Help for non-English speakers

If you need help to understand the information in this policy, please contact the main office of Nelson Park school (03) 52783620.

Nelson Park School

Child Safety Policy

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1. Introduction:

At Nelson Park School 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 of Lifelong Learners, and our mission statement - Nelson Park School is dedicated to the development of each student's intellectual, social and emotional growth. Our primary focus is to enable students to discover their strengths and develop the confidence and skills needed to fulfil their educational and personal potential, both now and into the future. This means engaging families and the wider community as learning partners in the provision of a diverse, evolving curriculum that inspires passion, supports personal growth and equips students with essential life skills. We empower students to become confident and adaptable life-long learners who are ready to build positive, purposeful futures

2. Purpose of the Policy:

The purpose of this policy is to demonstrate the strong commitment of Nelson Park 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, contractors and clergy. This policy applies to both the Libau and Illinois Campus and any differences between campuses is specified.

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 *Nelson Park 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 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:

(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 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.

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.

Child protection: Statutory services designed to protect children who are at risk of serious harm.

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.

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.

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 Nelson Park 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 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 Nelson Park 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 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 Nelson Park School staff, volunteers, and contractors about keeping children and young people safe from harm.
(d) We commit to providing opportunities for Nelson Park School employees, volunteers and contractors to receive formal debriefing and counselling arising from incidents of the abuse of a child or young person.

6. Responsibilities and Organisational Arrangements

Everyone employed or volunteering at Nelson Park School has a responsibility to understand the important and specific role he/she/they 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:

6.1 Guide to Responsibilities of School Leadership

The principal, the school governing authority and school leaders at Nelson Park 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 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.

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

At Nelson Park School 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.

8. Student Safety and Participation

At Nelson Park 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 or carers, raise with us.

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 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 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.

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.

Our complaints and disclosure processes are outlined and detailed in the following policies and procedures:

- Student Engagement and Wellbeing Policy
- Complaints Policy
- Child Protection Reporting Policy

10. Screening and Recruitment of School Staff

Nelson Park School 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

Nelson Park 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.

Our processes include:

- All new staff are provided with a copy of our Child Protection Reporting Policy.
- All staff are provided with time to complete the online DET module. http://www.elearn.com.au/det/protectingchildren/.
- A training register is kept of staff training.
- All staff are provided with the link to the VRQA Child Safe Standards website for ongoing reference. http://www.vrqa.vic.gov.au/childsafe/Pages/default.html.
- Time is allocated during Teaching & Learning meetings for professional learning in this area and to ensure that all staff are aware of their legal obligations.

12. Risk Management

At Nelson Park 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.

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

- Policy and Advisory Library
- Policy and Advisory Library: Reportable and Notifiable Conduct
- Policy and Advisory Library: Police and Child Protection Interviews
- Ministerial Order 199

14.2 School Policies

- Child Protection – Reporting Obligations
- ICT Policy
- Responsible Use of Social Media Policy
- Student Supervision Policy
- Volunteer's Policy
- Grievance and Complaints Procedures

15. Breach of Policy

Where an employee is suspected of breaching any obligation, duty or responsibility within this Policy, Nelson Park School 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 in accordance with:

Child Protection – Reporting Obligations, Complaints Policy, Working with Children Checks Policy, and/or contact 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 Nelson Park 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.

We will maintain a history of updates to the policy.

Policy last reviewed	11/11/2024
Approved by	Principal / School Council
Next scheduled review date	

17. References

- Responding to allegations of student sexual assault
  https://www2.education.vic.gov.au/pal/student-sexual-behaviours/policy

Government Schools Website: DET PROTECT resources

- 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*
- VRQA Child Safe website
- DHHS Child Safe Resources
- 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. www.vit.edu.au