

## **CHILD SAFETY POLICY - March 2021**

(Child Safe Standard 3)

### **Our commitment to child safety**

Lalor East Primary School is committed to child safety. 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 robust policies and procedures. We meet our legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.

Lalor East Primary School is committed to preventing child abuse and identifying risks early, and removing and reducing these risks. We have robust human resources and recruitment practices for all staff and volunteers. Our school is committed to regularly training and educating our staff and volunteers on child abuse risks. 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 a culturally and linguistically diverse backgrounds, and to providing a safe environment for children with disabilities and vulnerable children. Lalor East Primary School has specific policies, procedures and training in places that support our leadership team, staff and volunteers to achieve these commitments.

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

### **Our children**

This policy is intended to empower children who are vital and active participants at Lalor East Primary School. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

We promote diversity and tolerance in our organisation, and people from all walks of life and cultural backgrounds are welcome. In particular we:

- promote the cultural safety, participation and empowerment of Aboriginal children
- promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds
- promote the cultural safety, participation and empowerment of vulnerable children
- ensure that children with a disability are safe and can participate equally

### **Our staff and volunteers**

This policy guides our staff and volunteers on how to behave with children in our organisation.

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. All staff and volunteers, as well as children and their families, are given the opportunity to contribute to the development of the code of conduct.

## Training and supervision

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

Our organisational 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. We train our staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We also support our 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 they understand Lalor East 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 this organisation's code of conduct to understand appropriate behaviour further). 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.

## Recruitment

We take 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. Lalor East Primary School understands that when recruiting staff and volunteers we have ethical as well as legislative obligations. **We actively encourage applications from Aboriginal peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability.**

All people engaged in child-related work, including volunteers, are required to hold a Working with Children Check and to provide evidence of this Check. Please see the [Working with Children Check](http://www.workingwithchildren.vic.gov.au) website <[www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au)> for further information

We carry out reference checks and require proof of police record checks where applicable to ensure that we are recruiting the right people. Police record checks are used only for the purposes of recruitment and are discarded after the recruitment process is complete. We do retain our own records (but not the actual criminal record) if an applicant's criminal history affected our decision making process.

If during the recruitment process a person's records indicate a criminal history then the person will be given the opportunity to provide further information and context.

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<sup>1</sup>, 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.

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<sup>1</sup> Lalor East Primary School Incident Report Form

## Privacy

All personal information considered or recorded will respect 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 practices 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

Lalor East 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.<sup>2</sup>
- **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.<sup>3</sup>
- Any personnel who are **mandatory reporters** must comply with their duties.<sup>4</sup>

## Risk management

In Victoria, organisations are required to protect children when a risk is identified (see information about failure to protect above). 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 include 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 on social media).

## Regular review

This policy will be reviewed every two years and following significant incidents if they occur. We will ensure that families and children have the opportunity to contribute. Where possible we do our best to work with local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

## Allegations, concerns and complaints

Lalor East Primary School takes all allegations seriously and has practices in place to investigate thoroughly and quickly. 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.

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<sup>2</sup> A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed.

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

<sup>3</sup> 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) <[www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence)>.

<sup>4</sup> Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse. 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/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first) <[www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first)>.

We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place (see information about failure to disclose above).

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<sup>5</sup>
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour

### **Evaluation**

This policy is a registration requirement for the Victorian Curriculum Assessment Authority and a requirement of the Department of Education and Training under *Ministerial Order No 870*.

This policy will be reviewed every year as part of the school policy review cycle, following changes to Departmental legislation and guidelines or at times that the Principal forms the opinion that the policy warrants a review.

**Ratified by School Council:**  
**Due for Review:**

23 March 2021  
March 2022

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<sup>5</sup> For example behaviour, please see **An Overview of the Victorian child safe standards:**  
<[www.dhs.vic.gov.au/\\_\\_data/assets/word\\_doc/0005/955598/Child-safe-standards\\_overview.doc](http://www.dhs.vic.gov.au/__data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc)>

## GLOSSARY OF TERMS

Term	Definition
<b>The Act</b>	<i>Child Safety and Wellbeing Act 2005</i>
<b>Aboriginal child</b>	A person under the age of 18 who: <ul style="list-style-type: none"> <li>• is of Aboriginal or Torres Strait Islander descent</li> <li>• identifies as Aboriginal or Torres Strait Islander, and</li> <li>• is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community</li> </ul>
<b>Child abuse</b>	For the purposes of these standards, abuse constitutes any act committed against a child involving: <ul style="list-style-type: none"> <li>• physical violence</li> <li>• sexual offences</li> <li>• serious emotional or psychological abuse</li> <li>• serious neglect</li> </ul> Further explanation of these types of abuse is provided in the section 'What is child abuse?'
<b>Children from culturally and/or linguistically diverse backgrounds</b>	A child or young person who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents' identification on a similar basis.
<b>Child</b>	A person who is under the age of 18 years.
<b>Child safety</b>	In the context of the child safe standards, child safety means measures to protect children from abuse.
<b>Child safe organisation</b>	In the context of the child safe standards, a child safe organisation is one that meets the child safe standards by proactively taking measures to protect children from abuse.
<b>Cultural competency</b>	A set of congruent behaviours, attitudes and policies that come together in a system, agency or among professionals that enable them to work effectively in cross-cultural situations.
<b>Cultural abuse</b>	Actions and attitudes that deliberately ignore, denigrate or attack the culture of a person or community.
<b>Cultural safety for Aboriginal children</b>	The positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity. A culturally safe environment does not ignore, challenge or deny cultural identity. Cultural safety upholds the rights of Aboriginal children to: <ul style="list-style-type: none"> <li>• identify as Aboriginal without fear of retribution or questioning</li> <li>• have an education that strengthens their culture and identity</li> <li>• maintain connections to their land and country</li> <li>• maintain their strong kinship ties and social obligations</li> <li>• be taught their cultural heritage by their Elders</li> <li>• receive information in a culturally sensitive, relevant and accessible manner</li> <li>• be involved in services that are culturally respectful</li> </ul>

<b>Cultural safety for children from culturally and/or linguistically diverse backgrounds</b>	<p>An environment which is spiritually, socially and emotionally safe, as well as physically safe for children; where there is no assault, challenge or denial of their cultural or linguistic identity, of who they are and what they need. Efforts need to be made to ensure the culturally and/or linguistically diverse children and their families receive information in a culturally sensitive, relevant and accessible manner, including in relevant community languages.</p>
<b>Children with a disability</b>	<p>A disability can be any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities. A disability can occur at any time in life. Children can be born with a disability or acquire a disability suddenly through an injury or illness. Some disabilities may be obvious while others are hidden.</p>
<b>Organisation</b>	<p>The <i>Child Safety and Wellbeing Act 2005</i> (the Act) will provide that the standards apply to 'applicable entities', which are defined in the Act as:</p> <ul style="list-style-type: none"> <li>• an incorporated body or association</li> <li>• an unincorporated body or association (however structured)</li> <li>• an individual who carries on a business and engages contractors, employees or volunteers to assist in the business in providing services or facilities</li> </ul>