

Purpose

This policy has been developed in recognition to Malvern Central School's commitment to fully comply with Ministerial Order 870: Child Safe Standards – Managing the risk of child abuse in schools

A key response by the Victorian Government to the Victorian Parliamentary Inquiry into the Handling of Child Abuse by Religious and other Non-Government Organisations was the release of the Ministerial Order effective of August 1st, 2016.

This policy is to support school implementing its zero tolerance philosophy to any form of child abuse.

Aims

- To ensure appropriate arrangements are in place to regulate the conduct and decisions of school staff in eliminating the possibility of child abuse.
- To provide parameters for all child connected work (school authorised and within the school environment).
- To provide confidence with the school community that all children involved in authorised child connected work in the school environment are safe from abuse.
- To ensure that the school has strategies that embed a culture of child safety.
- To ensure the school has procedures for responding and reporting allegations of suspected child abuse.

Definitions

ETR Act means the *Education and Training Reform Act 2006* as amended from time to time.

Child means a child enrolled as a student at the school.

Child-connected work means 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 49B(2) 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.

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.

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); and
- 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).

School governing authority means:

- a) the proprietor of a school, including a person authorised to act for or on behalf of the proprietor; or
- b) the governing body for a school (however described), as authorised by the proprietor of a school or the ETR Act; or
- c) the principal, as authorised by the proprietor of a school, the school governing body, or the ETR Act.

School staff means:

- a) in a Government school, an individual working in a school environment who is:
 - I. employed under Part 2.4 of the ETR Act in the government teaching service; or
 - II. employed under a contract of service by the council of the school under Part 2.3 of the ETR Act; or
 - III. a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary).

Implementation

In implementing the minimum child safety standards in accordance with Ministerial Order No. 870, Malvern Central School will take account of the diversity of all children, including (but not limited to) the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, and children who are vulnerable; and make reasonable efforts to accommodate:

- promoting the cultural safety of Aboriginal and Torres Strait Islander children
- promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds
- promoting the safety of children with a disability

Embedding an Organisational Culture of Child Safety (Standards 1 & 2)

- Malvern Central School is committed to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse (child safety) and responding to incidents or allegations of child abuse in all physical and virtual places made accessible to children through available or authorised use during or outside of school hours (school environments).
- The responsibility of leading the culture of child safety at Malvern Central School lies with the Principal who will be supported by the Assistant Principal, Wellbeing Leader, the School Council and the entire school staff.

- In addition to mandatory reporting requirements, the Principal and Assistant Principal must follow the Department of Education and Training requirements set out as “Four Critical Actions for Schools responding to incidents, disclosures and suspicions of child abuse”.
https://www.education.vic.gov.au/Documents/about/programs/health/protect/FourCriticalActions_ChildAbuse.pdf
- Child Safety will be a standard agenda item for school council and all school meetings.
- Malvern Central School will communicate broadly and with a mix of tools: website, Facebook, handbooks, induction documents, staff meetings, parent meetings etc.
- Malvern Central School will have a number of policies that will contribute to the development of a culture of child safety including:
 - MCS Statement Prohibiting Corporal Punishment
 - MCS Volunteers Policy
 - MCS Visitors Policy
 - MCS Working with Children Policy
 - MCS Yard Duty and Supervision Policy
 - MCS Mandatory Reporting Policy
 - MCS Child Safe Reporting Obligations
 - MCS Camps and Excursions Policy
 - MCS External Providers Policy
 - MCS Facebook and Instagram Policy
 - MCS Student Engagement and Wellbeing Policy
 - MCS Inclusion and Diversity Policy
 - MCS Statement of Values and Philosophy Policy
- Malvern Central School will have a number of procedures and practices that will contribute to the development of a culture of child safety including –
 - MCS Child Safe Code Of Conduct (in relation to expectations of behaviour with children)
 - Working With Children Checks (or equivalent)
 - Child Safe Documents relating to Recruitment, Induction and Training and HR Practices
 - Child Safe Curriculum and programs to empower students and promote student participation, based on the Respectful Relationships Curriculum, Resilience Project and esmart.
 - Documents to empower students through Student Voice, Agency and Leadership
 - Staff Induction
 - Annual Professional Development in Mandatory Reporting
 - Camp Planning Documentation including Risk Assessment
 - Excursion, Incursion & Events Planning Documentation

Child Safety Code of Conduct (Standard 3)

- The school will have a code of conduct for all teaching, non-teaching, contracted adults (employed or engaged), volunteers and external program providers involved in child-connected work in all school environments.
- This code of conduct will set the standards about the circumstances and ways people in the above roles are expected to behave and interact with children.

School Staff Selection, Supervision and Management Practices for a Child-Safe Environment (Standard 4)

- Malvern Central School will ensure that staff:
 - Will have a form of proof of identity and qualifications recorded with the school
 - Will have their suitability for child connected work assessed and referenced as part of the recruitment process. This assessment will be through facilities such as the Victorian Institute of Teaching, Working with Children Checks or any other appropriate facility
 - Will have their history of work involving children recorded with the school
 - Will have a reference statement to the staff code of conduct in relation to child safety in their job description
 - Will have a child safety in relation to child abuse component to their initial and annual induction sessions
 - Will have annual professional learning in child safety in relation to child abuse including mandatory reporting
 - New staff will be provided with supervision or support arrangements in relation to assessing their suitability for child connected work.
 - The School actively encourages applications from Aboriginal peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability. Fair procedures for the safety and wellbeing of children is the School's primary concern.
 - The School is also fair and just to staff. The decisions the School makes when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

Procedures for Responding To and Reporting Allegations of Suspected Child Abuse (Standard 5)

- Malvern Central School recognises that all allegations of actual or suspected child abuse in any form must be mandatory reported.
- Malvern Central School's commitment to mandatory reporting will be outlined in the school's Mandatory Reporting Policy and the school's procedures to reporting and responding to all allegations of actual or suspected child abuse.

Identifying and Reducing/Removing Risks of Child Abuse (Standard 6)

- Malvern Central School will have a procedure for all child connected work in all environments that evaluates risks in relation to child safety. The procedure will cover the work of:
 - Teaching staff
 - Education Support Staff
 - Volunteers
 - Visitors Including Contractors
 - External Program Provider Staff
 - Other personnel the school deems appropriate.
- Malvern Central School will immediately implement management strategies for any recognised risk of child safety in relation to child abuse that will mitigate that risk.

Promotion of Child Empowerment and Participation (Standard 7)

- Malvern Central School will provide strategies to promote child empowerment through student programs and parent education programs that:
 - Promote students' awareness of acceptable and unacceptable behaviour in relation to child safety practices
 - Develop understanding of the processes students have in raising child safety in relation to child abuse issues in all school environments and outside school hours
 - Cover educational strategies for resilience and healthy and respectful relationships (including sexuality)
 - Operate in accordance with *MCS Inclusion and Diversity Policy* to ensure inclusion of students who are vulnerable

Related Policies and Further Information

- Children, Youth and Families Act, 2005
- Ministerial Order No. 870, 2015 - Child Wellbeing and Safety Amendment Bill
- Crimes Act 1958
- Education and Training Reform Act, 2006
- Victorian Institute of Teaching Act 2001
- MCS Mandatory Reporting Policy
- MCS Student Engagement and Wellbeing Policy
- MCS Duty of Care Policy
- MCS Child Protection Reporting Obligations
- MCS Inclusion and Diversity Policy (Includes Discrimination And Sexual Harassment - Students)
- DET Child Protection and Child Safe Standards (PROTECT)

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

Appendix

Appendix A: Child Safe Code of Conduct

Evaluation

This policy was last updated on 16th July, 2019 and is scheduled for review on 16th July, 2021

This policy was endorsed by School Council on August 21st, 2019

Appendix A: Child Safe Code of Conduct

Malvern Central School is committed to the safety and wellbeing of children and young people. Our school community recognises the importance of, and a responsibility for, ensuring our school is a safe, supportive and enriching environment that respects and fosters the dignity and self-esteem of children and young people, and enables them to thrive in their learning and development.

This Code of Conduct aims to protect children and reduce any opportunities for child abuse or harm to occur. It also assists in understanding how to avoid or better manage risky behaviour and

situations. It is intended to complement child protection legislation, Department policy, school policies and procedures and professional standards, codes or ethics as these apply to staff and other personnel.

The Principal and school leaders of Malvern Central School will support implementation and monitoring of the Code of Conduct, and will plan, implement and monitor arrangements to provide inclusive, safe and orderly schools and other learning environments. The Principal, Assistant Principal and school leaders of Malvern Central School will also provide information and support to enable the Code of Conduct to operate effectively.

All staff, contractors, volunteers and any other member of the school community involved in child-related work are required to comply with the Code of Conduct by observing expectations for appropriate behaviour below. The Code of Conduct applies in all school situations, including school camps and in the use of digital technology and social media.

Acceptable Behaviours

As staff, volunteers, contractors, and any other member of the school community involved in child related work individually, we are responsible for supporting and promoting the safety of children by:

- adhering to Malvern Central School's child safe policy at all times / upholding Malvern Central School's statement of commitment to child safety at all time
- taking all reasonable steps to protect children from abuse
- treating everyone with respect, both within the school environment and outside the school environment as part of normal social and community activities.
- listening and responding to the views and concerns of children, particularly if they are telling you that they or another child has been abused and/or are worried about their safety or the safety of another
- promoting the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander students
- promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds
- 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 left alone with a child
- understanding and complying with all reporting or disclosure obligations (including mandatory reporting) as they relate to protecting children from harm or abuse.
- reporting any allegations of child abuse to the Principal /Assistant Principal, and ensure any allegation is reported to the police or child protection
- if an allegation of child abuse is suspected, ensuring as quickly as possible that the students are safe and protected from harm
- encouraging children to 'have a say' and participate in all relevant organisational activities where possible, especially on issues that are important to them.

Unacceptable Behaviours

As staff, volunteers, contractors, and any other member of the school community involved in child-related work we must not:

- ignore or disregard any concerns, suspicions or disclosures of child abuse
- develop a relationship with any student that could be seen as favouritism or amount to 'grooming' behaviour (for example, offering gifts)

- exhibit behaviours with students which may be interpreted as abusive and not justified by the educational, therapeutic, or service delivery context
- ignore behaviours by other adults towards students when they appear to be overly familiar or inappropriate
- discuss content of an intimate nature or use sexual innuendo with students, except where it occurs relevantly in the context of parental guidance, delivering the education curriculum or a therapeutic setting
- treat a child unfavourably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity
- communicate directly with a student through personal or private contact channels (including by social media, email, instant messaging, texting, etc) except where that communication is reasonable in all the circumstances, related to school work or extra-curricular activities or where there is a safety concern or other urgent matter
- photograph or video a child in a school environment except in accordance with school policy or where required for duty of care purposes
- 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 culture, race, ethnicity or disability
- have contact with a child or their family outside of our organisation without the Principal's knowledge and/or consent (for example, no babysitting). Accidental contact, such as seeing people in the street, is appropriate.
- have any online contact with a child or their family (unless necessary, for example providing families with newsletters)

Malvern Central School Policy Statement Explicitly Prohibiting Corporal Punishment

- Corporal punishment is banned in all Victorian Schools.
- Corporal Punishment **MUST NOT** be used at Malvern Central School under any circumstances.

By observing these standards you acknowledge your responsibility to immediately report any breach of this code to Malvern Central School's Principal/Assistant Principal, Leadership.

IF YOU BELIEVE A CHILD IS AT IMMEDIATE RISK OF ABUSE, PHONE 000 (TRIPLE ZERO).

1 SPAG: <https://www.education.vic.gov.au/school/principals/spag/safety/pages/photoandfilm.aspx> The policy says the school should get consent before taking and publishing photos of a student. This applies every time a photo is taken. The same policy applies for excursions and school activities.

2 SPAG: <https://www.education.vic.gov.au/school/principals/spag/safety/pages/alcohol.aspx> The policy says the school must obtain school council approval before alcohol can be consumed on school grounds or at a school activity. The policy says staff members should not consume alcohol during camps and excursions. It is silent on whether they can consume alcohol at other school events where students are present, this is a matter that the school needs to decide upon – draft text is provided in the guidance fact sheet