

MALVERN RUSSIAN COMMUNITY SCHOOL

CHILD SAFE POLICY

2021-2022

Introduction:

At Malvern Russian Community School we hold the care, safety and wellbeing of children and young people as a central and fundamental responsibility of our school. Malvern Russian Community School have 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 (CECV Commitment Statement to Child Safety).

Our commitment to child safety

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

Our Schools is committed to child safety.

We want children to be safe, happy, and empowered. We support and respect all children, as well as our staff and volunteers.

We are committed to the safety, participation, and empowerment of all children.

We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.

We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.

Our organisation is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.

Our organisation has robust human resources and recruitment practices for all staff and volunteers.

Our School is committed to regularly training and educating our staff and volunteers on child abuse risks.

We support and respect all children, as well as our staff and volunteers. We 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.

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

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

Our children

This policy is intended to empower children who are vital and active participants in our organisation. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

We promote diversity and tolerance in our organisation, and people from all walks of life and cultural backgrounds are welcome. In particular, we:

- promote the cultural safety, participation and empowerment of Aboriginal children
- promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds
- ensure that children with a disability are safe and can participate equally.

Our staff and volunteers

This policy guides our staff and volunteers on how to behave with children in our organisation.

All our staff and volunteers must agree to abide by our code of conduct which specifies the standards of conduct required when working with children. All staff and volunteers, as well as children and their families, are given the opportunity to contribute to the development of the code of conduct.

Training and supervision

Training and education is important to ensure that everyone in our organisation understands that child safety is everyone's responsibility.

Our organisational culture aims for all staff and volunteers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We also support our staff and volunteers through ongoing supervision to: develop their skills to protect children from abuse; 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.

New employees and volunteers 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 (please refer to this organisation's code of conduct to understand appropriate behaviour further). Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services and Victoria Police, depending on the severity and urgency of the matter.

Recruitment

We take all reasonable steps to employ 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 organisation 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. Please see the Working with Children Check website <www.workingwithchildren.vic.gov.au> for further information.

In recognition of its obligation to provide a safe environment for children, CLA instructors are required to have a valid Working with Children (WWC) Check in compliance with the *Working with Children Act 2005*. The Check is just one of responsibilities in 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.

Child- a person under 18 years of age

Contact- any contact between a child and an adult that involves:

- (a) Physical contact; or
- (b) Face to face oral communication; or
- (c) Physically being within eyeshot
- (d) Yard Duty
- (e) Unsupervised contact

We carry out reference checks and police record checks to ensure that we are recruiting the right people. Police record checks are used only for the purposes of recruitment and are discarded after the recruitment process is complete. 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.

Duty of Care

The purpose of this policy is to explain the nature of the legal duties owed by teachers and school staff towards students. In a legal context, 'duty of care' is an element of the tort of negligence.

Schools must ensure that they exercise the same level of care and supervision that a parent would. Therefore, teachers must:

- Maintain constant supervision of the students in their charge.
- Not send students to deliver messages beyond the school grounds.
- Take immediate action in any situation where there is a threat to the welfare or safety of a student like: Child abuse.
- Attend their allocated yard duty time.
- Ensure that no student leaves the school premises without written parental permission.
- Ensure that a safe and appropriate working environment is created and maintained in the classroom.

- Ensure visitors register is signed by people entering the school premises.
- Carrying the working with children card while they are on duty.

Evacuation Procedure

Our school uses an evacuation plan created by Slavic Evangelical Baptist Church, owners of the facilities. It is the responsibility of our school to familiarise the school community with the procedure by placing the evacuation plan in a strategically located position which is accessible to the entire school community. Ideally, the evacuation plan would be exhibited on a main wall, which would allow staff and students to become familiar with the plan.

First Aid

In line with the First Aid Regulation of the *Occupational Health and Safety Act, 2004*.

First aid: is the immediate treatment or care given to a person suffering from an injury or illness until more advanced care is provided or the person recovers.

First aider: is a person who has successfully completed a nationally accredited training course or an equivalent level of training that has given them the competencies required to administer first aid.

First aid equipment: includes first aid kits and other equipment used to treat injuries and illnesses.

First aid facilities: include first aid rooms, health centres, clean water supplies and other facilities needed for administering first aid.

The following policy in relation to first aid applies to our School:

- MRCS must ensure that a first aid kit is stored on site;
- MRCS must nominate the First Aid officer and first aiders;
- MRCS needs to have first aid policy and procedures;
- The First Aid officer is in charge of the kit and must ensure it is properly maintained;
- The First Aid officer is responsible for ensuring that a Register of Injuries and Treatment is maintained up-to-date and all First aiders having current certificate.
- MRCS must ensure that there is an adequate number of trained first aid officers on site.
- MRCS must ensure they are having the list of student's names with allergy and their allergy plan. Individual Anaphylaxis Management Plans.
- Displaying well-recognised, standardised first aid signs will assist in easily locating first aid equipment and facilities.

Equal Opportunity- Anti Discrimination, Racial Vilification and Disability Discrimination

Discrimination is defined in part 2, section 6 as being linked to the following attributes.

The following are the attributes based on which discrimination is prohibited in the area of activity set out in part 4-

- (a) age
- (b) breastfeeding
- (c) employment activity
- (d) gender identity
- (e) disability
- (f) industrial activity
- (g) lawful sexual activity
- (h) marital status
- (i) parental status or status career
- (j) physical features
- (k) political belief or activity
- (l) pregnancy
- (m) race
- (n) religious belief or activity
- (o) sex
- (p) sexual orientation
- (q) personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes.

In section 7 the meaning of discrimination is defined as-direct or indirect discrimination based on an attribute.

Reasonable 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.

For example, a 'reasonable belief' might be formed when:

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

Child Protection

MRCs is committed to the safety and wellbeing of all children and young people. 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 new PROTECT Child Safe Standards. The Child Safe Standards are compulsory minimum standards for all CLA schools, to ensure they are well prepared to protect children from abuse and neglect.

To create and maintain a child safe organisation, all schools must comply with Ministerial Order No. 870, in operation from 1 August 2016.

Notifications of Abuse

For the purposes of these standards, abuse constitutes any act committed against a child involving:

- physical violence

- sexual offences

- The infliction on a child

- serious emotional or psychological abuse

- serious neglect.

school's instructors are committed to protecting a child's right to be safe from abuse of any kind. These procedures must be applied in any circumstance where there is an incident.

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

If any instructor has suspicions of abuse consult the Department of Human Services Victorian Child Protection Service. When someone with mandatory reporting obligations has reasonable suspicion of abuse they need to contact the Child Protection Crisis Line: 13 12 78 or Victoria Police 000 (urgent matters).

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 on progress and any actions we as an organisation take.

Code of Conduct

A Code of Conduct is a highly effective 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. (CHILD SAFE STANDARD 3: DEVELOPING A CHILD SAFETY CODE OF CONDUCT)

This Child Safety Code of Conduct is to 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.

Our school is required to develop or review codes of conduct and ensure they provide all staff and volunteers with a set of clear principles about how they should behave with children. Where applicable, organisations can reference professional codes of conduct that clearly outline appropriate behaviour with children.

MRCs uphold the following code of conduct in relation to employers, educators, volunteers, students, families, and children:

For Instructors -Teachers:

Ensure that all instructors are:

- Clear about their roles and responsibilities regarding child protection.
- *All staff, volunteers and board members of **Malvern Russian Community School** are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children, as noted below.*
- *Adhering to **Malvern Russian Community School** child safe policy at all times / upholding **Malvern Russian Community School** statement of commitment to child safety at all time*
- *Taking all reasonable steps to protect children from abuse.*
- Aware of their obligations to immediately report suspected abuse **to Call the police on 000 if you have immediate concerns for a child's safety.**
- Aware of the indicators when a child may be at risk of harm or significant harm.
- Provide training and development for all instructors in the recognition and reporting of abuse and harm.
- Provide reporting procedures and professional standards for care and protection work.
- Reporting any allegations of child abuse to **Malvern Russian Community School** Child Safety Officer **Malvern Russian Community School** / leadership, and ensure any allegation to reported to the police or child protection

- If an allegation of child abuse is made, ensure as quickly as possible that the child is safe.
- Enable educators to have access to relevant acts, regulations, standards, and other resources for them to complete their obligations.
- Treating everyone with respect.
- Promoting the cultural safety, participation, and empowerment of Aboriginal children (for example, by never questioning an Aboriginal child's self-identification).
- Promoting the cultural safety, participation, and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination).
- Promoting the cultural safety, participation, and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination).
- Encouraging children to 'have a say' and participate in all relevant organisational activities where possible, especially on issues that are important to them.
- Ensuring as far as practicable that adults are not left alone with a child.

Staff and volunteers must not:

- Develop any 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children) (grooming).
- Exhibit behaviours with children which may be construed as unnecessarily physical (for example inappropriate sitting on laps. Sitting on laps could be appropriate sometime, for example while reading a storybook to a small child in an open plan area).
- Put children at risk of abuse (for example, by locking doors).
- Do things of a personal nature that a child can do for themselves, such as toileting or changing clothes.
- Engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities).
- Use inappropriate language in the presence of children.
- Express personal views on cultures, race, or sexuality in the presence of children.

- *Discriminate against any child, including because of culture, race, ethnicity, or disability.*
- Have contact with a child or their family outside of our organisation without our child safety officer's knowledge and/or consent (for example, no babysitting). Accidental contact, such as seeing people in the street, is appropriate).
- Have any online contact with a child or their family (unless necessary, for example providing families with e-newsletters).
- Ignore or disregard any suspected or disclosed child abuse.

Definition of Abuse

'Abuse' –For the purposes of these standards, abuse constitutes any act committed against a child involving:

- physical violence
- sexual offences
- serious emotional or psychological abuse
- serious neglect.

(a) **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 beating, shaking, burning or use of weapons (such as, belts and paddles).

Possible physical indicators:

- Unexplained bruises
- Burns and/or fractured bones

Possible behavioural indicators:

- Showing wariness or distrust of adults
- Wearing long sleeved clothes on hot days (to hide bruising or other injury)
- Fear of specific people
- Unexplained absences
- Academic problems

(b) **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.¹

Possible physical indicators:

- Presence of sexually transmitted diseases
- Pregnancy
- Vaginal or anal bleeding or discharge

Possible behavioural indicators:

- Displaying sexual behaviour or knowledge that is unusual for the child's age
- Difficulty sleeping
- Being withdrawn
- Complaining of headaches or stomach pains
- Fear of specific people
- Showing wariness or distrust of adults
- Displaying aggressive behaviour

(c) **Serious emotional or psychological 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.

Possible physical indicators:

- Delays in emotional, mental, or even physical development
- Physical signs of self-harming

Possible behavioural indicators:

- Exhibiting low self-esteem
- Exhibiting high anxiety
- Displaying aggressive or demanding behaviour
- Being withdrawn, passive and/or tearful

¹ 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>

- Self-harming

(d)**Serious 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.

Possible physical indicators:

- Frequent hunger
- Malnutrition
- Poor hygiene
- Inappropriate clothing

Possible behavioural indicators:

- Stealing food
- Staying at school outside of school hours
- Aggressive behaviour
- Misusing alcohol or drugs
- Academic issues

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

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>

Documenting a disclosure of harm

Complete an **incident report form** (Template provided) or record the details as soon as possible so that they are accurately captured. Include:

- time, date, and place of the disclosure
- 'word for word' what happened and what was said, including anything you said and any actions that have been taken, and
- date of report and signature

If you need to take notes as the person is telling you, explain that you are taking a record in case any later enquiry occurs.

Reporting the disclosure or suspicion of harm to authorities

A new offence for failure to disclose child sexual abuse came into effect on 27 October 2014. The offence requires that any adult who holds a reasonable belief that a sexual offence has been

committed in CLA schools by an adult against a child (aged under 16) disclose that information to police. The offence applies to all adults, not just professionals who work with children, unless they have a reasonable excuse.

FOUR CRITICAL ACTIONS FOR SCHOOLS

Responding to Incidents, Disclosures and Suspicions of Child Abuse

ACTION 1: RESPONDING TO AN EMERGENCY

ACTION 2: REPORTING TO AUTHORITIES

ACTION 3: CONTACTING PARENTS/CARERS

ACTION 4: PROVIDING ONGOING SUPPORT

Relevant Legislation

- Children, Youth and Families Act 2005 (Vic.)
- Working with Children Act 2005 (Vic.)
- Education and Training Reform Act 2006 (Vic.)
- Equal Opportunity Act 2010 (Vic.)
- Privacy Act 1988 (Cth)
- Crimes Act 1958 (Vic.)

– Three new criminal offences have been introduced under this Act:

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.

- I. The offence applies where an adult communicates, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision, or authority for the child with the intention of facilitating the child's involvement in sexual conduct, either with the groomer or another adult.
- II. Grooming does not necessarily involve any sexual activity or even discussion of sexual activity – for example, it may only involve establishing a relationship with the child, parent, or carer for the purpose of facilitating sexual activity later.
- III. The sexual conduct must constitute an indictable sexual offence. This includes offences such as sexual penetration of a child, indecent assault, and indecent act in the presence of a child. It does not include summary offences, such as up skirting and indecent behaviour in public.

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 your 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 and 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 can 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 organisations 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.

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

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.
- Any personnel who are mandatory reporters must comply with their duties.

Risk management

In CLA, Schools are required to protect children when a risk is identified (see information about failure to protect above). In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.

We have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments (for example, any doors that can lock), and online environments (for example, no staff or volunteer is to have contact with a child in organisations on social media).

Regular review

This policy will be reviewed every two years 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 local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

Allegations, concerns, and complaints

Our organisation 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.

We work to ensure all children, families, staff, and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.

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).

If an adult has a reasonable belief that an incident has occurred, then they must report the incident. Factors contributing to reasonable belief may be:

- a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
- behaviour consistent with that of an abuse victim is observed
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.