all children and young people. We actively seek student voice in decisions that affect them. We recognise that students have unique perspectives on learning, teaching and schooling, and should be supported to actively contribute to decision making processes and collectively influence outcomes by putting forward their view, concerns and ideas.

We ensure that students know about their rights to safety, information and participation. We recognise the importance of friendships and support from peers. We actively seek to understand what makes students feel safe at Rossbourne and regularly communicate with students about what they can do if they feel unsafe.

5. Child Safety codes of Conduct

Rossbourne has the following Child Safety Codes of Conduct:

- Rossbourne Code of Conduct Students
- Rossbourne Code of Conduct Teachers
- Rossbourne Child Safe Code of Conduct – All members of the school community (Board members, Management, Staff and Volunteers)
- Rossbourne Code of Conduct School Community (Parents & carers)

Together, these Codes of Conduct set boundaries and expectations for appropriate behaviours between adults, including in physical, online and virtual environments.

The Codes are published on our public website so that everyone can easily find out what behaviours are acceptable and unacceptable and how to report inappropriate behaviour.

Further reference:

- Rossbourne Complaints and Grievances Policy
- Rossbourne Privacy Policy
- Rossbourne Risk Management Procedures
- Rossbourne Child Safe Code of Conduct – All members of the school community
- Rossbourne Code of Conduct Students
- Rossbourne Code of Conduct Teachers
- Rossbourne Commitment to Child Safety
- Rossbourne Code of Conduct School Community

PROTECT - Child Protection and Child Safe Standards

<https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/default.aspx>

6. Definition

Child a child or young person who is under the age of 18 years

Child-connected work authorised by the school governing authority and performed by an adult in a school environment while children are present or reasonably expected to be present.

Child abuse includes –

- (a) any act committed against a child involving –
 - i. a sexual offence; or
 - ii. an offence under section 49M(1) of the Crimes Act 1958 (grooming);and
- (b) the infliction, on a child of –
 - i. physical violence; or
 - ii. serious emotional or psychological harm; and

(c) serious neglect of a child.

Counsellors include employees and contractors who provide services to Rossbourne School in their chosen field ie. psychologist, psychiatrist, Student Support Service staff, Primary Welfare Officers, Mental Health Practitioners in secondary schools, Student Wellbeing Coordinators, Chaplains, Speech pathologists, Social workers, Youth workers.

Grooming is when an adult communicates, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority of the child (.g. the child's parents) with the intention of facilitating the child's involvement in sexual conduct, with the groomer or another adult.

School environment means any of the following physical, online or virtual places, used during or outside school hours:

- a) A campus of the school;
- b) Online or virtual school environments made available or authorised by the school governing authority for use by a child or student (including email, intranet systems, software applications, collaboration tools, and online services); and
- c) Other locations provided by the school or through a third-party provider for a child or student to use including, but not limited to, locations used for:
 - (i) camps;
 - (ii) approved homestay accommodation;
 - (iii) delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers or another school; or
 - (iv) sporting events, excursions, competitions or other events.

Student means a person who is enrolled at or attends the school

Volunteer means a person who performs work without remuneration or reward for the school

Ratified by Rossbourne School Board: 14 June 2023