

Child Safe Policy and Procedure

1. Scope

This Policy applies to all students and staff of Oxford House College (OHC).

2. Purpose

2.1 This Policy is in place to ensure that OHC have the essential principles and structured procedures to provide students with a safe environment where the risk of harm is minimised and students feel safe.

2.2 This Policy adheres to the VRQA eleven Child Safe Standards and incorporates its Child safe – Code of Conduct and should be read in conjunction with Sexual Assault and Sexual Harassment (SASH) Prevention Policy and Procedure, Management of U18 International Students Policy and OHC's Workplace Health & Safety Policy.

3. Policy Principles

3.1 Our commitment to child safety:

- a. We are committed to the safety, participation and empowerment of all children studying at OHC.
- b. We have zero tolerance of child abuse. All allegations and safety concerns will be treated very seriously and consistently, in line with our robust code of conduct policies and procedures.
- c. We have legal and moral obligations to contact authorities when we are concerned about a child's safety.
- d. Our organisation is committed to preventing child abuse and identifying risks early, removing and reducing these risks, including those pertaining to the online space.
- e. Our organisation has strict recruitment practices for all staff and volunteers.
- f. Our organisation is committed to regularly training and educating our staff and volunteers on child abuse risks.
- g. We are committed to upholding equity and respecting the diverse needs of all students
- h. We are committed to the safety of children from culturally and/or linguistically diverse backgrounds, international students, lesbian, gay, bisexual, trans and gender diverse, intersex and queer students, and to providing a safe environment for children with a disability.
- i. We are committed to sustaining a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
- j. We have specific policies, procedures and training in place that support our leadership team, staff and volunteers to achieve these commitments.
- k. If you believe, a child is at immediate risk of abuse phone 000.

3.2 What constitutes Child Abuse?

- a. Any act committed against a child involving:
 - i. A sexual offence; or
 - ii. Grooming; and
- b. The infliction, on a child, of:
 - i. Physical violence; or
 - ii. Serious emotional or psychological harm; and
- c. Serious neglect of a child and
- d. Inclusive of an offence under section 49M(1) of the Crimes Act 1958.

Roles and Responsibilities

3.3 Everyone employed or volunteering at OHC has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all students is at the forefront of all they do and every decision they make.

Child Safety Team

3.4 The College has formed a Child Safety Team. The team consists of:

- Campus Director
- Program Manager
- Student Wellbeing Coordinator
- Student Services

3.5 The College will undertake training and education annually in order to understand their individual responsibilities in relation to child safety and the wellbeing of children and young people.

3.6. Whilst it is the responsibility of all staff and volunteers to respond to allegations and reports of child abuse, this team has an added level responsibility for overseeing the processes, practices and supports around reporting such incidents.

3.7 The Campus Director and staff at OHC recognise their particular responsibility to ensure the development of preventative and proactive strategies that promote a culture of openness, awareness of and shared responsibility for child safety. Responsibilities include:

- a. Creating an environment for children and young people to be safe and to feel safe
- b. Upholding high principles and standards for all staff, volunteers, and contractors
- c. Promoting models of behaviour between adults and children and young people based on mutual respect and consideration
- d. Ensuring thorough and rigorous practices are applied in the recruitment, screening and ongoing professional learning of staff
- e. Ensuring that College personnel have regular and appropriate learning to develop their knowledge of, openness to and ability to address child safety matters
- f. Providing regular opportunities to clarify and confirm legislative obligations, policy and procedures in relation to child and young people's protection and wellbeing and engaging families in the development of these
- g. Ensuring the College meets the specific requirements of the Victorian Child Safe

Standards as set out in Ministerial Order 1359.

College Staff Responsibilities

3.8 Responsibilities of College staff (College employees, volunteers and contractors) include:

- a. Treating children and young people with dignity and respect, acting with propriety, providing a duty of care, and protecting children and young people in their care
- b. Treating Aboriginal children and young people with dignity and respect, acting with propriety, providing a duty of care, and protecting children and young people in their care
- c. Following the legislative and internal College processes in the course of their work, if they form a reasonable belief that a child or young person has been or is being abused or neglected
- d. Providing a physically and psychologically safe environment where the wellbeing of children and young people is nurtured
- e. Undertaking training and education annually in order to understand their individual responsibilities in relation to child safety and the wellbeing of children and young people
- f. Undertaking training and education annually in understanding the diverse and unique identities and experiences of aboriginal children and young people
- g. Assisting children and young people to develop positive, responsible and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse
- h. The Child Safety Code of Conduct has been established as the guidance that the College students and staff should abide by.

3.9 Further to the expectations listed in the Code of Conduct, all teaching staff must also abide by the Victorian Teaching Profession Code of Conduct including Principle 1.5: Teachers are always on a professional relationship with student in their College, whether at College or not. Teachers hold a unique position of influence and trust that should not be violated or compromised. Examples of a professional relationship being violated would include a teacher:

- a. Having a sexual relationship with a student.
- b. Using sexual innuendo or inappropriate language and/or material with students.
- c. Touching a student without a valid reason.
- d. Holding conversations of a personal nature or has contact with a student via written or electronic means including email, letters, telephone, text message or chat lines, without valid context.
- e. Accepting gifts, which could be reasonably perceived as being used to influence them, from students or their parents.

3.10 A professional relationship may be compromised if a teacher:

- a. Attends parties or socialises with students.
- b. Invites a student or students back to their home, particularly if no-one else is present.

Student Safety, Participation and Family Engagement

- 3.11 OHC actively encourages all students and their families to openly express their views and feel comfortable about giving voice to the things that are important to them.
- 3.12 We teach students and educate families about what they can do if they or their child feels unsafe and enable them to understand, identify, discuss and report on child safety. We listen to and act on any concerns that students, or their parents or carers, raise with us.
- 3.13 Implement practices to enhance student participation and Family Engagement in the empowerment related to child safety including:
- a. Access to Wellbeing Team.
 - b. Access to Student Support Team.
 - c. Curriculum initiatives.
 - d. Family engagement in communicating the College's child safe approach with the dissemination of relevant information, including both the operation and governance
 - e. Encourage participation by families to speak out and have a say in the review of the College's policies and practices and decisions affecting their children
 - f. Student Care Assist – appointed Care Assist as a further avenue of communication.
 - g. Posted material in all classrooms in educating and encouraging students to speak up.

Reporting and Responding

- 3.14 Our College records any child safety complaints, disclosures or breaches of the Child Safety Code of Conduct, and stores the records in accordance with security and privacy requirements. Our College complies with legal obligations that relate to managing the risk of child abuse under the Children, Youth and Families Act 2005 (Vic.), the Crimes Act 1958 (Vic.) and the recommendations of the Betrayal of Trust report.
- 3.15 Child protection reporting obligations fall under separate pieces of legislation with differing reporting requirements. Our policy assists staff, volunteers and families to:
- a. Identify the indicators of a child or young person who may be in need of protection.
 - b. Understand how a 'reasonable belief' is formed.
 - c. Make a report of a child or young person who may be in need of protection.
 - d. Comply with mandatory reporting obligations under child protection law and their legal obligations relating to criminal child abuse and grooming under criminal law.
- 3.16 At OHC, we all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place. If an adult has a reasonable belief that an incident has occurred then they must report the incident.
- 3.17 That effective complaint handling processes are understood by children and young people, families, staff and volunteers, and are culturally safe
- 3.18 Our College has established internal processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a student. When there is a reasonable belief that a child at our College is in need of protection or a criminal offence has been or may be committed, procedures to make a report include:

- a. If the child is at immediate risk:
 - i. Call '000' immediately
 - ii. Reassure the child and ensure they are safe
 - iii. Be aware of important considerations including cultural, linguistic, physical or intellectual impairments
 - iv. Let the child use their own words to describe what has or is occurring.

- b. Anytime there is information to be reported (including after the above actions):
 - i. Contact a member of the Child Safety team
 - ii. Document a description of what happened
 - iii. Follow relevant child safety and mandatory reporting processes (refer to Mandatory Reporting policy)

- c. Ongoing investigation and follow-up:
 - i. The role of investigating an allegation of child abuse rests solely with Child Protection and/or Victoria Police
 - ii. Staff members may be asked to act as a support for the student during the investigation.

Screening and Recruitment of College Staff

- 3.19 OHC will apply thorough and rigorous screening processes in the recruitment of employees and volunteers involved in child-connected work.
- 3.20 For all advertised teaching or non-teaching staff, job requirements and duties will be further defined in relation to the principle associated with child safety.
- 3.21 All applicants must provide the essential and relevant qualifications, experiences and attributes in relation to child safety. This should also include proof of personal identity and any professional or other qualifications.
- 3.22 Our commitment to child safety and our screening requirements are included in all advertisements for such employee, contractor and volunteer positions, and all applicants are provided with copies of the College's Child Safety Policy & Code of Conduct.
- 3.23 We actively encourage applications from Aboriginal peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability.
- 3.24 All staff engaged in child-related work, including volunteers, Homestay parents and Student Care Assist are required to hold a current Victorian Institute Teaching (VIT) registration reflecting a national criminal history record check (NCHRC) or Working with Children Check and to provide evidence of this Check. Please see the Working with Children Check website www.workingwithchildren.vic.gov.au for further information.
- 3.25 We carry out reference checks to ensure that we are recruiting the right people. We ensure that we obtain the person's history of work involving children and references that address the person's suitability for the job and working with children.
- 3.26 Our Homestay and Student Care Assist selection process is also subject to same procedures.

- 3.28 We do retain our own records (but not the actual criminal record) if an applicant's criminal history affected our decision-making process. If during the recruitment process a person's records indicate a criminal history then the person will be given the opportunity to provide further information and context.
- 3.29 New employees and volunteers will be supervised regularly to ensure they understand our College'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.
- 3.30 Any inappropriate behaviour will be reported through appropriate channels, including the Department of Human Services and Victoria Police, depending on the severity and urgency of the matter.
- 3.31 OHC provides its employees and volunteers with regular and appropriate opportunities to develop their knowledge of, openness to and ability to address child safety matters. This includes:
- a. Induction information on Child Safety and practices around responding to allegations of child abuse
 - b. Ongoing presentations to staff by Wellbeing team and Student Support
- 3.32 These practices enhance the understanding of all staff about their professional and legal obligations and responsibilities, and the procedures for reporting suspicion of child abuse and neglect.

Risk Management

- 3.33 OHC is committed to proactively and systematically identifying and assessing risks to student safety across our whole College environment, and reducing or eliminating (where possible) all potential sources of harm.
- 3.34 The implementation, monitoring and annual review on the effectiveness of the College's risk management strategies for child safety to be conducted by the College.
- 3.35 The review will ensure that the strategies change as needed and as new risks arise. This includes risks posed by the physical environment of the college as well as online environments (for example, no staff or volunteer is to have contact with a child on social media unless the administrative responsibilities are governed by the college and is integral to the student accessing the curriculum).

Fair procedures for personnel

- 3.36 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.
- 3.37 All allegations of abuse and safety concerns will be recorded in the Incident Reporting Form1, including investigation updates.
- 3.38 All records are securely stored. If an allegation of abuse or a safety concern is raised, we provide

updates to children and families on progress and any actions we take as an organisation.

Privacy

- 3.39 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.
- 3.40 The safeguards and practices are 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.

Allegations, concerns and complaints

- 3.41 The College takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff and volunteers are trained to deal appropriately with allegations.
- 3.42 We work to ensure that children and young people have access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand
- 3.43 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).
- 3.44 If an adult has a reasonable belief that an incident has occurred, then they must report the incident.

Breach of Policy

- 3.45 Where an employee is suspected of breaching any obligation, duty or responsibility within this Policy, OHC will deal with the matter in accordance with its policies and procedures. Staff are advised this may lead to disciplinary consequences.
- 3.46 Where the Campus Director is suspected of breaching any obligation, duty or responsibility within this policy, the concerned party is advised to contact the Director International.
- 3.47 Where any other member of the College community is suspected of breaching any obligation, duty or responsibility within this policy, the College is to take appropriate action, to the relevant authority according to state legislation.

Policy Review

- 3.48 At OHC we are committed to continuous improvement of our child safety systems and practices.
- 3.49 We intend this policy to be a dynamic document that will be reviewed every two years to ensure it is working in practice and updated to accommodate changes in legislation or circumstance.
- 3.50 That complaints, concerns and safety incidents are analysed to identify causes and potential failures.

4. Relevant Legislation

- a. *Children, Youth and Families Act 2005* (Vic.)
- b. *Working with Children Act 2005* (Vic.)
- c. *Education and Training Reform Act 2006* (Vic.)
- d. *Equal Opportunity Act 2010* (Vic.)
- e. *Privacy Act 1988* (Cth)
- f. *Crimes Act 1958* (Vic.)

Three new criminal offences have been introduced in the Crimes Act 1958 (Vic.):

- a. **Failure to disclose offence:** Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.
- b. **Failure to protect offence:** The offence will apply where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- c. **Grooming offence:** This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails.

Version Control and Accountable Officers

Responsible Officer	Campus Director (s)
Implementation Officers	Homestay and U18 Welfare Coordinator
Review Date	31/01/2024