

Child Safe Environment Policy

Date Approved by Committee of Management: 18/07/2019

Date for Review: 18/07/2022

PURPOSE

Beechworth Montessori School will ensure that the children in its care are protected to the best of its ability and in line with their duty of care and compliance with the seven Child Safe Standards as specified by the *Ministerial Order No. 870 – Managing the risk of child abuse in schools* and in relation to the obligations of the Reportable Conduct Scheme established by the *Child and Wellbeing and Safety Act 2005 (Vic)*.

SCOPE

This policy applies to all school staff members, Committee of Management, volunteers, parents/guardians, contractors, students and others attending Beechworth Montessori programs and activities, as well as to all school environments, including online environments, off-site excursions and camps.

POLICY STATEMENT

Beechworth Montessori has a moral, ethical and legal responsibility to ensure that all children are safe in their care, and will provide training, resources, information and guidance to support this. Beechworth Montessori is committed to:

- ensuring that the health, safety and wellbeing of children at the service is protected at all times while also promoting their learning and development
- fulfilling its duty of care obligations under the law by protecting children from any reasonable, foreseeable risk of injury or harm
- ensuring that all staff, students and volunteers caring for children at the service act in the best interests of the child, and take all reasonable steps to ensure the child's safety and wellbeing at all times
- supporting the rights of all children to feel safe, and be safe, at all times
- developing and maintaining a culture in which children feel valued, respected and cared for
- encouraging active participation from parents/guardians and families at the service, and ensuring that best practice is based on a partnership approach with shared responsibility for children's health, safety, wellbeing and development
- ensuring that Beechworth Montessori is proactive in educating children of their individual rights by including personal safety education programs within our centre.

Beechworth Montessori is committed to zero tolerance of child abuse. We will strive to embed a culture of child safety into everyday thinking and practice as well as a continuous improvement approach to keeping children safe from child abuse.

We are inclusive and welcoming of all children and families with particular attention to:

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

Our child safety policies and procedures will adhere to:

1. The Child Safe Standards
2. Duty of Care Obligations
3. Mandatory Reporting Obligations and Criminal Offences - Failure to Disclose, Failure to Protect and Grooming.
4. Mandatory Reporting Procedures
5. Providing Ongoing Support
6. The Victorian Reportable Conduct Scheme
7. Privacy Laws and Regulations

IMPLEMENTATION

All school staff members have a moral, ethical and legal obligation and a duty of care to protect the health, safety and wellbeing of any child in our care by:

- Supporting the rights of all children to feel safe, valued, respected and empowered to participate in decisions affecting their lives.
- Encouraging active participation from parents/guardians and families, and ensuring that best practice is based on a partnership approach and shared responsibility for children's health, safety, wellbeing and development.
- Supporting school staff, parents and volunteers to identify, discuss and report suspected child abuse, neglect or mistreatment promptly to the appropriate authorities.
- Ensuring children know who to talk with if they are feeling worried or are feeling unsafe, and that they are comfortable and encouraged to raise such issues.

Beechworth Montessori has a nominated Child Safety Officer, who acts as a source of support, advice and expertise to staff on matters of child safety, in liaison with the Principal and the Child Safe representative on the Committee of Management.

1. CHILD SAFE STANDARDS

Ministerial Order No.870 sets out specific action that schools need to take to meet the child safe standards. To create and maintain a child safe school. Beechworth Montessori complies with the following standards:

- a) **Standard 1** – Good leadership and governance - strategies to embed an organisational culture of child safety and ensure that the policies and procedures demonstrate zero tolerance of child abuse in the school.
- b) **Standard 2** - A child safety policy - the school's policies and procedures provide the foundation for and commitment to child safety in the school.
- c) **Standard 3** - A child safety code of conduct – a code of conduct that establishes clear expectations for appropriate behaviour with children.
- d) **Standard 4** - School staff selection, supervision and management practices for a child-safe environment- recruitment processes are in place to manage and reduce the risk of child abuse. In addition, processes are in place to ensure that there are appropriate staff induction programs, staff professional development and staff supervision arrangements to ensure a child-safe environment.
- e) **Standard 5** - Reporting child abuse – processes and procedures for responding to and reporting suspected child abuse.
- f) **Standard 6** - Identifying and reducing or removing risks of child abuse by implementing, monitoring and evaluating risk management strategies to ensure child safety in the school environment.
- g) **Standard 7** - Empowering children - have processes in place to ensure that students develop appropriate knowledge and skills so that they can identify and communicate when they don't feel safe and are empowered to raise any child safety concerns.

2. DUTY OF CARE OBLIGATIONS

To fulfil our Duty of Care obligations, all school staff members:

- a) Provide a safe environment where the risk of harm is minimised and students feel physically and emotionally secure.
- b) Take reasonable measures to protect students from risks of injury that should have been reasonably foreseen.

- c) Take greater measures, as needed, for younger students and students with disabilities
- d) Provide proper arrangements for on-site supervision of students.
- e) Provide proper arrangements for off-site activities of students, including consideration of the risk of bushfire in the activity location.
- f) Ensure all staff understand mandatory reporting and the criminal offences, failure to disclose, failure to protect and grooming.
- g) Seek appropriate advice or consulting with other professional or agencies when unsure of what steps to take.
- h) Recommend on-going support including referrals to counselling and/or other appropriate support for the child.

All people engaged in child-related work with Beechworth Montessori, including volunteers, are required to hold a Working with Children Check and to provide evidence of this Check. On-going support, supervision and training is provided about child safety policies and processes including the Child Safe Code of Conduct.

3. MANDATORY REPORTING OBLIGATIONS

Mandatory reporters include:

- All educators with post-secondary qualifications in the care, education or minding of children and employed or engaged in an education and care service or a children's service.
 - All proprietors, nominees of a children's service, approved providers, and nominated supervisors of an education and care service.
 - Educators registered with the Victorian Institute of Teaching (VIT).
- a) All mandatory reporters must make a report to DHHS Child Protection as soon as practicable if they form a belief on reasonable grounds that:
 - A child has suffered or is likely to suffer significant harm as a result of physical abuse and/or sexual abuse
 - The child's parents have not protected, or are unlikely to protect, the child from harm of that type.
 - c) It is a criminal offence not to report these circumstances.
 - **Failure to disclose:** All adults (not just professionals who work with children) 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 this information to the police.
 - **Failure to protect:** People of authority in our school will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
 - **Grooming:** Grooming refers to predatory conduct undertaken to prepare a child for sexual activity at a later time. It may involve communication, in person or electronically, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvement in sexual conduct either with the groomer or another adult. There may be no sexual activity or even discussion of sexual activity.
 - d) All members of our school community must ensure fulfilling all legal obligations to:
 - protect any child under their care from foreseeable harm (not just staff who are classified as mandatory reporters).
 - respond to any reasonable suspicion that a child has been or is at risk of being abused by following the *Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse* to ensure fulfilling all legal obligations, used in conjunction with *Responding to Suspected Child Abuse Template for Victorian Schools*.

4. PROCEDURE FOR MAKING A REPORT

- a) **If you believe a child is at immediate risk of harm/abuse call 000 for urgent medical and or police assistance.**
- Continue to follow the Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse.
 - You must use the *Responding to Suspected Child Abuse: Template for Victorian Schools* to keep clear and comprehensive notes. The template is located on the Staff Drive in Child Safe Folder under Standard 5, or in the Child Safety Standards Folder in each classroom.
- b) If you have formed a belief that a child is at significant risk of harm/abuse:
- Refer to *A Step by Step Guide to Making a Report to Child Protection or Child FIRST*.
 - Notify and discuss with Child Safety Officer and/or Principal, who will assist you to complete the *BMS Child Safe Incident Report*, located on the Staff Drive in Child Safe Folder under Standard 5, or in the Child Safety Standards Folder in each classroom.
- c) If you believe that a child is not subject to abuse, but you still hold significant concerns for their wellbeing:
- Refer to *A Step by Step Guide to Making a Report to Child Protection or Child FIRST*.
 - Notify and discuss with Child Safety Officer and/or Principal, who will assist you to complete the *BMS Child Safe Incident Report*, located on the Staff Drive in Child Safe Folder under Standard 5, or in the Child Safety Standards Folder in each classroom.
- d) For all incidents:
- Continue ongoing documentation of the case using the *BMS Child Safe Monitoring Record Template* located on the Staff Drive in the Child Safe Folder under Standard 5. Download the *BMS Child Safe Monitoring Record Template* to your personal drive to complete.
 - 4 – 6 weeks after the incident complete a *Process of Review* with Child Safety Officer and/or Principal.

All documentation and case notes are filed in a locked filing cabinet in Principal's office and electronic copies are stored on the Principal drive.

5. PROCEDURE FOR PROVIDING ONGOING SUPPORT

The Principal is responsible for managing the school's response to incidents, disclosures and suspicions of child abuse. The Principal also has a critical role in supporting students impacted by abuse and a duty of care to ensure that the students feel safe and supported at school. To provide ongoing support for a child impacted by abuse the Principal must:

- a) Engage allied health and well-being professionals to meet the needs of the child impacted by abuse. Refer to Child FIRST 1800 705 211 who conducts the initial assessment and refers to appropriate services, agencies and programs.
- b) Convene a Student Support group including Child Safety Officer, teacher and where appropriate the student and/or their parent/carer, to plan on-going monitoring, support and follow up of the child's health and wellbeing.
- c) Implement and review a Student Support Plan in partnership with allied health workers and external support agencies and where appropriate with students and their parents/carers at a school level.
- d) Ensure students are supported during interviews at school conducted by Victoria Police or DHHS Child Protection including responding to subpoenas to attend court.
- e) Provide developmentally and culturally appropriate support, taking into account the diversity of all children including children with disabilities, Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, students with refugee backgrounds and international students.

- f) Provide and ensure ongoing support for other impacted children.
- g) Provide and ensure ongoing support to any impacted staff members.
- h) Respond to complaints or concerns about the school staff's management of an incident, in particular by parents/carers.

6. THE REPORTABLE CONDUCT SCHEME

The Principal is responsible for notifying the Commission for Children and Young People about allegations of child abuse and child related misconduct made against their employees, volunteers or contractors. The Approved Provider, in regards to an allegation concerning Early Years could also notify the Commission. The Principal/Approved Provider will follow the document, Guidance for Organisations, Investigating a Reportable Conduct Allegation Commission for Children and Young People Version 1.0 June 2018.

7. PRIVACY AND INFORMATION SHARING

School staff members may be permitted to share with other staff members certain information about a child who has been impacted (or is suspected to have been impacted) by abuse in order to enable staff to best support and protect that child. The Principal must consult with DHHS Child Protection or Victoria Police to determine what information can be shared with staff, parents/carers.

CONTACT INFORMATION

Call 000 for urgent medical and or police assistance.

CHILD FIRST: To make a referral, contact our local Child FIRST provider: Indigo 1800 705 211

DHHS CHILD PROTECTION: Child Protection, please use the Intake Unit number: 1300 360 391

For all other enquires, contact the appropriate regional office.

Benalla (03) 5761 1222

Wangaratta (03) 5722 0555

Wodonga (03) 6055 7777

CHILD PROTECTION CRISIS LINE (24 hours 7 days) 131 278

LOCAL POLICE 03 5728 1032

INDEPENDENT SCHOOLS VICTORIA 03 9825 7200

DEFINITIONS

Child abuse: For the purpose of the child safe standards, abuse constitutes any act committed against a child involving:

- Physical violence committed against, with, or in the presence of a child
- Sexual misconduct committed against, with, or in the presence of a child
- Sexual offences committed against, with, or in the presence of a child
- Any behavior that cause significant emotional or psychological harm
- Significant neglect of a child

Child FIRST: Child FIRST provides a central referral point to a range of community-based family services and other supports.

Child safety: In the context of the child safe standards, child safety means measures to protect children from abuse.

DHHS Child Protection: The Victorian Child Protection Service is specifically targeted to those children and young people at risk of harm or where families are unable or unwilling to protect them.

RESOURCES

- A Step by Step Guide to Making a Report to Child Protection or Child FIRST.
- The Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse to ensure fulfilling all legal obligations.
- PROTECT Identifying and Responding to All Forms of Abuse in Victorian Schools
- PROTECT Responding to Suspected Child Abuse Template for Victorian Schools
- PROTECT Identifying and Responding to Student Sexual Offending
- PROTECT Responding to Student Sexual Offending Principal Checklist
- Betrayal of Trust Fact Sheet Failure to Disclose
- Betrayal of Trust Fact Sheet Failure to Protect
- Betrayal of Trust Fact Sheet Grooming Offence
- Guidance for Organisations Investigating a Reportable Conduct Allegation, Commission for Children and Young People, Version 1.0 June 2018

LEGISLATIVE REFERENCES

- *Child Wellbeing and Safety Act 2005 (Vic)*
- *Children, Youth and Families Act 2005 (Vic)*
- *Crimes Act 1958 (Vic)*
- *Privacy Act 1988 (Cth)*
- *Privacy and Data Protection Act 2014*
- *Working with Children Act 2005 (Vic)*

SUPPORTING SCHOOL DOCUMENTS

- Beechworth Montessori School, Child Safe Code of Conduct
- Beechworth Montessori School (BMS), Child Safe Incident Report
- Beechworth Montessori School (BMS), Child Safe Monitoring Record Template
- Child Safety Code of Conduct

RELATED POLICIES

- Child Safety Working with Children Checks
- Duty of Care Policy
- Supervision of Children and Yard Duty
- Interactions with Children
- Risk Management
- Delivery and Collection of Children
- Safe Sleep and Rest Practices
- Hazardous Substances and Dangerous Goods
- Health, Hygiene and Safe Food Practices