



WESTGROVE PRIMARY SCHOOL NO. 5365

CHILD SAFE POLICY

At Westgrove Primary School we hold the care, safety and wellbeing of children as a central and fundamental responsibility of our school. Our commitment is drawn from our School Vision and Values statements as outlined in our Student Engagement and Inclusion Policy.

Purpose of the Policy

The purpose of this policy is to demonstrate the strong commitment of Westgrove Primary School to the care, safety and wellbeing of all students at our school. It provides an outline of the policies, procedures and strategies developed to keep students safe from harm, including all forms of abuse in our school environment, on campus, online and in other locations provided by the school.

This policy takes into account relevant legislative requirements within the state of Victoria, including the specific requirements of the Victorian Child Safe Standards as set out in [Ministerial Order No. 870](#).

This policy applies to school staff, including school employees, volunteers and contractors.

Principles

State schools have a moral and legal responsibility to create nurturing school environments where children are respected, their voices are heard and they are safe and feel safe.

The following principles underpin our commitment to child safety at Westgrove Primary School.

- All students deserve, as a fundamental right, safety and protection from all forms of abuse and neglect.
- Our school works in partnership with families and the community to ensure that they are engaged in decision-making processes, particularly those that have an impact on child safety and protection.
- All students have the right to a thorough and systematic education in all aspects of personal safety, in partnership with their parents/guardians/caregivers.
- All adults in our school, including teaching and non-teaching staff, volunteers and contractors as well as the broader school community have a responsibility to care for children, to positively promote their wellbeing and to protect them from any kind of harm or abuse.
- The policies, guidelines and codes of conduct for the care, wellbeing and protection of students are based on honest, respectful and trusting relationships between adults and children.
- Policies and practices demonstrate compliance with legislative requirements and cooperation with governments, the police and human services agencies.

- All persons involved in situations where harm is suspected or disclosed must be treated with sensitivity, dignity and respect.
- Staff, volunteers, contractors, parents/guardians and students should feel free to raise concerns about child safety, knowing these will be taken seriously by school leadership.
- Appropriate confidentiality will be maintained, with information being provided to those who have a right or a need to be informed, either legally or pastorally.

Definitions used in this Policy

Child: A child or a young person enrolled as a student at the school.

Child abuse includes:

- (a) any act committed against a child involving:
 - (i) a sexual offence
 - (ii) an offence under section 49B(2) of the **Crimes Act 1958** (grooming)
- (b) the infliction, on a child, of:
 - (i) physical violence
 - (ii) serious emotional or psychological harm
- (c) serious neglect of a child. ([Ministerial Order No. 870](#))

Child safety encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse. ([Ministerial Order No. 870](#))

Child neglect: The failure by a parent/guardian or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing. ([Safe Schools Hub](#))

Child physical abuse: Generally, child physical abuse refers to the non-accidental use of physical force against a child that results in harm to the child. Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning. The fabrication or induction of an illness by a parent or carer (previously known as Munchausen syndrome by proxy) is also considered physically abusive behaviour. ([Safe Schools Hub](#))

Child protection: Statutory services designed to protect children who are at risk of serious harm. ([Safe Schools Hub](#))

Child sexual abuse: Any sexual activity between a child under the age of consent (16) and an adult or older person (i.e. a person five or more years older than the victim) is child sexual abuse.

Child sexual abuse can also be:

- any sexual behaviour between a child and an adult in a position of power or authority over them (e.g. a teacher); the age of consent laws do not apply in such

instances due to the strong imbalance of power that exists between young people and authority figures, as well as the breaching of both personal and public trust that occurs when professional boundaries are violated

- any sexual behaviour between a child and an adult family member, regardless of issues of consent, equality or coercion
- sexual activity between peers that is non-consensual or involves the use of power or coercion
- non-consensual sexual activity between minors (e.g. a 14-year-old and an 11-year-old), or any sexual behaviour between a child and another child or adolescent who, due to their age or stage of development, is in a position of power, trust or responsibility over the victim. Sexual activity between adolescents at a similar developmental level is not considered abuse. ([Safe Schools Hub](#))

Mandatory Reporting: The legal requirement to report suspected cases of child abuse and neglect is known as mandatory reporting. Mandated persons include teachers, nurses, police, psychologists, psychiatrists and medical practitioners. ([Safe Schools Hub](#))

Reasonable Belief: When staff are concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a 'reasonable belief'. 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.

School environment means any physical or virtual place made available or authorised by the school governing authority for use by a child during or outside school hours, including:

- (a) a campus of the school
- (b) online school environments (including email and intranet systems)
- (c) other locations provided by the school for a child's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions, and other events). ([Ministerial Order No. 870](#))

School staff means an individual working in a school environment who is:

- (a) directly engaged or employed by a school governing authority
- (b) a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary) ([Ministerial Order No. 870](#))

Policy Commitments

All students enrolled at Westgrove Primary School have the right to feel safe and be safe. The wellbeing of children in our care will always be our first priority and we do not and will not tolerate child abuse. We aim to create a child-safe and child-friendly environment where children are free to enjoy life to the full without any concern for their safety. There is particular attention paid to the most vulnerable children, including Aboriginal and Torres Strait Islander

children, children from culturally and/or linguistically diverse backgrounds, and children with a disability.

Our commitment to our students

- (a) We commit to the safety and wellbeing of all children enrolled in our school.
- (b) We commit to providing children with positive and nurturing experiences.
- (c) We commit to listening to children and empowering them by taking their views seriously, and addressing any concerns that they raise with us.
- (d) We commit to taking action to ensure that children are protected from abuse or harm.
- (e) We commit to teaching children the necessary skills and knowledge to understand and maintain their personal safety and wellbeing.
- (f) We commit to seeking input and feedback from students regarding the creation of a safe school environment.

Our commitment to parents and guardians

- (a) We commit to communicating honestly and openly with parents/guardians and carers about the wellbeing and safety of their children.
- (b) We commit to engaging with, and listening to, the views of parents/guardians and carers about our child-safety practice, policies and procedures.
- (c) We commit to transparency in our decision-making with parents/guardians and carers where it will not compromise the safety of children or young people.
- (d) We commit to acknowledging the cultural diversity of students and families, and being sensitive to how this may impact on student safety issues.
- (e) We commit to continuously reviewing and improving our systems to protect children from abuse.

Our commitment to our school staff (school employees, volunteers and contractors.)

- (a) We commit to providing all Westgrove Primary School staff with the necessary support to enable them to fulfil their roles. This will include regular and appropriate learning opportunities.
- (b) We commit to providing regular opportunities to clarify and confirm policy and procedures in relation to child safety, protection and wellbeing. This will include annual training in the principles and intent of the Child Safety Policy and Child Safety Code of Conduct, and staff responsibilities to report concerns.
- (c) We commit to listening to all concerns voiced by Westgrove Primary School staff, volunteers, and contractors about keeping children safe from harm.
- (d) We commit to providing opportunities for Westgrove Primary School employees, volunteers and contractors to receive formal debriefing and counselling arising from incidents of the abuse of a child or young person.

Responsibilities and Organisational Arrangements

Everyone employed or volunteering at Westgrove Primary School has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all students is at the forefront of all they do and every decision they make.

The school has allocated roles and responsibilities for child safety as follows:

School Leadership

The Principal, the School Council, School Leaders and appointed Child Safety Officer at Westgrove Primary School recognise their particular responsibility to ensure the development of preventative and proactive strategies that promote a culture of openness, awareness of and shared responsibility for child safety. Responsibilities include:

- creating an environment for children to be safe and to feel safe
- upholding high principles and standards for all staff, volunteers, and contractors
- promoting models of behaviour between adults and children based on mutual respect and consideration
- ensuring thorough and rigorous practices are applied in the recruitment, screening and ongoing professional learning of staff
- ensuring that school personnel have regular and appropriate learning to develop their knowledge of, openness to and ability to address child safety matters
- providing regular opportunities to clarify and confirm legislative obligations, policy and procedures in relation to child protection and wellbeing
- ensuring the school meets the specific requirements of the Victorian Child Safe Standards as set out in [Ministerial Order No. 870](#).

School Staff

Responsibilities of school staff (school employees, volunteers and contractors) include:

- treating children with dignity and respect, acting with propriety, providing a duty of care, and protecting children in their care
- following the legislative and internal school processes in the course of their work, if they form a reasonable belief that a child has been or is being abused or neglected
- providing a physically and psychologically safe environment where the wellbeing of children is nurtured
- undertaking regular training and education in order to understand their individual responsibilities in relation to child safety and the wellbeing of children
- assisting children to develop positive, responsible and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse
- following the school's Child Safety Code of Conduct.

Expectation of our School Staff – *Child Safety Code of Conduct*

At Westgrove Primary School, we expect school employees, volunteers and contractors to proactively ensure the safety of students at all times and to take appropriate action if there are concerns about the safety of any child at the school. All school staff must remain familiar with the relevant laws, the code of conduct, and policies and procedures in relation to child protection and to comply with all requirements. We have developed a Child Safety Code of Conduct, which recognises the critical role that school staff play in protecting the students in our care and establishes clear

expectations of school employees, volunteers and contractors for appropriate behaviour with children in order to safeguard them against abuse and or neglect.

Our Code also protects school staff through clarification of acceptable and unacceptable behaviour.

Student Safety and Participation

At Westgrove Primary School, we actively encourage all students to openly express their views and feel comfortable about giving voice to the things that are important to them.

We teach students about what they can do if they feel unsafe and enable them to understand, identify, discuss and report on child safety. We listen to and act on any concerns students, or their parents/guardians or carers, raise with us.

Our Student Engagement and Inclusion Policy articulates the school practices and processes to access Student Wellbeing staff and programs, as well as a Student Code of Conduct.

Our Curriculum has embedded the School Wide Positive Behaviour Support Program, and students have access to a range of targeted programs that cover aspects of child safety i.e. annual incursion promoting healthy respectful relationships.

Reporting and Responding

Our school records any child safety complaints, disclosures or breaches of the Child Safety Code of Conduct, and stores the records in accordance with security and privacy requirements. Our school complies with legal obligations that relate to managing the risk of child abuse under the *Children, Youth and Families Act 2005* (Vic.), the *Crimes Act 1958* (Vic.) and the recommendations of the [Betrayal of Trust](#) report.

Child protection reporting obligations fall under separate pieces of legislation with differing reporting requirements.

Our school's **Child Protection – Reporting Policy** sets out the actions required under the relevant legislation when there is a reasonable belief that a child at our school is in need of protection or a criminal offence has been committed, and provides guidance and procedures on how to make a report.

Our policy assists staff, volunteers and families to:

- identify the indicators of a child who may be in need of protection
- understand how a 'reasonable belief' is formed
- make a report of a child or young person who may be in need of protection
- comply with mandatory reporting obligations under child protection law and their legal obligations relating to criminal child abuse and grooming under criminal law.

Our school has also established internal processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a student.

Screening and Recruitment of School Staff

Westgrove Primary School, will apply thorough and rigorous screening processes in the recruitment of employees, contractors and volunteers involved in child-connected work.

When recruiting and selecting employees, contractors and volunteers involved in child-connected work, we make all reasonable efforts to:

- confirm the applicant's Working with Children Check and National Police Check status and/or professional registration (as relevant)
- obtain proof of personal identity and any professional or other qualifications
- verify the applicant's history of work involving children
- obtain references that address the applicant's suitability for the job and working with children.

We have processes for monitoring and assessing the continuing suitability of school staff to work with children, including regular reviews of the status of Working with Children Checks and staff professional registration requirements such as Victorian Institute of Teaching (VIT) registration.

Child Safety – Education and Training for School Staff

Westgrove Primary School, provides employees and volunteers with regular and appropriate opportunities to develop their knowledge of, openness to and ability to address child safety matters. This includes induction, ongoing training and professional learning to ensure that everyone understands their professional and legal obligations and responsibilities, and the procedures for reporting suspicion of child abuse and neglect.

All staff involved in child connected work undertake a rigorous induction program. This involves being made aware of policies and codes of conduct that relate to their role, including the Child Safety Policy.

All teaching staff are required to complete the online Mandatory Reporting Module, and completion of these modules are checked regularly. Professional Development on Student Wellbeing and Safety is embedded in our Professional Development program.

Risk Management

At Westgrove Primary School we are committed to proactively and systematically identifying and assessing risks to student safety across our whole school environment, and reducing or eliminating (where possible) all potential sources of harm. We document, implement, monitor and periodically review our risk management strategies for child safety and ensure that the strategies change as needed and as new risks arise.

Relevant Legislation

- *Children, Youth and Families Act 2005* (Vic.)
- *Working with Children Act 2005* (Vic.)
- *Education and Training Reform Act 2006* (Vic.)
- *Equal Opportunity Act 2010* (Vic.)
- *Crimes Act 1958* (Vic.) – Three new criminal offences have been introduced under this Act:

- a) **Failure to disclose offence**: Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.
- b) **Failure to protect offence**: The offence will apply 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 have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- i) **Grooming offence**: This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails.

Department of Education Related Policies

- [Recruitment in schools](#)
- [Child Protection – Reporting Obligations](#)
- [Police and DHHS Interview Protocols](#)
- [Parent Complaints](#)
- [Ministerial Order 199](#)
- [Ministerial Order 870](#)
- [Duty of Care](#)
- [Risk Management](#)
- [Responding to Student Sexual Assault](#)

Appendices and related School Policies

- Child Safe Code of Conduct
- Child Safety Officer/Leader Guidelines
- Child Protection – Reporting Policy
- Student Engagement and Inclusion Policy
- eSmart policy
- Bullying and Harassment Policy

Breach of Policy

Where an employee is suspected of breaching any obligation, duty or responsibility within this Policy, Westgrove Primary School may start the process under Misconduct and Unsatisfactory Performance guidelines for managing employment concerns. This may result in disciplinary consequences.

Where the Principal is suspected of breaching any obligation, duty or responsibility within this policy, the concerned party is advised to contact the Regional Director. Relevant notification should also be made to the Department of Education and Training.

Where any other member of the school community is suspected of breaching any obligation, duty or responsibility within this policy, the school is to take appropriate action, including but not limited to:

- Contacting Department of Education (Conduct and Ethics Branch and Legal Branch)
- Contacting Department of Health and Human Services (DHHS).
- Contacting Victoria Police

Review of this Child Safety Policy

At Westgrove Primary School we are committed to continuous improvement of our child safety systems and practices. We intend this policy to be a dynamic document that will be regularly reviewed to ensure it is working in practice and updated to accommodate changes in legislation or circumstance.

References

Responding to allegations of student sexual assault:

www.education.vic.gov.au/school/principals/spag/safety/Pages/sexualassault.aspx#1

Government Schools Website:

www.education.vic.gov.au/childhood/providers/regulation/Pages/childsafestandards

Safe Schools Hub 2014, [National Safe Schools Framework Glossary](#), Australian Government Department of Education and Training.

State of Victoria 2016, [Child Safe Standards](#) – *Managing the Risk of Child Abuse in Schools: Ministerial Order No. 870*, Education & Training Reform Act 2006, Victorian Government Gazette No. S2.

Victorian Government Department of Justice 2016, [Betrayal of Trust Implementation](#).

Victorian Institute of Teaching For Victorian Teaching Profession Codes of Conduct and Ethics and information about employee responsibilities to report action against registered teachers in response to allegations and concerns about registered teachers.

Website: www.vit.edu.au

Evaluation:

This Policy was last ratified by School Council on: 15th May 2018

This Policy will be reviewed annually or where necessary due to changes in regulations or circumstances.



WESTGROVE PRIMARY SCHOOL

Child Safe Code of Conduct

All staff, volunteers, contractors and the school governing authority of Westgrove Primary School are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children including Aboriginal children, children from culturally and/or linguistically diverse backgrounds and children with a disability, as noted below.

All personnel of Westgrove Primary School are responsible for supporting the safety, participation, wellbeing and empowerment of children by:

- upholding the Westgrove Primary School Child Safe Policy at all times
- 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 to the Westgrove Primary School Child Safety Officer / leadership, and ensure any allegation is reported to the police or child protection
- reporting any child safety concerns to the Westgrove Primary School Child Safety Officer / leadership
- 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.

All personnel of Westgrove Primary School 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 or tutoring). 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), refer to the School Employee Social Media Policy
- 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 Westgrove Primary School Principal Class Officers.

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:



WESTGROVE PRIMARY SCHOOL

Child Safety Officer/Leader Guidelines

A school leader for child safety should have sufficient status and authority, including leadership support and the ability to direct other staff (where appropriate), to undertake the role effectively

Role and Responsibilities include;

Provide authoritative advice

- Act as a source of support, advice and expertise to staff on matters of child safety.
- Liaise with the principal and school leaders to maintain the visibility of child safety.
- Lead the development of the school's child safety culture, including being a child safety champion and providing coordination in communicating, implementing, monitoring, enhancing and reporting on strategies to embed a culture of child safety.

Raise awareness

- Ensure the school's policies are known and used appropriately.
- Ensure the school's child safety policy is reviewed in the context of school self-evaluation undertaken as part of the school accountability framework.
- Ensure the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school in this.
- Be alert to the specific needs of children in need, those with special educational needs and young carers.
- Encourage among all staff a culture of listening to children and taking account of their wishes and feelings in any measures to protect them.

Train

- Being authoritative in providing advice by:
 - keeping their skills up to date with appropriate training carried out every two years
 - having a working knowledge of how the Department of Health and Human Services (DHHS) and Community Service Organisations conduct a child protection case conference to be able to attend and contribute to these effectively when required to do so.
- Be able to keep detailed, accurate, secure written records of concerns and referrals.
- Ensure each member of staff has access to and understands the school's child safety policy and procedures, especially new and part time staff.
- Make sure staff are aware of training opportunities and the latest DHHS and DET policies and guidance.