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# child safe standards

NUMBER: ..... 10070

TITLE: STANDARD 2 - ..... CHILD PROTECTION

LOCATION: .....STAFF

REVIEWER: .....HOSS

REVIEW FREQUENCY: .....Q1 – YEARLY

## **PURPOSE**

**Ballarat Grammar is committed to zero tolerance of child abuse in every form. All staff and members of our community have a duty of care to protect the safety, health and wellbeing of all children in their care.**

**As a school with a diverse population, this includes students with a disability, Aboriginal and Torres Strait Islander children and children from culturally and linguistically diverse backgrounds.**

The protection of all children is in accordance with any applicable State and Commonwealth laws and staff are advised of their obligations under those laws.

In accordance with Ministerial Order 870 “Child Safe Standards” – Managing the Risk of Child Abuse in Schools – Ballarat Grammar endeavours to provide a safe school environment (ref. classification of environments for Ballarat Grammar) and has clear procedures for a culture of child safety. Broader safety issues arising from our common law duty of care are dealt with through our student duty of care statements and risk management procedures.

Child abuse includes:

- any act committed against a child involving
  - a sexual offence; or
  - an offence under section 49B(2) of the Crimes Act 1958 (grooming); and
- the infliction, on a child, of
  - Physical violence; or
  - Serious emotional or psychological harm; and
- serious neglect of a child





Behaviour that is acceptable and not-acceptable can be found in the School's code of conduct. Ballarat Grammar's child protection action is made up of work systems, practices, policies and procedures designed to maintain a child-safe environment and to embed an organisational culture of child safety within the whole school community.

Every child at Ballarat Grammar has the right to be safe and the welfare and best interests of the child are to be of utmost importance. We continue to achieve this by:

- respecting the views of each child and their privacy
- outlining clear expectations for appropriate behaviour with children
- providing and creating a school culture that supports the safety for each child within our care
- enhancing understanding that the protection of children at Grammar is everyone's responsibility
- promoting child safety awareness for all members of our community along with open discussion about child protection issues.
- following appropriate procedures for recruitment, contracting, volunteer engagement, external providers and all those who come into contact with our students (refer to Staff Selection Process)
- ensuring mandatory training for all members of the Board of Directors, Ballarat Grammar staff, BGS Educational Services, and members of the Foundation.
- Clear and easily accessible procedures for responding to alleged or suspected incidents of child abuse.
- Complying with all laws, regulations and standards relevant to child protection in Victoria.

### **Child Safety Practices and creation and maintenance of a child-safe environment and culture occur through:**

- Clear information to all stakeholders as to what constitutes child abuse and associated risk indicators
- Education and support for responding to and reporting allegations of child abuse
- Recruiting procedures that ensure robust screening of all those engaged in work at Ballarat Grammar
- Embedded education in our curriculum and wellbeing pastoral care program designed to empower students and keep them safe
- Continuous professional development for all embedding the understanding that child safety is the responsibility of every member of staff at Ballarat Grammar.
  
- All staff are to wear name tags and all visitors to the School must sign in at reception.
- Where appropriate gates will be locked during the day by using a keypad operation.
- Areas where line of sight is obscured will be evaluated for risk factors
- Staff should always place themselves in an appropriate location so they are not in isolation with a child.
- Continued due diligence will be managed through the School's Risk Management Matrix
- Close monitoring of student attendance is required in all areas of the School.

The School environment encompasses (Appendix 1 – School Environments) continual monitoring of the School environments through the Risk Management Committee occurs on a regular basis and a risk analysis and management plan must be conducted for all off campus activities.

The School's Child Safety Code of Conduct outlines acceptable and unacceptable behaviour when dealing with students and young people in our care. Regular reminders and updates will be provided to all members of our community using the School's various communication resources. This will allow for the monitoring and adherence to the policy or statements appropriate.



## Roles and Responsibilities for Protection of Children

Ongoing staff support will be provided through inductions, professional learning programs, the Director of Staff, Director of Care and Heads of School.

### APPENDIX 2 (Staff Roles and Responsibilities)

<b>Role</b>	<b>Responsibility</b>
<b>Board of Directors/ Headmaster</b>	Lead the School's child safety culture
<b>Head of School</b>	Develop and enhance the School's child safe strategies. Proactively monitor the effectiveness of strategies Review child safe strategies. Develop policies, procedures and supporting documentation including appropriate communications and resources.
<b>Director of Care</b>	Lead the delivery of programs for children about the school's child safety strategies through the School's pastoral care program and through the curriculum. Develop policies, procedures and supporting documentation including appropriate communications and resources.
<b>Director of Staff/ Head of HR</b>	Train staff including contractors and volunteers in the School's child safety strategies. Develop policies, procedures and supporting documentation including appropriate communications and resources.
<b>Heads of Houses (including Boarding), Mentors, Class Teachers and Pastoral Carers.</b>	As the first point of contact; educate and monitor students in their care. Provide support and enact processes and policies.
<b>Chaplain</b>	Monitor and maintain clear messages of child safety for all members of the community through the spiritual dimension of the School.
<b>Psychologists/Health Centre</b>	Provide support to enact processes and policies
<b>Multi-cultural co-ordinator, Indigenous co-ordinator and Head of Learning Enhancement</b>	Provide support to ensure the diversity of our student needs is met.



# BALLARAT GRAMMAR

The School has communicated to the School community, including the School board, about how it has put the child safety strategies into practice and the changes that are being made by:

- Publishing information on the School's website,
- Making parents aware via the School newsletter,
- Providing information in School information sessions,
- Making staff aware during professional development days,
- Including information in staff employment inductions,
- Email notification,
- Staff employment inductions,
- Student pastoral care sessions.

Mandatory reporting arises from the requirements of the Children, Youth and Families Act 2005 (Vic.) for the protection of children from harm due to physical injury, sexual or emotional abuse.

Any person who is registered as a teacher under the *Education and Training Reform Act (2006)*, or any person who has been granted to teach under the Act, including principals, is mandated to make a report to the Department of Human Services (DHS) Child Protection. In addition, all staff who are employees of the School, should if they have a belief or suspicion that a child is being or has been subjected to any form of abuse, make a report.

Ballarat Grammar has a responsibility in the prevention of and reporting of child abuse and neglect. We have developed procedures to support the implementation of the mandatory reporting of child abuse.

This Policy sets out what constitutes child abuse, who is mandated to make a notification, and the process of making a report to the Department of Human Services (Child Protection).

By definition, child abuse is an act by parents or caregivers which endangers a child or young person's physical or emotional health or development. Child abuse includes physical injury, sexual abuse, emotional abuse and neglect.

A child is defined by the Act as a person who is under the age of 18.

## **MANDATORY REPORTING**

**This policy has been derived from the State legislation in the following Act:**

The Children, Youth and Families Act 2005 (Vic), states that certain professionals must report to the Department of Human Services (Child Protection Services), when in the course of their professional duty: -

- (they) form the belief on reasonable grounds that a child is in need of protection because the child has suffered, or is likely to suffer, significant harm as a result of physical injury and the child's parents or caregiver have not protected, or are unlikely to protect the child from harm;-

or

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





Specifically, the Victorian professionals mandated to report are:

- Legally qualified medical practitioners, registered nurses, registered psychologist and members of the Victorian police force
- Primary school and secondary school teachers and principals
- A person with post-secondary qualification in the care, education or minding of children who is employed by a children's service

The above people are referred to as mandatory reporters. As a staff member at Grammar you are a mandatory reporter and failure to notify your belief, when you have reasonable grounds, is an offence under the Mandatory Reporting amendment to the Children and Young Persons Act, and may incur a fine.

Although only mandatory reporters have a legal responsibility to report abuse, everyone has a moral responsibility to report all types of possible or known child abuse.

## PROCEDURE

### Reporting to Department of Human Services (Child Protection Services)

#### 1. Observations

Staff members who may have made observations and feel concern is warranted, should keep notes that may lead to further reporting. These dated notes should be recorded on the Mandatory Reporting Record Form (Attached Appendix A). The identified concerns, together with these forms should be discussed with the Director of Care or Head of School. The form/s will be stored as a cumulative record in the student's file and may be acted upon if deemed necessary. Notification of any further action will take place to the Headmaster.

#### 2. Is reporting to Child Protection Service required?

A report to the Department of Human Services/Child Protection is **required** when:

- A teacher believes, based on reasonable grounds, that a child has suffered, or is likely to suffer, significant harm as a result of physical, sexual, emotional abuse or neglect

or

- The child's parents or caregiver have not protected, or are unlikely to protect the child from such harm

A 'belief on reasonable grounds' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

For example, there may be reasonable grounds when:

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

In identifying a concern, a staff member may ask students sufficient basic questions to establish a reasonable belief, but care should be taken to not ask leading questions. It is not the responsibility of the notifier to take on a role of investigator, but any information of concern must be passed on to Senior Staff. This information is confidential and is not to be discussed with any other person.



### 3. *Making a report to Child Protection Services*

Section 184(1), CYFA, requires mandated reporters to report their belief, when the belief is formed in the course of practising their profession. A report **must be made** as soon as practicable after forming the belief, and on **each occasion** on which they become aware of any further reasonable grounds for the belief.

There may be times when two or more mandated professionals, for example a teacher and a principal, or a doctor and a nurse, have formed a belief about the same child on the same occasion. In this situation it is sufficient that **only one** of the mandated professionals make a report. **The other is obliged to ensure that the report has been made** and that all the grounds for their own belief were included in the report made by the other person (s. 184(2)).

In the case where one mandated professional directs another mandated professional not to make a report, and one professional continues to hold the belief that a child is in need of protection, then that professional is **legally obliged** to make a report to Child Protection.

If a staff member believes a report to Child Protection Services is required, it is their responsibility to make that report, or ensure that the report is made. While it is expected that the Director of Care, the Head of School or other Senior Staff will be notified of concerns, and those concerns discussed, and the Headmaster consulted, the obligation to report lies with the teacher first identifying the concern. A report is lodged through contacting Child Protection Services (ph: 1800 075 599 business hours or 13 12 78 after hours).

The following information will be required when making a report:

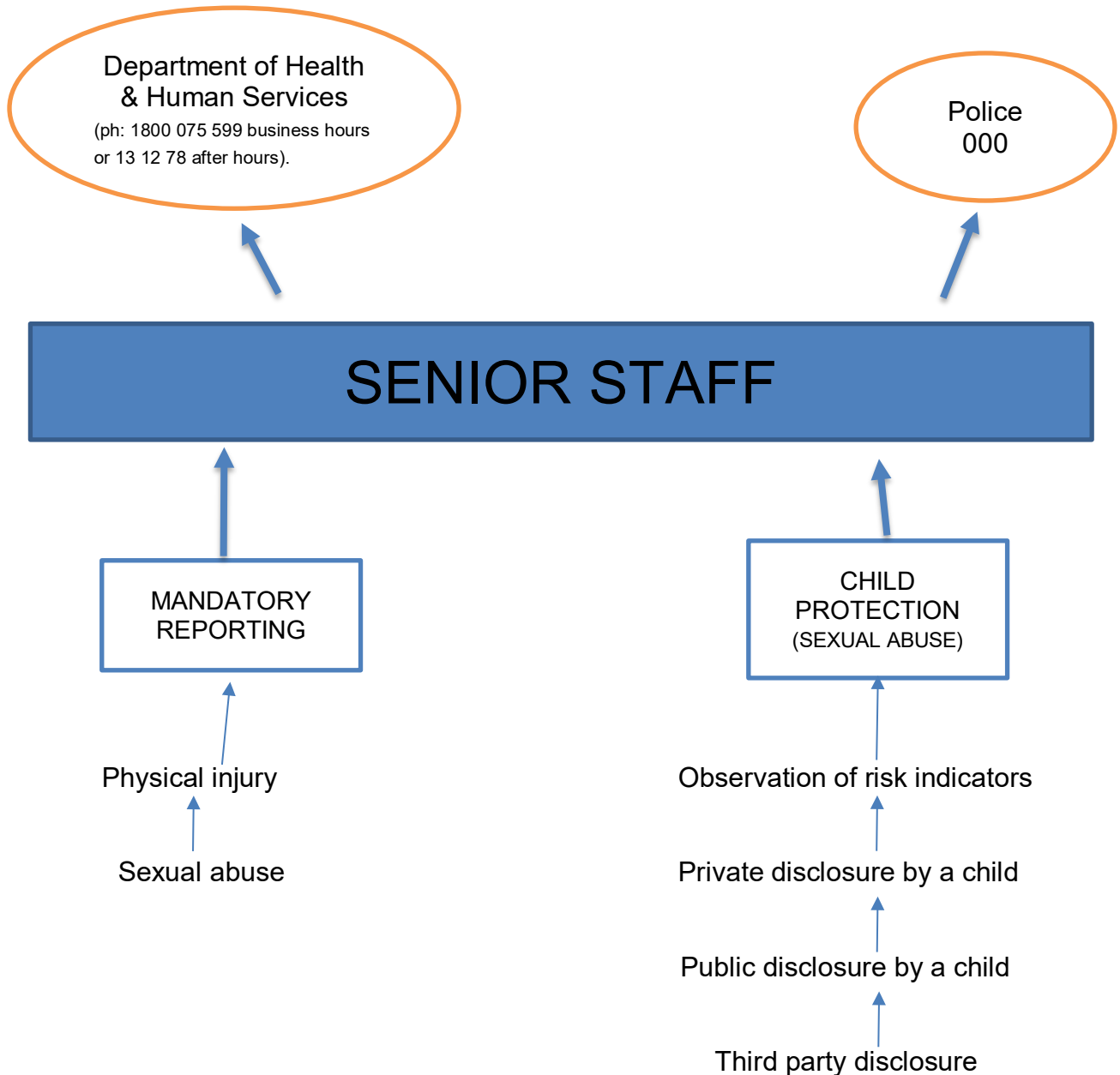
- The student's name, age and address
- The name, age and address of any known siblings
- Your reason for believing that the injury or behaviour is the result of abuse or neglect
- Your assessment of the immediate danger to the student
- Current whereabouts of the student
- Description of the injury or behaviour observed
- Any other known information about the student's family

The identity as a notifier will remain confidential unless:

- You choose to inform the child and/or family of the notification yourself
- You consent to your identity as the notifier being disclosed



# REPORTING



Please note that reporting the matter internally does not release you from other legal and regulatory reporting obligation you may have.

#### 4. Communication

The need for confidentiality is required at all times in the interest of the student and family. If following a report, a family approaches the School, they should be directed to speak with the Director of Care in the first instance or Head of School.



If Child Protection seeks an interview with the student at Grammar, the request may be directed to the Headmaster, Head of School or Director of Care. It is important to advise students of their right to have a supportive adult present at such an interview; may include Assistant Head or another staff member. The senior staff member will ensure the discussion takes place with a minimum of two senior staff members present. Please observe confidentiality at all times. Other staff members are not to engage in discussion with any members of the School community on their own accord in relation to these incidents, but refer them to the Director of Care.

## *5. Monitoring*

After notification to Child Protection Services is made, a senior protective worker will determine if further investigation is required. The notifying senior staff member will be notified of this decision or if not, it should followed up with Child Protective Services by the Director of Care.

## *6. Ongoing Support*

Pastoral support will be offered by the Grammar Counsellor or Psychologist/s to the notifying staff member/other staff or any students requiring assistance if required.

Further information on aspects of Mandatory Reporting can be found at Department of Human Services (children youth & families) website [www.cyf.vic.gov.au](http://www.cyf.vic.gov.au)





# INCIDENT REPORT

## Child Safe Standards

**Ballarat Grammar is committed to zero tolerance of child abuse. All staff and members of our community have a duty of care to protect the safety, health and wellbeing of children in their care.**

All incident reports must be stored securely.

### Incident Details

<b>Date of incident:</b>	
<b>Time of incident:</b>	
<b>Location of incident:</b>	
<b>Name/s of child/children involved:</b>	
<b>Name/s of staff/volunteer involved:</b>	
<b>What did you see?</b>	
<b>Other information</b>	

If you believe a child is at immediate risk of abuse phone 000.

Does the child identify as Aboriginal or Torres Strait Islander?

**Aboriginal**  Yes  No

**Torres Strait Islander**  Yes  No

#### Please categorise the incident

Physical violence

Sexual offence

Serious emotional or psychological abuse

Serious neglect



## Parent/Carer/Child use

<b>Date of incident:</b>	
<b>Time of incident:</b>	
<b>Location of incident:</b>	
<b>Name/s of child/children involved:</b>	
<b>Name/s of staff/volunteer involved:</b>	

## Office Use

<b>Date incident report received:</b>	
<b>Staff member managing incident:</b>	
<b>Follow-up date:</b>	
<b>Incident Ref. Number:</b>	

## Has the incident been reported?

<b>Child Protection</b>	
<b>Police</b>	
<b>Another third party</b> (please specify)	

Incident reporter wishes to remain anonymous?

Yes

No

Reported by: \_\_\_\_\_