



*Newcomb Secondary College*

# **Child Safe Standards Policy**

*Date of policy: December 2016*

*Date of next major review: December 2017*

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## 1. Introduction

**Newcomb Secondary College** serves a diverse student population, which contributes to the vitality of our college community. Being a college for 12-19 year-old students, all students have entered the college from another educational setting bringing a variety of complex backgrounds and circumstances. The school attracts a substantial number of students with a history of disengagement and literacy and numeracy skills well below the expected level. The school as a Student Family Occupation (SFO) index of 0.5775 (having ceased SEDA enrolments in 2016 it anticipated that this figure will be significantly higher in 2017).

At **Newcomb Secondary College** we hold the care, safety and wellbeing of children and young people as a central and fundamental responsibility of our school. Our commitment is drawn from our vision and values which combine to create a safe and supportive environment where every student is guided to achieve to the best of their ability.

## 2. Purpose of the Policy

The purpose of this policy is to demonstrate the strong commitment of **Newcomb Secondary College** 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.

## 3. Principles

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

**The following principles underpin our commitment to child safety at Newcomb Secondary College:**

- 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 and young people, 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 and young people.
- 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.

#### 4. Definitions used in this Policy

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

**Child abuse** includes:

- any act committed against a child involving:
  - a sexual offence
  - an offence under section 49B(2) of the **Crimes Act 1958** (grooming)
- the infliction, on a child, of:
  - physical violence
  - serious emotional or psychological harm
- 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 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](#))

## 5. Policy Commitments

All students enrolled at **Newcomb Secondary College** 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 and young people enrolled in our school.
- (b) We commit to providing children and young people with positive and nurturing experiences.
- (c) We commit to listening to children and young people 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 and young people are protected from abuse or harm.
- (e) We commit to teaching children and young people 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 and carers about the wellbeing and safety of their children.
- (b) We commit to engaging with, and listening to, the views of parents and carers about our child-safety practice, policies and procedures.
- (c) We commit to transparency in our decision-making with parents 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 **Newcomb Secondary College** 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 and young people’s 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 **Newcomb Secondary College** staff, volunteers, and contractors about keeping children and young people safe from harm.
- (d) We commit to providing opportunities for **Newcomb Secondary College** school employees, volunteers and contractors to receive formal debriefing and counselling arising from incidents of the abuse of a child or young person.

## **6. Roles and Responsibilities**

Everyone employed or volunteering at **Newcomb Secondary College** 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 formed a Child Safety Team. The team consists of:

**Leadership Team:**

- Principal: Phillip Honeywell
- Assistant Principal Yr 9-12: Liz McNamara
- Assistant Principal Yr 7-8: Shane Elevato

**Wellbeing Team:**

- Student Wellbeing Yr 10-12: Amanda Davis
- Student Wellbeing Yr 7-9: Chiara Ercoli
- Student Wellbeing Yr 7-9: Julia Western

**Student Support Team:**

- Leading Teacher Yr 7-8: Rowan Klingberg
- Student Support Yr 7-8: Matthew Amer
- Leading Teacher Yr 9-10: Rowena Goldsmith
- Student Support Yr 9-10: Glenn Unmack
- Leading Teacher Yr 11-12: James Murphy

- Student Support Yr 11-12: Jermev Sinclair

Whilst it is the responsibility of all staff and volunteers to respond to allegations and reports of child abuse, this team has an added level responsibility for overseeing the processes, practices and supports around reporting such incidents.

## 6.1 Guide to Responsibilities of School Leadership

The principal, the school governing authority and school leaders at **Newcomb Secondary College** 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 and young people 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 and young people 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 and young people's protection and wellbeing
- ensuring the school meets the specific requirements of the Victorian Child Safe Standards as set out in [Ministerial Order No. 870](#).

## 6.2 Guide to Responsibilities of School Staff

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

- treating children and young people with dignity and respect, acting with propriety, providing a duty of care, and protecting children and young people 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 or young person has been or is being abused or neglected
- providing a physically and psychologically safe environment where the wellbeing of children and young people is nurtured
- undertaking regular training and education in order to understand their individual responsibilities in relation to child safety and the wellbeing of children and young people
- assisting children and young people 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.

### **6.3 Organisational Arrangements**

See 'Roles and Responsibilities' for details child safety organisational arrangements at **Newcomb Secondary College**.

## **7. Expectation of our School Staff – Child Safety Code of Conduct**

At **Newcomb Secondary College** community, 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.

**All personal of Newcomb Secondary College are responsible for supporting the safety, participation, wellbeing and empowerment of children by:**

- Adhering to the Newcomb Secondary College Child Safe Policy at all times and upholding the College statement of commitment to child safety 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 safety, participation and empowerment of all children in our college and be supportive of children from diverse backgrounds including Aboriginal children, students with disabilities and different cultural backgrounds
- Ensuring as far as practicable that adults are not left alone with a child
- Reporting any allegations of child abuse to the College Child Safety Team - Wellbeing Team, Student Support or Principal Class – and ensuring any allegation is reported to the police or child protection
- Reporting any child safety concerns to the College Child Safety Team - Wellbeing Team, Student Support or Principal Class – and ensuring any allegation is reported to the police or child protection

- If an allegation of child abuse is made, ensure as quickly as possible that the child/ren are safe
- Engaging children to 'have a say' and participate in all relevant organisational activities where possible, especially on issues that are important to them
- Access to School Nurse

**All personal of Newcomb Secondary College 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 constructed as unnecessary physical interaction
- Put children at risk of abuse (for example, by locking doors or blocking doorways or failing to report allegations of abuse)
- Do things of a personal nature that a child can do independently, 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 team'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 including social media unless necessary for example providing families with e-newsletters, school Facebook pages, learning progress or access to the curriculum
- Ignore or disregard any suspected or disclosed child abuse

**Further to the above expectations, all teaching staff must also abide by the Victorian Teaching Profession Code of Conduct including Principle 1.5: *Teachers are always on a professional relationship with student in their school, whether at school or not.* Teachers hold a unique position of influence and trust that should not be violated or compromised. They exercise their responsibilities in ways that recognise that there are limits or boundaries to their relationships with students. Examples of a professional relationship being violated would include a teacher:**

- Having a sexual relationship with a student
- Using sexual innuendo or inappropriate language and/or material with students
- Touches a student without a valid reason
- Holds conversations of a personal nature or has contact with a student via written or electronic means including email, letters, telephone, text message or chat lines, without valid context

- Accepts gifts, which could be reasonably perceived as being used to influence them, from students or their parents

**A professional relationship may be compromised if a teacher:**

- Attends parties or socialises with students
- Invites a student or students back to their home, particularly if no-one else is present

## **8. Student Safety and Participation**

At **Newcomb Secondary College** 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 or carers, raise with us.

Practices to enhance student participation and empowerment in matters related to child safety include:

- Access to Wellbeing Team
- Access to School Nurse or Doctor
- Access to Lawyer in School
- Access to Student Support Team
- Presentations by Lawyer in School, Victoria Police Youth Resource Officer and other guests at year level assemblies or specific subjects/classes
- Curriculum initiatives

## **9. 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 policy assists staff, volunteers and families to:

- identify the indicators of a child or young person 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

At **Newcomb Secondary College**, we all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place. If an adult has a reasonable belief that an incident has occurred then they must report the incident.

Our school has established internal processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a student. When there is a reasonable belief that a child at our school is in need of protection or a criminal offence has been or may be committed, procedures to make a report include:

**If the child is at immediate risk:**

- Call '000' immediately
- Reassure the child and ensure they are safe
- Be aware of important considerations including cultural, linguistic, physical or intellectual impairments
- Let the child use their own words to describe what has or is occurring

**Anytime there is information to be reported (including after the above actions):**

- Contact a member of the Child Safety team (Wellbeing, Student Support or Leadership)
- Document a description of what happened
- Follow relevant child safety and mandatory reporting processes

**Ongoing investigation and follow-up:**

- The role of investigating an allegation of child abuse rests solely with Child Protection and/or Victoria Police
- Staff members may be asked to act as a support for the student during the investigation

## **10. Screening and Recruitment of School Staff**

**Newcomb Secondary College** will apply thorough and rigorous screening processes in the recruitment of employees and volunteers involved in child-connected work. Our commitment to child safety and our screening requirements are included in all advertisements for such employee, contractor and volunteer positions, and all applicants are provided with copies of the school's Child Safety Code of Conduct and the Child Safety Policy.

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.

## **11. Child Safety – Education and Training for School Staff**

**Newcomb Secondary College** 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 information on the Child Safety Team and practices around responding to allegations of child abuse
- ongoing presentations to staff by Wellbeing team, Student Support and Leadership
- professional Learning opportunities external to the college
- weekly student wellbeing team meetings
- monthly student support team meetings

These practices enhance the understanding of all staff about their professional and legal obligations and responsibilities, and the procedures for reporting suspicion of child abuse and neglect.

## **12. Risk Management**

At **Newcomb Secondary College**, 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. This includes risks posed by the physical environment of the college as well as online environments (for example, no staff or volunteer is to have contact with a child on social media unless the administrative responsibilities are governed by the college and is integral to the student accessing the curriculum).

## 13. 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.)
- *Privacy Act 1988* (Cth)
- *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.

## 14. Related Policies

### 14.1 Department of Education Policies

DET Policies: <http://www.education.vic.gov.au/school/principals/spag/Pages/spag.aspx>

DET Mandatory Reporting:

<http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx>

### 14.2 School Policies

- **TO BE ATTACHED**

## 15. Breach of Policy

Where an **employee** is suspected of breaching any obligation, duty or responsibility within this Policy, **Newcomb Secondary College** may start the process under Complaints, 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 contacting the Department of Education (Conduct and Ethics Branch and Legal Branch) and Department of Health and Human Services (DHHS).

## 16. Review of this Child Safety Policy

At **Newcomb Secondary College** 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.

We will maintain a history of updates to the policy with the aim of reviewing at least every two years of directly after

### History of Updates to Policy

Date	Comment (e.g. major review, minor review)

## 17. References

Responding to allegations of student sexual assault:

[www.education.vic.gov.au/school/principals/spag/safety/Pages/sexualassault.aspx#1](http://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](http://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](http://www.vit.edu.au)