



Blackburn HIGH SCHOOL

PROTECT



CHILD SAFE STANDARDS

Child Safe and Mandatory Reporting Policy and Guidelines

Application of Child Safe Standards and Mandatory Reporting at Blackburn High School

Table of Contents

1. Child Safe Standard 2 - Policy Statement	3
2. Child Safe Standard 3 - Code of Conduct	4 - 5
3. Child Safe Standard 5 - Child Safety Responding and Reporting Obligations Policy	6 - 8
4. Child Safety Reporting Procedures at Blackburn High School	9
5. Child Safety Leader Role: Principal	10 - 11

1. CHILD SAFE STANDARD 2: Policy Statement

Blackburn High School is committed to safety and wellbeing of all children and young people. This will be the primary focus of our care and decision-making. Blackburn High School has zero tolerance for child abuse.

Blackburn High School is committed to providing a child safe environment where children and young people are safe and feel safe, and their voices are heard about decisions that affect their lives. Particular attention will be paid to the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds, as well as the safety of children with a disability.

Every person involved in Blackburn High School 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 children and young people is at the forefront of all they do and every decision they make.

Blackburn High School's principles for child safety

In its planning, decision-making and operations Blackburn High School will:-

1. Take a preventative, proactive and participatory approach to child safety;
2. Value and empower children to participate in decisions which affect their lives;
3. Foster a culture of openness that supports all persons to safely disclose risks of harm to children
4. Respect diversity in cultures and child rearing practices while keeping child safety paramount;
5. Provide written guidance on appropriate conduct and behaviour towards children;
6. Engage only the most suitable people to work with children and have high quality staff and volunteer supervision and professional development;
7. Ensure children know who to talk with if they are worried or are feeling unsafe, and that they are comfortable and encouraged to raise such issues;
8. Report suspected abuse, neglect or mistreatment promptly to the appropriate
9. authorities;
10. Share information appropriately and lawfully with other organisations where the safety and wellbeing of children is at risk; and
11. Value the input of and communicate regularly with families and carers."
12. Comply with the Reportable Conduct Scheme with the Principal to bring all allegations of 'reportable conduct' by employees, contractors, volunteers, allied health staff and school council employees to the attention of the Department's Employee Conduct Branch.

Adapted from Our Community (2016) Child Protection Toolkit: What every not-for-profit organisation must do now

2. CHILD SAFETY 3: CODE OF CONDUCT

Blackburn High School 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 dignity and self-esteem of children and young people, including vulnerable children. This will enable 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, Department policy, school policies and procedures and professional standards, codes or ethics as these apply to staff and other personnel.

The Principal and school leaders of Blackburn High School 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 school leaders of Blackburn High School will also provide information and support to enable the Code of Conduct to operate effectively.

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 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.

Acceptable Behaviours

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

by:

- upholding the school's statement of commitment to child safety at all times and adhering to the school's child safe policy when the school has a 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 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 team.
- 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

As staff, volunteers, contractors, and any other member of the school community involved in child-related work we 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 '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.
- 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 purposes¹
- in the school environment or at other school events where students are present, consume alcohol contrary to school policy² or take illicit drugs under any circumstances.

This Code of Conduct was endorsed/approved by the Blackburn High School Council on Wednesday 28th August 2019 for review if legislative or other changes require in the interim or no later than December 2022.

3. Child Safe Standard 5: Child Safety Responding and Reporting Obligations Policy

PURPOSE

The purpose of this policy is to ensure that all staff and members of our school community understand the various legal and other reporting obligations related to child safety that apply to Blackburn High School. The specific procedures that are applicable at our school are contained at Appendix A.

SCOPE

This policy applies to all school staff, volunteers and school community members. It also applies to all staff and students engaged in any school and school council-run events, and activities.

POLICY

All children and young people have the right to protection in their best interests.

Blackburn High School understands the important role our school plays in protecting children from abuse including:

- Physical abuse
- Sexual abuse (including sexual exploitation)
- Family violence
- Emotional abuse
- Neglect (including medical neglect)
- Grooming

The staff at Blackburn High School are required by law to comply with various child safety reporting obligations.

At Blackburn High School we also recognise the diversity of the children and young people at our school and take account of their individual needs and backgrounds when considering child safety. We acknowledge the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds. This is in addition to the safety of children who are vulnerable and/or have a disability.

Mandatory Reporting

Principals, registered teachers, registered medical practitioners, nurses and all members of the police force are mandatory reporters under the *Children, Youth and Families Act 2005* (Vic).

All mandatory reporters must make a report to the Department of Health and Human Services (DHHS) Child Protection as soon as practicable if, during the course of carrying out their professional roles and responsibilities, they form a belief on reasonable grounds that:

- a child has suffered, or is likely to suffer, significant harm as a result of physical abuse and/ or sexual abuse, and
- the child's parents have not protected, or are unlikely to protect, the child from harm of that type.

A mandatory reporter who fails to comply with this legal obligation may be committing a criminal offence. It is important for all staff at Blackburn High School to be aware that they are legally obliged to make a mandatory report on each occasion that they form a reasonable belief that a child is in need of protection and they must make a mandatory report even if the principal does not share their belief that a report is necessary.

At our school, all mandated school staff must undertake the *Mandatory Reporting and Other Obligations eLearning Module* annually. We also require all other staff such as Education Support Staff with roles directly related to working with students to undertake this module, even where they are not mandatory reporters. It is an expectation that all staff employed at Blackburn High School will report concerns related to Child Safety.

Child in need of protection

Any person can make a report to DHHS Child Protection (131 278 – 24 hour service) if they believe on reasonable grounds that a child is in need of protection.

The policy of the Department of Education and Training (DET) requires **all staff** who form a reasonable belief that a child is in need of protection to report their concerns to DHHS or Victoria Police, and discuss their concerns with the school leadership team.

At Blackburn High School we also encourage all staff to make a referral to Child FIRST when they have significant concern for a child's wellbeing.

Reportable Conduct

Our school must notify the Department's Employee Conduct Branch if we become aware of an allegation of 'reportable conduct'.

There is an allegation of reportable conduct where a person has formed a reasonable belief that there has been:

- a sexual offence (even prior to criminal proceedings commencing), sexual misconduct or physical violence committed against, with or in the presence of a child;
- behaviour causing significant emotional or physical harm to a child;
- significant neglect of a child; or
- misconduct involving any of the above.

The Department, through the Employee Conduct Branch, has a legal obligation to inform the Commission for Children and Young People when an allegation of reportable conduct is made.

Our Principal must notify the Department's Employee Conduct Branch of any reportable conduct allegations involving current or former teachers, contractors, volunteers (including parents), allied health staff and school council employees.

If school staff become aware of reportable conduct by any person in the above positions, they should notify the School Principal immediately. If the allegation relates to the Principal, they should notify the Regional Director.

Failure to disclose offence

Reporting child sexual abuse is a community-wide responsibility. All adults (ie persons aged 18 years and over), not just professionals who work with children, have a legal obligation to report to Victoria Police, as soon as practicable, where they form a 'reasonable belief' that a sexual offence has been committed by an adult against a child under the age of 16 by another person aged 18 years or over. Failure to disclose information to Victoria Police (by calling 000 or local police station) as soon as practicable may amount to a criminal offence unless a person has a 'reasonable excuse' or exemption from doing so. "Reasonable belief" is not the same as having proof. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

For example, a 'reasonable belief' might be formed when:

- a child states that they have been sexually abused
- a child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves)
- someone who knows a child states that the child has been sexually abused
- professional observations of the child's behaviour or development leads a mandated professional to form a belief that the child has been sexually abused
- signs of sexual abuse leads to a belief that the child has been sexually abused.

"Reasonable excuse" is defined by law and includes:

- fear for the safety of any person including yourself or the potential victim (but not including the alleged perpetrator or an organisation)
- where the information has already been disclosed, for example, through a mandatory report to DHHS Child Protection.

Failure to protect offence

This reporting obligation applies to school staff in a position of authority. This can include principals, assistant principals and campus principals. Any staff member in a position of authority who becomes aware that an adult associated with their school (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the age of 16 under their care, authority or supervision, must take all reasonable steps to remove or reduce that risk.

This may include removing the adult (ie persons aged 18 years and over) from working with children pending an investigation and reporting your concerns to Victoria Police.

If a school staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence.

Grooming

Grooming is a criminal offence under the *Crimes Act 1958* (Vic). This offence targets predatory conduct undertaken by an adult to prepare a child, under the age of 16, to engage in sexual activity at a later time. Grooming can include communicating and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer.

RELATED POLICIES AND FURTHER INFORMATION

Statement of Commitment to Child Safety, Child Safety Policy, Child Safety Reporting Procedures

REVIEW CYCLE This policy was last updated on Wednesday 28th August 2019 and is scheduled for review on 2022

4. CHILD SAFETY REPORTING PROCEDURES AT BLACKBURN HIGH SCHOOL

For students

- All students should feel safe to speak to any staff member to raise any concerns about their safety or any other concerns that they have.
- If a student does not know who to approach at Blackburn High School they should start with approaching their Mentor Teacher. A student could also approach a person from their house leadership team. These people would then use the procedures outlined in this document.

General procedures

Our school will follow the 'Four Critical Actions' when responding to incidents, disclosures and suspicions of child abuse.

All staff at our school who believe that a child is in need of protection, even if it doesn't meet the threshold required for mandatory reporting or the staff member is not a mandatory reporter, should in the first instance, speak to their House Leader or the Principal Team. They also should make the required reports to DHHS Child Protection and/or Victoria Police as necessary.

At our school the Assistant Principal leading the Wellbeing Coordinator will be responsible for monitoring overall school compliance with this procedure.

If the Principal Team, House Leader and/or the Wellbeing Coordinator is unavailable, an Assistant House Leader from the student's house will work with the acting principal to take on the role and responsibilities described in this section.

Nothing in this procedure prevents a staff member or any other person from reporting to the relevant authorities if they form a reasonable belief that a child is at risk of abuse.

Duty of care and ongoing support for students

Fulfilling the requirements in this procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of abuse.

All staff have a duty of care to take reasonable steps to prevent reasonably foreseeable harm to students. All staff must ensure the Principal Team, House Leader and/or the Wellbeing Coordinator is aware of any incidents, suspicions or disclosures of child abuse as soon as possible after they occur. This will allow appropriate supports to be put in place for the student affected.

For school visitors, volunteers and school community members

All community members aged 18 years or over should be aware of their legal obligations – see *Failure to disclose offence* above, in this Policy.

Any person can make a report to DHHS Child Protection if they believe on reasonable grounds that a child is in need of protection.

There is no requirement for community members to inform the school if they are making a disclosure to DHHS Child Protection or Victoria Police. However, where a community member is concerned about the safety of a child or children at the school, they should contact DHHS Child Protection or Victoria Police.

5. CHILD SAFETY LEADER ROLE: Principal

Identified leader: Principal

The role of Child Safety Officer includes leadership support and the ability to direct other staff (where appropriate), to undertake the role effectively.

Principals have primary responsibility for managing their school's response to incidents, disclosures and suspicions of child abuse.

As outlined in the *Minimum Standards for a Child Safe Environment, Ministerial Order No. 870- Child Safe Standards- Managing the risk of child abuse in schools*, it is a requirement that the school leadership team support and empower staff to make a report by having clear policies and procedures about:

- who a staff member can seek advice from regarding if and who to report to
- what arrangements are in place to relieve staff while they are making or deciding to make a report as soon as practicable
- what strategies are in place to support staff through the process of making a report
- maintaining written records

Broad areas of the role are to:

PROVIDE AUTHORITATIVE ADVICE

- Act as a source of support, advice and expertise to staff on matters of child safety.
- Liaise with the principal and school leaders to maintain the visibility of child safety.
- Lead the development of the school's child safety culture, including being a child safety champion and providing coordination in communicating, implementing, monitoring, enhancing and reporting on strategies to embed a culture of child safety.

RAISE AWARENESS

- Ensure the school's policies are known and used appropriately.
- Ensure the school's child safety policy is reviewed in the context of school self-evaluation undertaken as part of the school accountability framework.
- Ensure the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school in this.
- Be alert to the specific needs of children in need, those with special educational needs and young carers.
- Encourage among all staff a culture of listening to children and taking account of their wishes and feelings in any measures to protect them.

TRAIN

- Being authoritative in providing advice by:
 - keeping their skills up to date with appropriate training carried out every two years
 - having a working knowledge of how the Department of Health and Human Services (DHHS) and Community Service Organisations conduct a child protection case conference to be able to attend and contribute to these effectively when required to do so.

PROTECT

- Be able to keep detailed, accurate, secure written records of concerns and referrals.
- Ensure each member of staff has access to and understands the school's child safety policy and procedures, especially new and part time staff.
- Make sure staff are aware of training opportunities and the latest DHHS and DET policies and guidance.

PRINCIPAL'S CHECKLIST

If there is an incident, disclosure or suspicion of child abuse concerning a student or staff member at your school, as a Principal, you are responsible for:

Reporting and recording

- Ensuring that **the Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse** have been followed
- Ensuring that your staff complete the **Responding to Suspected Child Abuse: Template for all Victorian Schools**
- Undertaking the review process included within the template between 4-6 weeks after a report is made.

On-going communication

Ongoing liaison/communication with:

- DHHS Child Protection and Victoria Police
- Regional Office and SIRU if engaged
- Parents/carers of all impacted students (where appropriate, following advice from authorities)

If an international student is impacted:

- Liaison with International Education Division

If an Aboriginal or Torres Strait Islander Student is impacted:

- Liaison with Koorie Education Officer

If a staff member is implicated:

- Liaison with Victoria Police
- Ongoing communication and action as set out by the Employee Conduct Branch

Providing on-going support

Overseeing the development of a short-term action plan for all children impacted by suspected abuse in consultation with:

- The Region and the Student Incident and Recovery Unit

Ensuring ongoing education and support services are provided for all children involved via:

- Formation of a Student Support Group
- Developing, implementing and reviewing a **Student Support Plan** in partnership with children and their parents/carers, allied health workers and external support agencies where appropriate (this plan should list appropriate school-level and non-school based supports and should assist students in returning to school)
- Addressing concerns as they arise

Provision of school based wellbeing services

- Continued monitoring of the situation and the health and wellbeing of impacted children and staff members
- Ensuring the provision of ongoing support for the children, families and staff members involved.