



## 1. Policy commitment

- 1.1 Flinders Christian Community College (**College**) has a zero tolerance to Child abuse. The College is committed to promoting and protecting the Children from abuse and neglect to the greatest extent possible. Everyone that participates in the school environment is responsible for the care and protection of Children, and reporting information about Child abuse relating to the Children.
- 1.2 Understandably, this is a confidential area and the College recognises the need for the care and support of Staff, as well as providing support to the person making the disclosure. This document aims to support people who are concerned that abuse may be occurring, and prevent Child abuse from occurring.

## 2. Scope

- 2.1 Child safety is a shared responsibility between the College, Staff and any Associates of the College.
- 2.2 Staff and Associates of the College that attend the College premises or participate in the school environment must be made aware of the Policy and will have access to the Policy via the College's website.
- 2.3 Members of the community can also access the Policy on the College's website.

## 3. Definitions

- 3.1 **Associates** means any person that participates in the school environment including (but not limited to) visitors, contractors, parents, students that are enrolled at the College that are over 18 years, other Children and young people.
- 3.2 **Child** means a person enrolled as a student at the College and under the age of 17 years unless otherwise stated under the law applicable to the Child. Collective term for "Child" is "**Children**".
- 3.3 **Child safety** means any responsibility, measure or activity undertaken to safeguard Children from harm.
- 3.4 **Sexual offence** in this context is any act which exposes a Child to, or involves a Child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the Child to or involving the Child in pornography. It includes Child grooming, which includes actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a Child (or the Child's carer, family or supervisor) to lower the Child's inhibitions and prepare them for engagement in a sexual offence. Refer to the **attached** table for an overview of sexual offences against Children under the *Crimes Act 1958* (Vic).
- 3.5 **College** means Flinders Christian Community College.

**Mandatory reporter** means a person that is legally required to make a report to the Department of Health and Human Services or the Police if they form a belief on reasonable grounds that a Child is in need of protection under the *Children, Youth and Families Act 2005*. It includes teachers, principals and nurses. **NB:** NB: All persons 18 years or older are mandatory reporters under the Crimes Act 1958 (Vic) if it involves a sexual offence against a Child. See paragraph 6.10.

3.6 **School environment** means any physical or virtual place made available or authorised by the College's governing authority for use by a Child during or outside school hours, including:

- (a) a campus of the College;
- (b) online environments provided by the College (including email and intranet systems); and
- (c) other locations provided by the College for a Child's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions, and other events).

3.7 **Staff** means an individual working in a school environment who is:

- (a) directly engaged or employed by the College's governing authority;
- (b) a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary); or
- (c) a minister of religion engaged by the College.

#### 4. Guiding principles

4.1 This Policy is based on the following principles:

- (a) The College is committed to promoting and protecting the best interests of the Children at all times.
- (b) The College has zero tolerance to Child abuse.
- (c) Child safety is a shared responsibility between the College, Staff, Associates, and members of the community.
- (d) All Children have equal rights to protection from abuse regardless of factors such as their sex, race, religious beliefs, age, disability, sexual orientation, family or social background.
- (e) The College will consider the opinions of Children and use their opinions to improve its Child safety policies and procedures.
- (f) The College will take into account the diversity of all Children, including (but not limited to) the needs of Aboriginal and Torres Strait Islander Children, Children from culturally and linguistically diverse backgrounds, Children with disabilities, and Children who are vulnerable, and make reasonable efforts to accommodate these matters.
- (g) The College is committed to the cultural safety of Aboriginal Children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for students living with a disability
- (h) Everyone covered by the Policy must also comply with the College's Code of Conduct.

## 5. Roles and responsibilities

- 5.1 Whilst Child safety is a shared responsibility, there are specific roles, responsibilities and accountabilities for Staff and Associates.
- 5.2 The College will:
- (a) Ensure that all Staff and Associates are aware of the relevant law and policies in relation to Child safety;
  - (b) Ensure that all Staff and Associates are aware of their obligation to report suspected Child abuse and how to make a report;
  - (c) Provide support to Staff and Associates that are undertaking their Child safety responsibilities; and
  - (d) Encourage all individuals to raise concerns for the safety of Children and understand that they are protected if they make a report.
  - (e) Provide a Student Support Plan in consultation with wellbeing professionals. Strategies may include development of a safety plan, direct support and referral to wellbeing professionals.
- 5.3 It is the responsibility of Staff and Associates to:
- (a) Familiarise themselves with the relevant laws and the College's policy and procedure in relation to Child safety;
  - (b) Report any reasonable belief that a Child's safety is at risk to the police or fulfil their obligation as a mandatory reporter; and
  - (c) Provide an educational environment that is supportive of all Children's emotional and physical safety.
- 5.4 It is the responsibility of the Board of Governance to monitor compliance with this Policy and Procedure.

## 6. Recognising and reporting Child abuse

- 6.1 A person may, in their engagement with the College, form a belief on reasonable grounds that a Child is in need of protection from Child abuse.
- 6.2 **Child abuse** includes:
- (a) any act committed against a Child involving:
    - (i) a sexual offence; or
    - (ii) an offence under section 498(2) of the Crimes Act 1958 (grooming); and
  - (b) the infliction, on a Child, of-
    - (i) physical violence; or
    - (ii) serious emotional or psychological harm; and

- (c) serious neglect of a Child.

#### *Mandatory reporters*

- 6.3 Teachers, principals and nurses at the College are required by law to report to the Child safety Unit of the Department of Health and Human Services (**DHHS**) where they have formed a belief, on reasonable grounds, that a Child is in need of protection because they have suffered (or are likely to suffer) significant harm due to physical or sexual abuse.
- 6.4 This report must be made as soon as practicable, and after each occasion where he or she becomes aware of a further reasonable grounds for the belief.
- 6.5 All Staff and Associates at the College are encouraged to report emotional and psychological abuse or neglect.

#### *Reasonable grounds for belief*

- 6.6 A reasonable belief is formed if a reasonable person believes that:
  - (a) the Child is in need of protection,
  - (b) the Child has suffered or is likely to suffer significant harm as a result of physical or sexual injury,
  - (c) the parents are unable or unwilling to protect the Child.
- 6.7 To form a reasonable belief, you should consider and objectively assess all the relevant facts, such as the source of the allegation and how it was communicated, the nature of and details of the allegation, whether there are any other related matters known regarding the alleged perpetrator.
- 6.8 A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere rumour or speculation.
- 6.9 You will have reasonable grounds to notify if:
  - (a) a Child states that they have been physically or sexually abused;
  - (b) a Child states that they know someone who has been physically or sexually abused (sometimes the Child may be talking about themselves);
  - (c) someone who knows a Child states that the Child has been physically or sexually abused;
  - (d) professional observations of the Child's behaviour or development leads a professional to form a belief that the Child has been physically or sexually abused or is likely to be abused;  
or
  - (e) signs of abuse lead to a belief that the Child has been physically or sexually abused.

NB: We encourage reporting where you hold a concern about the safety of a Child.

#### *Reporting Child sexual abuse*

- 6.10 In addition to the obligations above, if a Staff or Associate receives information that leads them to form a reasonable belief that a sexual offence has been committed in Victoria against a Child (under the age of 16 years) by another person (of or over the age of 18 years), the Staff or

Associate has a legal obligation to disclose that information to the Police as soon as it is practicable. Individuals who fail to comply with this obligation under the Crimes Act 1958 (Vic) is 3 years imprisonment.

### *Voluntary reporters*

In addition to the mandatory reporting obligations above, any person who believes on reasonable grounds that a [Child](#) is in need of protection from Child abuse, may disclose that information to the Police or DHHS. *The College's approach to reports of abuse*

- 6.11 The College supports and encourages Staff and Associates to make a report to the Police or the Department of Human Services if they form a belief on reasonable grounds that a Child is in need of protection, or they are concerned about the safety, health or wellbeing of a Child.
- 6.12 Any Staff or Associate that makes a report in good faith in accordance with their reporting obligations will be supported by the College, and will not be penalised by the College for making the report.
- 6.13 If a Staff or Associate is uncertain as to whether they should make a report to an external authority in relation to the safety of a Child, they should speak to their manager or the Campus Principal and/or the Executive Principal for guidance and information. Ultimately, it is a personal decision of the Staff or Associate whether they choose to make a report to an external authority or not.
- 6.14 If an allegation is made against Staff or an Associate, the Campus Principal and/or the Executive Principal will follow the reporting procedure and take all steps to ensure that safety of the Child is paramount. If an allegation is raised against the Executive Principal, the Chair of the Board will be responsible for following the reporting procedure. An initial step may involve the withdrawal of the accused person from active duty, which could entail standing down, reassignment to a role without direct contact with Children, working under closer supervision during the investigation, working from home, or any other measures deemed appropriate depending on the seriousness of the allegation.
- 6.15 The College will investigate allegations of inappropriate conduct against a Child in accordance with procedural fairness and will handle the allegations in a confidential manner to the greatest extent possible.
- 6.16 The College will cooperate with the directions of the Police and/or the Victorian Institute of Teaching in relation to any investigation conducted by these authorities.

### **Employment of new employees**

- 6.17 The College undertakes a comprehensive recruitment and screening process for all Staff and Associates which aims to:
  - (a) promote and protect the safety of all Children at the College;
  - (b) identify and recruit the safest and most suitable candidates who share the College's values and commitment to protect Children; and
  - (c) prevent a person from working at the College if they pose an unacceptable risk to Children.
- 6.18 Each job or category of jobs for College Staff or Associates that involves Child-connected work will, where appropriate, have a clear statement that sets out:
  - (a) the job's requirements, duties and responsibilities regarding Child safety; and

- (b) the job occupant's essential or relevant qualifications, experience and attributes in relation to Child safety.
- 6.19 All applicants for jobs that involve Child-connected work for the College will be informed about the College's Child safety practices (including this Policy, the Code of Conduct and the Procedure).
- 6.20 The College requires Staff and Associates to pass the recruitment and screening process prior to commencing their engagement with the College.
- 6.21 As part of the screening and recruitment process, an applicant must provide appropriate evidence (e.g. working with Children check and/or police check) to show that they are suitable to work with Children and young people in an educational setting.
- 6.22 The type of evidence that an applicant is required to provide to the College will vary depending on the type of position that they are applying for. However, the College will not offer any applicant a position at the College until they provide the required evidence to the People and Culture Department.
- 6.23 Persons applying for a role as a teacher with the College must be registered with the Victorian Institute of Teaching and provide suitable evidence.
- 6.24 The College will exercise discretion and may require applicants to provide a police check in accordance with the law and as appropriate, before they commence working at the College and during their time with the College in regular intervals.
- 6.25 The College will undertake thorough reference checks.
- 6.26 Once engaged, the College will provide Staff and Associates with access to the Policy and Staff and Associates must review and acknowledge their understanding of the Policy.

## **7. Risk management approach**

- 7.1 The "Risk and Compliance Sub-committee" is committed to identifying and managing risks at the College and the school environment.
- 7.2 Child safety is a part of the College's overall risk management approach.
- 7.3 If the Risk and Compliance Sub-committee identifies risks of Child abuse occurring in one or more school environments the committee will make a record of those risks and specify the action(s) the College will take to reduce or remove the risks (i.e. risk controls) where possible.
- 7.4 The "Risk and Compliance Sub-committee" receive regular training in relation to Child safety.
- 7.5 The "Risk and Compliance Sub-committee" is open to receiving feedback from all members of the community on how to improve its risk management approach and better protect the safety of Children. Feedback should be directed to the "Risk and Compliance Sub-committee" at the College in writing.

## **8. Review process**

- 8.1 This policy will be regularly reviewed by the College.
- 8.2 If you would like to provide the College with any feedback or suggestions to improve this Policy, please contact the Chief Financial Officer or Executive Principal.

## 9. Relevant legislative requirements and associated policies

9.1 This Policy must be read in conjunction with:

- (a) the law of the Commonwealth and Victoria including but not limited to:
  - (i) *Children, Youth and Families Act 2005*;
  - (ii) *Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015*;
  - (iii) *Crimes Act 1958*; and
- (b) *Working with Children Act 2005*;
- (c) The Victorian Teaching Profession Code of Conduct;
- (d) "*The Code of Conduct*";
- (e) "the Procedure"; and
- (f) "*Termination of Employment Policy*" and "*Misconduct Procedures*".