

## CHILD SAFETY POLICY

### 1. COMMENCEMENT, VARIATION AND COMMUNICATION

- 1.1. This policy commences operation on 14 July 2022. The policy is subject to variation by Tintern Grammar (the School) from time to time.
- 1.2. Any amendment to the policy will be communicated to all employees, students and families.
- 1.3. The School will make regular and frequent public statements to demonstrate its commitment to child safety and to raise an awareness of the school community's collective responsibility to ensure all children are safe from harm.
- 1.4. This policy and relevant policy implementation documents will be made publicly available on the school's website and MyTintern Portal.
- 1.5. The School will consult the school community (staff, students, Tintern Grammar Board, families and volunteers) prior to each cyclical review of this policy.
- 1.6. The School will put in place arrangements to ensure that the school community (including applicants for jobs) is informed about the school's child safe standards policies, procedures and allocated roles and responsibilities.

### 2. PURPOSE

- 2.1. The Child Safety Policy sets out the principles and framework governing the school's behaviours and activities that enact the child safe standards and which aim to keep all children safe from harm. The policy, together with the policy implementation documents listed in section 10, must be read and understood by all those connected to the school.
- 2.2. This policy is intended to:
  - a. empower children who are vital and active participants in Tintern Grammar. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say;
  - b. establish controls and procedures to prevent child abuse occurring within all School Environments;
  - c. promote an organisational culture of child safety and provide a clear statement forbidding child abuse or harm;
  - d. ensure all parties are aware of their responsibilities for identifying possible occasions for child abuse;
  - e. establish controls and procedures for preventing child abuse or harm, and detecting it when it occurs in the School Environment;
  - f. provide guidance regarding action that should be taken should abuse be suspected within or outside of the School, or following a disclosure of abuse from a child;
  - g. ensure everyone knows their responsibilities to prevent and report child abuse; and
  - h. provide assurance that any and all suspected abuse will be reported and fully investigated.

### 3. PRINCIPLES

- 3.1. Tintern Grammar is committed to child safety.
- 3.2. Tintern Grammar is committed to creating and maintaining a school in which all children are safe from harm.
- 3.3. This policy is based on the following guiding principles:

- a. the School has zero tolerance for child abuse
- b. the School has zero tolerance for racism;
- c. the best interests of the child are paramount;
- d. child protection is a shared responsibility of everyone in the School community;
- e. all children have a right to feel safe and be safe at school, and have equal rights to protection from abuse and neglect;
- f. the School will consider the opinions of students and use their opinions to develop child safety policies and procedures; and
- g. the School is committed to providing a culturally safe environment in which the diverse and unique identities of Aboriginal children and young people are respected and valued
- h. the School is committed to understanding children and young people's diverse circumstances and providing support and responding to those who are vulnerable, including children with a disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, lesbian, gay, bisexual, transgender and intersex children;
- i. the School will take into account the diversity of all children, (including but not limited to the needs of Aboriginal and Torres Strait Islander children), and children who are vulnerable, and make reasonable efforts to accommodate these matters;
- j. everyone covered by this policy must also comply with the School's Child Safety Code of Conduct, which sets stringent standards for personal behaviour; and
- k. all children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse.

#### 4. RECOGNISING CHILD ABUSE

- 4.1. Child abuse means conduct towards, against, with or in the presence of a child, or threatening to engage in such conduct, which includes all forms of physical abuse, sexual abuse, emotional and psychological abuse and neglect. The School also considers exposure to family violence to be a type of child abuse, as well as forced marriage and grooming. Specific examples of child abuse include:
  - a. Physical abuse: Physical abuse is any form of non-accidental physical injury, injury or violence which results from wilful or neglectful failure to protect a child or young person;
  - b. Sexual abuse: Sexual abuse is when a child or young person is used by another person for his or her gratification or sexual arousal or for that of others (this includes grooming behaviour);
  - c. Emotional and psychological abuse: Emotional and psychological abuse is when a child has suffered or is likely to suffer emotional or psychological harm of such a kind that the child's emotional or intellectual development is or is likely to be, significantly damaged and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
  - d. Serious neglect: Neglect is an omission, where the child or young person suffers serious harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, medical care.

## 5. SCOPE

- 5.1. This policy applies to all students (over the age of 18 years), employees, volunteers, contractors, and Board members of the School, whether or not they work face-to-face, online or remotely with children. This includes all Staff.
- 5.2. Other School community members, who are involved in child-connected work, and are associated with the School, may also be obliged to comply with this policy.
- 5.3. This policy also applies to homestay families and designated caregivers who are engaged by the School.
- 5.4. This policy applies to allegations, disclosures, suspicions and risk of child abuse, as well as to actual child abuse. In particular, it applies to allegations or disclosures of child abuse made by or in relation to a child, visitor or other person while connected to the School Environment.

## 6. AIMS

- 6.1 To protect students in our care from abuse.
- 6.2 To create and maintain a culture of child protection within the school and its community.
- 6.3 To comply with the Child Safe Standards as required by Ministerial Order 1359.

**Standard 1:** establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued (See Our Aboriginal and Torres Strait Islander Education Plan, Appendix I of this policy, which outlines the measures in place to maintain an inclusive and culturally safe school for Aboriginal children and students)

**Standard 2:** Child safety and wellbeing is embedded in organisational leadership, governance and culture

**Standard 3:** Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously

**Standard 4:** Families and communities are informed, and involved in promoting child safety and wellbeing

**Standard 5:** Equity is upheld and diverse needs respected in policy and practice

**Standard 6:** People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice

**Standard 7:** Processes for complaints and concerns are child focused

**Standard 8:** Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training

**Standard 9:** Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed

**Standard 10:** Implementation of the Child Safe Standards is regularly reviewed and improved

**Standard 11:** Policies and procedures document how the organisation is safe for children and young people

## 7. ROLES AND RESPONSIBILITIES

### 7.1. Responsibilities of the Board

- 7.1.1. The Board of the School has ultimate responsibility for the detection and prevention of child abuse and complying with the National Child Safe Principles, the Victorian Child Safe Standards and Ministerial Order 1359.
- 7.1.2. The Board's responsibilities include:

- a. ensuring appropriate and effective internal control systems are in place, including processes to respond to complaints, concerns, disclosures, with regular reviews;
- b. implementing policies, procedures and codes of conduct to ensure Staff know how to protect and prevent child abuse, and report it when it occurs or is suspected.
- c. promoting a culture of child safety.
- d. ensure that child safety is a regular agenda item at school Board meetings
- e. undertake annual training on child safety
- f. approve updates to, and act in accordance with the Child Safety Code of Conduct to the extent that it applies to school Board, employees and members
- g. when hiring Board employees, ensure that selection, supervision, and management practices are child safe. At our school, school Board employment duties are delegated to the Principal who is bound by this policy.

## 7.2. Responsibilities of the Principal

### 7.2.1. The Principal is responsible for:

- a. modelling a child safe culture that facilitates the active participation of students, families and staff in promoting and improving child safety, cultural safety and wellbeing
- b. enabling inclusive practices where the diverse needs of all students are considered
- c. reinforcing high standards of respectful behaviour between students and adults, and between students
- d. promoting regular open discussion on child safety issues within the school community including at leadership team meetings, staff meetings and school council meetings
- e. facilitating regular professional learning for staff and volunteers (where appropriate) to build deeper understandings of child safety, cultural safety, student wellbeing and prevention of responding to abuse
- f. creating an environment where child safety complaints and concerns are readily raised, and no one is discouraged from reporting an allegation of child abuse to relevant authorities.
- g. appointing an investigator to investigate reports of child abuse and ensuring that the investigation is carried out in accordance with legislative requirements;
- h. ensuring that all staff, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct;
- i. ensuring that all adults within the School community are aware of their obligation to report suspected child abuse or risk of abuse in accordance with these policies and procedures;
- j. ensuring that all staff, contractors and volunteers are aware of their obligation to observe the Code of Conduct and Child Safety Code of Conduct;
- k. ensuring the Principal's obligations under the Child Wellbeing and Safety Act 2005 (Vic) (i.e. the reportable conduct scheme) are satisfied, and that the Commission for Children and Young People is notified in the manner (and time periods) required; and
- l. providing support for staff, contractors and volunteers in undertaking their child safety responsibilities.

**7.3. Responsibilities of the Heads of School, Director of ELC, Managers and Senior Staff**

7.3.1. All Heads of School, Managers and Senior Staff must ensure they:

- a. promote child safety at all times;
- b. assess the risk of child abuse within their area of control and eradicate/ minimise any risk to the extent possible;
- c. educate employees about the prevention and detection of child abuse; and
- d. facilitate the reporting of any inappropriate behaviour or suspected abusive activities.
- e. Management should be familiar with the types of abuse that might occur within their area of responsibility and be alert for any indications of such conduct.
- f. modelling a child safe culture in their area that facilitates the active participation of students, families and staff in promoting and improving child safety, cultural safety and wellbeing
- g. enabling inclusive practices in their area where the diverse needs of all students are considered.
- h. reinforcing high standards of respectful behaviour between students and adults, and between students in their area
- i. promoting regular open discussion on child safety issues within their area of the school community including at leadership team meetings and staff meetings
- j. facilitating regular professional learning for staff and volunteers (where appropriate in their area) to build deeper understandings of child safety, cultural safety, student wellbeing and prevention of responding to abuse
- k. creating an environment in their area where child safety complaints and concerns are readily raised, and no one is discouraged from reporting an allegation of child abuse to relevant authorities.

**7.4. Responsibilities of All Staff**

7.4.1. All school staff, volunteers and contractors share in the responsibility for the prevention and detection of child abuse, and are required to:

- a. promote child safety at all times and provide a safe School Environment for children;
- b. telephone 000 if they believe a child is at immediate risk of abuse;
- c. read and comply with this Policy and the Child Safety Code of Conduct;
- d. respond to a child disclosing an incident of child abuse or harm (or a risk of child abuse or harm), in a child-focused manner, with sensitivity and professionalism;
- e. report any concerns about actual or suspected child abuse or harm as soon as possible to a CSO or supervisor; and
- f. report any breach or suspected breach of this Policy or the Child Safety Code of Conduct as soon as possible to a CSO or supervisor.
- g. 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 the DFFH. If a person would like internal guidance or support with addressing their concerns, they are encouraged to speak with a CSO at the School. This helps the School to meet its obligations to protect children from potential abuse to the greatest extent possible.
- h. participate in child safety and wellbeing induction and training provided by the school, and always follow the school's child safety and wellbeing policies and procedures

- i. identify and raise concerns about child safety issues in accordance with our Child Safety Responding and Reporting Obligations Policy and Procedures, including following the Four Critical Actions for Schools
- j. ensure students' views are taken seriously and their voices are heard about decisions that affect their lives
- k. implement inclusive practices that respond to the diverse needs of students

## **7.5 Responsibilities of Child Safety Officer**

- 7.5.1. The Vice Principal and Assistant Principal are designated Child Safety Officers (CSOs) and responsible for implementing the school's child safe standards policy and the mandated requirements of Ministerial Order 1359. CSOs will make reports on behalf of the School and ensure adequate records are kept. Staff may seek advice from the Child Safety Officer if they have concerns about child safe matters and when considering whether to make a report about a child in need of protection.
- 7.5.2. Director of Student Welfare Services and the Chaplain are nominated and trained Child Safety Champions (CSC) and available to listen, discuss and clarify issues confronting individuals in relation to child abuse and risk of child abuse and harm.
- 7.5.3. CSOs' responsibilities include:
  - a. Overseeing investigations of complaints and disclosures as directed by the Principal;
  - b. Reporting any risks to child safety to the Principal;
  - c. Maintaining adequate records of all complaints, disclosures, decisions and actions taken in relation to a child safety complaint or disclosure;
  - d. Providing support for children at risk or where an allegation, complaint or disclosure has been made; and
  - e. Supporting others in the community to maintain a child safe School Environment.

## **8. TRAINING AND SUPERVISION**

- 8.1. Training and education is important to ensure that everyone in Tintern Grammar understands that child safety is everyone's responsibility.
- 8.2. Tintern Grammar aims for all staff, volunteers and contractors (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.
- 8.3. Ongoing training and education are essential to ensuring that staff understand their roles and responsibilities and develop their capacity to effectively address child safety and wellbeing matters.
- 8.4. We train our staff, volunteers and contractors to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.
- 8.5. Staff child safety and wellbeing training will be delivered at least annually and will include guidance on:
  - a. our school's child safety and wellbeing policies, procedures, codes, and practices
  - b. completing the Protecting Children – Mandatory Reporting and Other Legal Obligations online module annually
  - c. recognising indicators of child harm including harm caused by other children and students
  - d. responding effectively to issues of child safety and wellbeing and supporting colleagues who disclose harm

- e. how to build culturally safe environments for children and students
  - f. information sharing and recordkeeping obligations
  - g. how to identify and mitigate child safety and wellbeing risks in the school environment.
- 8.6. Other professional learning and training on child safety and wellbeing, for example, training for our volunteers, homestay hosts and local carers, will be tailored to specific roles and responsibilities and any identified or emerging needs or issues.
- 8.7. We also support our staff, volunteers and contractors through ongoing supervision to: develop their skills to protect children from abuse; and 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.
- 8.8. All employees and volunteers will be supervised regularly to ensure they understand Tintern Grammar'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 Tintern Grammar's Code of Conduct to understand appropriate behaviour further).
- 8.9. Any inappropriate behaviour will be reported swiftly through appropriate channels, in accordance with the School policies and relevant legislation and external bodies, including the Department of Health and Human Services and Victoria Police, depending on the severity and urgency of the matter.

## 9. RECRUITMENT AND INDUCTION

- 9.1. We take all reasonable steps to employ skilled people who are safe 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. Tintern Grammar understands that when recruiting staff, volunteers and contractors we have ethical as well as legislative obligations.
- 9.2. The School undertakes a comprehensive recruitment and screening process for all employees, volunteers and contractors which aims to:
- 9.2.1. promote and protect the safety of all children within the School Environment;
  - 9.2.2. identify and recruit the safest and most suitable candidates who share the School's values and commitment to protect children; and
  - 9.2.3. prevent a person from working at the School if they pose a risk of harm to children.
  - 9.2.4. All successful applicants engaged at the School will be assessed on an ongoing basis:
    - a. during any scheduled performance review; and
    - b. after any concern is raised regarding their conduct with children,
    - c. to ensure that they remain suitable for child-connected work.
- 9.3. We actively encourage applications from Aboriginal peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability.
- 9.4. All people engaged in child-related work at Tintern Grammar, including volunteers, are required to hold a 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.
- 9.5. Volunteers who also hold a VIT card are exempt from a Working With Children Check to volunteer at Tintern Grammar but must notify Working With Children Check Victoria of any child-related work they do outside of their teaching role within 21 days of starting this volunteer work
- 9.6. All teaching staff must be registered with the Victorian Institute of Teaching (VIT). We carry out reference checks to ensure that we are recruiting the appropriate people to work with children.

Police record checks are used only for the purposes of recruitment and are discarded after the recruitment process is complete. We do retain within our own records (but not the actual criminal record) if an applicant's criminal history affected our decision-making process.

- 9.7. 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.
- 9.8. All newly appointed staff will be expected to participate in our child safety and wellbeing induction program. The program will include a focus on:
  - a. the Child Safety and Wellbeing Policy (this document)
  - b. the Child Safety Code of Conduct
  - c. the Child Safety Responding and Reporting Obligations (including Mandatory Reporting) Policy and Procedures and
  - d. any other child safety and wellbeing information that school leadership considers appropriate to the nature of the role.

## **10. FAIR PROCEDURES FOR STAFF**

- 10.1. The safety and wellbeing of children is our primary concern. We are also fair and just to employees. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.
- 10.2. We record all allegations of abuse and safety concerns by detailing the incident on our user forms section of our student database, including investigation updates. All records are securely stored with appropriate levels of access.
- 10.3. We report any charges, committals for trial or convictions in relation to a sexual offence by a registered teacher, or allegations regarding child abuse to the Victorian Institute of Teaching (VIT)
- 10.4. If an allegation of abuse or a safety concern is raised, we provide as appropriate updates to children and families on progress and any actions we as an organisation take.

## **11. PRIVACY**

- 11.1. The School collects, uses, and discloses information about children and their families in accordance with Victorian privacy laws, and other relevant laws
- 11.2. The School will operate on "the best interests principle". The Principal, all employees, volunteers, contractors and Board members will do what they believe to be in the best interest of the child or young person. This principle supersedes all others.
- 11.3. The School will respect a child or young person's right to privacy except in situations where it conflicts with "the best interests principle".
- 11.4. 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 because of this or to meet statutory requirements. We have safeguards and practices in place to ensure any personal information is protected. For information on how our school collects, uses and discloses information refer to the School Privacy Policy
- 11.5. All reports of alleged abuse or harm, or risk thereof, must be recorded in the form of a Child Safe Incident Report. Reporting should be factual and not conjectural or interpretative. Places, times, dates, names of people, observable behaviours or evidence of harm are what is recordable. Reports must be securely stored by the Principal or delegate.

## **12. LEGISLATIVE RESPONSIBILITIES**

- 12.1. Tintern Grammar takes our legal responsibilities seriously, including:

- a. 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 the police.
  - b. Failure to protect: People of authority in Tintern Grammar will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.<sup>2</sup>
- Any staff who are mandatory reporters must comply with their duties.<sup>3</sup> All adults are required by legislation to take responsibility for Mandatory Reporting.

### 13. RISK MANAGEMENT

- 13.1. In Victoria, organisations are required to protect children when a risk is identified (see information about failure to protect above). In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.
- 13.2. We have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments (for example, any doors that can lock), and online environments (for example, no staff or volunteer is to have contact with a child in organisations on social media).
- 13.3. Risks to child safety can include:
  - a. Images or videos being taken of children;
  - b. The supervision of children;
  - c. Online environment; and
  - d. Overnight stays such as School camps.
- 13.4. To mitigate and prevent these risks, the School:
  - a. requires Staff to comply with School Policies, as listed above;
  - b. reviews risks, and monitors and evaluates the effectiveness of the implementation of the risk controls (The Board, and Risk and Governance Committee);
  - c. makes child safety a part of its overall risk management strategy approach; and
  - d. ensures that, at least annually, staff receive appropriate guidance and training about:
    - child abuse risks in the School Environment;
    - mandatory reporting, the failure to disclose offence, the failure to protect offence, the grooming offence, Ministerial Order 1359 and the Reportable Conduct Scheme; and
    - individual and collective obligations and responsibilities for managing the risk of child abuse.
- 13.5. Child safety is a regular item at Board meetings to ensure the Board regularly considers risks to children in the School Environment, and implements strategies to ensure child safety in all School Environments.
- 13.6. Risk assessments for Child Safety consider specific activities by the School, and the characteristics of children expected to be present in that environment. Child Safety are entered into the School Risk Register and a Child Safety Risk Management and Mitigation document.

### 14. REGULAR REVIEW

- 14.1. This policy will be reviewed at least every two years. In addition, following significant incidents, if they occur the policy will be analysed in light of any complaints, concerns, and safety incidents to improve policy and practice

- 14.2. We will ensure that families and children have the opportunity to contribute to the development of this policy.
- 14.3. Where possible, we do our best to work with local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

**15. COMMUNICATION**

15.1. The School is pro-active in the area of prevention and will communicate and disseminate the Child Safety Policy, Code of Conduct and Procedure in the manner below:

STUDENTS	PARENTS, GUARDIANS, COMMUNITY, SPONSORS, PARTNERS	EMPLOYEES, BOARD MEMBERS	VOLUNTEERS, CONTRACTORS
<ul style="list-style-type: none"> <li>• Website</li> <li>• School assemblies</li> <li>• School Health and Wellbeing curriculum</li> <li>• Information to Senior School students prior to turning 18</li> </ul>	<ul style="list-style-type: none"> <li>• Conditions of enrolment</li> <li>• Website</li> <li>• Parent information evenings</li> <li>• School newsletter</li> </ul>	<ul style="list-style-type: none"> <li>• Meeting agendas</li> <li>• Website</li> <li>• Letters of appointment/contracts</li> <li>• New employees, and board members Induction Training and refresher training</li> <li>• Annual Training Session</li> <li>• Performance Development and Coaching sessions (as applicable)</li> </ul>	<ul style="list-style-type: none"> <li>• Website</li> <li>• Contracts</li> <li>• Application forms</li> <li>• Induction</li> </ul>

- 15.2. The School will ensure its child safety practices and Child Safety Code of Conduct are communicated in an accessible manner for:
- a. younger students, by discussing the documents in-person (and any other method deemed appropriate and effective for the particular age of the student); and
  - b. students living with a disability, by discussing the documents in-person (and any other method deemed appropriate and effective for the particular type of disability that the student is living with);
  - c. children from culturally and linguistically diverse backgrounds, by discussing the documents in-person, with the aid of a translator if required.

**16. REPORTING ALLEGATIONS, BREACHES, CONCERNS AND COMPLAINTS**

- 16.1. Tintern Grammar takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff, volunteers and contractors are trained to deal appropriately with allegations of child abuse.
- 16.2. We work to ensure all children, families, staff, volunteers and contractors know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.
- 16.3. 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).
- 16.4. 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. a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
  - b. behaviour consistent with that of an abuse victim is observed
  - c. someone else has raised a suspicion of abuse but is unwilling to report it
  - d. observing suspicious behaviour.
- 16.5. When the School suspects that a child or young person has been harmed or is at risk of harm, the School will respond to that suspicion in an appropriate manner which prioritises the safety of children and young people, taking into account the diverse characteristics of the children and young people involved.
- 16.6. In the case of an allegation being made against an employee, contractor, volunteer or Board member at the School, the Child Safety Officer will follow the Procedure for Responding and Reporting Abuse, Incident Report Form & 4 Critical Actions in consultation with the Principal or delegate. The School will take all steps to ensure the safety of the child is paramount.
- 16.7. All Staff are required to follow the Child Safety Reporting Procedure (at the end of this policy).
- 16.8. The Child Safety Reporting Procedure (at the end of this Policy) sets out the actions the School will take to inform appropriate authorities of allegations of suspected child abuse. This Procedure includes:
- a. Mandatory Reporting obligations that apply to Mandatory Reporters, such as the Principal and registered teachers;
  - b. Authorities that may need to be contacted about allegations of child abuse; and
  - c. Other reports that may be made, such as under the Reportable Conduct Scheme.
- 16.9. Staff must report any breach or suspected breach of this Policy, the Reporting Procedure and the Child Safety Code of Conduct to a CSO or the Principal as soon as possible after becoming aware of it.
- 16.10. If the School becomes aware of a breach or suspected breach, it will take immediate steps to ensure the safety and wellbeing of any child who may be at risk. A breach of this Policy may result in disciplinary action (including termination of engagement with the School).
- 16.11. Suspected breaches will be investigated in accordance with the Policy and any relevant legislation (for example, the Reportable Conduct Scheme), and in a manner that provide procedural fairness, while considering child safety as paramount

## **17. INVESTIGATIONS**

- 17.1. The Principal or delegate will appoint an independent investigator to investigate the allegation to the extent that it will not interfere with investigations conducted by DFFH, the police or the Commission, and will co-operate with the authorities as required. All staff must co-operate fully with any investigation by DFFH, the police, the Commission or the School.
- 17.2. The Principal will make every effort to keep any such investigation confidential; however, from time to time other employees, volunteers, contractors or Board members (if applicable) may need to be consulted in conjunction with the investigation (e.g. to provide witness statements).
- 17.3. Investigations will be conducted in accordance with procedural fairness.

## **18. LINKS TO RELATED TINTERN GRAMMAR POLICIES**

- 18.1. Mandatory Reporting Policy
- 18.2. Privacy Policy
- 18.3. Complaints Policy
- 18.4. Obligation to Report Child Abuse Policy

- 18.5 Reportable Conduct Policy
- 18.6 Counselling Policy
- 18.7 Code of Conduct – Staff
- 18.8 Child Safety Code of Conduct
- 18.9 Social Media Policy
- 18.10 Bullying and Harassment Policy
- 18.11 Procedure for Responding and Reporting Abuse, Incident Report Form & 4 Critical Actions Document
- 18.12 International Students - Procedures to Reduce the Risk of Child Abuse

## 19. DEFINITIONS

- 19.1. "Child" is defined as a person under the age of 18 years, or as according to the applicable legislation.
- 19.2. "CSOs" means Child Safety Officers.
- 19.3. "Mandatory reporter" means the Principal, registered teachers, registered nurses, registered psychologists, youth, social or welfare workers, early childhood teachers, and persons in religious ministry.
- 19.4. "School" means Tintern Grammar.
- 19.5. "School Environment" means any physical or virtual place made available or authorised by the School's Board for use by a child, including:
  - a. A campus of the School;
  - b. Online School Environments (including email, messaging services and intranet systems); and
  - 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).
- 19.6. "Staff" means the School's Principal, teaching staff, employees, volunteers, contractors, advisory Board members, students on placement.
- 19.7. child safety includes 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 suspicions, incidents, disclosures or allegations of child abuse..<sup>4</sup>
- 19.8. 'Child abuse'<sup>5</sup> includes:  
any act committed against a child involving:
  - a. a sexual offence; or
  - b. an offence under section 498(2) of the Crimes Act 1958 (grooming);
  - c. and the infliction, on a child, of:
  - d. physical violence; or
  - e. serious emotional or psychological harm; and
  - f. serious neglect of a child.
- 19.9. 'Child connected work' means work authorised by or on behalf of the governing board and performed by an adult in the school environment while children are present or reasonably expected to be present.<sup>7</sup>

## 20. REFERENCES TO EXTERNAL POLICY/LEGISLATION/COMPLIANCE DOCUMENTS (Use as relevant)

- 20.1. Duty of Care

- 20.2. Child Wellbeing and Safety Amendment (Child Safe Standards) Bill 2015 (Vic.)
- 20.3. Ministerial Order 1359 July 2022 (Vic.)
- 20.4. Victorian Registration and Qualifications Authority (VRQA) Minimum Standards: mandated registration requirements
- 20.5. Crimes Act 1958 (amended) (Vic.)
- 20.6. Betrayal of Trust Report 2014 (Vic.)
- 20.7. Working With Children Act 2005.

## 21. POLICY IMPLEMENTATION DOCUMENTS

- 21.1. Child Safety Code of Conduct – Board, Employees, Volunteers and Contractors Working With Children and young people as per Child Safety Code of Conduct.
- 21.2. Code of Conduct (staff)
- 21.3. School staff recruitment, supervision, and management process
- 21.4. Induction Handbook including child safe standards policy
- 21.5. Training and guidance in recognising the signs and indications of child abuse and grooming
- 21.6. Strategic plan to promote child empowerment and participation.
- 21.7. Tintern Grammar Child Safety Risk Management and Mitigation
- 21.8. Obligation to Report Child Abuse Policy
- 21.9. Reportable Conduct Policy
- 21.10. Obligation to Report Child Abuse Policy

## 22. APPROVAL

- 22.1. Policy Approved by: Tintern Grammar Board
- 22.2. Reviewed: 14 July 2022
- 22.3. Reviewer: Assistant Principal
- 22.4. Review Cycle: 2 years
- 22.5. Version: 3.0
- 22.6. Revision Date: 14 July 2024

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<sup>1</sup> <https://www.vic.gov.au/schools-culturally-safe-environments-guidance>

<sup>2</sup> Further information about the failure to protect offence is available on the Department of Justice and Regulation website <[www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence)>

<sup>3</sup> Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

See the Department of Health and Human Services website for information about how to make a report to child protection <[www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first)>.

<sup>4</sup> As defined in Ministerial Order 1359.

<sup>5</sup> As defined in Child Wellbeing and Safety Act 2005.

<sup>6</sup> The definition of 'child' can vary within different legislation and different jurisdictions. In different places a child defined as a person under the age of 16, under the age of 17, or under the age of 18.

<sup>7</sup> As defined in Ministerial Order 1359. This is a broader definition than that used in the Working With Children Act 2005.

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## **Appendices:**

### **Appendix I - Aboriginal and Torres Strait Islander Education Plan**

Tintern Grammar are committed to establishing an inclusive and culturally safe school where the strengths of Aboriginal culture, values and practices are respected. We think about how every student can have a positive experience in a safe environment. For Aboriginal students, we recognise the link between Aboriginal culture, identity and safety and actively create opportunities for Aboriginal students and the Aboriginal community to have a voice and presence in our school planning, policies, and activities.

This guidance applies, even if there are no students who have identified themselves as Aboriginal.

The term 'Aboriginal' includes Aboriginal and Torres Strait Islander peoples. It is important to be respectful of how individual children, students, their families and community refer to themselves, and use appropriate language.

Cultural safety includes being provided with a safe, nurturing and positive environment where Aboriginal children:

- feel comfortable being themselves
- feel comfortable expressing their culture, including their spiritual and belief systems
- are supported by carers who respect their Aboriginality and encourage their sense of self and identity.

#### **Benefits of cultural safety**

Being able to express their culture makes Aboriginal children stronger and safer. Aboriginal children and young people who don't feel safe being themselves and expressing their individuality may be less willing to report abuse. Providing safe environments for children has positive, lifelong impacts that cannot be underestimated, and cultural safety is a key dimension of safety for Aboriginal children.

#### **Key elements of cultural safety**

##### ***Understand identity***

Identifying as Aboriginal is one part of a child or young person's identity. Like everyone, Aboriginal people have different life experiences and characteristics. Schools must recognise that each person is unique with their own characteristics, strengths and challenges.

##### ***Respect culture***

Culture and identity are linked. By supporting Aboriginal children to feel strong in their identity schools also help them enjoy their cultural rights. Australia's colonial history has caused significant trauma and hurt that individuals, families and communities still feel today. However, Aboriginal communities have a long history of resilience and growth in the face of adversity and trauma. Schools should show respect for the deep resilience of Victorian Aboriginal communities.

##### ***Eliminate racism and abuse***

Making our school culturally safe means taking the specific action needed to keep Aboriginal children and young people safe from abuse and harm. Schools aim to address all forms of racism and consider attitudes and practices that are a barrier to providing a culturally safe environment and to address all forms of racism.<sup>1</sup>

We have developed the following strategies to promote cultural safety in our school community:

- Begin significant school events and meetings with a Welcome to Country or an Acknowledgement of Country as a standing agenda/running sheet item.
- Fly the Aboriginal and Torres Strait Islander flags on school grounds.
- Display Acknowledgement Country and Traditional Owners.
- Recognise key events such as NAIDOC Week, Reconciliation Week as the feature of school assemblies

- Make Aboriginal voice part of decision making in matters that affect Aboriginal students and the Schools response to Aboriginal culture, values and practices
- Celebrate the local Aboriginal community in communications with students, staff, volunteers and families such as school newsletters, school assemblies, parent information nights.
- Build schoolwide knowledge of and respect for of Aboriginal histories, cultures, perspectives, values, skills and attitudes through curriculum and pastoral programs
- Acknowledge and draw on the existing knowledge of Aboriginal students and their families.
- Ask for feedback from Aboriginal students and their families about what the school does well, and what can be improved.
- Express zero tolerance of racism in your statement of commitment to child safety included in our Child Safety Policy and other documents.
- Address racism from students, staff, volunteers or visitors directly. We make sure racist speech or actions are always dealt with, and the culture of the school works to prevent incidents from occurring.
- Include Aboriginal history and culture in curriculum for students.
- Engage with local Aboriginal communities via Gurungaeta (Elder) of the Traditional Owner group Wurundjeri, to review cultural safety in school environment, systems and processes.
- Work with the local Aboriginal community to build staff, volunteer and student knowledge and respect for Aboriginal culture and to promote cultural inclusion through visits to the school to run education programs and assemblies
- Develop and implement an Aboriginal and Torres Strait Islander Reconciliation Action Plan.