



## ***Child Safe and Working with Children Checks***

### **CONTEXT**

This school has a commitment to **zero tolerance of child abuse**. We support and respect all children as well as our staff and volunteers. We are committed to the cultural safety of Aboriginal and Torres Strait Islander children, the cultural safety of children from culturally and/or linguistically diverse backgrounds, and to providing a safe **environment** for children with a disability. We want children at this school to be safe, happy and empowered. We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.

### **AIM**

- To ensure **all children** feel safe and supported at school.
- To prevent child abuse by identifying risks early, and removing and reducing these risks.
- To ensure that processes and procedures are in place to protect children from child abuse.
- To ensure that all staff (including contractors), volunteers, visitors to the school and parents/carers, understand the school's child safety guidelines and how to behave appropriately with and towards children.
- To comply with Ministerial Order No. 870 and the Child Safety Standards
- To comply with reporting obligations under child protection law and criminal law.
- To ensure child safety is a priority at Donburn Primary School. The child safety Code of Conduct and working with children check requirements aim to protect children and reduce opportunities for child abuse or harm to occur.
- It is intended to compliment child protection legislation, Department policy, school policies and procedures and professional standards, codes or ethics as these apply to staff and other personnel.
- To ensure all Donburn Primary School staff and volunteers provide a valid WWC Check in accordance with legislation and Victorian Department of Education policy.

This policy is to be ratified biannually by the Donburn Primary School as per the Department of Education guidelines.

### **STATEMENT OF COMMITMENT**

Donburn Primary School is committed to the safety and wellbeing of children and young people. The school community recognises the importance of, and a responsibility for, ensuring the school is a safe, supportive and enriching environment. We strive to respect



and foster the dignity and self-esteem of children and young people, and enable them to thrive in their learning and social and emotional development.

### IMPLEMENTATION

#### Our Children:

This policy is intended to empower children who are vital and active participants at this school. We will involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

We promote diversity and tolerance at this school, and people from all walks of life and cultural backgrounds are welcome. In particular we:

- Promote the cultural safety, participation and empowerment of Aboriginal children
- Promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds
- Ensure that children with a disability are safe and can participate equally.

#### Recruitment:

We take reasonable steps to employ skilled people to work with children. We develop selection criteria and advertisements which clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities. When recruiting staff and volunteers we are aware that we have ethical as well as legislative obligations.

We actively encourage applications from Aboriginal peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability.

#### Legal Obligations:

- All people engaged in child-connected work, including volunteers, are required to hold a **Working with Children Check** and to provide evidence of this check.
- When employing staff we carry out **reference checks** and **police record checks** to ensure that we are recruiting the right people.
- All teachers employed at this school must be registered with the Victorian Institute of Teaching.

#### Staff and Volunteers:

This policy as well as our **Child Safety Code of Conduct** guides the school's staff and volunteers on how to behave with children in our organisation. All staff and volunteers must agree to the Child Safety Code of Conduct which specifies the standards of conduct required when working with children.



### Training and Supervision:

Training and education is important to ensure that everyone in our school understands that child is everyone's responsibility. We train our staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We support our staff and volunteers through ongoing supervision to:

- Develop their skills to protect children from abuse.
- Promote the cultural safety of Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds and the safety of children with a disability.

New employees and volunteers will be supervised regularly. This is to ensure they understand the school's commitment to child safety and that everyone has a role to play in protecting children from abuse. It is also for the purpose of checking that their behaviour towards children is safe and appropriate with reference to the school's **Child Safety Code of Conduct**.

The school has protocols and procedures in place to enable all staff and volunteers as well as parents/carers and children, to raise any allegations of child abuse or child safety concerns.

Any inappropriate behaviour will be reported depending on the severity and urgency of the matter through appropriate channels which may include:

- The Department of Health and Human Services (DHHS) – Child Protection
- Victoria Police

### Fair Procedures for Personnel:

**Mandatory Reporting:** The safety and wellbeing of children is our primary concern. We are also fair and just to personnel. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based upon evidence.

We record all allegations of abuse and safety concerns using the forms:

1. Child Safety Incident Report form and/or
2. DHHS Child Protection/Police/Child FIRST Report
3. All records are securely stored.

If an allegation of abuse or a safety concern is raised, we provide updates to children and families on progress and any actions we as an organisation take.



All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, parents or children, unless there is a risk to someone's safety. The school has safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will access to it.

### Legislative responsibilities:

The school takes its legal responsibilities seriously including:

- **Failure to disclose:** Reporting child sexual abuse is a community wide responsibility. All adults 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 that information to police.
- **Failure to protect:** A person in a position of authority in an organisation will commit this 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.

### Risk Management:

In Victoria, organisations are required to protect children when a risk is identified. In addition to general occupational health and safety risks, this school proactively manages risks of abuse to children by removing and reducing these risks and follows the Child Safety Standards.

The school has risk management strategies to identify, assess and take steps to minimise child abuse risks which include risks posed by physical environments (for example doors that can lock) and online environments (for example no staff member or volunteer is to have contact with a child in organisations on social media).

The school's risk management includes:

- The **Child Safety Code of Conduct** – outlines acceptable and unacceptable behaviour with respect to child safety and child abuse. The Child Safety Code of Conduct is publically available.
- **Child Safety Officer**
- Screening as part of the staff recruitment process
- Sign in processes at the school office
- Working With Children checks, Police Record checks, reference checks
- On and off site supervision of children during recess and lunch breaks as well 15 minutes before and after school – staff carry mobile phones
- Internet Code of Conduct for students
- Teacher supervision of student internet usage and authorisation of the upload of material



- Protocols to ensure children do not move around the school individually during class time
- Out of bounds areas in the school to ensure that children are not placed at risk
- Staff and volunteer training

### **Allegations, Concerns and Complaints:**

The school culture aims for all staff and volunteers as well as parents/carers and children to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

We are aware that some people from culturally and/or linguistically diverse backgrounds may face barriers reporting allegations of abuse or that for some communication in English may be a barrier.

We will endeavour to be sensitive to these issues and meet people's needs where possible. If an allegation of abuse involves an Aboriginal child, we will endeavour to ensure a culturally appropriate response.

### **Child Abuse – 4 Critical Actions:**

**This school takes all allegations seriously** and has practices in place to respond quickly and thoroughly. Our staff have been trained to deal appropriately with allegations, as well as how to support or assist children who disclose child abuse or are otherwise linked to suspected child abuse. In such situations the school will follow actions outlined in the school's action plan '**Child Abuse – 4 Critical Actions**'.

**First and foremost, we will ensure that children are safe from harm** after which we will follow the procedures outlined in this document. This process includes making appropriate reports, following up and ensuring that children and any others involved receive appropriate support.

We work to ensure all children, families, staff and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour. Such issues can be reported to:

- The Principal
- The Child Safety Officer
- Teachers at the school

This can be done verbally. Additionally the school's **Child Safety Incident Report** should be completed and/or **DHHS Child Protection/Police/Child FIRST Report**. All information is considered confidential and written reports will be held securely.

**We all have a responsibility** to report an allegation of abuse if we have a reasonable belief that an incident took place (see information about **failure to disclose**).



**If an adult has a reasonable belief that an incident has occurred then they must report the incident.**

Factors contributing to reasonable belief may be:

- A child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
- Behaviour consistent with that of an abuse victim, is observed
- Someone else has raised a suspicion of abuse but is unwilling to report it
- Observing suspicious behaviour

### SCHOOL CODE OF CONDUCT

#### 1. General

The Principal and school leaders of Donburn Primary School will support implementation and monitoring of the following child safe Code of Conduct, and will plan, implement and monitor arrangements to provide inclusive, safe and orderly schools and other learning environments. The Principal and school leaders of Donburn Primary School will also provide information and support to enable the child safe Code of Conduct to operate effectively.

All staff, contractors, volunteers and any other members of the school community involved in child-related work are required to have a current Working with Children's Check before commencing.

All staff, contractors, volunteers and any other member of the school community involved in child-related work are required to comply with the Code of Conduct by observing the expectations for appropriate behaviour below. The Code of Conduct applies in all school situations, including school camps and in the use of digital technology and social media.

#### 2. Code of Conduct:

##### 2.1. Acceptable Behaviours

Staff, volunteers, contractors, and any other member of the school community involved in child-related work individually, are responsible for supporting and promoting the safety of children by:

- Upholding the school's statement of commitment to child safety at all times.
- Treating students and families in the school community with respect both within the school environment and outside the school environment as part of normal social and community activities.



- Listening and responding to the views and concerns of students, particularly if they are telling you that they or another child has been abused or that they are worried about their safety / the safety of another child.
- Promoting the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander students.
- Promoting the cultural safety, participation and empowerment of students with culturally and /or linguistically diverse backgrounds.
- Promoting the safety, participation and empowerment of students with a disability.
- Reporting any allegations of child abuse or other child safety concerns to the school's leadership and then following **Mandatory Reporting** procedures. (Follow reporting process detailed in: *Child Protection – Reporting obligations Policy*: <http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx> )
- Understanding and complying with all reporting or disclosure obligations (including mandatory reporting) as they relate to protecting children from harm or abuse.
- If child abuse is suspected, ensuring as quickly as possible that the student(s) are safe and protected from harm.

### 2.2. Unacceptable Behaviours

Staff, volunteers, contractors, and any other member of the school community involved in child-related work **must not**:

- **Ignore or disregard** any concerns, suspicions or disclosures of child abuse. (See forming reasonable belief & indicators of harm: *Child Protection – Reporting obligations Policy*: <http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx> )
- Develop a relationship with any student that could be seen as favouritism or amount to 'grooming' behaviour (for example, offering gifts).
- Exhibit behaviours or engage in activities with students which may be interpreted as abusive and not justified by the educational, therapeutic, or service delivery context.
- Ignore behaviours by other adults towards students when they appear to be overly familiar or inappropriate.
- Discuss content of an intimate nature or use sexual innuendo with students, except where it occurs relevantly in the context of parental guidance, delivering the education curriculum or a therapeutic setting.
- Treat a child unfavourably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity.



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- Communicate directly with a student through personal or private contact channels (including by social media, email, instant messaging, texting etc.) except where that communication is reasonable in all the circumstances, related to school work or extra-curricular activities or where there is a safety concern or other urgent matter.
- Photograph or video a child in a school environment except in accordance with school policy or where required for duty of care purposes.<sup>1</sup>
- In the school environment or at other school events where students are present, consume alcohol contrary to school policy<sup>2</sup> or take illicit drugs under any circumstances.

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<sup>1</sup> SPAG: <http://www.education.vic.gov.au/school/principals/spag/safety/pages/photoandfilm.aspx> . The policy says the school should get consent before taking and publishing photos of a student. This applies every time a photo is taken. The same policy applies for excursions and school activities.

<sup>2</sup> SPAG: <http://www.education.vic.gov.au/school/principals/spag/safety/pages/alcohol.aspx>. The policy says the school must obtain school council approval before alcohol can be consumed on school grounds or at a school activity. The policy says staff members should not consume alcohol during camps and excursions. It is silent on whether they can consume alcohol at other school events where students are present, this is a matter that the school needs to decide upon – draft text is provided in the guidance fact sheet



### **3. Working with Children Checks**

#### **3.1. General**

The 'Working with Children' (WWC) Check is a minimum checking standard set by the *Working with Children Act 2005* for those who work with children, either on a paid or voluntary basis. It checks for serious sexual, violent and drug-related offences as well as disciplinary findings of professional agencies such as the Victorian Institute of Teaching (VIT).

Donburn Primary School requires staff and volunteers to provide a valid WWC Check in accordance with legislation and Department policy. If a volunteer's occupation exempts them from the requirement, they must provide evidence to support their claim to an exemption.

In addition to a WWC Check, Donburn may also require a criminal record check. This may be considered necessary when certain offences are relevant to the duties of the volunteer or staff member, e.g. checking for dishonesty offences may be required for a role that involves managing finances or petty cash.

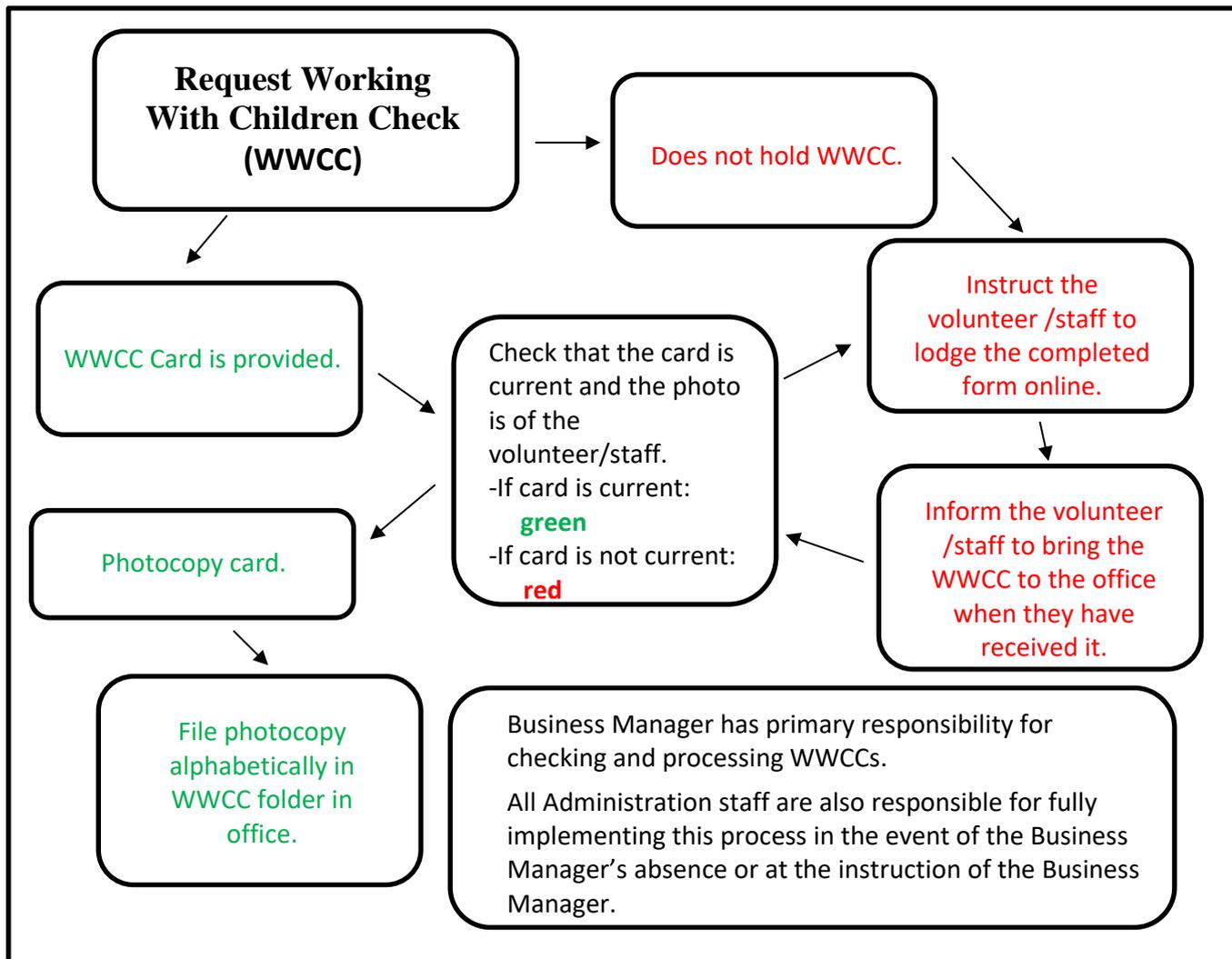
#### **3.2. Implementation**

- a) To maintain high standards of conduct and professionalism, Donburn will ensure that the Department's procedures for criminal record checks are implemented.
- b) Prior to employing a person, the principal must be satisfied that the person meets the required 'Suitability for Employment Checks'.
- c) WWC Checks are required by all volunteers who work with students, whether or not supervised by a teacher and whether or not the activity is on school grounds or during school hours.
- d) To be a volunteer at Donburn, a valid WWC card provided by the Department of Justice is required. This card is:
  - Valid for 5 years.
  - Transferable between volunteer organisations.
  - Free of charge for volunteers, but cannot be used for paid employment.
  - WWC Checks for paid employment can be used to show suitability for volunteer work.
- e) A volunteer can commence work at Donburn when they provide a receipt as proof that they have applied for a WWC Check with the Department of Justice and have otherwise been considered by the school to be suitable.



- f) Donburn will maintain procedures to ensure staff members and volunteers hold a valid WWC Check card at the commencement of the school year or as registered at the school.
- g) A copy of the staff member or volunteer's WWC Check will be kept on file at the school office.

**Working with Children Check Flowchart:**



- h) It is the responsibility of the staff member or volunteer to:
  - Provide Donburn PS with the successful WWC Check card prior to commencement
  - Notify the principal if there has been a relevant change in circumstances e.g. if they have been charged or found guilty of a new relevant offence or if their WWC Check has been suspended.
  - Apply for a new WWC Check before the card expires.



i) Donburn will apply privacy principles when collecting, using, retaining or disposing of personal or health information in accordance with the *Privacy and Data Protection Act 2014* (Vic) and the *Health Records Act 2001* (Vic).

j) Applying for a WWC:

For more information about the WWC application process see:

<http://www.workingwithchildren.vic.gov.au/home/applications/>

To apply either complete a form available from the post office or visit online:

<https://online.justice.vic.gov.au/wwccu/onlineapplication.doj>

### BREACH OF POLICY

All breaches identified must be reported to the Principal immediately.

Breach of policy should follow processes as outlined in the Victorian Department of Education and Training, *Child Protection Reporting Obligations Policy* available on the Department of Education website:

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

If a person breaches the law they may held be personally liable.

### OTHER CONSIDERATIONS & RELATED DONBURN POLICIES

Donburn Primary School, Student Engagement and Wellbeing Policy

Donburn Primary School, Duty of Care Policy

Donburn Primary School, Privacy Policy

Donburn Primary School, Social Media Policy

Donburn Primary School, School Camps, Excursions and School Policy

Donburn Primary School, Use of Alcohol Policy

### REFERENCES

Department of Education and Training, Health, Well-being & Safety, *Child Safe Standards*.

Government of Victoria, Available from:

<http://www.education.vic.gov.au/about/programs/health/protect/Pages/chilsafestandard.aspx> [July 2016]

The Victorian Registration and Qualifications Authority, *Child Safe Standards*, Government of Victoria, 2016. Available from: <http://www.vrqa.vic.gov.au/chilsafe/Pages/default.html> [July 2016]

Australian Institute of Family Studies. *Mandatory Reporting of Child Abuse and Neglect*, Government of Australia, 2016. Available from:

<https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect> [July 2016]



## DONBURN PRIMARY SCHOOL POLICY

Department of Education and Training, *Child Protection Reporting Obligations Policy*, Government of Victoria, Available from:  
<http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx> [July 2016]

Department of Education and Training, *Volunteer Checks Policy*, Government of Victoria, Available from:  
<http://www.education.vic.gov.au/school/principals/spag/community/Pages/volunteers.aspx> [July 2016]

Department of Education and Training, Human Resources Manual, *Suitability for Employment Checks*, Government of Victoria, Available from:  
<http://www.education.vic.gov.au/hrweb/employcond/Pages/crimcheck.aspx> [July 2016]

Department of Education and Training, *Visitors in Schools Policy*. Government of Victoria, Available from:  
<http://www.education.vic.gov.au/school/principals/spag/safety/Pages/visitorsinschool.aspx> [July 2016]

*Working with Children Act 2005*, Government of Victoria, 2005.

*Education and Training Reform Regulations 2007*, Government of Victoria, 2007.

### DEFINITIONS

Term	Definition
<b>Child abuse</b>	Any act committed against a child involving: <ul style="list-style-type: none"> <li>• a sexual offence or</li> <li>• an offence under section 49B(2) of the <b>Crimes Act 1958</b> (grooming)</li> <li>• the infliction, on a child, of:               <ul style="list-style-type: none"> <li>• physical violence or</li> <li>• serious emotional or psychological harm</li> <li>• serious neglect of a child.</li> </ul> </li> </ul>
<b>Child-connected work</b>	Work authorised by the school governing authority and performed by an adult in a school environment while children are present or reasonably expected to be present.
<b>Child safety</b>	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.
<b>Proprietor</b>	In relation to a government school, means the Secretary of the Department of Education and Training.



<b>Term</b>	<b>Definition</b>
<b>School environment</b>	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: <ul style="list-style-type: none"><li>• A campus of the school</li><li>• Online school environments (including email and intranet systems)</li><li>• 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).</li></ul>
<b>School governing authority</b>	In the case of a government school: <ul style="list-style-type: none"><li>• The Secretary; or</li><li>• A school council, as authorised by or under the <b>Education and Training Reform Act 2006</b>; or</li><li>• The principal, as authorised by the proprietor of a school or under the <b>Education and Training Reform Act 2006</b>.</li></ul>
<b>School Staff</b>	An individual working in a school environment who is: <ul style="list-style-type: none"><li>• Directly engaged or employed by a school governing authority;</li><li>• A <b>volunteer or a contracted service provider</b> (whether or not a body corporate or any other person is an intermediary), and including a chaplain or minister of religion. A school lead 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.</li></ul>
<b>Volunteer</b>	A volunteer school worker is a person who without payment or reward voluntarily: <ul style="list-style-type: none"><li>▪ Engages in:<ul style="list-style-type: none"><li>▪ School council functions</li><li>▪ Activities for the welfare of the school at the request of the principal or school council</li><li>▪ School work</li></ul></li><li>▪ Attends state or regional meetings.</li></ul>
<b>Working with Children Check</b>	The WWC Check is a minimum checking standard set by the <i>Working with Children Act 2005</i> for those who work with children, either on a paid or voluntary basis.



**APPROVAL**

<b>Contact Person:</b>	<b>Policy Owner:</b>
Principal	Donburn Primary School Council, Education Sub Committee

**DOCUMENT CONTROL**

<b>Version / Date Created</b>	<b>Nature of Amendment</b>
July 2016	New policy to reflect current practices and to reflect new Department of Education Guidelines. Supersedes previous Mandatory reporting policy.
August 2016	Working with children check information added to reflect new Department of Education Guidelines. Supersedes previous Working with Children Check policy.
August 2017	Revised and ratified: Titled Child Safe & WWC Policy2017
March 2018	Revised and ratified: Titled Child Safe & WWC Policy2018
March 2019	Revised and ratified: Titled Child Safe & WWC Policy2019