



**ST. LEONARDS
PRIMARY
SCHOOL**
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Child Safe Standards Policy

St. Leonards Primary School is a child-safe place!

We have seven standards to prove it.

Standard 1: Child safety is everything to us. A school without safe children is no school at all!

Standard 2: We walk the talk. Read our policy here!

Standard 3: We have a code of conduct that all adults working here have signed.

Read it here!

Standard 4: We carefully choose the best staff, we train them well and we keep bettering ourselves to keep you safe.

Standard 5: If something goes wrong, we will not waste any time in helping you and your fellow students.

Standard 6: We keep looking around to minimise and prevent any risks to your safety.

Standard 7: We teach you ways to grow and thrive and improve in your learning and in your relationships with others. We believe in the importance of your voice. Everyone has a say!

Ratified by School Council on July 31st 2017

Other school Policies that relate to our Child Safe Standards are:

Student Wellbeing Policy

Students Engagement Policy

Bullying and Cyber Bullying Policy

Mental Health and Well Being Policy

Mandatory Reporting Policy

Duty of Care Policy

Safe Environments Policy

Good Leadership and Governance in a Child Safe School

(Child Safe Standard 1)

Leadership in a child safe environment

Working with children can be very rewarding, and it brings additional responsibilities.

St. Leonards Primary School will act to protect children from abuse and build an environment where children feel respected, valued and encouraged to reach their full potential. We do this by providing a culture of child safety, embedded throughout our school so that child safety is part of everyone's everyday practice and thinking. This culture has been achieved through the proactive leadership in demonstrating the values of Respect, Responsibility and Safety, attitudes and behaviours of SLPS.

Our child safe environment is the product of a range of strategies and initiatives. At SLPS, we foster a culture of openness, inclusiveness and awareness. Children and adults are made aware of what to do if they observe or are subject to abuse or inappropriate behaviour.

All staff and volunteers must consider the safety of all children, and recognise the importance of cultural safety for Aboriginal children, cultural safety for children from culturally and linguistically diverse backgrounds, and the safety of children with a disability.

Governance in a child safe environment

Leadership at SLPS must take a preventative, proactive and participatory approach to child safety issues. The safety and wellbeing of children in our school is of paramount consideration when developing activities, policies and management practices.

Leadership responsibilities

Leadership at SLPS is responsible for embedding a culture of child safety, including the use of tools provided by the Education Department. The leadership team takes the lead in protecting children from abuse and is aware of child abuse allegations and risks and take responsibility for ensuring an appropriate response.

SLPS will ensure that all allegations of child abuse and child safety concerns are treated very seriously. This includes complying with all legal requirements, including reporting suspicions of child abuse to police and/or child protection.

Identify and analyse risk of abuse

The school must adopt an approach to prevent, detect and respond to child abuse risks. This includes a risk management strategy and policy that sets out how your organisation identifies, assess, and takes steps to reduce or remove child abuse risks.

Please note: The Department of Health and Human Services provides risk management tools for school use.

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

In its commitment to Child Safe Standards, St. Leonards Primary School has:

Developed a child safe policy

This child safe policy outlines our commitment to promoting children's wellbeing and protecting children from abuse.

Developed codes of conduct

SLPS has developed a code of conduct which specifies the standards of conduct and care for teachers and parents/carers. SLPS also has a specific Code of Conduct for students.

Teachers are regulated by the Victorian Institute of Teaching VIT under the Victorian Teaching Profession Code of Conduct.

Chosen suitable employees and volunteers

St. Leonards Primary School takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children. This includes:

- Selection Criteria in job descriptions where required.
- Police record and identity checks
- Working with Children Checks where required
- Face-to-face interviews
- Detailed reference checks from previous employers, including from the applicant's most recent line manager.

All volunteers are required to have a current Working with Children Check and at all times will work under the direct supervision of a DET employee.

Supported, trained, supervised and enhanced performance

St. Leonards Primary School ensures that volunteers and employees who work with children have ongoing supervision, support and training so that their performance is developed and enhanced to help protect children from abuse.

In particular, leadership, managers and a child safety officer/champion (if instituted) need to understand their responsibilities. Our child safety officer (the Principal) at SLPS who has knowledge of child safety issues, will be a point of contact for others who have questions or concerns or want to report an allegation of abuse.

Promoted Inclusion

St. Leonards Primary School is inclusive to all children and families. In particular a culture that supports:

- cultural safety for Aboriginal children, for example by working in partnership with Aboriginal peoples and Aboriginal community controlled organisations
- cultural safety for children from culturally and/or linguistically diverse backgrounds, for example by using inclusive language and images in policy documents, and communications such as the website and newsletters

- the safety of children with a disability, for example by ensuring that SLPS is accessible to everyone and ensuring appropriate training and supervision of staff and volunteers working with children with a disability.

Empower and promote the participation of children in decision-making

St. Leonards Primary School promotes the involvement and participation of children in developing and maintaining child safe environments. SLPS provides opportunities for children to express their views on the Student Code of Conduct, and then incorporate this feedback to improve your policies and practices. Ideas from children are sought through the Student Leadership Team, focus groups and feedback sessions.

SLPS endeavours to listen to children and take them seriously, particularly if they are disclosing abuse or concerns for their safety or the safety of other children.

Commitment to Child Safety Policy

Child Safe Standard 2

Our Commitment to Child Safety

St. Leonards Primary School is committed to child safety. At SLPS our mission is to develop future capable learners who will become great adults. Our values are Respect, Responsibility and Safety.

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.

We have 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 have legal and moral obligations to contact authorities when we are worried about a child's safety.

SLPS is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.

SLPS is committed to regularly training and educating our staff and volunteers on child abuse risks.

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/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.

We have specific policies, procedures and training in place 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.

Aims

For Our Children

This policy is intended to empower children who are vital and active participants in our organisation. 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
- ensure that children with a disability are safe and can participate equally.

For 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.

Implementation

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 our organisation'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. Our 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 website <www.workingwithchildren.vic.gov.au> for further information and the schools' Working with Children Policy.

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

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

Our organisation 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.

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).

Allegations, concerns and complaints

Our organisation 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.

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
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.

Evaluation

This policy will be reviewed as part of the four year cycle. 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.

Ratified by School Council:

Review date: July 2017



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Child Safe Code of Conduct

Child Safe Standard 3

All staff, volunteers and board members of St. Leonards PS are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children, as noted below.

All personnel of St. Leonards PS are responsible for supporting the safety, participation, wellbeing and empowerment of children by:

- adhering to St. Leonards PS child safe policy at all times / upholding St. Leonards statement of commitment to child safety at all time
- taking all reasonable steps to protect children from abuse
- treating everyone 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 and/or are worried about their safety or the safety of another
- promoting the cultural safety, participation and empowerment of Aboriginal children (for example, by never questioning an Aboriginal 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 left alone with a child
- reporting any allegations of child abuse the Principal / leadership / teacher in charge, and ensure any allegation to reported to the police or child protection
- reporting any child safety concerns to the Principal / leadership / teacher in charge
- if an allegation of child abuse is made, ensure as quickly as possible that the child(ren) are safe
- encouraging children to 'have a say' and participate in all relevant organisational activities where possible, especially on issues that are important to them.

Staff and volunteers must not:

- 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. Sitting on laps could be appropriate sometime, for example while reading a storybook to a small child in an open plan area)
- put children at risk of abuse (for example, by locking doors)
- 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 our child safety officer'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 e-newsletters)
- ignore or disregard any suspected or disclosed child abuse.

By observing these standards you acknowledge your responsibility to immediately report any breach of this code to Principal/ leadership/ teacher in charge.

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

I agree to adhere to this Code of Conduct:

Name:

Signature:

Date:

Staff, Students, Volunteers, Parents, Carers Code of Conduct

Child Safe Standard 3

St. Leonards Primary 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 which 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 behaviours 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 St. Leonards Primary 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 and school leaders of St. Leonards Primary 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 behaviour:

- 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:
- upholding the school's statement of commitment to child safety at all times and adhering to the school's child safe policy
- treating students and families in the school community 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 students, 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 students

- promoting the cultural safety, participation and empowerment of students with culturally and/or linguistically diverse backgrounds
- promoting the safety, participation and empowerment of students with a disability
- reporting any allegations of child abuse or other child safety concerns to the school's leadership and/or child safety officer
- understanding and complying with all reporting or disclosure obligations (including mandatory reporting) as they relate to protecting children from harm or abuse
- If child abuse is suspected, ensuring as quickly as possible that the student(s) are safe and protected from harm.

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 or amount to 'grooming' behaviour
 - exhibit behaviours or engage in activities 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.
 - in the school environment or at other school events where students are present, consume alcohol contrary to school policy¹ or take illicit drugs under any circumstance.
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Human Resources Practices

Child Safe Standard 4

Overview

It is important for schools to have strong human resource practices to help protect children from abuse. At St. Leonards Primary School we foster a culture of openness and inclusiveness as well as being aware that people who may wish to harm children could target schools. We believe that robust human resource practices are a good way of reducing these risks. Human resource practices include the recruitment, training and supervision of all personnel. To achieve this, we provide opportunities for employees and volunteers to develop and maintain skills to ensure child safety. This will support staff and volunteers to understand the importance of child safety and wellbeing and enable them to consistently follow child safety policies and procedures. St. Leonards Primary School reinforces our commitment to child safety by recognising the good work and practices of employees and volunteers in keeping children safe and protected.

Child Safety Officer (Principal)

Employees and volunteers are supported through the appointment of an individual child safety officer with specified 'child safe' duties in their job description including being the designated person to hear or be informed about all allegations or concerns and providing support to other personnel. This will assist in ensuring that child safety is prioritised and that any allegations or abuse or safety concerns are recorded and responded to consistently and in line with DET legal requirements and policies and procedures. The designated child safety officer also provides a single contact for children, parents and employees/volunteers to seek advice and support regarding the safety and wellbeing of children associated with the organisation.

Training and Induction

Training and education is an important tool to help people understand that child safety is everyone's responsibility. St. Leonards Primary School's employees and volunteers (in addition to parents/guardians and children) are supported to discuss child protection issues and to detect signs of potential child abuse. Staff will receive induction and ongoing mandatory reporting training. New staff will be provided support and information when they begin their new role and existing staff provided support to develop new skills and knowledge to meet the requirements of their positions and expand their career options. We believe that training and support promotes an awareness of the appropriate standards of

care required to be met by employees and volunteers to ensure that St. Leonards Primary School meets its duty of care when providing services to children.

Employees and volunteers working with children will receive training in the following areas:

- St. Leonards Primary School's policies and procedures (including the Code of Conduct and Child Safe Policy)
- Legislative requirements such as obligations to report child abuse, reduce or remove known risks of child abuse and to hold Working With Children Checks where required
- How to handle a disclosure or suspicion of abuse, including reporting guidelines
- Cultural awareness training.

Training can be formal such as:

- DET online training modules
- Higher education training and accreditation
- Training offered by external organisations
- Training developed and delivered internally
- On the job training meeting key objectives

Training can also be informal such as:

- Inviting other professionals to speak at meetings or functions
- Inviting local aboriginal elders, aboriginal community controlled organisations and community members to speak at meetings and events
- Inviting local culturally and or linguistically diverse community members to speak at meetings and events
- Internal monitoring and coaching

Supervision

Supervision of employees and volunteers is managed in a way that protects children from abuse and improves accountability and performance without being onerous or heavy handed. As a matter of good practice new employees and volunteers are supervised regularly to ensure they understand their role and learn skills as well as to check that their behaviour towards children is appropriate. Any warning signs should be reported through appropriate channels including the St. Leonards Primary School internal reporting procedures such as the child safety officer and leadership, DHHS or police if a child is believed to be at imminent risk.

Code of Conduct and disciplinary procedures

Disciplinary procedures are accessible and transparent and clearly demonstrate the consequences of breaches of the code of conduct. These procedures will be used if an allegation of child abuse is made or a breach of the code of conduct is known or suspected. Employees and volunteers will be made aware of reporting and disciplinary procedures and how to communicate concerns regarding the improper behaviour of any person within St. Leonards Primary School. Members of our school will also be made aware of their duty to raise concerns about the behaviour of any person who may present a risk of child abuse without fear of repercussions. Our Code of Conduct is publicly available. Children and their families will be encouraged to raise any concerns about the behaviour of any person and can expect to be listened to and supported. St. Leonards Primary School's disciplinary procedures clearly outline what employees or volunteers should do if they are concerned that their actions or words have been misunderstood or they believe that their concerns have not been investigated in a timely manner.

Procedures for responding to and reporting allegations of suspected child abuse

Child Safe Standard 5

Rationale:

All children have a right to feel safe and to be safe. In schools we have a legal and moral responsibility to respond to serious incidences involving abuse and neglect of the children with whom we have contact and to report instances that we believe involve physical abuse, sexual abuse or neglect. School staff have a duty of care to protect the safety, health and wellbeing of children in their care. If a staff member has concerns about the safety, health and wellbeing of children in their care they should take immediate action.

Aim:

To ensure that children's rights to be safe are maintained and each child is protected against physical and sexual abuse and neglect.

Implementation:

- All members of the teaching service are mandated by law to report signs or risks of harm, disclosures of abuse or neglect or a reasonable belief a student is subjected to sexual abuse or physical harm.
- Mandatory reporters who believe on reasonable grounds that a child or young person is in need of protection from physical injury or sexual abuse must report their concerns to DHHS Child Protection.
- All other staff members who form a belief on reasonable grounds that a child or young person: is in need of protection, should report their concerns via the Principal; is displaying sexual abusive behaviours and is in need of therapeutic treatment should report their concerns to DHHS Child Protection.
- If staff have significant concerns for the wellbeing of a child or young person they should report their concerns to DHHS Child Protection or Child FIRST.
- In cases where staff have concerns about a child or young person they should also discuss their concerns with the Principal or Child Safety Officer.
- New staff will be informed of mandatory reporting responsibilities and procedures as part of their induction procedure.
- Staff will be reminded of mandatory responsibilities annually.
- All concerns must be reported immediately to the Principal (Child Safety Officer) or in their absence the teacher in charge.

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- The Principal will keep a record of all discussions about a student with whom there is a concern.
 - If a belief has been formed by a staff member that a mandatory report must be made, a written report must be completed and filed in the Principal's office.
 - The teacher and/or Principal class officer will contact DHHS by telephone as soon as possible to make an official notification – **(03) 52264540 Geelong – or after school hours crisis line 131278 – Barwon South Western 1800075599**
 - Members of DHHS or associated support or intervention services that visit the school following a notification will interview staff and children only in the presence of a Principal class member or his/her nominee.
 - All reports and subsequent discussions and information are to be recorded and remain strictly confidential.
 - All incidents are to be monitored and any subsequent signs or indications or abuse are also to be reported.
 - While only mandated by law to report incidents of physical and sexual abuse and neglect, teachers are also encouraged to report incidents of emotional abuse or emotional neglect.
 - Students who disclose to staff a desire to harm themselves or others must be reported by staff to the Principal.
 - Legal Obligations – see “PROTECT – Identifying and Responding to all forms of Abuse in Victorian Schools” @ http://www.education.vic.gov.au/Documents/about/programs/health/protect/ChildSafeStandard5_SchoolsGuide.pdf

Reporting criminal child sexual abuse – failure to disclose offence:

Any staff member who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 must disclose that information to police. Failure to disclose the information to police is a criminal offence except in limited circumstances such as where the information has already been reported to DHHS Child Protection.

Procedures when an allegation of child abuse is made

Child Safe Standard 5

To be read in conjunction with Mandatory Reporting Policy and procedures. The following provides for step by step procedures to follow with the child if the situation arises at school.

If a child discloses an incident of abuse to you:

- Try and separate them from other children discreetly and listen to them carefully.
- Let the child use their own words to explain what has occurred.
- Reassure the child that you take what they are saying seriously and it is not their fault and that they are doing the right thing.
- Explain to them that this information may need to be shared with others such as with their parent/carer, specific people in your organisation, or the police.
- Do not make promises to the child such as promising not to tell anyone about the incident except that you will do your best to keep them safe.
- Do not leave the child in a distressed state. If they seem at ease in your company stay with them.
- Complete the incident report with the child.
- As soon as possible after the disclosure record the information using the child's words and report the disclosure to your principal or the organisations child safety officer, police or child protection.
- Ensure the disclosure is recorded accurately and the record is stored securely.

If a parent/carer says their child has been abused at school or raises a concern:

- Explain that the school has processes to ensure all abuse allegations are taken very seriously.
- Ask about the wellbeing of the child.
- Allow the parent/caregiver to talk through the incident in their own words.
- Advise the parent/caregiver that you will take notes during the discussion to capture all details.
- Explain to them the information may need to be repeated to authorities or others such as the principal and or child safety officer, the police or child protection.
- Do not make promises at this early stage except that you will do your best to keep the child safe.
- Provide them with an incident report form to complete or complete it together.
- Ask them what action they would like to take and advise them of what the immediate next steps will be.
- Ensure the report is recorded accurately and that the record is stored securely.

You need to be aware that some people from culturally and or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police and communicating in English may be a barrier for some. You need to be sensitive to these issues and meet people's needs where possible such as having an interpreter present (could be a friend or family member).

If an allegation of abuse involves an Aboriginal child you will need to ensure a culturally appropriate response. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community controlled organisations to review policies and procedures.

Some children with a disability may experience barriers disclosing an incident. For example children with hearing or cognitive impairments may need support to help them explain the incident including through sign language interpreters. Advice on communicating with people with disability can be found on the DHHS website.

Legal responsibilities

While the child safe standards focus on organisations, every adult who reasonably believes that child has been abused whether in school or not, has an obligation to report that belief to authorities.

The ***failure to disclose*** criminal offence requires all adults (aged 18 and over) who hold a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 to disclose that information to police (unless they have a reasonable excuse not to for example because they fear for their safety or the safety of another).

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

While failure to disclose only covers child sexual abuse all adults should report other forms of child abuse to authorities. Failure to disclose does not change mandatory reporting responsibilities.

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 DHHS website for information about how to make a report to child protection.

The failure to protect criminal offence (commenced on 1 July 2015) applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult

associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and has the power or responsibility to reduce or remove the risk but negligently failed to do so.

Duty Of Care Policies and Procedures

Child Safe Standard 6

Background:

All government school staff will be made aware of their legal responsibilities. As part of the government school principal contract, government school principals are required to plan, implement and monitor arrangements to ensure the safety, security and wellbeing of students. Creating safe places for children to fully and actively participate in the life of the community benefits everyone. St. Leonards Primary School ensures the children in its care are protected to the best of its ability and in line with their duty of care and the compulsory Child Care standards. These Child Safe standards are compulsory for all organisations providing services to children and aim to drive cultural change in organisations so that protecting all children from abuse is embedded in the everyday thinking and practice of leaders, staff and volunteers. They will assist the organisations to:

- Prevent child abuse
- Encourage reporting of any abuse that does occur
- Improve responses to any allegations of child abuse

The Child Safe Standards also strongly promote the safety of Aboriginal children; children from culturally and/or linguistically diverse backgrounds and the safety of children with a disability.

Definition:

Whenever a student-teacher relationship exists, the teacher has a special duty of care. This is defined as: "A teacher is to take such measures as are reasonable in the circumstances to protect a student under the teacher's charge from risks of injury that the teacher should reasonably have foreseen". (Richards v State of Victoria (1969) VR 136 at p. 141) As part of that duty, teachers are required to supervise students adequately. This requires not only protection from known hazards, but also protection from those that could arise (that is, those that the teacher should reasonably foresee) and against which preventative measures could be taken.

Schools normally satisfy the duty of care by allocating responsibilities to different staff. For example, the principal is responsible for making and administering such arrangements for

supervision as are necessary according to the circumstances in each school and teachers are responsible for carrying out their assigned supervisory duties in a way that students are as far as can be reasonably expected, protected from injury. This duty extends to intervention in single sex areas if need be by a teacher of the other gender.

Rationale:

In addition to their professional obligations, principals and teachers have a legal duty to take reasonable steps to protect students in their charge from risks of injury that are reasonably foreseeable.

Aims:

To ensure that staff have an understanding of their duty of care to students and behave in a manner that does not compromise these legal obligations.

Implementation:

Although the general duty is to take reasonable steps to protect students from reasonably foreseeable risks of injury, specific (but not exhaustive) requirements of the duty involving providing adequate supervision in the school or on school activities as well as providing safe and suitable buildings, grounds and equipment.

A teacher's duty of care is not confined to the geographic areas of the school or to school activities or to activities occurring outside the school where a student is acting on a teacher's instructions. The duty also applies to situations before and after school where a teacher can be deemed to have "assumed" the teacher pupil relationship. Apart from mandatory reporting requirements, a teacher has a concurrent duty of care to protect a student from harm that is reasonably foreseeable. A breach of this duty may lead to legal action being taken against the individual teacher or teachers concerned. A breach of this duty of care will be established if a teacher or principal failed to take immediate and positive steps after having acquired actual knowledge or formed a belief that there is a risk that a child is being abused or neglected, including sexual abuse.

The teacher's duty of care is greater than that of the ordinary citizen in that a teacher is obliged to protect a student from reasonably foreseeable harm or to assist an injured student while the ordinary citizen does not have a legal obligation to respond.

Staff members are also cautioned against giving advice on matters that they are not professionally competent to give (negligent advice). Advice is to be limited to areas within a teacher's own professional competence and given in situations arising from a role (leader of an area, unit) specified for them by the principal.

Teachers must ensure that the advice they give is correct and where appropriate in line with the most recent available statements from institutions employers. Teachers should not give advice in areas outside those related to their role where they may lack expertise.

Risks to students outside the school environment

Legal cases establish that a teacher's duty of care does not start nor end at precise times during the day. The approach generally taken that a teacher's duty applies irrespective whether the risk occurs in or outside the school environment. However the important issue in all cases will be whether the school took reasonable steps to protect the student from the risk.

Risk outside the school environment may sometimes call for immediate and positive steps by a school depending on the age of students, urgency and threat of injury.

All staff must follow DET guidelines when organizing an excursion, incursion or camp. All procedural steps contained in the school camping, excursions and incursions policy and procedure outlines must also be followed.

Informing Staff of the legislative liability of Duty of Care

All staff will be informed of their legal requirement via:

- A copy of this document will be provided to each member of staff at the commencement of the school year as part of the staff information package and be available on the school server.
- New staff will be informed of their Duty of Care as part of the school's Induction program
- Staff will be directed to familiarise themselves with the section Student Safety of the Victorian Government School's Policy Advisory Guide
- Staff will complete a risk assessment including duty of care when completing planning for camps, excursion and incursions
- Staff will be directed to the student wellbeing policy annually

Evaluation:

This policy will be reviewed as part of the school's review cycle

Strategies to identify and reduce the risk of abuse

Child Safe Standard 6

Description:

St. Leonards Primary School has adopted a risk management approach by identifying and considering child safety risk(s) based on a range of factors including the nature of activities undertaken with children, physical and online environments and the characteristics of children – including the cultural safety for Aboriginal children; children from culturally and/or linguistically diverse backgrounds and the safety of children with a disability. It covers both usual risks at school and risks posed by specific activities such as excursions and camps. Where risks are identified, St. Leonards Primary School institutes measures to reduce or remove them.

Rationale:

St. Leonards Primary School has an active approach to its duty of care in protecting children and has a risk management approach and a commitment to continuous improvement. Additionally implementation of a risk management approach is part of St. Leonards Primary School's recognition of its legal responsibilities to ensure the safety of children.

Implementation:

We implement this standard by:

- Ensuring clear and accessible processes for evaluating risks posed by situations and activities appropriate to St. Leonards Primary School, its size and resources, physical and online environments and the characteristics of its children.
- Recording and communicating clear processes for removing risks to children.
- Providing staff with training in identifying child abuse risks.
- Engaging methods for continual improvement in how risks are managed including policy review and staff training.
- Ensuring supervision requirements for staff and volunteers who work with children.
- Instituting processes for periodic review of risk management approaches and or processes and following any incidents.
- Recognising and adapting to the needs of particular children and communities including Aboriginal children, culturally and or linguistically diverse children and children with a disability.
- Recognising and addressing risks to Aboriginal children which might exist because of their experiences.
- Recognising and addressing risks to children with a culturally and or linguistically diverse background which might exist because of their experiences.

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- Recognising and addressing risks to children with a disability.
 - Having a Child Safety Officer (Principal) for staff to raise concerns and get advice.
 - Including statements about shared responsibility for management of risks in position statements.
 - Having a consistent risk management approach across the school.
 - Including discussion about apparent risks in staff meetings.

Successful implementation of this standard will mean:

- Situational risks are considered and understood by all staff.
- Steps are put in place to reduce risks where possible.
- Risk management approaches are regularly reflected on and improved.
- Specific risks to Aboriginal children are identified, assessed and mitigated.
- Specific risks to children from a culturally and or linguistically diverse background are identified, assessed and mitigated.
- Specific risks to children with a disability are identified, assessed and mitigated.

Strategies to promote the participation and empowerment of children

Child Safe Standard 7

Description

St. Leonards Primary School ensures children feel safe and comfortable in reporting concerns or allegations of abuse. We have accessible processes that help children understand what to do if they want to report an abuse, inappropriate behaviour or concerns for their safety. All staff at St. Leonards Primary School will have an awareness of children's rights and adult's responsibilities regarding child abuse.

Rationale

Children often do not report abuse because they feel uncomfortable or they do not know how to raise their concerns or allegations of abuse.

St. Leonards Primary School will implement this standard by:

Providing children with child appropriate (age appropriate) and accessible information about their rights to make decisions about their body and their privacy and how they can raise concerns.

- Ensuring information, processes and services for reporting concerns are accessible to all children including Aboriginal children, culturally and or linguistically diverse children and children with a disability.
- Gather feedback through surveys and focus groups from children about their feelings of safety.
- Enabling children to express their views and make suggestions on what child safety means to them.
- Train staff on methods for empowering children and encouraging their participation and decision making contributions
- Raising awareness of children's rights through the newsletter, website and other communication channels.