

XIN JIN SHAN CHINESE LANGUAGE AND CULTURE SCHOOL

CHILD SAFE POLICY

Policy & Procedure Title:	Child Safety Policy	Policy & Procedure No:	
Responsible position:	Principal	Department:	
Authorised by:	Kevin Hu	Effective Date:	22 April 2021
Document Management System Reference:		Document Version Number:	
Approval date:	22 April 2021	Scheduled review date:	21 April 2022

Introduction:

At Xin Jin Shan Chinese Language and Culture School (XJS) we hold the care, safety and wellbeing of children and young people as a central and fundamental responsibility of our school. XJS has a moral, legal and mission-driven responsibility to create nurturing school environments where children and young people are respected, their voices are heard and they are safe and feel safe.

Purpose:

Our School's Child Safety Policy sets out the school's commitment and approach to creating and maintaining an organisation where children and young people are safe and feel safe. This policy has been created with input from across the school to:

- Provide an informative policy framework for the school's approach to the Victorian Child Safe Standards;
- Demonstrate a zero-tolerance approach to all forms of child abuse;
- Express our commitment to the empowerment of children and young people; and
- Ensure all our leaders, staff, volunteers and committee members are aware of their roles and responsibilities
- Explain key features of the CLV approach to meeting the Victorian Child Safe Standards, Reportable Conduct Scheme and the National Principles for Child Safe Organisations

Scope

This Child Safety Policy applies to all XJS leaders, staff, volunteers and committee members.

Definitions

Key terms relevant to this policy are defined in Appendix 1.

Context and Legislation

This Child Safety Policy and related policies and procedures have been developed in line with Victorian legislation, including the Victorian Child Safe Standards and the Reportable Conduct Scheme. As part of the Government's commitment to implementing the recommendations of the Betrayal of Trust report, which found that more must be done to prevent and respond to child abuse in our community, there is a new regulatory landscape surrounding child safety, underpinned by the Victorian Child Safe Standards. The Child Safe Standards are compulsory minimum standards for all CLV schools, to ensure they are well prepared to protect children from abuse and neglect. The Standards are:

- [Standard 1: Strategies to embed an organisational culture of child safety](#)
- [Standard 2: A child safety policy or a statement of commitment to child safety](#)
- [Standard 3: A Child Safety Code of Conduct](#)
- [Standard 4: Screening, supervision, training and other human resources practices that reduce the risk of child abuse](#)
- [Standard 5: Procedures for responding to and reporting suspected child abuse](#)
- [Standard 6: Strategies to identify and reduce or remove risks of child abuse](#)
- [Standard 7: Strategies to promote the empowerment and participation of children](#)

The standards also incorporate three principles related to identifying and responding to the needs of Aboriginal and Torres Strait Islander children; children from culturally and linguistically diverse communities; and children with a disability.

The policy is also consistent with the National Principles for Child Safe Organisations and the National Quality Standard (NQS). The ten National Principles for Child Safe Organisations (available in Appendix 2) are designed to work together to enable an organisation to include child safety at the core of all policy, practice and decision making. Creating a child safe organisation requires that all the principles operate together.

The NQS provide a national approach to regulation, assessment and quality improvement for early childhood education and care and outside school hours services across Australia. The aim of the NQS Quality Area 2 is to safeguard and promote children's health and safety, minimise risks and protect children from harm, injury and infection. The NQS can be viewed [here](#). Underpinning the Child Safety Policy is the United Nations Convention on the Rights of the Child (1989). The Convention is the foundation for child protection globally and recognises children's rights as human rights. Article 19 states, "Parties shall protect the child from all forms of physical or mental violence, injury or abuse, neglect, maltreatment or exploitation including sexual abuse." The Convention can be viewed [here](#).

The policy is also informed by and consistent with a range of other legislation and guidance, which is set out in Appendix 3.

Our commitment to child safety

[Note: this could stand alone as a public commitment to child safety]

XJS is committed to child safety. We have zero tolerance of child abuse, and all allegations and concerns for the safety and wellbeing of a child will be treated seriously and consistently according to our policies and procedures. We recognise that we have legal and moral obligations to contact authorities when we are concerned about a child's safety, which we follow rigorously.

XJS wants children to be safe, happy and empowered. We support and respect all children and are committed to the cultural safety of Aboriginal children, the cultural safety of children from a culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability, children in out of home care and LGBTI children and young people.

XJS is committed to the safety, participation and empowerment of all children and employ a range of strategies to include their voices in the development of our programs and activities.

XJS is committed to preventing child abuse through the proactive identification of risks and the removal and reduction of these risks wherever possible. We have robust human resources and recruitment practices for all staff and volunteers and are committed to providing regular training and education for staff and volunteers.

XJS nominates one child safety officer for each campus. The officer must be up to date with child safety requirements and able to promote and effectively communicate with a range of stakeholders.

XJS has specific policies, procedures and training in place that support our leadership team, staff and volunteers to achieve these commitments.

Duty of Care

Organisations that are in positions of care, supervision or authority over children have a duty of care to take reasonable steps to keep them safe from harm. XJS has an obligation to ensure processes are in place to avoid acts or omissions that place children in circumstances that may lead to injury or harm.¹

The Wrong's Amendment (Organisational Child Abuse) was introduced in Victoria in 2017 and places a clear legal duty to take reasonable steps to minimise the risk of child abuse (sexual and/or physical abuse) perpetrated by organisational representatives. The new legislation means that organisations are understood to have breached their duty of care unless an organisation can prove it took all reasonable steps to prevent the abuse.

Equity and Diversity

XJS recognises the diverse circumstances of children and young people and works to celebrate the strengths and individual characteristics of children and young people and embrace them regardless of their abilities, gender, socio economic status and cultural background. Staff and volunteers are trained to recognise and respond effectively to children and young people with diverse needs, with particular focus on vulnerable groups including, Aboriginal and Torres Strait Islander children, children with a disability, children from culturally and linguistically diverse backgrounds and LGBTIQ+.

Forms of Abuse

In order to create a child safe environment, it is important for volunteers and employees to understand the various ways in which child abuse can occur. For the purposes of the Child Safe Standards, abuse constitutes any act committed against a child involving:

- physical violence
- sexual offences including sexual abuse, grooming and sexual exploitation
- serious emotional or psychological abuse
- serious neglect
- exposure to family violence

Indicators of abuse can be found in Appendix 4

This list is not exhaustive but may include:

Cumulative harm – Cumulative harm refers to the effects of multiple adverse or harmful circumstances and events in a child's life. Cumulative harm may be caused by an accumulation of a single recurring adverse circumstance (such as unrelenting low-level care) or even; or by multiple circumstances or events (such as persistent verbal abuse and denigration, inconsistent or harsh disciplines and/or exposure to family violence.)

¹ Commission for Children and Young People, [A guide for Creating Child Safe Organisations](#), 2018

Emotional Abuse – occurs when harm is inflicted on a child through repeated rejection, isolation, or by threats or violence. It can include derogatory name-calling and put-downs, or persistent and deliberate coldness from a person, to the extent where the behaviour of the child is disturbed, or their emotional development is at serious risk of being impaired. Serious emotional or psychological abuse could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.

Exposure to Family Violence – Family violence is behaviour by a person towards a family member that is:

- Physically or sexually abusive;
- Emotionally (psychologically) abusive;
- Coercive or any way controls or dominates the family member and causes that family member to fear for their safety or wellbeing or the that of another family member; and
- Behaviour by a person that causes a child to hear or witness or otherwise be exposed to the effects of, behaviour referred to above.

Exposure to family violence includes children seeing, hearing or experiencing the violence in a number of ways.

Grooming – Many perpetrators of sexual offences against children purposely create relationships with children and young people, their families and carers in order to create a situation where abuse could occur. Grooming concerns predatory conduct undertaken to prepare a child for sexual activity. For example:

- Spending special time with a child e.g. in private settings, away from the organisation, online;
- Isolating the children or young person from family and peers;
- Giving gifts to a child;
- Showing favouritism;
- Allowing the child to step out of boundaries or rules;
- Touching the child; and
- Testing and breaking professional boundaries

Multi-Dimensional harm – occurs when more than one abuse type is experienced at the same time e.g. sexual abuse also involving physical abuse and emotional abuse at the same time.

Neglect – Neglect is the continued failure to provide a child with the necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child's health, safety and/or development is, or is likely to be, jeopardised. Serious neglect can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life-threatening situations.

Physical violence – Physical violence occurs when a child suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person. Physical violence can be inflicted in many ways, including hitting, beating, shaking, burning or use of weapons (such as, belts and paddles).

Sexual offences occur when a person involves the child in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to his/her age and development. Child sexual abuse can involve a range of sexual activity including fondling, masturbation, penetration, voyeurism and exhibitionism. It can also include exposure to or exploitation through pornography or prostitution, as well as grooming behaviour.²

² A new grooming offence commenced in Victoria on 9 April 2014. Further information is available on the [Department of Justice website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/grooming+offence)
<www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/grooming+offence>

It is important to note that sexual abuse includes both contact and non-contact behaviours.

Sexually harmful behaviour in children – refers to harmful behaviour perpetrated by a child (17 years of age or younger) to another child. Harmful behaviours in children are often an indicator that they have experienced abuse or neglect. Where sexually harmful behaviour occurs, organisations have a duty of care to both children. Note that in children under 10 years of age, such behaviour is usually referred to as *sexually problematic behaviour*.

Responsibilities

Key Role	Key Responsibilities
<p>All Employees, Students, Volunteers and Contractors</p>	<ul style="list-style-type: none"> ▪ To be aware of, understand and apply the requirements of this policy in all areas of work. ▪ Support XJS and CLV to embed and uphold the Child Safe Policy. ▪ Attend Child Safe training. ▪ Report any abuse/neglect concerns, allegations or disclosures to your child safe officer/principal and relevant authorities. ▪ Understand the legislation and legal obligations to report. ▪ Obtain and maintain a valid Working with Children Check as required for their role. ▪ Where a child is in immediate danger, call 000. ▪ Respond appropriately to a child who makes or is affected by an allegation of child abuse.
<p>Child Safety Officer</p>	<ul style="list-style-type: none"> ▪ Act as the first point of contact for child safety concerns or allegations of abuse within the school. ▪ Consult and liaise with the principal and CLV on the implementation of the Child Safe Standards. ▪ Provide support to the child, the parents/caregivers, the person who reports and the accused person. ▪ Initiate internal processes to ensure the safety of the child(ren). ▪ Decide, considering legal requirements and duty of care, whether the matter will be reported to the Police or Child Protection and lodge a report as soon as possible (if required). ▪ Confirm relevant authorities have been notified i.e. Department of Health and Human Services (DHHS) Child Protection, Police, DET, CCYP. ▪ Monitor compliance with the child safe policy and reporting procedure and respond appropriately where non-compliance is identified. ▪ Create, develop and support a culture of child safety within XJS ▪ Ensure all employees, students, volunteers and contractors are aware of how to respond appropriately to a child who makes or is affected by an allegation of child abuse.

	<ul style="list-style-type: none"> ▪ Review and update the Child Safety Policy annually. ▪ Inform the children and young people about this policy and make it publicly available. ▪ Oversee the implementation of the Child Safe Policy and Reporting Procedure. ▪ Store the Incident Reporting Form for reporting purposes according to XJS privacy policy and procedures.
Principal and other Leaders	<ul style="list-style-type: none"> ▪ Demonstrate leadership in child safe practices. ▪ Monitor compliance with the child safe policy and reporting procedure and respond appropriately where non-compliance is identified. ▪ Ensure organisational systems and processes are in place relating to recruitment, training, appraisals and ongoing management of staff and the implementation of the Child Safe Standards. ▪ Undertake or nominate an appropriate delegate where the Child Safety Officer is unavailable. Where this occurs, it must be widely publicised to the school community. ▪ Develop a culture of child safety within the school. ▪ Confirm the nature of the complaint and commence disciplinary processes if needed. ▪ Ensure child safe principles are included in risk assessments. ▪ Conduct appropriate child safe recruitment practices and screening processes. ▪ Ensure processes are in place to facilitate the appropriate response to a child who makes or is affected by an allegation of child abuse.
CLV Victoria	<ul style="list-style-type: none"> ▪ Continuously develop a culture of child safety within CLV. ▪ Provide information relating to Child Safety via training to new and existing staff and volunteers. ▪ Make child safety resources/templates available to child safe officers and principals. ▪ Provide support and assistance to child safe officers and principals. ▪ Inform Child Safety Officers of any changes to legislation ▪ Research and share information and updates regarding Child Safe Standards and legislative changes to all employees, volunteers, and contractors. ▪ Develop and distribute child safe materials such as posters and leaflets. ▪ Work with schools to determine if an allegation is a Reportable Conduct offence and oversee any investigations into suspected staff and volunteer misconduct and provide advice in relation to disciplinary procedures as they apply to the Child Safe Standards and Child Safe Policy.

Code of Conduct

XJS recognises a Code of Conduct to be an important strategy to help keep children safe from harm. A Code of Conduct lists behaviours that are acceptable and those that are unacceptable. It identifies professional boundaries, ethical behaviour and how to avoid or better manage difficult situations.

The Child Safety Code of Conduct is one the requirements of the Child Safe Standards and applies to all school employees, contractors, volunteers and any other members of the school community involved in child-related work with students of the school. This Child Safety Code of Conduct identifies inappropriate behaviour with children in a school environment. The objective is to guide school staff in identifying and regulating their own behaviour and the behaviour of other school staff, and to protect children from abuse in the school environment.

XJS develops the code of conduct to provide all staff, volunteers and committee members with a set of clear principles about how they should behave with children. During the development and review process XJS endeavours to include staff, volunteers, committee members, families and children in the process.

Allegations, concerns and complaints

Our school is committed to ensuring concerns, allegations and disclosures are reported through appropriate channels, including the Department of Health and Human Services (DHHS) and Victoria Police. We prioritise the safety and wellbeing of children above all else and recognise we all have a responsibility to keep children safe. XJS considers all staff, volunteers and committee members to have an obligation to report at all times i.e. any child safety concerns must be reported along internal, and external reporting lines.

Call the police on 000 if you have immediate concerns for a child's safety.

XJS takes all allegations and concerns seriously and has practices in place to investigate thoroughly and quickly. We work to ensure all children, families, staff and volunteers know what to do and who to tell if they are concerned about a child's safety or wellbeing or if they observe inappropriate behaviour.

Child safety concerns may arise in a range of ways including:

- Disclosure: a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
- Observation: a child's behaviour or development leads a person to form a belief that the child has been abuse
- Information received from others: Someone else has raised a suspicion of abuse and/or revealed that a child is being abused

Employees and volunteers must remain open and aware to the various ways concerns may arise. Child abuse may occur in the context of XJS activity or occur outside XJS, e.g. at home or in another organisation. XJS expects staff and volunteers to be alert to abuse in all contexts and report concerns in accordance with this policy.

All staff, volunteers and committee members must be aware of the *Failure to Disclose Offence* which creates an obligation for all adults to report a reasonable belief that a child has been sexually abused

to Police. More information on reporting legislation can be found in Appendix 3.

Internal and external reporting processes must always be adhered to. XJS recognises that internal process must never interfere with external obligations and will support staff and volunteers in fulfilling those obligations.

The Xin Jin Shan Chinese Language and Culture School Reporting Procedure can be found in Appendix 5.

Legislative responsibilities

Our organisation takes our legal responsibilities seriously, including:

- **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.
- **Failure to protect:** People of authority in our organisation 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.
- **Grooming:** Grooming for sexual conduct with a child under the age of 16 years: the offence of grooming occurs where a person over 18 years of age communicates, by words or conduct, online or face-to-face, with a child under the age of 16 years or with a person who has care, supervision or authority for a child, with the intention of facilitating the child's engagement in or involvement in a sexual offence with that person or another person over the age of 18.
- Any personnel who are **mandatory reporters** must comply with their duties.

The Reportable Conduct Scheme

The Victorian Reportable Conduct Scheme seeks to improve the response of organisations to allegations of child abuse and child-related misconduct by their workers and volunteers. The scheme is established by the *Child Wellbeing and Safety Act 2005* (the Act).

The Commission for Children and Young People is responsible for administering the scheme.

The Reportable Conduct Scheme has been designed to ensure that the Commission will be able to oversee and monitor the handling of allegations of child abuse and share information with relevant bodies (e.g. Working with Children Check Unit, relevant regulators and Victoria Police) to better prevent and protect children from abuse.

Reportable conduct includes allegations against an employee, volunteer, contractor, work experience or work placement student. It does not include allegations made within a family context or those external to our schools.

- There are 5 types of Reportable Conduct:
- **sexual offences** committed against, with or in the presence of a child
- **sexual misconduct** committed against, with or in the presence of a child

- **physical violence** against, with or in the presence of a child
- any behaviour that causes **significant emotional or psychological harm** to a child
- **significant neglect** of a child.³

Reportable Conduct includes allegations against an employee, volunteer, contractor, work experience or work placement student in the context of your school AND in their personal life.

- More detailed information can be found at <https://ccyp.vic.gov.au/child-safety/resources/reportable-conduct-scheme-information-sheets/>
- Any disclosure made regarding alleged Reportable Conduct must be brought to the immediate attention of the Child Safe officer and the Principal.

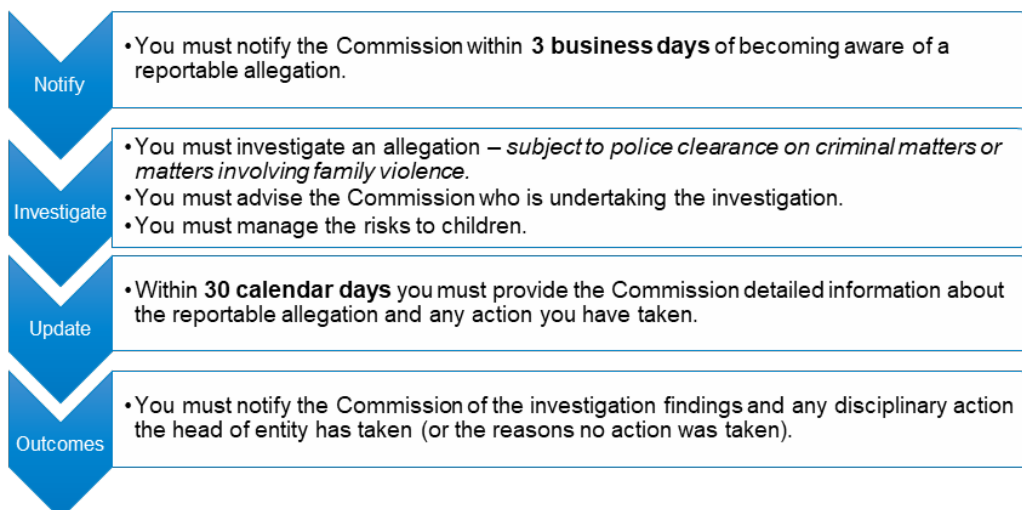
Requirements of heads of organisations

The Reportable Conduct Scheme imposes new obligations on heads of organisations (Executive Directors and principals) that are within the scheme. This includes requirements to:

- have in place systems to prevent child abuse and, if child abuse is alleged, to ensure allegations can be brought to the attention of appropriate persons for investigation and response
- ensure that the Commission is notified and given updates on the organisation’s response to an allegation
- report allegations which may involve criminal conduct to the police

The Reportable Conduct Scheme does not replace the need to report allegations of child abuse, including criminal conduct and family violence to Victoria Police.

A snapshot of a head of XJS’ obligations under reportable conduct:



Where to get help

³ The Commission for Children and Young People, <https://ccyp.vic.gov.au/reportable-conduct-scheme/about-the-reportable-conduct-scheme/>

Organisations covered by the Reportable Conduct Scheme should contact the Commission for clarification and guidance, and to talk through any issues of concern.

1. Telephone: 8601 5281
2. Email: childsafestandards@ccyp.vic.gov.au

Further information is also available on the Commission for Children and Young People's website at ccyp.vic.gov.au

<https://ccyp.vic.gov.au/child-safety/resources/reportable-conduct-scheme-information-sheets/>

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, 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 and the employee/volunteer under investigation on progress and any actions we as an organisation take.

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. CLV acknowledges that community languages schools must exercise appropriate processes and guidelines which respect the privacy of all staff and students. CLV considers any breach of privacy by schools to be a serious issue which will need to be investigated.

Record Keeping and Storage

XJS will keep confidential records of any child safety concerns or complaints should they arise. Notes and observations should be clear, easy to read and accessible. Documentation should include, dates, times and location, as well as details of conversations with other employees, volunteers, contractors or the child and their family/carers. Reports should be accurate and impartial.

Detailed descriptions of the incident or concern, evidence and actions taken, including incident forms, reports made to authorities and any other follow-up actions will be completed. In accordance with current best practice guidelines XJS will keep these records for up to 45 years (at minimum).

All information collected by XJS will be stored carefully.

Recruitment and Screening

We take all reasonable steps to employ safe and skilled people 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. Our school understands that when recruiting staff and volunteers we have ethical as well as legislative obligations.

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

All people engaged in child-related work, including volunteers, are required to hold a Working with Children Check and to provide evidence of this Check. The Check is just one part of creating and maintaining child-safe environments. Child-related work is not limited to work involving direct and unsupervised contact with children. Any contact with children, unless it is only occasional and incidental, is enough to trigger the requirement to get a Check.

We also carry out police record checks to ensure that we are recruiting the right people.

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.

Interviewing and verbal reference checks are an important aspect of the recruitment and screening process. Interviews include behavioural questions with a focus on child safety and reference check templates focus on an applicant's appropriateness for work with children and young people.

XJS undertakes annual appraisals and exit interviews that include child safeguarding components.

Training and support

Training and education is a crucial aspect of ensuring that all staff, volunteers and committee members in our organisation understand that child safety is everyone's responsibility. Staff, volunteers and committee members will be provided with comprehensive child safety training on commencement and every two years to ensure child safety remains a high priority.

Our school culture aims for all staff, volunteers and committee members to feel confident and comfortable in discussing child safety concerns. Training topics include:

- Our policies and Code of Conduct
- Definitions and examples of abuse including child sexual abuse and grooming
- Indicators of abuse, including harm caused by other children and young people
- How to assess and minimise risks of abuse
- How to report Child Abuse
- Risks for children at various developmental ages and stages and supporting children to recognise abuse in age appropriate ways
- Cumulative harm and multidimensional abuse
- Recognising and responding to diverse groups of children and young people including LGBTQI+.
- Children's rights and perceptions of what makes an organisation child safe
- Current legislation and requirements

We also support our staff, volunteers and committee members through ongoing supervision to: develop their skills to protect children from abuse; monitor and review the effectiveness of child safe practices; 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.

Supervision can be formal meetings or informal catch ups and check ins.

New employees and volunteers and committee members 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 (as defined in our Child Safety Code of Conduct).

Managing Risks to Children

XJS recognises that we have a responsibility to proactively identify and reduce or remove risks to children within our care. In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.

XJS has risk management strategies in place to identify, assess, and take steps to minimise child safety risks, which include risks posed by physical environments (for example, any doors that can lock), and online environments (for example, social media contact).

XJS completes annual risk assessments for each of our locations and each program.

XJS is committed to reviewing any serious incidents or breaches of policy and procedure in order to ensure that learning can be utilised to strengthen our risk management processes across the organisation.

Promoting the Participation and Empowerment of Children and Young People

XJS recognises that informed and empowered children and young people who are aware of child safe practices are more likely to raise concerns about abuse or misconduct. While we recognise that adults are ultimately responsible for the safety and wellbeing of children, we believe the children and young people we work have an invaluable contribution to make to our programs and activities.

Our school has a culture that supports children and young people to understand what child safety means in age appropriate ways. Children are informed about their rights and responsibilities and feel empowered to actively participate in building an organisational culture that is safe from harm.

XJS wants all children and young people to feel safe and comfortable in reporting concerns or allegations of abuse. XJS is always committed to taking the opinions and concerns of children and young people seriously.

Reviewing the Child Safety Policy

This policy will be reviewed every year and following significant incidents if they occur. We will ensure that families and children have the opportunity to contribute. Where possible we do our best to work with all stakeholders including local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

Changes to the Child Safety Policy are made based on review findings in order to better protect the children and young people we engage with. Children and their families, staff, volunteers, committee members and the CLV Child Safety Officer are, where relevant, informed of review findings and any modifications made.

Child Safety Policy Declaration

I have read this Child Safety Policy and understand the key principles, values and behaviours that are at the heart of working with community language schools. I agree to abide by the Child Safety Policy at all times.

Name: Kevin Hu

Signature:



Role: Principal

Date: 22/04/2021

Associated Policies and Procedures

- Child Safety Code of Conduct
- Anti-bullying Policy
- Cyber-safety Policy
- Information Privacy and Records Policy
- Personal Information and Photograph Release Policy

Appendix 1: Policy Definitions

Aboriginal and Torres Strait Islander – A person who is of Aboriginal or Torres Strait descent, identifies as Aboriginal or Torres Strait Islander and is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.

Adult – a person 18 years of age or older and includes persons who are employees, volunteers and associates of CLV.

Child – any person under the age of 18.

Child Safe – refers to an organisational environment that has an open and aware culture, understands child abuse, is supported by well-known child safety policy, promotes the empowerment and participation of children, manages child safety risks; and expects all stakeholders to report all allegations, disclosures or concerns. **Child safety** encompasses matters related to protecting all children from child abuse and neglect, intervening early where concerns arise, preventing abuse where possible, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse. Child safety includes **cultural safety** for children.

Child Protection – refers to legislation, statutory authority responsible for child protection, and all measures taken to minimise the risk of child abuse. Child protection is a core part of the broader, over-arching concept of child safety.

Code of Conduct – Policy which specifies behaviours expected of all employees, volunteers and directors in the organisation.

Contractor - A person or company that undertakes a contract to provide materials or labour to perform a service or a job. Examples include cleaner, photographer, tradesperson, people contracted to provide an incursion.

Cultural safety – the positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity. It is an environment which is socially and emotionally safe, as well as physically safe for children. It is about shared respect, shared meaning, shared knowledge and experience, of learning, living and working together with dignity and truly listening⁴.

Culturally and/or linguistically diverse background (CaLD) – identification with particular cultural or linguistic affiliations by virtue of place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of parents' identification on a similar basis.

Department of Health and Human Services – the statutory authority responsible for receiving and investigating reports of child abuse.

Disability – any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities. A disability can occur at any time in life. Some disabilities may be obvious while others are hidden.

Disclosure – refers to a child telling someone (through words, drawings or actions) that he or she feels unsafe or has been harmed.

Leader (or other term used with THE ORGANISATION)– For the purposes of this document, leader will refer to any employee or volunteer whose role means they hold lead responsibility for key

⁴ Revised from *An Overview of the Victorian Child Safe Standards* (November 2015) -State of Victoria, Department of Health and Human Services and
A Guide for Creating a Child Safe Organisation (Version 2.0 December 2015)- Commission for Children and Young People

organisational functions including recruitment, selection, supervision, program planning, risk management and program delivery.

Mandated Reporter – any adult who holds the following occupations - Registered medical practitioners, midwives and nurses, Registered teachers and principals, Police, People in religious ministries, Out of home care workers, Early childhood workers, Youth justice workers, Registered psychologists, School counsellors are mandated to report child abuse to child protection authorities or police

Principal – For the purposes of this document, principal will refer to any employee or volunteer whose role means they hold lead responsibility for key organisational functions including recruitment, selection, supervision, program planning, risk management and program delivery.

Reasonable Grounds of Belief - A '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. A 'reasonable belief' might be formed when:

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

Sexual Orientation – An inherent or immutable enduring emotional, romantic or sexual attraction to other people⁵

Staff– refers to any individual employed by XJS

Volunteer – means an unpaid member of XJS supporting program delivery or operations.

Young Person – Any person under the age of 18.

⁵ Human Rights Campaign, www.hrc.org

Appendix 2: Standards and Principles

The Victorian Child Safe Standards

Victorian Child Safe Standards

To create and maintain a child safe organisation, an applicable entity to which the standards apply must have:

- 1 Strategies to embed an organisational culture of child safety, including through effective leadership arrangements.
- 2 A child safe policy or statement of commitment to child safety.
- 3 A code of conduct that establishes clear expectations for appropriate behaviour with children.
- 4 Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel.
- 5 Processes for responding to and reporting suspected child abuse.
- 6 Strategies to identify and reduce or remove risks of child abuse.
- 7 Strategies to promote the participation and empowerment of children.

In complying with the Victorian child safe standards an applicable entity to which the standards must apply include the following principles as part of each standard:

- promoting the cultural safety of Aboriginal children
- promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds
- promoting the safety of children with a disability

National Principles for Child Safe Organisations



1 Child safety and wellbeing is embedded in organisational **leadership, governance and culture.**



2 Children and young people are informed about their **rights, participate** in decisions affecting them and are taken seriously.



3 Families and communities are **informed and involved** in promoting child safety and wellbeing.



4 **Equity** is upheld and **diverse needs** respected in policy and practice.



5 People working with children and young people are suitable and **supported** to reflect child safety and wellbeing values in practice.



6 Processes to respond to **complaints and concerns** are child focused.



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



8 **Physical and online environments** promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.



9 Implementation of the national child safe principles is **regularly reviewed and improved.**



10 **Policies and procedures** document how the organisation is safe for children and young people.



Australian Government

For more information, please visit
<https://pmc.gov.au/child-safety>
<https://childsafe.humanrights.gov.au/>

Appendix 3: Relevant Legislation

Children, Youth and Families Act (CYFA), 2005 – Governs and guides the process of child protection in Victoria. Under this Act a person can make a report to Child Protection Services if they have: A significant concern for a child’s wellbeing; belief the child is in need of protection; significant concern before the birth of a child about his/her wellbeing after his/her birth.

The Act also defines **mandatory reporting** and identifies relevant professions. Under the Act a mandated reporter **must** make a report to the Department of Health and Human Services, Child Protection if:

- they form the belief on reasonable grounds that a child has suffered, or is likely to suffer significant harm as a result of physical injury or sexual abuse; and
- the parents have not protected or are unlikely to protect the child from harm of that type and
- the belief is formed in the course of practising his/her position of employment.

In Victoria, the following professions are considered mandated reporters:

- Registered medical practitioners, midwives and nurses
- **Registered teachers and principals**
- Police
- People in religious ministries
- Out of home care workers
- **Early childhood workers**
- Youth justice workers
- Registered psychologists
- School counsellors

Child Wellbeing and Safety Act (2015) – Establishes the Victorian Children’s Council and Child Safety Commissioner; establishes the principles for wellbeing of children in Victoria.

Commission for Children and Young People (CYPP) – Amongst other function, the CYPP oversees the Victorian Reportable Conduct Scheme (see below).

Children Legislation Amendment (Reportable Conduct) Act 2017 – On the 1st of July 2017, the Commission for Children and Young People (CCYP) began administering a ‘reportable conduct scheme in Victoria. The scheme is designed to improve oversight of how organisations respond to allegations of child abuse and child-related misconduct by staff and volunteers. Under the scheme, the CCYP have the power to:

- oversee and monitor the handling of allegations of child abuse by relevant government departments, religious and no-government organisations
- undertake independent investigations
- scrutinise and audit systems and processes for handling allegations
- monitor and report on trends
- build skills and knowledge within government departments, religious and non-government organisations to ensure they can competently handle allegations of suspected child abuse.⁶

⁶ Commission for Children and Young People, ‘About the Reportable Conduct Scheme’, <https://ccyp.vic.gov.au/>

There are five types of reportable conduct identified under the scheme:

- sexual offences committed against, with or in the presence of a child
- sexual misconduct committed against, with or in the presence of a child
- physical violence against, with or in the presence of a child
- any behaviour that causes significant emotional or psychological harm to a child
- significant neglect of a child.⁷

The scheme requires the head of an organisation to:

- Respond to a reportable allegation made against an employee or volunteer by ensuring that allegations are appropriately investigated
- Report allegations which may involve criminal conduct to the police
- Notify the Commission for Children and Young People of the allegations within **three business days** after becoming aware of the allegation
- Give the Commission for Children and Young People certain detailed information about the allegation **within 30 calendar days**
- After the investigation has concluded, give the Commission for Children and Young People certain information including a copy of the findings of the investigation

Crimes Amendment (Grooming) Act 2014 – Refers to the offence of grooming. A grooming offence is committed if the offender communicates by words or conduct with a child under the age of 16 years or their carer or supervisor; and intends to commit a sexual offence involving the child.

Crimes Amendment (Protection of Children) Act 2014, s.49c – Refers to the failure to protect children from sexual offences. 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.

Crimes Amendment (Protection of Children) Act 2014, s.327 – Refers to the responsibility of all individuals to disclose to authorities if they have a reasonable belief that a child under the age of 16 years has been sexually abused. Failure to do so is a criminal offence.

Working with Children Check (WWCC) Act 2005 – Outlines the purpose of the WWC and what constitutes child-related work; outlines occupations that apply and explains relevant offences and findings that are relevant to the WWCC. It sets out obligations of individuals and organisations and how personal information is stored and disposed of.

Wrong's Amendment (Organisational Child Abuse) Act 2017 - A new statutory duty of care (The Wrong's Amendment (Organisational Child Abuse) Act 2017) has been created in Victoria that places a clear legal duty to take reasonable steps to minimise the risk of child abuse (sexual and/or physical abuse) perpetrated by organisational representatives. The new legislation means that organisations are understood to have breached their duty of care that unless an organisation can prove it took all reasonable steps to prevent the abuse.

⁷ Commission for Children and Young People, 'About the Reportable Conduct Scheme', <https://ccyp.vic.gov.au/>

Appendix 4: Indicators of Child Abuse

Abuse Type	Indicators
Physical	<ul style="list-style-type: none"> • Disclosure of abuse • Bruises, burns, sprains, dislocations, bites, cuts. • Pressure marks from fingers • Bite marks • Location and extent of injury do not fit the explanation given • Fractured bones, especially in an infant where a fracture is unlikely to occur accidentally • Poisoning • Internal injuries • Showing wariness or distrust of adults. • Wearing long sleeved clothes on hot days (to hide bruising or other injury) • Demonstrating fear of parents and of going home; running away • Becoming fearful when other children cry or shout • Being excessively friendly to strangers • Being very passive and compliant
Sexual Abuse and Exploitation	<ul style="list-style-type: none"> • Disclosure of abuse • Complaining of headaches or stomach pains • Experiencing problems with schoolwork • Sexually transmitted infections • Genital injuries • Bleeding • Bite marks • Pregnancy • Displaying sexual behaviour or knowledge which is unusual for the child's age • Excessive masturbation which doesn't respond to boundaries • Showing behaviour such as frequent rocking, sucking and biting • Experiencing difficulties in sleeping • Persistent soiling or bed wetting • Having difficulties in relating to adults and peers • Unexplained absences, unexplained gifts or money are often signs of sexual exploitation
Emotional	<ul style="list-style-type: none"> • Disclosure of abuse • Developmental delays • Displaying low self esteem • Tending to be withdrawn, passive, tearful • Displaying aggressive or demanding behaviour • Being highly anxious • Showing delayed speech • Fear of the dark, sleep disturbances • Acting like a much younger child, e.g. soiling, wetting pants • Displaying difficulties in relating to adults and peers • Avoiding home • Running away

Neglect	<ul style="list-style-type: none"> • Disclosure of neglect • Frequent hunger • Malnutrition • Poor hygiene • Inappropriate clothing, e.g. Summer clothes in winter • Left unsupervised for long periods • Medical needs not attended to; ill more than average • Abandoned by parents • Stealing food • Staying at school outside school hours • Often being tired, falling asleep in class • Abusing alcohol or drugs • Displaying aggressive behaviour • Not getting on well with peers
Family Violence	<ul style="list-style-type: none"> • Disclosure of family violence • Physical injuries • Concentration difficulties • Adjustment difficulties • Anxious or nervous • Depression • Fear of a parent or partner of parent • Isolation from friends and family • Unusual absences • Fear of conflict • Violent outbursts • Aggressive language • Headaches, abdominal pain, stuttering.

Appendix 5: Reporting Procedure

CLV have adapted the following procedure from the Victorian Department of Education.

This procedure must be followed in all instances of allegations or disclosures of child abuse made by or in relation to a child, school staff, volunteers, visitors or other persons while connected to a school environment.

If a child is deemed to be at immediate risk, the volunteer or employee should contact emergency services on '000'.

Immediate risk of harm

If a child is at immediate risk of harm you must ensure their safety by:

- separating alleged victims and others involved where possible
- administering first aid
- **calling 000 for urgent medical and/or police assistance** to respond to immediate health or safety concerns
- identifying a contact person at the service for future liaison with Police.

1) Responding Internally

- a. Where XJS volunteers or employees form a belief that a child has suffered abuse or is at risk of abuse, they must report this to the child safety officer as soon as practicable and within 24 hours. Where a concern exists in relation to the child safety officer, the employee or volunteer should report to the principal or CLV Child Safe officer. A belief may be formed because a child, young person, the parents/carers or another person raises a concern with a XJS employee or volunteer.
- b. The XJS child safety officer must ensure that the principal is advised of the child safety concern within 24 hours. Once the principal is notified, the child safety officer must ensure all other levels of management have been made aware of the incident, up to and including the CLV Child Safe Officer.
- c. **Internal reporting procedures must never delay the reporting of child protection concerns to the DHHS and/or Police.** Should the child safety officer, principal or other nominated delegate be unavailable, the volunteer or employee who has formed the belief that a child is at risk, **must** make the report directly to DHHS, DET and/or Police without delay, i.e. within 24 hours.
- d. Employees, volunteers and the child safety officer must ensure that concerns and actions taken are recorded using the incident reporting form. This incident reporting form will help us make our report to external authorities. The completed incident reporting form should be kept securely at our school and a copy sent to the CLV Child Safe Officer.

2) Reporting to authorities

- a. The volunteer or employee with the concern, and the child safety officer will agree the process for reporting the matter to relevant authorities, i.e. DHHS and/or Police, DET, CCYP etc. This must occur as soon as practicable.
- b. If the Child Safety Officer/School Leadership is unsure who to call CLV Victorian schools can access information from the website below.

Information about Child Protection Services can be found on the Department of Health and Human Services website www.dhs.vic.gov.au/for-individuals/crisis-and-emergency/reporting-child-abuse

2.1) Reporting to authorities

It is best practice for the person who first received the disclosure/identified the concern, to make the report.

Where child safety concerns involve employees or volunteers from within the service or other alleged perpetrators a report must be made to:

VICTORIA POLICE

All instances of suspected child abuse by a staff member, contractor or volunteer must be reported to Victoria Police

Commission for Children and Young People (CCYP) - Reportable Conduct

All instances of suspected child abuse which concern a staff member, contractor or volunteer, must also be reported to the Commission for Children and Young People under the Reportable Conduct Scheme.

The child safety officer and principal will lead the reportable conduct process
Reports to the CCYP must be made within 3 days of learning of a reportable allegation or offence.

Where child safety concerns relate to a concern about the child in their home:

DHHS CHILD PROTECTION

A report to DHHS Child Protection must be made if a child is considered to be:

- in need of protection from child abuse
- at risk of being harmed (or has been harmed) and the harm has had, or is likely to have, a serious impact on the child's safety, stability or development.

Victorian DHHS Child Protection Areas

North Division 1300 664 9777

South Division 1300 655 795

East Division 1300 360 391

West Division (Rural) 1800 075 599

West Division (Metro) 1300 664 9777

After hours, weekends, public holidays for all - 13 12 78

VICTORIA POLICE

You **must also** report all instances of suspected sexual abuse (including grooming) to Victoria Police.

If you believe that a child is not subject to abuse, but you still hold significant concerns for their wellbeing you must still act. This may include making a referral or seeking advice from Child FIRST/Orange Door (in circumstances where the family are open to receiving support), or to DHHS Child PROTECTION or Victoria Police. Child First contact details can be found here <https://services.dhhs.vic.gov.au/referral-and-support-teams>

3) **Informing parents and carers**

- a. XJS will seek advice with **Victoria Police** or **DHHS Child Protection** to determine what information can be shared with parents/carers. They may advise:
 - **not to contact** the parents/carers (e.g. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and has requested that their parent/carer not be contacted).
 - **to contact** the parents/carers and provide agreed information as soon as possible (for licensed and approved services it is a requirement that parents/carers are notified within 24 hours if the suspected abuse occurred at the service).

4) **Providing support**

- a. XJS will ensure that appropriate support is provided to the child of concern, as well as relevant volunteers and employees.
- b. Support and counselling must be offered to all parties involved. Support may include development of a safety plan, direct support and referral to wellbeing professionals etc.
- c. Schools **must** provide support for children impacted by abuse. This should include the development of a Student Support Plan in consultation with wellbeing professionals. This is an essential part of duty of care requirements.

5) **Whistleblowing (Protected Disclosures)**

Should a XJS employee or volunteer wish to make a protected disclosure, they may do so directly to the CLV Child Safe Officer 9349 2683.

XJS will maintain a policy for 'Whistleblowing' to support school stakeholders to raise concerns about employees, volunteers and any other relevant persons

Appendix 6: Strategies to promote the participation and empowerment of children

Description

Schools need to ensure children feel safe and comfortable in reporting concerns or allegations of abuse. Organisations should have simple and accessible processes that help children understand what to do if they want to report abuse, inappropriate behaviour or concerns for their safety. All personnel need to have an awareness of children's rights and adults' responsibilities regarding child abuse.

Rationale

Children often do not report abuse because they feel uncomfortable or they do not know how to raise their concerns or allegations of abuse. Some organisations do not have simple and accessible processes assisting children to understand their rights and how to report concerns regarding their safety.

How could your organisation implement this standard?

Examples of how our organisation could implement this standard include the following:

- Provide children with child-appropriate and accessible information about what child abuse is, their rights to make decisions about their body and their privacy, that no one has a right to injure them, and how they can raise concerns about abuse. For example, information could be included in welcome packs, information sessions, posters, as well as on websites and social media.
- Ensure information and processes for reporting concerns are accessible to all children, for example by having policies and procedures that are able to be accessed and understood by children with a disability.
- Ensure information and processes for reporting concerns are culturally appropriate for Aboriginal children. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community controlled organisation to review information and processes.
- Consider access and culturally appropriate language, photographs and artwork for Aboriginal children, children from culturally and/or linguistically diverse backgrounds and children with a disability when drafting communications materials.
- Translate Schools information (including information about children's rights, child safe policies, statements of commitment and reporting and response procedures) into **relevant community languages**, including relevant Aboriginal languages.
- Gather feedback from children, for example through surveys, focus groups, story time and social media, about whether they would feel safe and taken seriously if they were to raise concerns, and implement improvements based on this feedback.
- Enable children to express their views and make suggestions on what child safety means to them, and on child safe policies, reporting and response procedures, and acknowledge and act upon these where possible. For example, views could be gathered through suggestion boxes, feedback sessions, emails or online (via wikis or other social media).

Successfully implementing this standard should result in schools in which:

- reporting procedures for when a child feels unsafe are accessible for all children
- children understand what child abuse is, and their rights (age appropriate)
- children understand how to report an allegation of abuse or concern for their safety to the organisation, a trusted adult and external bodies (for example, the police)
- children feel safe, empowered and taken seriously if they raise concerns
- children feel empowered to contribute to the organisation's understanding and treatment of child safety
- children's reports of concern are responded to appropriately
- staff understand how to empower children and encourage their participation.

Appendix 7 – For schools who are operating in early years environments ONLY

Physical Environment

CLV schools who teach in early years ensure there are legislated staffing ratios and qualification requirements are met at all times. They are also committed to ensuring our workforce is appropriately motivated and experienced for its critical role in enhancing children’s learning and development. They achieve this by developing warm, respectful relationships with children, by creating safe environments for children, and by encouraging children’s active engagement in their learning programs.

Training

XJS is committed to professional development for staff in regard to preschool-aged delivery in line with the Victorian Early Years Learning and Development Framework (VEYLDF).

Collection of Children

Only **parents/guardians** and authorised nominees are permitted to collect a child from our early learning program, and we encourage all families to ensure these contact details and arrangements are kept up to date. So, we can always ensure the safety of your child, photo identification will be requested from any contact who is unknown to our early learning staff. If a child has not been collected from the centre by closing time and we are unable to contact their parent or guardian, we will contact the contacts listed on the child’s enrolment form. In extreme circumstances where we are unable to contact one of the contacts by closing time, we will contact the necessary authorities for the safe collection of the child. Therefore, it is important that contact details are kept up to date at all times.

Staffing Arrangements

At XJS, we ensure legislated staffing ratios and qualification requirements are met at all times. We are also committed to ensuring our workforce is appropriately motivated and experienced for its critical role in enhancing children’s learning and development. They achieve this by developing warm, respectful relationships with children, by creating safe environments for children, and by encouraging children’s active engagement in their learning programs.