



## Child Safety Policy

### 1. Carey's Commitment

Carey Baptist Grammar School (School) is committed to providing a safe environment for all students, acting in their best interests, promoting their wellbeing and keeping them safe at all times.

All members of the School community share responsibility for providing an environment which supports the safety and wellbeing of the School students, and are required to uphold the School's commitment to student safety and zero tolerance of child abuse both at the School and elsewhere, including:

- promoting the safety, wellbeing, participation and empowerment of all students in our care, taking into account students with a disability, Aboriginal and Torres Strait Islander children and children from culturally and linguistically diverse backgrounds;
- taking all reasonable steps to protect students from abuse, including listening and responding to the concerns of students, either for themselves or for others, educating all members of the School community to understand, identify, discuss and report student safety matters and ensuring any allegation of abuse is appropriately reported to the School, the Police, the Department of Health and Human Services Child Protection (DHHS) and/or the Commission for Children and Young People (Commission);
- promoting student safety within all School Environments;
- providing an environment where all members of our school community feel encouraged to play an active role in developing a culture of risk minimisation and student safety;
- implementing and continuously improving procedures and systems that promote and influence an organisational culture of student safety and that provide a safe environment for our students;
- supporting the wellbeing of all of our students and employees and providing confidential support to those who disclose and/or report student abuse. The care and wellbeing of any survivor of abuse is of paramount importance to the School, with both support and counselling available; and
- treating any student safety concerns very seriously and dealing with any allegation or evidence according to the law and the School's policies and procedures.

### 2. Scope

This Policy applies to all employees, volunteers, board members, and contractors.

### 3. Roles and responsibilities

The Principal and the Board are responsible for:

- developing strategies to embed a culture of student safety at the School;
- allocating roles and responsibilities for achieving the strategies;
- informing the school community about the strategies, and allocated roles and responsibilities;

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- putting the strategies into practice, and informing the School community about these practices; and
- periodically reviewing the effectiveness of the strategies put into practice and, if considered appropriate, revise those strategies.

These strategies give the highest priority to the promotion and protection of students' safety, health, development, education and wellbeing. This is achieved through:

- overseeing development and implementation of key policies and processes;
- ensuring student safety is a regular agenda item at Board meetings;
- having the Principal and other responsible employees report regularly to the Board on student safety matters;
- consideration by the Principal, responsible employees and the Board of areas for improvement; and
- the School's Reporting Child Abuse Procedure also indicates the senior employees leaders (Deputy Principal, Head of School Section or Head of Student Development) who have specific responsibilities in relation to the promotion of student safety and for receiving and making reports of suspicion of student abuse.

The Principal is also responsible for:

- ensuring that the applicable obligations under the *Child Wellbeing and Safety Act 2005* (Vic) (CWS Act) (i.e. the Reportable Conduct Scheme) are satisfied; and
- ensuring that the Commission is notified in the manner (and time periods) required.

#### 4. Values and Principles

The School's values and principles are set out in the School Charter and the Strategic Directions.

In relation to child safety, the School has moral and legal responsibilities to provide an environment in which all students are safe in our care. The School will provide training, resources, information and guidance to support this. The School is committed to:

- child safety policies and procedures that will support ongoing assessment, identification and minimisation of the risk of child abuse in the school environment;
- appropriate conduct and behaviour towards and between students at all times;
- policies which support the processes that will assist the School to engage the most appropriate employees to work with students; and
- effective reporting mechanisms.

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## 5. Definitions

<b>Child</b>	An individual under the age of 18 years unless otherwise stated under the law applicable to the child.
<b>Child abuse</b>	Child abuse includes: (a) Any act committed against a child involving: i. A sexual offence; or ii. The offence of grooming; (b) The infliction, on a child, of: i. Physical violence; or ii. Serious emotional or psychological harm; (c) Serious neglect of a child.
<b>Child Safety Officers</b>	Deputy Principal, Head of School Section or Head of Student Development
<b>Student</b>	An individual who is enrolled as a student at the School, including students aged 18 and over.
<b>Child -connected work</b>	Work that is authorised by the School and is performed by an adult in the School Environment while children or students are present or reasonably expected to be present.
<b>Student Safety</b>	Student safety encompasses matters related to protecting all students from abuse, managing the risk of student abuse, providing support to a student at risk of student abuse, and responding to incidents or allegations of student abuse.
<b>School Environment</b>	The School Environment is any physical or virtual place made available or authorised by the School for use by a student during or outside school hours, and includes: <ul style="list-style-type: none"><li>• The School's main campuses at Kew and Donvale, Bulleen Sports Complex, Boat Shed and Camp Toonalook</li><li>• Online school environments, including email and intranet systems</li><li>• Other locations provided by the School for students' use, including locations used for school camps, sporting events, tours, excursions, competitions and other events.</li><li>• Transport organised by the School.</li></ul>

## 6. Reporting Allegations

The School takes all allegations of abuse seriously and has resources in place to investigate them thoroughly and in a timely manner. Our employees and volunteers are trained to deal appropriately with any allegations of abuse.



The School will work with all students, families, employees, board members, contractors and volunteers to know what to do and who to tell if they observe abuse, are a victim of abuse, or if they notice inappropriate behaviour.

## **Mandatory reporting obligations**

The *Children, Youth and Families Act 2005 (Vic)* (CYFA) requires certain professionals to make a report to the DHHS when, in the course of their position or employment:

- they form a belief on reasonable grounds that a child under the age of 17 (or 18 if they are affected by a protection order) is in need of protection because the child has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse; and
- the child's parents or caregiver have not protected, or are unlikely to protect, the child from harm.

At the School, mandatory reporters under the CYFA include the Principal, registered teachers, registered psychologists, nurses, school counsellors and other individuals prescribed under legislation from time to time (Mandatory Reporters).

Mandatory reporters are required by law to notify the DHHS as soon as practicable after forming such a belief, and after each occasion on which they become aware of any further reasonable grounds for the belief.

It is not mandatory to report emotional and psychological abuse or neglect, but you are at liberty to do so.

## **Reasonable grounds for belief**

You have reasonable grounds to notify when:

- a child tells you that they have been physically or sexually abused;
- a child states that they know someone who has been physically or sexually abused (sometimes the child is talking about themselves);
- someone else, such as a relative, friend, acquaintance or sibling of the child, tells you that a child has been abused;
- your observations of the child's behaviour or knowledge of children lead you to believe that the child has been abused; or
- you observe physical signs or indicators of abuse (e.g. bruises, cuts etc.).

NB: While it is not mandatory, we encourage reporting where you hold a concern about the safety of a child or student aged 17 or over.

## **Mandatory obligation to report child sexual abuse**

In addition to the obligations above, any person (of or over the age of 18) who receives information that leads them to form a reasonable belief that a sexual offence has been committed in Victoria against a child (under the age of 16 years) by another person (of or over the age of 18 years), has a legal obligation to disclose that information to the Police as soon as it is practicable. The penalty for individuals who fail to comply with this obligation under the Crimes Act 1958 (Vic) is 3 years' imprisonment.



The School supports and encourages students, employees, board members, families, volunteers and contractors to make a report to the police if they form a belief on reasonable grounds that a child or student is in need of protection, or they are concerned about the safety, health or wellbeing of a child or student.

## Voluntary reporting

In addition to the mandatory reporting obligations above, any person who believes on reasonable grounds that a child of any age is in need of protection from child abuse, may disclose that information to the Police or the DHHS. A child is to be considered to be "in need of protection" if:

- the child has been abandoned and there is no other suitable person who is willing and able to care for the child;
- the child's parents are dead or incapacitated and there is no other suitable person who is willing and able to care for the child;
- the child has suffered or is likely to suffer significant harm as a result of physical injury and the parents are unable or unwilling to protect the child;
- the child has suffered or is likely to suffer significant harm as a result of emotional or psychological harm and the parents are unable or unwilling to protect the child;
- the child's physical development or health has been, or is likely to be significantly harmed and the parents are unable or unwilling to provide basic care, or effective medical or other remedial care.

If a person would like internal guidance or support with addressing their concerns, they are encouraged to speak with a Child Safety Officer.

NB: While it is not mandatory, we encourage reporting where you hold a concern about a student aged 17 or over.

## Protection of reporters

Any employee, board member, volunteer or contractor that makes a report in good faith in accordance with their reporting obligations will be supported by the School, and will not be penalised by the School for making the report.

If an employee, board member, volunteer or contractor is uncertain as to whether they should make a report to an external authority in relation to the safety of a child or student, they should speak to a Child Safety Officer for guidance and information. Ultimately, it is a personal decision for the employee, board member, volunteer or contractor whether they choose to make a report to an external authority or not.

For further information on reporting abuse, please refer to the School's Reporting Child Abuse Procedure.

## 7. Reportable Conduct Scheme

Under the Reportable Conduct Scheme, if the Principal becomes aware of a reportable allegation against an employee, board member, volunteer or contractor, the Principal must notify the Commission in writing:

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- within 3 business days after becoming aware of the reportable allegation—
  - (i) that a reportable allegation has been made against an employee, board member, volunteer or contractor of the School;
  - (ii) the name (including any former name and alias, if known) and date of birth, if known, of the employee, board member, volunteer or contractor concerned;
  - (iii) whether Victoria Police has been contacted about the reportable allegation;
  - (iv) the name, address and telephone number of the School; and
  - (v) the name of the Principal; and
- as soon as practicable and within 30 days after becoming aware of the reportable allegation:
  - (i) detailed information about the reportable allegation;
  - (ii) whether or not the School proposes to take any disciplinary or other action in relation to the employee, board member, volunteer or contractor and the reasons why it intends to take, or not to take, that action; and
  - (iii) any written submissions made to the Principal concerning the reportable allegation that the employee, board member, volunteer or contractor wished to have considered in determining what, if any, disciplinary or other action should be taken; and
- any other information that is required under the Reportable Conduct Scheme or requested by the Commission.

In addition to the obligations above, any person may disclose a reportable allegation to the Commission. If a person would like internal guidance or support with addressing their concerns, they are encouraged to speak with their supervisor or a Child Safety Officer.

For the purposes of the Scheme:

- “reportable conduct” means:
  - (i) a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded; or
  - (ii) sexual misconduct, committed against, with or in the presence of, a child; or
  - (iii) physical violence committed against, with or in the presence of, a child; or
  - (iv) any behaviour that causes significant emotional or psychological harm to a child; or
  - (v) significant neglect of a child;
- “reportable allegation” means any information that leads a person to form a reasonable belief that an employee, Board, volunteer or contractor has committed:
  - (i) reportable conduct; or
  - (ii) misconduct that may involve reportable conduct,
  - (iii) whether or not the conduct or misconduct is alleged to have occurred within the course of the person's engagement.

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## Systems and processes

The Principal is required to ensure that the School has in place a system for:

- preventing child abuse by an employee, board member, volunteer or contractor of the School within the course of the person's engagement;
- enabling any person, including an employee, board member, volunteer or contractor of the School, to notify the Principal of a reportable allegation of which the person becomes aware;
- enabling any person, including an employee, board member, volunteer or contractor of the School, to notify the Commission of a reportable allegation involving the Principal of which the person becomes aware; and
- investigating and responding to a reportable allegation.

## 8. Responding and Reporting

### Disclosure of an incident of child abuse to you

If a child or student discloses an incident of abuse to you, you should:

- try to separate them from other children discreetly and listen to them carefully;
- let them use their own words to explain what has occurred;
- reassure them that you take what they are saying seriously, and it is not their fault and that they are doing the right thing;
- explain to them that this information may need to be shared with others, such as with their parent/care giver, specific people in your organisation, or to the police;
- do not make promises to them such as promising not to tell anyone about the incident, except that you will do your best to keep them safe;
- do not leave them in a distressed state. If they seem at ease in your company stay with them, otherwise get support from the counselling/pastoral team;
- as soon as possible after the disclosure, record the information using the child or student's words and then you:
  - (i) should report the disclosure to a Child Safety Officer; and
  - (ii) must consider whether your reporting obligations have been triggered; and
- ensure the disclosure is recorded accurately and that the record is stored securely.

### Allegation against a member of the School

In the case of an allegation being made against an employee, board member, volunteer and/or contractor at the School, the Child Safety Officers and the Principal will follow the School's Reporting Child Abuse Procedure. The School will take all reasonable steps to ensure that the safety of the child or student is paramount.

The first step is to withdraw the accused person from active duty, which could entail standing down (with pay, where applicable), re-assignment to other duties that do not have direct contact with children, or to work under increased supervision while the matter is being investigated.

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The Principal will also comply with their obligations under the Reportable Conduct Scheme, and notify the Commission in the manner (and time period) required.

## Case management

In the event of a child or student disclosing an incident of abuse to someone they trust it is essential that it is dealt with sensitively and professionally.

## Investigations

The School may investigate allegations relating to an incident of abuse in accordance with its obligations and to the extent reasonably practicable. In some circumstances, it may be necessary for the School to conduct an investigation in addition to any investigation conducted by authorities (e.g. the police).

The Principal will conduct an independent investigation into the allegation to the extent that it will not interfere with investigations by DHHS, the Commission or the police, and will co-operate with the authorities as required.

All people covered by the School's child safety policies and procedures must co-operate fully with any investigation by DHHS, the police, the School and the Commission.

The Principal will make every effort to keep any such investigation confidential; however, from time to time other employees, board members, volunteers and contractors may need to be consulted in conjunction with the investigation (e.g. to provide witness statements).

An investigation conducted by the School will be conducted in accordance with procedural fairness to protect the integrity of the investigation and the interests of all the participants involved in the investigation. The School will also handle the allegations in a confidential manner to the greatest extent possible.

In some circumstances, it may be appropriate for the School to engage a person (or persons) from outside the School to conduct an independent investigation in relation to allegations.

The outcome will depend on the findings of the investigation, but may include withdrawal from active duty, re-assignment to duties with no contact with children, increased supervision, disciplinary action, dismissal or criminal prosecutions.

## Interviews

DHHS, the Commission and/or the police may conduct interviews of students at the School without the parent(s) knowledge or consent.

Interviewing students at the School by the DHHS, Commission or the police should only occur in exceptional circumstances and if it is in the best interest of the student to proceed in this manner.

DHHS, the Commission and/or the police will notify the Principal or a member of the leadership team of their intention to interview the student on the School premises.

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When an officer from DHHS or the Commission, or the police, come to the School premises, the Principal or a member of the leadership team should request to see identification before permitting them to have access to the student.

When a student is being interviewed by DHHS, the Commission and/or the police, school employees should endeavour to arrange to have a supportive adult present with the student.

### **Support for the student**

As part of the School's duty of care and commitment to pastoral care, the School will provide support to students impacted by abuse. This may include:

- development of an individual safety plan;
- acting as a support person for the student;
- counselling;
- attending DHHS' case planning meetings;
- observing and monitoring the student's behaviour; and
- liaising with appropriate professionals

### **Requests for information**

DHHS, the Commission and/or the police may request information about the student or family for the purpose of investigating a report and assessing the risk to the student.

In certain circumstance, DHHS can also direct school employees and Department employees to provide information or documents about the protection or development of the student. Such directions should be in writing and only made by authorised persons within DHHS.

## **9. Record keeping**

All reports of alleged abuse or harm, or risk thereof, must be recorded in the form of an Incident Report. Places, times, dates, names of people, observable behaviours or evidence of harm are what is recordable. Reports will be securely stored in the Principal's Office by the Personal Assistant to the Principal.

## **10. Recruitment**

The School has recruitment practices that enable the Principal and the Board to be satisfied that people engaged in child-connected work for the School will perform appropriately in relation to student safety.

The School has recruitment processes that assist in the effective selection of suitable employees, volunteers and contractors.

These processes aim to achieve the following outcomes:

- New and existing employees, volunteers and contractors understand the importance of student safety and are aware of the School's policies and procedures;
- Each role at the School that involves child-connected work has a clear statement, which includes a clear job description, duties and responsibilities regarding student

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safety and relevant qualifications, experience and attributes in relation to student safety;

- Compliance with School policy for recruitment and selection of employees for obtaining, verifying and recording information about a person whom it proposes to engage to perform child-connected work, including a process for screening and background checks;
- Induction of new employees, volunteers and contractors into the School's policies, codes, practices and procedures, governing student safety and child-connected work; and
- An employee's continuing suitability for child-connected work is monitored and assessed.

All applicants for jobs at the School will be informed about the School's student safety practices and its student safety code of conduct.

All employees engaged by the School as classroom teachers must be continuously registered with the Victorian Institute of Teaching (VIT), which includes a Police Criminal Records Check. Teachers must provide evidence of such registration before they commence employment, and are informed of the School's student safety practices and its student safety code of conduct within their Letter of Appointment. Teachers who fail to have a current registration with the VIT (including suspension of registration) will not be able to continue in their teaching role and the School may suspend or terminate the teacher's employment at the School.

All non-teaching employees, board members, volunteers and contractors engaged at the School are required to provide a current Working with Children Check (WWCC) or VIT registration, prior to being engaged by the School. The School maintains records of WWCC and VIT information on the School's Human Resource Management System and regular audits are undertaken.

The School may require applicants to provide a police check in accordance with the law and as appropriate, before they commence working at the School and during their time with the School in regular intervals.

All successful applicants engaged at the School will be assessed on an ongoing basis:

- during any scheduled performance review; and
- after any concern is raised regarding their conduct with children, to ensure that they remain suitable for child-connected work.

## 11. Privacy

The School will collect, use, disclose and hold personal information in accordance with the *Privacy Act 1988* (Cth) and the Privacy Policy.

### Principles

There are two guiding principles in respect to a child or student's privacy.



- First, the School will operate on the best interests principle. All employees, board members, volunteers and contractors will do what they believe to be in the best interest of the child or student. This principle supersedes all others.
- Second, the School will respect a child or student's confidentiality except in situations where it conflicts with the best interests principle.

As much as is reasonably possible, an individual's confidentiality is to be protected. Both those who are making reports and those about whom accusations are being made are entitled to confidentiality. Where there is suspected abuse or misconduct, employees, board members, volunteers and contractors must not disclose or make use of the information in a manner that breaches confidentiality, other than to report and act consistent with the School's child safety practices and its child safety code of conduct, and relevant statutory requirements.

### **Notifying the parents of the student**

The person making the report should not inform the parents or carers of a report. The person making the disclosure, the Principal or the Child Safety Officers should consult with DHHS and/or the police to determine what information should be shared with parents/carers. DHHS or the police 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 16 years or older and does not wish for their parents/carers to be contacted); or
- To contact the parents/carers and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion).

## **12. Reducing or removing risks of abuse**

The School has policies and practices in place for the early identification and response to any incidents of abuse in its physical or online environment. These policies and practices:

- promote understanding by all School employees of the School's expectations in relation to behaviour and conduct when interacting with student and the consequences of failing to abide by those expectations;
- seek to achieve ongoing risk assessment to identify and mitigate risk in all School Environments, taking into account the age and needs of the students, the nature of the activities undertaken at the School and the particular risks they might present;
- provide ongoing training, education and support (at least annually) for all the School employees in relation to:
  - (i) individual and collective obligations and responsibilities for managing the risk of child abuse; and
  - (ii) child abuse risks in the School Environment; and
- require appropriate human resources policies to assess employees in relation to compliance with their student safe obligations and continued suitability for child-connected work.

If the Principal and/or the Board identify risks of child abuse occurring in one or more School Environments, the Principal and/or the Board must make a record of those risks and specify the action(s) the School will take to reduce or remove the risks (risk controls).

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As part of the School's risk management strategy and practices, the Principal and the Board will monitor and evaluate the effectiveness of the implementation of its risk controls.

### 11. Promoting student empowerment and participation

The School has strategies to deliver appropriate education about:

- standards of behaviour for students;
- healthy and respectful relationships (including sexuality);
- resilience;
- wellbeing; and
- child abuse awareness and prevention

The School will utilise its curricular, pastoral and co-curricular programs to enhance student awareness, teaching students about child safety and child abuse and encourage them to disclose behaviour that makes them feel unsafe.

### 12. Communication

The School is pro-active in the area of prevention and will communicate the School's child safety practices and its child safety code of conduct in the manner below.

<b>Students</b>	<b>Parents, guardians, community, sponsors, partners</b>	<b>Employees, volunteers, contractors, board members</b>
<ul style="list-style-type: none"><li>▪ Conditions of enrolment</li><li>▪ Website</li><li>▪ Intranet/CareyLink</li><li>▪ School assemblies</li></ul>	<ul style="list-style-type: none"><li>▪ Conditions of enrolment (Parents will receive a hard and electronic copy)</li><li>▪ Website</li><li>▪ Parent information evenings</li><li>▪ School newsletter</li></ul>	<ul style="list-style-type: none"><li>▪ Website</li><li>▪ Intranet/CareyLink</li><li>▪ Letters of appointment/contracts</li><li>▪ Induction Training and refresher training</li><li>▪ Annual Training Session</li></ul>

### 13. Breach

Any breach of this Policy may result in disciplinary action, including up to termination of engagement or employment.

### 14. Monitoring and Review

A review of this Policy shall be conducted every two years.

The Board will be responsible for ensuring that this Policy is reviewed and updated.



## 15. Related Policies, Procedures and Legislation

- Code of Conduct;
- Financial Code of Conduct
- Reporting Child Abuse Procedure
- Children, Youth and Families Act 2005 (Vic);
- Crimes Act 1958 (Vic); and
- Child Wellbeing and Safety Act 2005 (Vic).

Approved by the Carey Board February 2020  
Next review: 2022