

## ***Child Safety Policy & Code of Conduct***

### **1. Scope**

Holmes Secondary College's Child Safety Policy adheres to the VRQA seven Child Safe Standards and incorporates its Safe Environment Policy, Reporting Sexual Abuse Policy, Mandatory Reporting Policy, Child safe – Code of Conduct Policy, Code of Conduct Policy, U18 Overseas Student Policy and Occupational Health & Safety Policy.

### **2. Principles**

Our commitment to child safety:

- We are committed to the safety, participation and empowerment of all children studying at Holmes Secondary College.
- We have zero tolerance of child abuse. All allegations and safety concerns will be treated very seriously and consistently, in line with our robust code of conduct policies and procedures.
- We have legal and moral obligations to contact authorities when we are concerned about a child's safety.
- Our organisation is committed to preventing child abuse and identifying risks early, removing and reducing these risks.
- Our organisation has strict recruitment practices for all staff and volunteers.
- Our organisation is committed to regularly training and educating our staff and volunteers on child abuse risks.
- We are committed to the safety of children from culturally and/or linguistically diverse backgrounds and to providing a safe environment for children with a disability.
- We have specific policies, procedures and training in place that support our leadership team, staff and volunteers to achieve these commitments.
- If you believe, a child is at immediate risk of abuse phone 000.

### **3. Roles and Responsibilities**

Everyone employed or volunteering at Holmes 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:

- Principal
- Student Wellbeing Coordinator

- Leading Teacher

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.

### **Child Safety Team Responsibilities**

The principal, the school governing authority and school leaders at Holmes 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.

### **School Staff Responsibilities**

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 embedded below.

### **Child Safety Code of Conduct**

Holmes Secondary College is committed to the safety and wellbeing of children and young people. Our school community recognises the importance of, and a responsibility for, ensuring our school is a safe, supportive and enriching environment, which respects and fosters the safety, wellbeing and self-esteem of children and young people, and enables them to thrive in their learning and development.

This Code of Conduct aims to protect children and reduce any opportunities for child abuse or harm to occur. It also assists in understanding how to avoid or better manage risky behaviours and situations. It is intended to complement child protection legislation, school policies and procedures and professional standards, code and ethics as these apply to staff and other personnel.

The Principal and School Board of Holmes Secondary College will support implementation and monitoring of the Code of Conduct, and will plan, implement and monitor arrangements to provide inclusive, safe and orderly schools and other learning environments. The Principal and Board of Holmes Secondary College will also provide information and support to enable the Code of Conduct to operate effectively.

Staff, contractors, third parties and any other member of the school community involved in child related work are required to comply with the Code of Conduct. The Code of Conduct applies in all school situations, including Homestay, Student Care support, camps and in the use of digital technology and social media.

### **Acceptable Behaviours**

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

- Upholding the school's statement of commitment to child safety at all times adhering to the Holmes Secondary College Child Safe Policy.
- 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 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 Principal.
- 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.

### **Unacceptable Behaviours**

Staff, student support services, contractors, third parties and any other member of the school community involved in child-related must not:

- Ignore or disregard any concerns, suspicions or disclosures of child abuse.
- Develop a relationship with any student that could be seen as favouritism or amount to 'to grooming' behaviour.
- 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.
- Communicate directly with a student through personal or private contact channels (including by social media, email, instant messaging, text etc.) except where that communication is reasonable in all circumstances, related to school work or extra-curricular activities or where there is a safety concern or other urgent matter. Exceptions also extend to Student Care Assist and approved Homestay families.
- Photograph or video a child in a school environment except in accordance with school policy or where required for duty of care purposes.
- In the school environment or at other school events where students are present, consume alcohol contrary to school policy or take illicit drugs under any circumstances.

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.

### **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.

#### **4. Student Safety and Participation**

At Holmes 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 Student Support Team.
- Curriculum initiatives.
- Pastoral Programme – appointing a Homeroom teacher whose responsibility is the general care of individual students; to engender trust between the student and homeroom teacher.
- Homeroom Focus sessions – designated sessions in Homeroom groups with regard to Child Safety. Distribution of information and materials. Encouragement to speak out.
- Student Care Assist – appointed Care Assist as a further avenue of communication.
- Posted material in all classrooms in educating and encouraging students to speak up.

#### **5. 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 Holmes 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 (refer to Mandatory reporting policy)

**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.

**6. Screening and Recruitment of School Staff**

Holmes 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.

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

All staff engaged in child-related work, including volunteers, Homestay parents and Student Care Assist are required to hold a current Victorian Institute Teaching (VIT) registration reflecting a national criminal history record check (NCHRC) or Working with Children Check and to provide evidence of this Check. Please see the Working with Children Check website [www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au) for further information.

We carry out reference checks and police record checks to ensure that we are recruiting the right people. We ensure that we obtain the person's history of work involving children and references that address the person's suitability for the job and working with children. Our Homestay and Student Care Assist selection process is also subject to same procedures. Police record checks are used only for the purposes of recruitment and are discarded after the recruitment process is complete. We do retain our own records (but not the actual criminal record) if an applicant's criminal history affected our decision making process. If during the recruitment process a person's records indicate a criminal history then the person will be given the opportunity to provide further information and context.

New employees and volunteers will be supervised regularly to ensure they understand our organisation's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate (please refer to this organisation's code of conduct to understand appropriate behaviour further). Any inappropriate behaviour will be reported through appropriate channels, including the Department of Human Services and Victoria Police, depending on the severity and urgency of the matter.

## **7. Education and Training for Staff**

Holmes Secondary College provides its 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 Child Safety and practices around responding to allegations of child abuse
- ongoing presentations to staff by Wellbeing team, Student Support and Leadership

- 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.

### **8. Risk Management**

At Holmes 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).

### **9. Fair procedures for personnel**

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 on evidence. We record all allegations of abuse and safety concerns using our incident reporting form<sup>1</sup>, including investigation updates. 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 take as an organisation.

### **10. Privacy**

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. We have 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 have access to it.

### **11. 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 in 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.
  - c) **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.

## 12. Allegations, concerns and complaints

Our organisation takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff and volunteers are trained to deal appropriately with allegations.

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.

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 above).

If an adult has a reasonable belief that an incident has occurred, then they must report the incident. Refer to Reporting Sexual Abuse Policy for further information.

## 13. Breach of Policy

Where an employee is suspected of breaching any obligation, duty or responsibility within this Policy, Holmes Secondary College will deal with the matter in accordance with its policies and procedures. Staff are advised this may lead to 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 Director International. 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 Human Services (DHS).

#### 14. Policy Review

At Holmes 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.

#### *Version Control and accountable officers*

It is the joint responsibility of the Implementation Officer and Responsible Officer to ensure compliance with this policy.

<b>Responsible Officer</b>	Campus Director(s)			
<b>Implementation Officers</b>	Homestay & U18 Welfare Coordinator			
<b>Review Date</b>	June 2022			
<b>Approved by</b>				
High School Governing Board				
Version	Authored/ Revised by	Brief Description of the changes	Date Approved	Effective Date
1.1	Dean (Governance & Accreditation)	Revised Policy (adapted from retired Institutional Policy Manual)	23 August 2018	27 August 2018
1.2	Dean (Governance & Accreditation)	Policy revised to account for VRQA feedback regarding inclusion of version control table and approval information	6 August 2019	19 August 2019