



<b>ESKDALE PRIMARY SCHOOL</b>		
<b>CHILD SAFE POLICY</b>		
<b>Policy Implementation</b> Date: 2016	<b>Policy review date:</b> 2019	<b>Responsible for review:</b> School Council

## **Introduction**

Eskdale Primary School is committed to the child safety standards and promoting and protecting the interests and safety of children. We have a zero tolerance for child abuse.

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

## **Purpose**

The purpose of this policy is:

1. To facilitate the prevention of child abuse occurring at Eskdale PS
2. To work towards a school culture of child safety.
3. To prevent child abuse at Eskdale PS
4. To ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs.
5. To provide guidance to staff/volunteers/contractors as to action that should be taken where they suspect any abuse within or outside of the school community.
6. To provide a clear statement to staff/volunteers/contractors forbidding any such abuse.
7. To provide assurance that any and all suspected abuse will be reported and fully investigated.

## **Policy**

Eskdale Primary School will be guided by the following principles when developing any policies and procedures to create and maintain a child safe school environment.

Eskdale Primary School is committed to:

Promoting and protecting at all times the best interests of children involved in all on and off-site activities whilst they are under the responsibility of the Eskdale Primary School.

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

Zero tolerance for child abuse. Everyone working Eskdale Primary School is responsible for the care and protection of the children within their care and reporting information about suspected child abuse.

Child safety being a shared responsibility between all employees, workers, contractors, associates, and members of Eskdale Primary School.

Considering the opinions of children and use their opinions to develop child safety policies.

Supporting and respecting all children, staff and volunteers. Eskdale Primary School is committed to cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.

Eskdale Primary School will be guided by the following values:

Child focus  
Diversity  
Respect

Collaboration  
Professional integrity

This policy applies to all school environments (inclusive of physical and online environments).

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

## Procedures

### Responsibilities

Role	Responsible for
School Council members	The School Council has ultimate responsibility for the detection and prevention of child abuse and is responsible for ensuring that appropriate and effective internal control systems are in place. The School Council is responsible for ensuring that appropriate policies and procedures and a Child Safety Code are in place (See Appendix A).
School Principal	Dealing with and investigating reports of child abuse. Ensuring that all staff, contractors, and volunteers are aware of relevant laws, school policies and procedures, and the school's Code of Conduct. suspected sexual abuse of a child in accordance with the policies and procedures. Ensuring that all staff, contractors and volunteers are aware of their obligation to observe the Code of Conduct (particularly as it relates to child safety).

	Providing support for staff, contractors and volunteers in undertaking their safety responsibilities.
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All staff/volunteers/contractors	<p>Familiarising themselves with the relevant laws, the Code of Conduct, and Eskdale's policy and procedures in relation to child protection, and complying with all requirements.</p> <p>Reporting any reasonable belief that a child's safety is at risk to the relevant authorities (such as the police and the Department of Health and Human Services) and fulfilling their obligation as mandatory reporters.</p> <p>Reporting any suspicion that a child's safety may be at risk to their supervisor (or, if their supervisor is involved in the suspicion, to a responsible person in the school).</p> <p>Providing an environment that is supportive of all childrens' emotional and physical safety.</p>
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## Definitions

Term	Definition
Child	A person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.
Child protection	Any responsibility, measure or activity undertaken to safeguard children from harm.
Child abuse	All forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial (e.g. for financial gain) or other exploitation of a child and includes any actions that results in actual or potential harm to a child.
Child sexual assault	Is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with the child.

Reasonable grounds for belief

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

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

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

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

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

- a)** A child states that they have been physically or sexually abused;
- b)** A child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- c)** Someone who knows a child states that the child has been physically or sexually abused;

- d) Professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; and/or
- e) Signs of abuse lead to a belief that the child has been physically or sexually abused.

## **Employment of New Personnel**

Member schools undertake a comprehensive recruitment and screening process for workers and volunteers which aims to:

- Promote and protect the safety of all children under the care of the school;
- Identify the safest and most suitable people who share the school's values and commitment to protect children; and
- Prevent a person from working in Eskdale Primary School if they pose a risk to children.

Eskdale Primary School requires all workers/volunteers to pass through the school's recruitment and screening processes prior to commencing their engagement with the school.

Persons applying for a role as a teacher with the School must be registered with the Victorian Institute of Teaching.

Eskdale Primary School requires applicants to provide a police check in accordance with the law and as appropriate, before they commence working at the school and during their time with the school at regular intervals.

Eskdale Primary School will undertake thorough reference checks as per the approved procedures.

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

Please refer to: Police Checks Policy and Child Safety Code of Conduct for further details.

## **Training and Supervision**

Training and education is important to ensure that everyone in Eskdale Primary School understands that child safety is everyone's responsibility.

The school's culture aims for all staff and volunteers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. Our staff and volunteers are trained to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

Eskdale Primary School will also support staff and volunteers through ongoing supervision to: develop their skills to protect children from abuse; and promote the cultural safety of

Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability.

New employees and volunteers will be supervised regularly to ensure that they understand Eskdale Primary School'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 (Please refer to Child Safety Code of Conduct to understand appropriate behaviour further).

## **Risk Management**

Eskdale Primary School will ensure that child safety is a part of its overall risk management approach.

## **Reporting**

Any staff member, volunteer or contractor who has grounds to suspect abusive activity must immediately notify Human Services and/or the police. Police must be notified if the abuse is of a sexual nature. They should also advise their supervisor about their concern.

All allegations of child abuse and the school's response must be recorded and securely retained.

In situations where the supervisor is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision.

Supervisors must report complaints of suspected abusive behaviour or misconduct to the Principal and also to any external regulatory body such as the police and the Department of Health and Human Services.

Mandatory/volunteer reporting requirements are documented in the Mandatory Reporting Policy.

## **Legislative responsibilities**

Eskdale Primary School 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 schools 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.

**Grooming offence:** A grooming offence is now in effect to target individuals who communicate with a child or their parents with the intent of committing child sexual abuse.

Any personnel who are mandatory reporters must comply with their duties.  
Please refer to Mandatory Reporting Policy.

## **Investigating**

If the Department of Health and Human Services or the police decide to conduct an investigation of a report, all employees, contractors or volunteers must co-operate fully with the investigation.

All children who disclose child abuse, or are otherwise linked to suspected child abuse will be assisted through the school's wellbeing services and supports.

## **Responding**

If it is alleged that a member of staff, contractor or a volunteer may have committed an offence or have breached Eskdale Primary School's policies or its Code of Conduct the person concerned may be stood down (with pay, where applicable) while an investigation is conducted.

If the investigation concludes that on the balance of probabilities an offence (or a breach of the Eskdale Primary School's policies or Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal or cessation of involvement with the organisation. The findings of the investigation will also be reported to any external body as required.

## **Privacy**

All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. Eskdale Primary School will have safeguards and practices in place to ensure any personal information is protected.

Everyone is entitled to know how the personal information is recorded, what will be done with it, and who will be able to access it.

## **Communication**

This policy will be publicly available on Eskdale Primary School's website and communicated in the School's newsletters, personnel induction programmes and during recruitment and enrolment processes for staff, contractors and volunteers.

All school councillors, staff, volunteers and contractors will be made aware of this policy and the school's commitment to child safety.

## **Reviewing**

Every two years, and following every reportable incident, a review shall be conducted to assess whether Eskdale Primary School's child safety policies or procedures require modification to better protect the children under the school's care. Eskdale Primary School will ensure that families and children have the opportunity to contribute.

### **Related Documents**

Child Safety Code of Conduct  
Visitors Policy  
Working with Children Check Policy  
Mandatory Reporting Policy

### **Prescriptive legal and regulatory requirements include:**

Ministerial Order 870  
Children, Youth and Families Act 2005  
Child Wellbeing and Safety Act 2005 (Vic)  
Education and Training Reform Act 2006  
Crimes Act 1958 (Vic)

Working with Children Act 2005  
Family Violence Protection Act  
2008 Victorian Institute Act 2001

Endorsed by Eskdale Primary School Council and effective as of: September 2016.

### **References**

Further information about the failure to disclose offence is available on the Department of Justice and Regulation website.

<http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence>

Further information about the failure to protect offence is available on the Department of Justice and Regulation website.

<http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence>

See the Department of Health and Human Services website for information about how to make a report to child protection.

<http://www.dhs.vic.gov.au/for-individuals/children,-families-and-young-people/child-protection/about-child-abuse/how-to-make-a-report-to-child-protection>

For more information on the Child Safety Standards, please see

<http://www.vrqa.vic.gov.au/childsafe>

## **Appendix A: Child Safety Code of Conduct**

### **CODE OF CONDUCT FOR EMPLOYEES, VOLUNTEERS AND CONTRACTORS WORKING WITH CHILDREN AND YOUNG PEOPLE**

Employees, School Council members and Volunteers and Contractors are required to abide by this Code.

#### **Acceptable behaviours**

Adhere to the Eskdale Primary School's child safe policy at all times.

Take all reasonable steps to protect children from abuse.

Treat everyone in the school community with respect.

Listen and respond 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.

Promote 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).

Promote the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination).

Promote the safety, participation and empowerment of children with a disability (for example, during personal care activities).

Ensure as far as practicable that adults are not alone with a child.

Maintain the same high standards of conduct and behaviour online as would be expected in a physical/school environment.

Report any allegations of child abuse to the school's leadership (or child safety officer if the school has appointed someone to this role).

Understand and comply with all reporting obligations as they relate to mandatory reporting and reporting under the *Crimes Act 1958*.

Report 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.

Report 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 behaviours**

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 (perceived or real).

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 or sexual innuendo).

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 age, gender, race, culture, vulnerability, sexuality, ethnicity or disability.

Photograph or video a child without the consent of the parent or guardians.

Work with children whilst under the influence of alcohol or illegal drugs.

### **The Victorian Teaching Profession Code of Conduct**

Teaching staff within Eskdale Primary School are also bound by the Victorian Teaching Profession Code of Conduct. The Code of Conduct has been developed for and by the Victorian teaching profession. It identifies a set of principles, which describe the professional conduct, personal conduct and professional competence expected of a teacher by their colleagues and the community.

### **What happens if you breach this Code of Conduct?**

If you breach this Code of Conduct you will face disciplinary action, including and up to termination of employment or cessation of engagement with the school.

By observing these standards you acknowledge that your responsibility to immediately report any breach of this code to your Schools Child Safety Officer (s) or the Principal.

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

I have read and understood the Child Safety Policy and I agree to adhere to this Code of Conduct.

Name: .....

Signature: ..... Date: .....











