



Rosehill Secondary College

Child Safety Policy

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1. Introduction

Rosehill Secondary College is committed to being a Child Safe organisation and embedding a Child Safe Culture into its practices to ensure that all students who attend the school are safe at all times. Our commitment reflects the College values of Respect, Initiative and Learning.

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

Rosehill Secondary College has zero tolerance for child abuse and all staff and contractors, whether employed or volunteers, are responsible for the care and protection of the children within our college and are required to report any information about suspected child abuse.

This policy provides a framework to enable Rosehill Secondary College to ensure that all reasonable steps are taken to protect students from sexual, physical or emotional abuse, and neglect. It provides an outline of the policies, procedures and strategies developed to keep students safe from all forms of abuse in our school environment, on campus, online and in other locations provided by the school.

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

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

2. Principles

State schools have a moral and legal responsibility to create nurturing school environments where children and young people are respected, their voices are heard and they are safe and feel safe.

The following principles underpin our commitment to child safety at *Rosehill Secondary College*

- All students deserve, as a fundamental right, safety and protection from all forms of abuse and neglect.
- Our school works in partnership with families and the community to ensure that they are engaged in decision-making processes, particularly those that have an impact on child safety and protection.
- All students have the right to a thorough and systematic education in all aspects of personal safety, in partnership with their parents/guardians/caregivers.
- All adults in our school, including teaching and non-teaching staff, volunteers and contractors as well as the broader school community, have a responsibility to care for children and young people, to positively promote their wellbeing and to protect them from any kind of harm or abuse.
- The policies, guidelines and codes of conduct for the care, wellbeing and protection of students are based on honest, respectful and trusting relationships between adults and young people.
- Policies and practices demonstrate compliance with legislative requirements and cooperation with governments, the police and the Department of Health and Human Services.
- All persons involved in situations where harm is suspected or disclosed must be treated with sensitivity, dignity and respect.

- Staff, volunteers, contractors, parents/guardians and students should feel free to raise concerns about child safety, knowing that these will be taken seriously by school leadership.
- Appropriate confidentiality will be maintained, with information being provided only to those who have a right or a need to be informed, either legally or pastorally.

3. Policy Commitments

Our commitment to our students

- Ensuring the safety and wellbeing of all children and young people enrolled in our school.
- Listening to children and young people and empowering them by taking their views seriously, and addressing any concerns that they raise with us.
- Teaching children and young people the necessary skills and knowledge to understand and maintain their personal safety and wellbeing.

Our commitment to parents and guardians

- Communicating honestly and openly with parents and carers about the wellbeing and safety of their children and our child-safety practice, policies and procedures.
- Transparency in our decision-making with parents and carers where it will not compromise the safety of children or young people.
- Acknowledging the cultural diversity of students and families, and being sensitive as to how this may impact on student safety issues.
- Continuously reviewing and improving our systems to protect children from abuse.

Our commitment to our school staff (school employees, volunteers and contractors.)

- Providing all **Rosehill Secondary College** staff with the necessary support and appropriate learning opportunities to enable them to fulfil their roles.
- Listening to all concerns voiced by **Rosehill Secondary College** staff, volunteers, and contractors about keeping children and young people safe from harm.
- Providing opportunities for **Rosehill Secondary College** school employees, volunteers and contractors to receive formal debriefing and counselling arising from incidents of the abuse of a child or young person.

4. Definitions used in this Policy

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

Child abuse includes:

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

Child safety encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse. (Ministerial Order No. 870)

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

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

Child protection: Statutory services designed to protect children who are at risk of serious harm.

Child sexual abuse: A child or young person is sexually abused when any person uses their power over the child to involve that child in sexual activity. Child sex abuse can also include:

- any sexual activity with a child under 12 years of age
- any sexual activity between a child between 12 and 15 years of age and someone more than 24 months older than them
- any sexual behaviour between a child and an adult in a position of power or authority over them (e.g. a teacher); the age of consent laws *do not* apply in such instances due to the strong imbalance of power that exists between young people and authority figures, as well as the breaching of both personal and public trust that occurs when professional boundaries are violated
- any sexual behaviour between a child and an adult family member, regardless of issues of consent, equality or coercion
- sexual activity between peers that is non-consensual or involves the use of power or coercion
- non-consensual sexual activity between minors (e.g. a 14-year-old and an 11-year-old), or any sexual behaviour between a child and another child or adolescent who, due to their age or stage of development, is in a position of power, trust or responsibility over the victim. Sexual activity between adolescents at a similar developmental level is not considered abuse

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

Reasonable Belief: When staff are concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a 'reasonable belief'. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

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

(a) a campus of the school

(b) online school environments (including email and intranet systems)

(c) other locations provided by the school for a child's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions, and other events). (Ministerial Order No. 870)

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

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

5. Responsibilities and Organisational Arrangements

Everyone employed or volunteering at **Rosehill Secondary College** has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all students is at the forefront of all they do and every decision they make.

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

5.1 Guide to Responsibilities of School Leadership

The principal, the school governing authority and school leaders at **Rosehill Secondary College** recognise their particular responsibility to ensure the development of preventative and proactive strategies that promote a culture of openness, awareness of and shared responsibility for child safety. Responsibilities include:

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

5.2 Guide to Responsibilities of School Staff

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

- treating children and young people with dignity and respect, acting with propriety, providing a duty of care, and protecting children and young people in their care
- following the legislative and agreed school processes as set out in the **Child Safe Code of Conduct** if, in the course of their work, they form a reasonable belief that a child or young person has been or is being, abused or neglected
- remaining familiar with the relevant laws, policies and procedures in relation to child protection and complying with all requirements.

6. Reporting and Responding

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

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

Rosehill Secondary College Safe Code of Conduct sets out the actions required under the relevant legislation when there is a reasonable belief that a child at our school is in need of protection or a criminal offence has been committed, and provides guidance and procedures on how to make a report.

Our policy assists staff, volunteers and families to:

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

Our school has also established internal processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a student, as outlined in the Child Safe Code of Conduct.

7. Screening and Recruitment of School Staff

Rosehill Secondary College will apply rigorous screening processes in the recruitment of employees and volunteers involved in child-connected work. Our commitment to child safety and our screening requirements are included in advertisements for all positions, and all applicants are provided with copies of the school's Child Safety Policy and Child Safety Code of Conduct.

When recruiting and selecting employees, contractors and volunteers involved in child-connected work, we make all reasonable efforts to:

- confirm the applicant's Working with Children Check and National Police Check status and/or professional registration (as relevant)
- obtain proof of personal identity and any professional or other qualifications
- verify the applicant's history of work involving children
- obtain references that address the applicant's suitability for the position and working with children.

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

8. Child Safety – Education and Training for School Staff

Rosehill Secondary College provides employees and volunteers with regular and appropriate opportunities to develop their knowledge of, openness and ability to address child safety matters. This includes induction, ongoing training and professional learning to ensure that everyone understands their professional and legal obligations and responsibilities, and the procedures for reporting suspicion of child abuse and neglect.

Ongoing professional learning and training is provided to all staff at Rosehill Secondary College. Staff are provided with all updates from the DET in a timely manner. Annual reiteration of the mandated responsibilities of teaching staff is embedded in the college professional learning schedule. Staff are provided with instruction and time to complete DET online modules as they arise. The induction folder provided to new staff at the beginning of their tenure contains the required material.

9. Risk Management

At *Rosehill Secondary College* we are committed to proactively and systematically identifying and assessing risks to student safety across the whole school environment, and reducing or eliminating, where possible, all potential sources of harm. We document, implement, monitor and periodically review our risk management strategies for child safety and ensure that strategies change as required.

10. Relevant Legislation

- Children, Youth and Families Act 2005 (Vic)
- Working with Children Act 2005 (Vic)
- Education and Training Reform Act 2006 (Vic)
- Education and Training Reform Amendment Act 2015 (Vic)
- Equal Opportunity Act 2010 (Vic)
- Privacy Act 1988
- Crimes Act 1958 (Vic) – Three new offences have been introduced under this Act:
 - (a) **Failure to disclose offence:** Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information is a criminal offence.
 - (b) **Failure to protect offence:** The offence will apply where there is a substantial risk that a child under the age of 16 in the care, supervision or under the authority of a relevant organization, will become a victim of a sexual offence committed by an adult associated with that organization. A person of authority in that organization will commit the offence if they know the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
 - (c) **Grooming offence:** This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conduct in person or online; for example through social media, web forums, texting and emails.

11. Related Policies

11.1 Department of Education Policies

[Policy 2.2: Guidelines Relating to the Employment of Staff \(currently under review\)](#)

[Policy 2.19: Child Protection – Reporting Obligations](#)

[Policy 2.19a: School Guidelines –Police and DHHS Interview Protocols](#)

[Department of Education A-Z Policy Directory](#)

[Responding to Allegations of Student Sexual Assault](#)

[Protection and Support](#)

[Police and DHS Student Interviews](#)

[Duty of Care](#)

[Using Social Media](#)

11.2 School Policies

All policies are available on the College website

- Rosehill Secondary College Child Safe Polivy
- Rosehill Secondary College: Child Safe Code of Conduct
- Rosehill Secondary College *Linxu* Policy

12. Breach of Policy

Where an **employee** is suspected of breaching any obligation, duty or responsibility within this Policy, Rosehill Secondary College may commence a process under Complaints, Misconduct and Unsatisfactory Performance guidelines for managing employment concerns. This may result in disciplinary consequences.

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

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

13. Review of this Child Safety Policy

At ***Rosehill Secondary College*** we are committed to continuous improvement of our child safety systems and practices. We intend this policy to be a dynamic document which will be regularly reviewed to ensure that it is working in practice and updated to accommodate changes in legislation or circumstance.

We will maintain a history of updates to the policy.

History of updates to the policy

Date	Comment (e.g. major or minor review)

14. References

Department of Education Links:

- State of Victoria 2016, *Child Safe Standards – Managing the Risk of Child Abuse in Schools: Ministerial Order No. 870*, Education & Training Reform Act 2006, Victorian Government Gazette No. S2.
- Victorian Government Department of Justice 2016, *Betrayal of Trust Implementation*.
- Victorian Institute of Teaching For Victorian Teaching Profession Codes of Conduct and Ethics and information about employee responsibilities to report action against registered teachers in response to allegations and concerns about registered teachers.
- Website: www.vit.edu.au
- Safe Schools Hub 2014, National Safe Schools Framework Glossary, Australian Government Department of Education and Training. 15 Rosehill Secondary College Child Safety Policy 2016
- Department of Education A-Z Policy Directory