

## 1. Introduction and Child Safety Commitment

**This Child Protection Manual is designed to assist staff, parents, volunteers, and contractors in dealing with issues associated with the protection and safety of children within Village School.**

**Village School is committed to being a child safe organisation and entrenching a child safe culture into our procedures and processes to ensure that all children who attend the school are safe at all times.**

**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. Village school is committed to the cultural safety of Aboriginal children and those from culturally and/or linguistically diverse backgrounds and to providing a safe environment for children with a disability.**

**Village school has zero tolerance for child abuse. All staff employed at Village School is responsible for the protection of the children within their care and to report information about suspected child abuse.**

## 2. History of Child Safe Standards

### 2.1 United Nations Convention on the Rights of the Child

The basis of the development of universal child safe procedures is the right that are outlined in the United Nations Convention on the Rights of the Child “CROC”. CROC specifically recognises that children have a right to be protected from physical and mental harm and neglect and to be able to enjoy the full range of human rights – civil, cultural, economic, political and social rights.

### 2.2 The Charter of Human Rights

Victoria’s charter of human rights and responsibilities “the Charter” outlines the basic human rights of all people. Charter of Human Rights and Responsibilities Act 2006 (Vic)

### 2.3 The Betrayal of Trust Report

The Victorian Government initiated an inquiry into the handling of child abuse within religious and other non- government organisations. The inquiry’s final report “Betrayal of Trust” made a number of recommendations that have been acted on by the Victorian Government. They included

- Creating Child Safe organisations – mandatory child safe standards and a reportable conduct scheme. The standards are compulsory for all organisations working with children. The proposed reportable conduct scheme will require centralised reporting of abuse allegations to an oversight body

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- Criminal Law – offences relating to grooming, failure to protect and failure to disclose
- Civil Law reform – removal on the time limit on legal action. Legislation has removed the previous 12year timeframe in which victims (including family members) needed to have commenced civil legal action for damages due to wrongful death (brought by dependants of a deceased victim) or personal injury resulting from child abuse. This reform applies to both past and future cases of child abuse.

## 2.4 The Royal Commission into Institutional Responses to Child Sexual Abuse

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) has investigated how institutions or organisations, such as, schools, churches, sports clubs and government organisations, have responded to allegations and instances of child sex abuse.

## 2.5 Victorian Child Safe Standards

The Betrayal of Trust report provided 15 recommendations, this included the introduction of the Child Safe Standards in Victoria, to ensure child safe environments in organisations that work with children.

The Victorian government introduced the compulsory minimum standards that apply to all organisations that provide services for children to help protect children from abuse. The Victorian Education Minister issued a Ministerial Order No. 870 that required all Victorian non-government schools to comply with the Ministerial Order as a requirement of registration.

The Victorian Registration and Qualification Authority “VRQA” provided a Child Safe readiness Tool that allowed Village School to assess their current level of readiness to comply with the new requirements.

To comply with the compulsory Child Safe Standards, Village School must include the following principles as part of each standard:

- Promoting the cultural safety of Aboriginal children
- Promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds
- Promoting the safety of children with a disability

In order to create and maintain a child safe organisation, Village School must have:

- ✓ Strategies to embed an organisational culture of child safety, through effective leadership arrangements,
- ✓ A Child Safe Policy
- ✓ A Code of Conduct that establishes clear expectations for appropriate behaviour with children,
- ✓ Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel,
- ✓ Processes for responding to and reporting suspected child abuse,
- ✓ Strategies to identify and reduce or remove risks of child abuse,
- ✓ Strategies to promote the participation and empowerment of children

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### 3. DIVERSITY and CHILD SAFETY

Village School respects the cultural diversity in families and their beliefs. Cultural Diversity refers to people who identify with particular groups based on their birthplace, ethnicity, language, values, beliefs or views.

Respecting diversity aims to:

- Value and respect people's beliefs
- Build responsive relationships
- Communicate openly and honestly
- Exam our personal ideas, customs and beliefs
- Respect that the beliefs of one person may not be the same as another
- Acknowledge and respect that others can hold different beliefs of equal significance

#### 3.1 Cultural safety of Aboriginal Children

Village School respects cultural differences and variations in child rearing practices due to a family's personal, cultural or religious beliefs. Aboriginal children need to feel that their sense of self and their identity is valued in some way by the people and environment that embrace them.

Village School is respectful of Aboriginal culture and this is practiced by

- ✓ Acknowledging the Traditional Owners at each assembly
- ✓ Aboriginal art is featured around the school
- ✓ Maintaining a bush tucker garden
- ✓ Taking part in the annual Sorry Day ceremony at Ringwood Federation Estate
- ✓ From time to time working with indigenous performers, learning dance, songs, language and some cultural practices.

#### 3.2 Cultural safety of children from culturally and/or linguistically diverse backgrounds

The Child Safe Standards require organisations to consider cultural safety of culturally and/or linguistically diverse children across the implementation of all the standards.

Village School will promote the cultural safety of children from culturally and/or linguistically diverse backgrounds by:

- Ensuring the school clearly demonstrates a zero tolerance to discrimination
- Recognising times of importance to different cultures
- Being respectful, inclusive and welcoming of families from a array of backgrounds
- Employing staff that are representative of the local community
- Actively seeking out and talking to families with regard to how they would like to be involved
- Enquiring about the best way to provide information to children and families

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### 3.3 Safety of children with a disability

The Child Safe Standards require Village School to consider the safety of children with a disability across the implementation of all standards.

Village School acknowledges that people with a disability have the same rights and responsibilities as other members of the community and to be empowered to exercise those rights and responsibilities.

Education providers must comply with the Disability Standards for Education 2005 “the Standards” under the Disability Discrimination Act 1992 (Cth) “the Act”. The Standards give students, and prospective students with a disability, the right to education and training opportunities on the same basis as students without a disability.

Village School can promote the safety of children with a disability by:

- Acknowledging that children with a disability are particularly vulnerable and ensure the school’s risk assessment processes consider their needs,
- Ensuring the environment does not pose access difficulties,
- Being responsive to families regarding specific measures that may be required to ensure the safe participation of a child with a disability,
- Ensuring the school clearly demonstrates a zero tolerance to discrimination,
- The school actively welcomes all children,
- Supporting staff, other children and their families to understand and be inclusive of people with a disability
- Encourage participation and feedback from children with a disability and their families.

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## 4. CHILD SAFE STANDARDS

### 4.1 Standard 1 - Strategies to embed an organisational culture of child safety, including through effective leadership arrangements

#### 4.1.1 Obligation

**Village School Board has the responsibility to embed a culture of child safety and ensure that policies and procedures demonstrate zero tolerance of child abuse in the School.**

Village School is committed to child safety and is expected that all staff, volunteers, contractors will support the school in achieving this objective.

In response to the ministerial Order 870 the school has:

- ✓ Developed and Introduced a Child Safe Policy
- ✓ Developed and Introduced Child Safe Code of Conduct
- ✓ Revised and Improved the School's Recruitment and Induction process
- ✓ Delivered Child Safety Staff training
- ✓ Conducted a Child Safe Risk Assessment "Attachment 1 – Child Safe Risk Assessment"
- ✓ Developed and Implemented a Child Safe Action Plan "Attachment 2 – Child Safe Action Plan"
- ✓ Assigned roles and responsibilities for achieving the strategies

Village School's Child Safe Policy outlines the key roles and responsibilities for achieving the Child Safe Strategies. Nevertheless the school has assigned specific responsibilities for key aspects of the Child Safe Strategy.

These specific responsibilities are:

The Principal of Village School is responsible for:

- a) Dealing with and investigating reports of child abuse;
- b) Ensuring that all staff, contractors, and volunteers are aware of relevant laws, organizational policies and procedures, and the organization's Code of Conduct;
- c) Ensuring that all adults within the Village School community are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures;
- d) 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);
- e) Support or assist children who disclose child abuse, or are otherwise linked to suspected child abuse
- f) Providing support for staff, contractors and volunteers in undertaking their child protection responsibilities.

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**STAFF**

- a) All staff share in the responsibility for the prevention and detection of child abuse, and must:
- b) Familiarize themselves with the relevant laws, the Code of Conduct, and Village School's policy and procedures in relation to child protection, and comply with all requirements;
- c) Report any reasonable belief that a child's safety is at risk to the relevant authorities (such as the police and / or the state- based child protection service) and fulfill their obligations as mandatory reporters;
- d) Report 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 organisation); and
- e) Provide an environment that is supportive of all children's emotional and physical safety
- f) Follow the School's Child Safe Code of Conduct

**PARENTS, GUARDIANS, VOLUNTEERS, CONTRACTORS**

- a) Be aware of the School's Child Safe Policy and Child Protection and Mandatory Reporting Procedures outlined in the school's Child Protection Manual
- b) Understand their obligation to report a reasonable belief of a child sexual offence to the Principal so that a report may be made to the Police

**4.1.2** Communicate to the Village School Community regarding strategies and assigned roles and responsibilities

Village School will communicate the Child Safe Policy, the Child Safe Code of Conduct and the Child Safe Strategies through the School's newsletter and other communication channels through out the School

**4.1.3** Put the strategies into practice, and inform the school community about these practices

Village School's Child Protection Manual and Policies will be key resources for the school to communicate to the school community the strategies that are being implemented to create and develop a Child Safe culture at Village School.

**4.1.4** Review and revise strategies

The Village School Board will review the school's strategies and policies annually and conduct the Child Safe Risk assessment twice per year. This will ensure the School revises, where necessary, and maintains its commitment to a Child Safe environment.

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## 4.2 Standard 2 - A Child Safe Policy or Statement of Commitment to Child Safety

### 4.2.1 Obligation

**The school governing authority must ensure that the school has a child safety policy or statement of commitment to child safety**

Village School's Policies, Procedures and Manual provide the basis for and commitment to child safety in the School.

The School has developed a Child Safe Policy that outlines the School's commitment to Child Safety. This policy applies to all staff members, volunteers, School Board members and the School parents. In addition, the school has developed a Child Protection Manual that outline the processes for reporting concerns and allegations. It's aims are to assist everyone associated with the School in the requirements of Child Safety.

Village School's induction process ensures all new staff are taken through the School's Child Safe Policy and Manual. The Policy and Manual is published on the School website and will be provided to staff upon induction.

The Child Safety information has been endorsed by the School's Board, which represents all areas of the School.

## 4.3 Standard 3 – A code of Conduct that establishes clear expectations for appropriate behaviour with children

### 4.3.1 Obligation

**All school staff must be covered by a Code of Conduct, which addresses child safety. Schools should consider and recognise existing professional codes of conduct when developing child safety codes of conduct.**

Village School has a Child Safety Code of Conduct "Attachment 3". The Child Safety Code of Conduct was endorsed by the school board and is communicated to staff and volunteers via the school newsletter and website. In addition, the code is included in the induction process for staff and volunteers.

The school has undertaken training sessions to educate staff in the Code of Conduct and ensure they are familiar with the expectations outlined within the document.

The Village School Child Safety Code of Conduct outlines a commitment by the School to ensure all staff, volunteers and school Board members observe the child safe principles and expectations for appropriate behaviour, towards and in the company of children.

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**4.4 Standard 4 – Screening, supervision, training and other human resource practices that reduce the risks of child abuse by new and existing personnel**

**4.4.1 Obligation**

**Schools must ensure that recruitment processes are in place to manage and reduce the risk of child abuse. Also, processes must be in place to ensure that there are appropriate staff induction programs, staff professional development and staff supervision arrangements to ensure a child safe environment.**

**4.4.2 Recruitment and Selection**

a) Village school is committed to equitable and impartial recruitment standards in the selection of staff or volunteers. However, village school’s primary consideration is the safety of children. The school has developed Recruitment and Selection policies that outline the procedures the school will conduct in it recruitment of staff and volunteers.

b) Recruitment Advertising

Village School recruitment advertising will state that the School is committed to child safety. Also, this statement will be included in employment contracts.

c) Reference Checking

The school’s recruitment and selection procedures outline the school’s procedures for reference checking. Reference checking must be completed for all potential staff, before an offer of employment is made.

**4.4.3 Position Descriptions**

Village School has developed position descriptions that outline the roles and responsibilities of all positions, in particular those working closely with children. These position descriptions outline the School’s expectations that staff must provide a child safe environment.

**4.4.4 Staff Induction**

On commencement at Village School all staff must complete the School’s Induction Program. This will involve completion of the Induction checklist that covers the school’s commitment to child safety, the school’s code of conduct, and the school’s Child Safe Policy. All staff will be trained on the School’s procedures for reporting child safety concerns.

**4.4.5 Privacy**

The school information considered during background checks may include sensitive personal information. The information gathered will be treated with respect for the privacy of all individuals. All sensitive personal information will be stored in a confidential and secure manner at all times.

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**4.4.6 Compliance checks**

Village School's recruitment policies will outline the school's expectations regarding compliance checking prior to commencement

The school records details of staff compliance checks and conducts regular audits to ensure staff are compliant.

All teaching staff must be registered with the Victorian Institute of Teaching.

All non-teaching staff must provide a Working With Children Check and Police Record Check prior to commencement.

The school will keep a record of all compliance checks (ie, receipts, card numbers)

**4.4.7 Training and Professional development**

Village school will provide relevant ongoing training to staff to ensure they understand their obligations and expectations to ensure a Child Safe environment.

**4.5 Standard 5 – Processes for responding to and reporting suspected child abuse****4.5.1 Obligation**

**The school's policies and procedures for reporting and responding to suspected child abuse must enable individuals to take the appropriate course of action to protect the safety of students.**

Village School has developed this manual, which outlines the procedures for responding to allegations of suspected child abuse in accordance with the Ministerial Order and other legal obligations, including criminal offences in relation to grooming, failure to disclose and failure to report. This manual, in conjunction with the Child Safe Policy applies to all staff including outside school hours.

**4.5.2 Procedure for making a report of suspected child abuse**

The following process is designed to assist in the handling of allegations of child abuse. This process should be read in conjunction with all relevant laws, the child - safe standards and the child safety codes of conduct.

*A) What concerns should be reported?*

Concerns about the safety of children can range from an uncomfortable feeling to a direct observation or a disclosure by a child. People are encouraged to speak to someone and be proactive rather than wait until it is too late. Staff and volunteers need to be aware of their duty of care to children and of their legal responsibilities.

Examples of child safety concerns may include:

- Concerns about a physical environment that may pose a risk to children, includes health and hygiene issues,
- Inappropriate or special relationships developing between staff or volunteers and children,
- Inadequate staff –child supervision ratios,
- Breaches of the Code of Conduct, particularly if they are persistent,
- Feelings of discomfort about interactions between staff or volunteer and child,
- Suspicions or belief that children are at risks of harm,

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- Observations concerning changes in behaviour,
- Children's disclosure of abuse or harm, which must be reported to Child Protection or the Police.

*B) When should concerns be reported to the police?*

Physical or sexual abuse of children is a crime and must be reported to the police.

*C) When should concerns be reported to Child Protection?*

If someone believes, on reasonable grounds, that a child is in need of protection.

Note: anyone may make a report to child protection based on reasonable grounds.

*D) How to make a report*

To make a report of child abuse, the following is advised:

1. Contact the local child protection office as soon as possible.
2. Notify the Principal or one of the school's Child Safety Officers prior to making the report. This will enable for the school to provide support to the staff member and ensure safety of the child involved.
3. Utilise the Child Safety Incident report "Attachment 4",
4. Forward copy to the Principal or a Child Safety Officer.

*E) Mandatory Reporting*

Under the Children, Youth and Families Act 2005 Teachers and School principals are classified as mandatory reporters. These professionals are legally required to make a report to Child Protection if they form a belief on reasonable grounds that a child has suffered, significant harm as a result of physical injury or sexual abuse and the child's parents have not protected, or are unlikely to protect, the child from harm of that type.

If the report is made in good faith, then the report is not unprofessional conduct or a breach of professional ethics and the reporter cannot be held legally liable.

Confidentiality is provided in the Children, Youth and Families Act, and prevents disclosure of the name or any information likely to lead to the identification of a person who has made a report in accordance with legislation, except in very specific circumstances.

### 4.5.3 Criminal Offences

*A) Grooming for sexual conduct with a child under the age of 16 years.*

Many perpetrators of sexual offences against children purposely create relationships with victims, their families or carers in order to create a situation where abuse can occur. The grooming offence applies where a person over 18 years of age communicates, by words or conduct, online or face-to-face, with a child under the age of 16 years or with a person who has care, supervision or authority for a child, with the intention of later sexual activity with a child.

*B) Failure to disclose*

Any adult who forms a reasonable belief that, a sexual offence has been committed by an adult against a child under 16 years of age has an obligation to report that information to police, unless they have a reasonable excuse for not disclosing, or exemptions apply. Failure to disclose the information to police is a criminal offence. A reasonable belief is formed if a reasonable person in the same position would have formed the belief on the same grounds.

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C) Failure to protect

The failure to protect offence applies to people within organisations who knew of a risk of child sexual abuse by someone in the organisation and had the authority to reduce or remove the risk, but did not act to protect the child.

D) Maintain accurate and secure records

Village School maintains records of any child safety complaints, disclosures and breaches of the Code of Conduct and stores these records in accordance with security and privacy requirements.

E) Child Safety Officers

Village School has appointed the following staff to the position of Child Safety Officers:

- Ashley Penny
- Melissa Langford

**4.5.3 Reporting a Child Safety Concern**

It is imperative that Village School properly respond to any allegations of child abuse, or any misconduct, in order to protect the safety of children in our care.

**Who can report?**

A Parent, a child or staff member or Volunteer

**What to report?**

- Any child safety concerns, including:
  - disclosure of abuse or harm
  - allegations, suspicions or observations
  - breach of Code of Conduct
  - environmental safety issues

**CALL 000 IF THE CHILD IS IN IMMEDIATE DANGER**

**How to report?**

Face to Face verbal report, letter email, telephone call meeting

**Who to report to?**

Child Safety Officer or another teacher

**What happens next?**

The child safety officer or other teacher will:  
offer support to the child, the parents, the person who reports and the accused staff or volunteer initiate internal procedure to ensure the safety of the child, clarify the nature of the complaint and commence disciplinary process (if necessary)  
decide in consultation with the Principal and in accordance with legal requirements and duty of care whether the matter should/must be reported to the police of Child Protection and make report as soon as possible.

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**Outcome**

Investigation, outcome decided; relevant staff, volunteers, parents and child notified of outcome of investigation; policies, procedures updated where required

**4.6 Standard 6 – Strategies to identify and reduce or remove risks of child abuse**

**4.6.1 Obligation**

**The school governing authority must, develop, implement, monitor and evaluate risk management strategies to ensure child safety in school environments**

**4.6.2 Child Safety Action Plan**

Village school has developed a Child Safety Action Plan “Attachment 5”, which assesses our progress towards meeting the Child Safe Standards. Actions and services contained in the Child Safety Action Plan are designed specifically for the purpose of controlling or managing impending dangers. This plan has been designed to assist the school in implementing a Child Safe culture and provide a Child Safe environment

**4.6.3 Child Safe Risk Management Assessment**

Village School has a duty of care to protect all students. To ensure a Child Safe environment, Village School has developed a Child Safe Risk assessment. The School's senior Teachers will complete this assessment twice yearly. Any potential Child Safety risks will be identified and appropriate risk control methods will be implemented

**4.6.4 Risk Management Assessment for Camps, Excursions, Trips**

Village School has a Risk Management checklist Tool that must be completed prior to all Trips, Camps and Excursions. Any potential risks are identified and appropriate risk control methods are implemented to mitigate or eliminate the risk.

**4.6.5 Potential Risk to Children**

## A) Psychological abuse

- Bullying
- Threatening language
- Shaming
- Intentional ignoring and isolation (either face to face, online or via other technology)

## B) Physical Abuse

- Physical punishment
- Pushing, Shoving
- Punching, slapping, biting, kicking

## C) Unintentional / accident abuse

- Poor physical environment leading to injury
- Poor supervision
- High-risk activity
- Lack of risk mitigation strategies in place

## D) Neglect

- Lack of Supervision
- Not providing adequate nourishment
- Not providing adequate clothing or shelter
- Not meeting the specific physical or cognitive needs of children

## E) Cultural Abuse

- Lack of cultural respect
- Racial or Cultural vilification or discrimination
- Lack of support to enable a child to be aware of and express their culturally identity.

## F) Sexual Abuse

- Sexual abuse, assault and exploitation
- Grooming
- Inappropriate touching
- Inappropriate conversations of a sexual nature (either face to face, online or via other technology)
- Crossing professional boundaries

**4.6.6 Online Village School Environment**

The School recognises that children are particularly vulnerable in the online environment. They can be very trusting in what they are told, and may not yet understand how their online behaviour can harm other people. The school has developed an IT Policy that details acceptable use of technology.

The School reviews and monitors the effectiveness of the IT Policy on a regular basis and also has in place firewall protection to prevent students from accessing unsafe websites and technologies whilst at the school.

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**4.6.7 Cyber bullying**

The school recognises that there are high levels of risk to our students of cyber bullying. Cyber Bullying is using an internet service or mobile technology with the intention of harming another person.

Cyber Bullying includes:

- Abusive text and emails
- Hurtful messages, images or voices
- Imitating others online
- Excluding others online
- Nasty online gossip and chat

**4.6.8 Online Grooming**

On line grooming of children is the illegal act of adults making online contact with a child under the age of 16 with the intention of facilitating a sexual relationship. Online grooming includes:

- Asking a child inappropriate or personal questions
- Sending a child offensive, confronting or obscene content
- Asking a child to send intimate pictures or do things online that make them feel uncomfortable.

Village school staff are briefed on the potential risk of online grooming as part of the induction process and students are educated on the risks associated with online grooming

**4.6.9 Trolling**

Trolling describes a user anonymously abusing or intimidating others for fun. Trolls post inflammatory or nasty statements to watch the reactions of others.

Students are educated about the responsible use of the internet and encouraged to report any abusive or intimidating content to their parents and the Principal

**4.6.10 Emergency Management**

Village School has developed an Emergency management plan that details the way the School will respond to potential emergency situations. All staff and students are informed on the school's emergency management procedures and the School holds trial emergency scenarios. The trials are conducted to ensure staff and students know what they need to do in an emergency situation

**4.6.11 Management of Visitors/Contractors/Parents and others**

Village School has a process for the management of visitors, parents, contractors and others in the community. All must sign and out, in the visitors book at the Office.

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#### **4.7 Standard 7 – Strategies to promote the participation and empowerment of children**

##### **4.7.1 Obligation**

The school governing authority must develop strategies to deliver appropriate education about:

- **Standards of behaviour for students attending the school**
- **Healthy and respectful relationships (including sexuality)**
- **Resilience, and**
- **Child abuse awareness and prevention**

In addition, the school governing authority must promote the child safety standards required by the Ministerial Order in ways that are readily accessible, easy to understand and user friendly to children

Village school outlines expected behaviour standards in order to facilitate a respectful, inclusive and safe school environment for all students.

##### **4.7.2 Raising Awareness**

Village School raises awareness of children's rights by:

- Having discussions during homegroup meetings about Rights of the Child (UNESCO)
- Involving the children in making rules for a safe environment at Whole School Meetings
- Maintaining a school environment that encourages children to bring up issues by having daily meetings in the home groups.

##### **4.7.3 Participation of children**

Village School promotes the participation of children by:

- Having children always chairing the home group or the whole school meetings.
- Letting the children run the events at the annual whole school sleepover
- Letting the children run the school VIPP business, which involves keeping accounts and communicating the balance at special meetings.
- Empowering the children to make suggestions and vote on decisions which will impact the daily running of the school.

##### **4.7.4 Building Cultural understanding and inclusivity**

Village School builds cultural understanding and inclusivity by:

Stating the welcome to country at Whole School Meetings

Attending the annual Sorry Day Ceremony held at Ringwood Federation Estate

Maintaining a bush tucker garden during their environment/gardening activities

Engaging local indigenous performers to come and teach dance, songs, language and other cultural understandings.

**4.7.5 Raising the profile and visibility of child safe policies and practices**

Village School raises the profile and visibility of child safe policies and practices with children by:

- Homegroup teachers leading discussions in daily meetings.
- Displaying posters which state clearly every child's right to feel safe
- Having the Code of Conduct displayed at the school office

**5. Definition of Terms****5.1 Definitions**

- Child** means a person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.
- Child protection** means any responsibility, measure or activity undertaken to safeguard children from harm.
- Child abuse** means 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 to or involving 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** are 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.

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**5.2 Reasonable Belief**

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.

**5.3 Cultural and Linguistically diverse backgrounds**

Children from culturally and linguistically diverse backgrounds refers to 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 parent’s identification on a similar basis.

**5.4 Children with a disability**

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 anytime in life. Children can be born with a disability or acquire a disability suddenly through an injury or illness. Some disabilities may be more obvious than others.

**5.5 Child Safety**

Child Safety means measures to protect children from abuse.

**5.6 Child Safe Organisation**

A child Safe organisation is one that meets the child safe standards by actively taking measures to protect children from abuse.

**5.7 Cultural safety for Aboriginal children**

The positive recognition and celebration of cultures relating to aboriginal children

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## 6. Responsibility

**6.1** The Village School Principal is responsible for ensuring that this policy is adhered to and that all members of the school community aged over 18 years of age are informed of their responsibilities

**6.2** Staff, Parents, volunteers and contractors associated with Village School are responsible for ensuring the policy and this manual are relevant and effective in the care and protection of children.

## 7. Procedures for Offences

It is imperative that Village School properly respond to any allegations of child abuse, or any misconduct, in order to protect the safety of children in our care.

Different responses will be appropriate depending on the circumstances of the person making the report, and the level of risk or danger that is suspected. Reporters may include:

- A child reporting a concern about a staff member or volunteer;
- An adult “for example, a staff member or volunteer” reporting a concern about another staff member or volunteer; and
- A child or adult reporting a problem with a parent or carer; or someone else external to the School.

### 7.1 Failure to Disclose

Reporting child sexual abuse is a community wide responsibility. The failure to disclose offence imposes a clear legal duty upon all adults aged 18 years and over to report information about child sexual abuse to police.

Process - Village School follows a process whereby all staff who may form a reasonable belief that a child has been sexually abused is required to report this matter to the Principal who will report this matter to police in collaboration with the staff member.

### 7.2 Reasonable Belief

A reasonable belief or a belief on reasonable grounds is not the same as having proof but it 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.

#### 7.2.1 Process

Village School process is for staff to notify the Principal prior to making a report, so the Principal can assist the staff member through the reporting process and ensure the child’s welfare is maintained throughout the process.

An adult will not be guilty of an offence if they do not report in the following circumstances:

- The victim is 16 years of age or older and does not have an intellectual disability that limits their capacity to make an informed decision, and they do not want the information reported to police.

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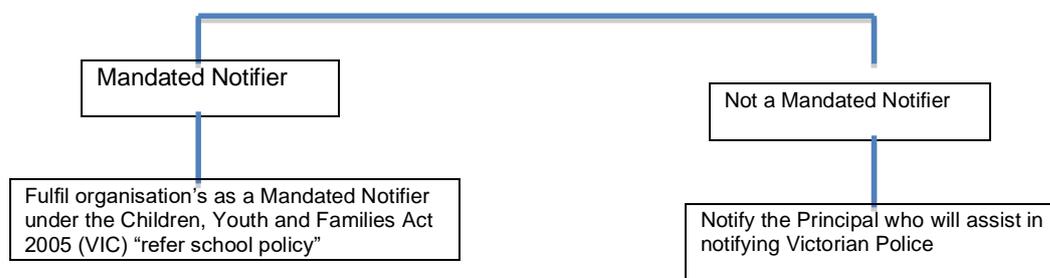
- The victim has disclosed the information in confidence in the course of a therapeutic relationship with a person as a registered medical practitioner or counsellor.
- The victim turned 16 years of age before 27 October 2014

Reasonable excuses for failing to comply with the requirement include:

- A reasonable belief that the information has already been reported to Police or DHS Child Protection disclosing all the information;
- A reasonable fear that the disclosure will place someone (other than the alleged perpetrator) at risk of harm.

### 7.2.2 Notification Requirements

An adult aged 18 or over forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 years of age



A person in the school may have a mandatory reporting obligation under the Children, Youth and families Act 2005 (VIC). The acts obligation requires Principals, Teachers (including pre service and visiting teachers) to report concerns about child welfare to child protection authorities within the Department of Human Services (DHS)

DHA passes all allegations of child abuse to Police, so it will be a reasonable excuse for not reporting to Police if a person has made a report to DHS or reasonably believes a report has been made to DHS.

### 7.3 Grooming

Section 498 of the Crimes Act 1958 (Vic) relates to the offence of Grooming for sexual conduct with a child under the age of 16 years. The offence targets predatory conduct designed to facilitate later sexual activity. The offence can be committed by any person aged 18 years or over.

### 7.3.1 Process

Step 1 - Should any member of the school community aged 18 and over become aware of grooming behaviour by a person aged 18 years or over, they should notify the Principal.

Step 2 - The Principal will ensure that the Police are notified immediately. It is the responsibility of the Principal and/or others associated with the School with authority or responsibility, to take action upon becoming aware of grooming behaviour to protect (so as to reduce or remove a substantial risk) in accordance with the Failure to protect offence. "see 7.4 below"

#### Step 1

Any member of the school community aged 18 years or over forms a reasonable belief that Grooming is taking place

#### Step 2

Member of School community notifies the Principal and the Police are notified

#### Step 3

Take steps to protect the child including reduction or removal of risk

#### Step 4

Subject to guidance from the Police, follow the School policies on investigations

## 7.4 Failure to Protect

A person associated with the school, who by reason of their position has the power or responsibility to reduce or remove a substantial risk that a child will become a victim of a sexual offence committed by an adult associated with the School, must not negligently fail to reduce or remove the risk.

That is, as soon as a person in authority becomes aware of a risk of child sexual abuse, they will be under a duty to take steps to remove or reduce that risk

### 7.4.1 Process

When informed of a substantial risk of criminal sexual abuse to a child in the school from an adult aged 18 or over associated with the school, the Principal will act to reduce or remove the risk. The person will be removed from any child related role pending an investigation.

#### Step 1

Person of responsibility becomes aware of risk of sexual abuse to a child in school from an adult aged 18 years or over associated with the school community

#### Step 2

Principal takes immediate action to reduce or remove the risk to the child. Such an action might include; if the adult concerned is a staff member, immediately standing that person down or otherwise removing their access to students while an investigation is conducted

#### Step 3

Notify the Police and / or other authorities

#### Step 4

Follow school policy on investigations. Seek guidance from Police

**8. Reference Documents**

Village School Policies	Agreements, Acts & Regulations
Child Protection	Crimes Act 1958 (Vic)
Child Safety Code of Conduct	Children, Youth and Families Act 2005
Child Safe Standards	Victorian Child Safe Standards
Recruitment	Privacy Act
Privacy	Ministerial Order 807
Confidentiality	Working with Children Act
OH&S	Education and Training Reform Amendment (Child Safe Schools) Act 2015 Vic
Risk Management	Crimes Amendment (Protection of Children) Act 2014 Vic