Essential Aspects of Child Safe Organisations (Principals and CSOs)

Presented By
Child Safety and Compliance Officer

Acknowledgement of Country

Community Languages Victoria would like to acknowledge the traditional owners of the land we are meeting on and pay respect to elders past, present and emerging leaders

CLV Statement of Commitment to Child Safety

CLV commits to providing a safe and empowering culture for all children and young people in Victorian Community Languages Schools. CLV has zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our policies and procedures.

This statement has been updated in light of the revised Child Safe Standards coming into effect from 1 July 2022 and the supporting Ministerial Order No. 1359.

What is governance?

Governance is a set of responsibilities, practices, policies and procedures to provide strategic direction, ensure objectives are achieved, manage risk, and use resources effectively and with accountability.

Good Governance

Act ethically, responsibly and in the best interest of the School

Comply with the law and governing documents

Successful governance structures that minimise problems, optimise performance and accountability.

Ongoing development of a culture within the School that embraces ethics, honesty, transparency and high levels of integrity from all members.

Policy and Procedures

- A **policy** is a set of general guidelines that outline the organisation's plan for tackling an issue.
- Policies communicate the connection between the organisation's vision and values and its day-to-day operations
- A **procedure** explains how you want something done. The procedure explains a specific action plan for carrying out a policy.

Exercise

Name some policies and procedures for COMMUNITY LANGUAGES SCHOOLS

Examples of CLS Policies & Procedures

- Child Protection Policy
- Code of Conduct Policy
- Working with Children Check
- Police Check
- Bullying Prevention Policy
- Health and Safety Policy
- Risk Management
- Incident Reporting Policy
- Complaints and Grievances Policy
- Student Collection Policy
- First Aid Policy
- Evacuation Management Policy
- Critical Incidents Policy *(a critical incident is determined by its impact on individuals, threat to the safety, well-being, or security of individuals within the community)*

- Public Statement of Commitment to Child Safety
- New Criminal Offences
- Mandatory Reporting
- Supervision & Yard Duty Policy
- Recruitment Process for Staff
- Harassment, Victimisation and Bullying
- Training and Development
- 3 hours mandatory training regarding child safety requirements
- Privacy Policy
- Excursions Policy
- ***And much much more!***

The 11 Child Safe Standards in Victoria

- *Standard 1:* **Culturally safe environments** – Establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
- *Standard 2:* **Leadership, governance, and culture** – Ensure that child safety and well-being are embedded in school leadership, governance and culture.
- *Standard 3:* **Child and student empowerment** – Children and young people are empowered about their rights, participate in decisions affecting them, and are taken seriously.
- *Standard 4:* **Family engagement** – Families and communities are informed and involved in promoting child safety and well-being.
- *Standard 5:* **Diversity and equity** – Equity is upheld, and diverse needs are respected in policy and practice.
- *Standard 6:* **Suitable staff and volunteers** – People working with children and young people are suitable and supported to reflect child safety and well-being values in practice.

- *Standard 7:* **Child-focused complaints processes** – Ensure that processes for complaints and concerns are child-focused.
- *Standard 8:* **Child safety knowledge, skills, and awareness** – Staff and volunteers are equipped with the knowledge, skills, and awareness to keep children and young people safe through ongoing education and training.
- *Standard 9:* **Physical and online environments** – Physical and online environments promote safety and well-being while minimising the opportunity for children and young people to be harmed.
- *Standard 10:* **Review of child safety practices** - Implementing the Child Safe Standards is regularly reviewed and improved.
- *Standard 11:* **Implementation of child safety practices** – Policies and procedures document how schools are safe for children, young people, and students.

Children have the right to feel safe and be safe from abuse.

PROTECT

Everyone has the right to be safe and be protected from abuse.

No one should behave in a way that makes you feel unsafe or afraid, including anyone in your family, anyone at school or anywhere else in the community.

Tell a teacher or any adult at your school if you feel unsafe.

It's everyone's responsibility.

Adults at school must listen and respond to concerns about child abuse.

If you suspect abuse of any child or young person, you have a responsibility to report it, even if you are not sure.

Further information & resources
www.education.vic.gov.au/protect

Legislation

- **Failure to Disclose:** Any adult who holds a reasonable belief that a sexual offence has been committed by an adult against a child in Victoria must report that belief to police, unless they have a reasonable excuse for not reporting.
- **Failure to Protect:** The failure to protect offence came into effect on 1 July 2015 and applies to people within organisations who knew of a risk of child sexual abuse by someone in the organisation and had the authority to reduce or remove the risk, but negligently failed to do so.
- **Grooming:** They will strengthen existing approaches to preventing and responding to child abuse and provide consistency in managing these issues.
- **Duty of Care:** The organisation must protect children from all reasonable risks of injury or harm.
- **Mandatory Reporting:** Some professionals have additional legal obligations to report. Mandated reporters include Doctors, nurses, midwives, teachers, early educators, the principal of a school, members of the police force, psychologists, school counsellors, and ministers of religion

Duty of Care

Failure to fulfill the duty of care obligation can result in legal liability if it leads to harm or injury to others. Schools and individuals may be held accountable for negligence if they breach their duty of care by failing to take reasonable steps to prevent foreseeable harm.

Therefore, it's essential for schools to prioritise safety and wellbeing and to implement robust policies, procedures, and practices to fulfill their duty of care responsibilities effectively.

Definition

• A moral or legal obligation to ensure the safety or well being of others.

Responsibility

What are the main laws for child protection?

School staff have a range of reporting and legal obligations to protect children and young people from abuse.

School staff must be aware of and comply with their legal obligations to report suspected child abuse and provide ongoing appropriate support.

School staff must follow the **Four Critical Actions** where there is an incident, disclosure or suspicion of child abuse. The Four Critical Actions outline who an incident, disclosure or suspicion should be reported to.

When dealing with an incident, disclosure or suspicion of child abuse, staff should ensure that the Principal and School Leadership Team is made aware of the concern and are involved in providing ongoing appropriate support.

If an incident or allegation involves an employee, volunteer or contractor at the school, staff must also follow the Department policy on Reportable Conduct.

Where a school staff member has reported a concern to Child Protection but they continue to have concerns for the child after Child Protection has closed the case, they may escalate the matter through Child Protection complaints management processes or reporting concerns from the Principal to their regional area Executive Director.

Confidentiality

This policy aims to protect the privacy and confidentiality of all information and records about staff and management by ensuring continuous review and improvement on current systems, storage, and methods of disposal of records.

Schools need to ensure that all records and information are held in a secure place and are only retrieved by or released to people who have a legal right to access this information.

Standards of Care Required of CLS

- Comply with the 11 Child Safe Standards.
- Meet Department's requirements for suitable and safe premises.
- Have current Working with Children (WWC) checks or Victorian Institute of Teaching (VIT) registrations for all staff, volunteers, and committee members.
- Have a school charter, including all policies as required by the Department
- Have an emergency management plan for each campus which meets the Department's requirements
- Have a qualified first aid officer at each campus
- Provide an adequate system of supervision
- Implement strategies to prevent bullying
- Ensure that medical assistance is provided to a sick or injured student
- Manage staff recruitment, conduct and performance.

Standards of Care Required of Teachers

- Teachers have the responsibility to disclose student grades to the parent, but legally cannot make those grades public knowledge.
- Teachers do have access to the child's medical files, but that information cannot be disclosed to anyone but the parent and the child.
- Teachers can keep the confidence of the child in any other topic, but must disclose dangerous information. This includes anything that the child says or does which alludes to behavior like abuse, suicide, drug and alcohol use, eating disorders and similar behaviors.

Code of Conduct

- A Code of Conduct is intended to be a central guide and reference for users in support of day-to-day decision making.
- It is meant to clarify an organisation's mission, values and principles, linking them with standards of professional conduct.
- As a reference, it can be used to locate relevant documents, services and other resources related to ethics within the organisation.

Code of Conduct Policy

- The **Code of Conduct** is designed to help CLV employees understand their obligations to behave in accordance with the high standards the community expects.
- It describes the behaviours that promote the values contained in the *Public Administration Act 2004*, and it provides employees with guidance if they are faced with an ethical dilemma or a conflict of interest in their work.
- In general, the aim of the Code of Conduct is to ensure that the school is a safe and pleasant place in which learning takes place, that the property and reputation of the school is protected and that students develop self-discipline and consideration for others.
- The Code of Conduct Policy in schools typically outlines the behavioral expectations for teachers, and staff within the school community.
- It's important for schools to communicate their Code of Conduct Policy clearly to all members of the school community and to enforce it consistently and fairly.

Working with Children Check Policy

- Workers in child-related roles must obtain a WWCC clearance prior to commencing in a child-related role.
- **Who needs to apply? Any child-related role.**
  - All CLS staff is automatically deemed to be child-related. Staff categories include:
    - Executive Officer/Principal
    - Teachers
    - Administrative and support staff
    - School committee members
    - Teacher education students seeking to undertake paid internship (interns) or associate teacher programs
    - Student support officers
- *CLS schools must have a register for staff and volunteers and committee members and their WWC card numbers and expiry dates.*

Child Protection Policy

Responding to and Reporting Students at Risk of Harm

We recognise that care and protection for children and young people is paramount, and all staff have a responsibility to report risk of harm concerns about children and young people, within their roles, and to provide support to children and young people.

At all times, management, staff, and volunteers will treat children with the utmost respect and understanding.

We believe that:

- Children are capable of the same range of emotions as adults
- Children's emotions are real and need to be accepted by adults
- A reaction given to a child from an adult in a child's early stages of emotional development can be positive or detrimental depending on the adult's behaviour
- Children who enhance their understanding of their body's response to a situation are more able to predict the outcome and ask for help or evade a negative situation.

Safeguarding Children and Vulnerable Persons Policy

This policy applies to our staff, students, volunteers, parents are other affiliates.

The purpose of this Policy is to ensure that safe environments are created by the community language schools.

Community language schools need to commit to the following principles for child and vulnerable people safeguarding:

- Zero tolerance for abuse, exploitation, and neglect.
- Children and vulnerable people protection is everyone's responsibility.
- Ensuring the best interests of vulnerable people is paramount.
- Assessment and management of child protection risk and impact.
- Participation and empowerment of vulnerable people in decision-making that affects them.
- Compliance with local and international child and vulnerable people protection laws and regulations.

Incident, Notification and Response Policy

This policy sets out the obligations of all of our employees to respond to an incident, promptly notify the Executive Officer/Principal through the required channels and arrange appropriate support.

First Aid Policy

First aid is the emergency aid or treatment given to persons suffering illness or injury following an accident and prior to obtaining professional medical services if required.

It includes emergency treatment, maintenance of records, dressing of minor injuries, recognition and reporting of health hazards, and participation in safety programs.

We are committed to providing first aid to injured or ill staff, students, visitors, volunteers, and contractors in accordance with statutory and regulatory obligations.

Reporting Accidents Policy

Students sometimes suffer injuries on school sites while engaging in activities that may or may not be authorised.

They also sometimes suffer injuries while engaged in authorised activities away from the school site, such as excursions, camps and other educational visits.

From time to time, visitors to school sites and volunteers assisting in authorised activities on or away from the school site may also suffer injuries.

Risk Management Policy

Managing risk means considering the effect of uncertainty (whether positive or negative) on the community language school objectives.

Managing risk involves:
- identifying and assessing risks and controls
- documenting risks in a risk register (or equivalent)
- implementing actions and treatments to manage identified risks
- monitoring risks, including regularly reviewing risk registers
- reporting on risks.

Identifying and managing risk maximises our organisation's ability to make sound decisions to:
- deliver the best possible outcomes for our organisation and the community.
- safeguard student and staff wellbeing.

Complaints Policy and Procedures

The purpose of this policy is to ensure that:
- families understand how their complaint is managed and how it can be escalated, if required
- CLS demonstrates how it responds to complaints in a fair, effective and efficient manner.

The Complaints Policies and Procedures must be:
- child-focused;
- easy to understand;
- culturally safe; and
- accessible.

This means students can understand what to do and who to talk to if anything makes them feel uncomfortable or unsafe. This includes procedures that children can understand and follow if they need to.

School must ensure that they:
- take complaints seriously, and respond to them promptly and thoroughly;
- cooperate with law enforcement;
- meet reporting, privacy and employment law obligations.

Process for Handling Complaints (Internal)

Step 1

Those with a complaint should approach an appropriate officer for discussion and advice on the issue. The discussion is confidential. The complaint can be face-to-face, by phone or email.

Step 2

If the problem is not resolved in Step 1, the complainant may put the issue in writing (letter or email) and request that the issue be raised with the School Management Committee/School Principal at the next committee meeting. The School Management Committee/ School Principal shall make a decision on the issue and advise the complainant within 7 days or let the complainant know of a timeframe if it will be longer.

Step 3

If the problem is not resolved in Step 2, the complainant may attend a meeting of the School Management Committee/ School Principal and shall be entitled to address that meeting.

Process for Handling Complaints (Internal)

The complainant may be accompanied by a representative of their choice.

The complainant may request that the person against whom the complaint is being made not be present while they address the meeting. The School Management Committee/School Principal shall make a decision on the issue and advise the complainant of their decision within 7 days.

A full report should be provided to the School Management Committee/School Principal and the complainant.

If the matter is not resolved internally, refer to the **Process for Handling Complaints (External)**.

Process for Handling Complaints (External)

A positive relationship between students, parents and school staff is critical in realising and maintaining the best possible educational outcomes.

STEP 1: Raise the complaint with the school

If the matter relates to a Teacher, School Administrator or Principal, the complainant raises it with them first. This will typically result in the quickest response and is often in the best interest of the student.

STEP 2: Raise the complaint with CLV

If a mutually agreed resolution cannot be reached or the complainant feels uncomfortable raising the complaint directly with the school, they can escalate the complaint to the CLV Office for resolution. See Complaints Form on the CLV website.

STEP 3: Raise the complaint with a third party mediator.

If the matter still cannot be resolved by CLV, refer to the Dispute Settlement in Victoria.

Questions?

Any further questions on the Child Safe Standards?
Any further questions about implementing the Child Safe Standards?
How did you find today's presentation?

Where To Go For Support

General Inquiries	Mr Fahry Abubaker **abubaker.fahry.f@communitylanguages.org.au** **Mob: 0422 178 062**
Funding Application	**community.languages@education.vic.gov.au**
Child Safety	Ms Neda Erjaei **erjaei.neda@communitylanguages.org.au** **Mob: 0413 858 842**
Professional Learning Activities	Ms Heba El-Hakim **heba.elhakim@communitylanguages.org.au** **Mob: 0430 744 094**