



# Child Safe Policy

## Purpose

The purpose of this policy is to:

- Protect our students from child abuse
- Manage the risk of child abuse
- Provide support to a child at risk of child abuse, and
- Responding to incidents or allegations of child abuse.

## Scope

This policy applies to all staff and volunteers at John Fawkner College.

## Definition

The Child Safe Policy reflects John Fawkner College's response to the **Child Safe Standards expressed within the Ministerial Order 870**. The Policy ensures child safety provisions are in place and responsibilities and expectations are identified and communicated to staff, students, parents/Guardians and the wider school community.

## Policy

The policy promotes inclusion as it takes into account the diversity of all students including but not limited to the needs of Aboriginal and Torres Strait Islander students and students from culturally and linguistically diverse backgrounds, students with disabilities and those who are vulnerable. Overall, this policy describes the College's commitment to keep students safe from harm. For the purpose of this policy, child safety encompasses matters related to:

- Protecting our students 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.

The policy forms an essential element of the overall Victorian Governments response to the recommendations of Betrayal of Trust Report, which found that more must be done to prevent and respond to the Child Abuse in our community. The policy defines what constitute acceptable and unacceptable behaviour by staff within our College. **There is zero tolerance of child abuse** at our College and the expectations embedded in this policy must be adhered to by all members of the School community, including staff, contractors and volunteers, parents and families, visitors and children.

Whilst this policy forms the College's response to Standard 2 of the Ministerial Order 870, it also provides a wider context as it informs and communicates the College's **expectations and responses against all seven Standard's** in our practice, policies development, human resources and recruitment, training and induction of new and existing staff.

The policy promotes all DET accountability measures pertaining to child safe standards, as described in Section 5 Ministerial Order 870:

- **Standard 1:** Strategies to embed an organisational culture of child safety;
- **Standard 2: Child Safe Policy** or statement of commitment to child safety;
- **Standard 3:** a child safety code of conduct that establishes clear expectations;
- **Standard 4:** screening, supervision, training, and other human resources practices that reduce the risk of child abuse;
- **Standard 5:** processes for responding to and reporting suspected child abuse;
- **Standard 6:** strategies to identify and reduce or remove risks of child abuse; and
- **Standard 7:** strategies to promote child participation and empowerment.

This policy must be read in conjunction with other key documents developed by the College, including but not limited to the following:

- Child Safe Code of Conduct (see appendix A)
- Child Safe Incident Report (see appendix B)

This policy, including the two key documents outlined above, describe the overall College's expectations pertaining to Child safety. These are published on Compass and are displayed in prominent locations in all school environments e.g: school buildings, website and online forums) The policy is communicated to the School community via the School Newsletter and will be made accessible to all staff including contractors and volunteers, visitors, parents and children.

### **Commitment to Child Safety**

The college is committed to child safety. More specifically, the College is committed to the values & principles; actions, support and understanding; and the requirements for disclosure outlined in Section 8 of the Ministerial Order 870.

As a community we want children to be safe, happy and empowered. We support and respect all children, as well as our staff and volunteers. We are committed to the safety, participation and empowerment of all children. **There is zero tolerance of child abuse**, and all allegations and safety concerns will be treated very seriously and consistently with our structured policies and procedures.

John Fawkner College has specific policies, procedures and training in place that support the leadership team, staff and volunteers. The college is committed to preventing child abuse and identifying risks early and removing and reducing these risks. We have structured human resources and recruitment practises for staff and volunteers, as well as regularly training and educating our staff and volunteers on child abuse risk. As a community we support and respect all children, as well as our staff and volunteers. We are committed to the cultural safety of Aboriginal children, the cultural safety of children from culturally and /or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.

**If a belief is formed that a child is at immediate risk of abuse, staff are encouraged to contact the Police on: 000**

### **Staff Code of Conduct**

The policy informs the Code of Conduct at John Fawkner College, through which staff and volunteers are guided on how to behave with children in our College. **All of our staff and volunteers must agree to abide by our Code of Conduct** which specifies the standards of conduct required when working with children.

### **Training and Supervision of Staff**

Training and education is important to ensure that everyone in our organisation understands that **child safety is everyone's responsibility**.

The College's culture aims for all staff in addition to parent/carers and children to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our staff to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

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

New employees will be inducted to ensure they understand John Fawkner College's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate.

**Any inappropriate behaviour will be reported through appropriate channels**, including the Department of Health and Human Services and Victoria Police, depending on the severity and urgency of the matter.

### **Volunteers**

John Fawkner College actively connects within and outside of the local community with the core objective of enhancing the learning experiences of our curriculum and programs for students. The college has developed a well-structured process for broadening the awareness and understanding of the College's Child Safe Policy. The College will provide volunteers with access to information contained within this policy through a range of strategies that include, but are not limited to, induction training, accessing to the Child Safe Policy and other relevant documents via the College website. The staff at John Fawkner College will actively work with members of the community to support the objectives of this policy. For example, the College will provide communication of the policy to workplace settings (see Work Experience/Structured Workplace Learning Policy).

## Recruitment

The College takes all reasonable steps to employ skilled people to work with children. We develop selection criteria and advertisements, which clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities. John Fawkner College understands that when recruiting staff and volunteers we have ethical as well as legislative obligations.

All people engaged in child-related work, including volunteers, are required to hold a Working with Children Check unless exempted under the Working with Children Act 2005 (Amended 16 March 2016) (Part 3 – Section 27/28 volunteers and visitors) The College requires evidence of this Check unless an exemption may otherwise exist.

Volunteers and part-time staff interested in work at John Fawkner College are required to acquire a Working with Children Check. Please visit the website [www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au) for further information, or simply contact John Fawkner College's Business Manager for details.

We carry out reference checks and require proof of police records checks where applicable to ensure that we are recruiting the right people.

## Fair Procedures for Personnel

The safety and wellbeing of children is our primary concern. We are also fair and just to personnel. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent and based on evidence. We record all allegations of abuse and safety concerns using our incident reporting form, including investigation updates. All records are securely stored.

If an allegation of abuse or a safety concern is raised, we provide updates to children and families on progress and any actions we as an organisation take.

## Privacy

John Fawkner College is committed to respecting the privacy of the individuals involved, whether they be staff, volunteers, parents or children, unless there is a risk to someone's safety. We have safeguards and practises in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it.

## Legislative Responsibilities

John Fawkner College takes our legal responsibilities seriously, including:

- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.
- **Failure to protect:** People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- Any personnel who are **mandatory reporters** must comply with their duties.

## Risk Management

In Victoria, organisations are required to protect children when a risk is identified. In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.

We have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which is risks posed by physical environments (for example, any doors that can lock) and online environments **(for example, no staff or volunteer is to have contact with a child in organisations where this communication is of a social nature and not specifically linked to the College’s curriculum or school activities).**

## Review Procedures

This policy will be reviewed every two years and following significant incidents if they occur.

## Allegations, Concerns and Complaints & alignment with Section 11-Ministerial Order 870

John Fawkner College takes all allegations seriously. Our staff and volunteers are trained to deal appropriately with allegations. We work to ensure all children, families, staff and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour. **We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place.**

Staff are required to familiarise themselves with John Fawkner College Code of Conduct and Child Safe Incident Report. **The College governing authority for responding to and reporting allegations of suspected child abuse are assigned to the Assistant Principals.** The Principal Class have the ultimate responsibility for promptly managing the College’s response to an allegation or disclosure of child abuse and ensuring the allegation or disclosure is taken seriously. The **responsibility is extended to include all staff** responding to a child who makes or is affected by an allegation of child abuse. The overall monitoring of the overall College compliance against Section 11 of the Ministerial Order 870 rests with the high governing authority at the College, the Principal Class.

## Response to Allegations

Through the Assistant Principals, the College’s procedures to a child abuse allegation will ensure the implementation of Section 11-Ministerial Order 870 through:

- Appropriate authorities are notified about the allegation, and this is not to be limited to mandatory reporting;
- Protection of any student that is connected to the alleged child abuse until the allegation is resolved;
- Records of the allegation are secure and retained together with the College’s response;
- Staff are not discouraged from reporting an allegation of child abuse;
- Staff are not required to make a judgement about the truth of the allegation of child abuse; and
- Procedures do not imply that it is the victim’s responsibility to inform the police or other authorities of the allegation

## Risk Management

The risk management strategies regarding child safety are embedded with overall response to an allegation, as described in Section 12-Ministerial Order 870, through:

- Identification and mitigation of the risk(s) of child abuse;
- Actions taken by the College to reduce or remove the risks (risk controls);
- Monitoring and evaluation of the effectiveness of risks controls; and
- Annual training to College staff about individual and collective obligations and responsibility for managing the risk of child abuse, child abuse risks in school environment, and the College's current safety standards.

## International Student Program (ISP)

All school staff have an individual responsibility to understand the important and specific role they play individually and collectively to ensure that the wellbeing and safety of all international students is at the forefront of all they do and every decision they make.

John Fawkner College is committed to the safety and wellbeing of all international students irrespective of their cultural background, native language or diversities. The safety and wellbeing of international students is a key focus of our care and decision-making.

John Fawkner College is also committed to providing an environment where international students are safe and feel safe, and their voices are heard about decisions that affect their lives. Particular attention will be paid to the safety of international students from culturally or linguistically diverse backgrounds.

## Communication of Strategies

The Assistant Principals at John Fawkner College will communicate strategies to promote child empowerment and participation through education programs as in Section 13-Ministerial Order 870. The education programs will be aimed at:

- Promotion of standards of behaviour for students attending the College;
- Promotion of healthy and respectful relationships (including sexuality);
- Resilience;
- Child abuse awareness and prevention; and
- Promotion of child safety standards in ways that are accessible, easy to understand, and user friendly to children.

If an adult has a **reasonable belief** that an incident has occurred, then they must report the incident. Factors contributing to reasonable belief may be:

- A child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
- Behaviour consistent with that of an abuse victim is observed
- Someone else has raised a suspicion of abuse but is unwilling to report it
- Observing suspicious behaviour

## **Child Safety, Reportable Conduct and Duty of Care in Remote Online Learning Environments**

- Reporting child abuse
- Child safety in online learning environments
- Health and wellbeing staff contacting students online or via phone

### Reporting child abuse

During online school learning, if school staff become aware of an incident, receive a disclosure or form a reasonable belief that a child has been abused or is at risk of abuse, they must follow all normal procedures for responding to and reporting child abuse, including the four critical actions for schools.

More information about responding to incidents, disclosures and suspicions of child abuse can be found on the PROTECT website or at Child protection – reporting obligations.

### Mandatory reporting

Mandatory reporters' obligations under law remain the same. Mandatory reporters must make a report to the Department of Health and Human Services (DHHS) Child Protection as soon as practicable if, in the course of practising their profession or carrying out their duties, they form reasonable belief that a child or young person is in need of protection, as a result of physical injury or sexual abuse, and the child's parents are unable or unwilling to protect the child from that abuse.

### Reportable Conduct Scheme

Principals' obligations under the Reportable Conduct Scheme remain the same. Please see the PROTECT website or School Policy Advisory Guide - Reportable Conduct Scheme.

### Child safety in online learning environments

#### Child Safe Standards

All Victorian schools are required to comply with the Child Safe Standards.

To comply with the Child Safe Standards in an online learning environment, schools should:

- Consider any risks of child abuse that might arise in an online school learning environment, including grooming, and implement strategies to reduce or remove risks where possible
- Remind all staff that they are required to comply with the school's Child Safety Code of Conduct when engaging in their work online
- Remind all staff of the school's procedures for responding to and reporting suspected child abuse
- Ensure that students have access to online safety education, such as:
- Bully Stoppers Online Toolkit – supports principals, teachers, students and parents in working together to address cyber safety and cyberbullying.
- Classroom resources – links to online classroom activities, videos, interactive learning modules, advice sheets and other useful resources to promote the safe and responsible use of digital technology.
- The eSafety Commissioner – provides a range of tips and resources to help school leaders create safe online learning environments. The Office have also released an online safety kit, which includes evidence-based suggestions and trustworthy links to support parents and carers to stay informed and keep their children safe online.

The PROTECT website provides guidance and information about complying with the Child Safe Standards.

### Duty of care in online environments

Where a school is not providing face to face supervision, including where students are learning remotely rather than on school grounds, the school is not responsible for students' general safety at home or elsewhere.

Principals and school staff must still:

1. Identify risks which are reasonably foreseeable for students who are learning at home
2. Take reasonable steps which are in the school's control to prevent reasonably foreseeable harm to students.

For example, if a school knows that a student learning remotely is affected by a disability or mental health condition, particularly a condition that might be exacerbated by being alone at home, or has other vulnerabilities (for example family violence or substance abuse), the school must take reasonable steps to address those risks, which may include offering additional supports and ensuring students can access their learning outside the home, where appropriate.

### Supporting student wellbeing and safety when teaching in a remote online learning environment

Under the Child Safe Standards and as part of their duty of care, teachers should identify and mitigate known or foreseeable risks to student wellbeing and safety. Reasonable steps to support student safety and wellbeing might include (but are not limited to):

- Notifying parents about students moving to remote online learning
- School uses department-approved technology to teach remote online learning
- School staff continue to comply with their existing obligations to behave appropriately and professionally online. For example, only using work email addresses to contact students, not revealing personal information like a home address, having appropriate working and learning spaces, professional dress and presentation, contacting students only during school hours, and complying with the acceptable use of technology agreements
- School staff respond to inappropriate student behaviour online (for example, inappropriate language or behaviour in a videolink) in the same way they would if the behaviour occurred on school grounds
- School staff consider any students with disabilities or behaviours of concern that might be the underlying cause of any online behaviour
- School staff follow the school's procedures for responding to/reporting suspected child abuse
- School staff act within DET's using social media policy
- School staff develop and update student safety plans and individual learning plan where appropriate
- School staff provide students with advice/details of school staff they can contact if they have any concerns or issues, including about inappropriate online behaviour (by both other students and school staff)
- Reminding parents about how young people are impacted by long periods alone and the responsible and safe use of online platforms and the internet
- School staff provide students with details of mental health and wellbeing support available for students to access remotely, including emergency numbers and nonemergency counselling services.



### Health and wellbeing staff contacting students online or via phone

Where possible, if school or DET health and wellbeing staff need to contact students as part of their work, (for example mental health support) they should get a parent's permission before contacting a student directly, unless the student is an adult or mature minor. Staff should continue to follow the school's Child Safety Code of Conduct and maintain appropriate boundaries, including only using work phones/email addresses to contact students, maintaining appropriate notes and records, contacting students during school hours and providing community emergency numbers (such as Kids Help Line) to students and families for out of hours support.

### **Review**

This policy will be reviewed by the Student Wellbeing & Engagement Team every 4 years.

<b>Date</b>	<b>Description of update</b>	<b>To be reviewed</b>	<b>Approved by</b>
25 Aug 2018	Initial publication	25 Aug 2022	S.Council 20/9/18
30 March 2020	Review for remote learning and International Students	25 Aug 2022	S.Council 14/5/20

## John Fawkner College - Staff

### CHILD SAFETY CODE OF CONDUCT

At John Fawkner College we hold the care, safety and wellbeing of children and young people as a central and fundamental responsibility.

#### **Purpose**

This Code of Conduct has a specific focus on safeguarding children and young people against sexual, physical, psychological and emotional abuse or neglect. It is intended to complement other professional and/or occupational codes.

All our Staff, our Teachers and Support Staff are expected to actively contribute to a culture that respects the dignity of its members and affirms the values of love, care for others, compassion and justice. They are required to observe Child Safe Principles and expectations for appropriate behaviour towards and in the company of children, as noted below. The list of acceptable and unacceptable behaviours is by no means exhaustive.

#### **Acceptable Behaviours**

All staff are responsible for supporting the safety of children by:

- Adhering to the Child Safe policy and upholding the statement of commitment to child safety at all times
- taking all reasonable steps to protect children from abuse
- treating everyone in the workplace community with respect
- listening and responding to the views and concerns of children, particularly if they are telling you that they or another child has been abused or that they are worried about their safety/the safety of another child
- promoting the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander children (for example, by never questioning an Aboriginal and Torres Strait Islander child's self-identification)
- promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination)
- promoting the safety, participation and empowerment of children with a disability (for example, during personal care activities)
- ensuring as far as practicable that adults are not alone with a child
- reporting any allegations of child abuse to the school's leadership (or child safety officer if the school has appointed someone to this role)
- understanding and complying with all reporting obligations as they relate to mandatory reporting and reporting under the Crimes Act 1958
- reporting any child safety concerns to the school's leadership (or child safety officer if the school has appointed someone to this role)
- if an allegation of child abuse is made, ensuring as quickly as possible that the child(ren) are safe
- reporting to the Victorian Institute of Teaching any charges, committals for trial or convictions in relation to a sexual offence by a registered teacher, or certain allegations or concerns about a registered teacher.

## Unacceptable Behaviour

All staff members must not:

- ignore or disregard any suspected or disclosed child abuse
- develop any 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children)
- exhibit behaviours with children which may be construed as unnecessarily physical (for example inappropriate sitting on laps)
- put children at risk of abuse (for example, by locking doors)
- initiate unnecessary physical contact with children or do things of a personal nature that a child can do for themselves, such as toileting or changing clothes
- engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities)
- use inappropriate language in the presence of children
- express personal views on cultures, race or sexuality in the presence of children
- discriminate against any child, including because of age, gender, race, culture, vulnerability, sexuality, ethnicity or disability
- have contact with a child or their family outside of school without a valid reason or context (for example, a staff member may be a family friend and social contact is understandable or may be involved in community activities outside of school).
- have any online contact with a child (including by social media, email, instant messaging etc) or their family without a valid reason or context
- use any personal communication channels/device such as a personal email account to communicate with students without a valid reason or context
- exchange personal contact details such as phone number, social networking sites or email addresses without a valid reason or context
- photograph or video a child without the consent of the parent or guardians
- supervise or work with children whilst under the influence of alcohol or illegal drugs

## STAFF ATTESTATION

I, \_\_\_\_\_, confirm that I have:

1. Been made aware that John Fawkner College is committed to Child Protection
2. Been made aware of my responsibilities and obligations in relation to Child Protection
3. Read and understood John Fawkner College Safety Code of Conduct and commit to its implementation

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

# JFC Child Safe Incident Report Form

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This incident report must be handled to the Child Safety Officer (Assistant Principal) for recording and secure storage.

## Incident Details

Date of incident:	
Time of incident:	
Location of incident:	
Name(s) of child/children involved:	
Names(s) of staff/volunteer involved:	

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

## Does the child identify as Aboriginal or Torres Strait Islander?

*(Mark with an 'X' as applicable)*

No       Yes, Aboriginal       Yes, Torres Strait Islander

## Please categorise the incident

Physical violence

Sexual offence

Serious emotional or psychological abuse

Serious neglect

**Please describe the incident**

When did it take place?	
Who was involved?	
What did you see?	
Other information	

# JFC Child Safe Incident Report Form

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## Parent/carer/child report

Date of incident:	
Time of incident:	
Location of incident:	
Name(s) of child/children involved:	
Names(s) of staff/volunteer involved:	

## Officer use:

Date incident report received:	
Staff member managing incident:	
Follow-up date:	
Incident ref. number	

## Has the incident been reported?

Child protection	
Police	
Another third party (please specify):	

## Incident reporter wishes to remain anonymous

*(Mark with an 'X' as applicable)*

Yes  No