



# Mossgiel Park Primary School

## Child Safe Policy

### **Purpose**

Mossgiel Park Primary School (MPPS) is committed to child safety and has zero tolerance for child abuse. MPPS is committed to providing a child safe environment where children and young people are safe and feel safe, and their voices are heard about decisions that affect their lives. All staff, volunteers and contractors are responsible for the safety and protection of the children within our care. Staff are required to report information about suspected child abuse. All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, family or social background have equal rights to protection from abuse.

### **Aims**

- To reinforce in our school community that there is zero tolerance for child abuse. Child abuse includes physical violence, sexual offences, serious emotional or psychological abuse and serious neglect;
- To ensure the rights of the children to be safe, happy and empowered are maintained;
- To ensure that we support and respect all children. Particular attention will be paid to the cultural safety of Aboriginal and Torres Strait Islander children and children from culturally and/or linguistically diverse backgrounds, as well as the safety of vulnerable children and those with a disability;
- To ensure that all staff, volunteers and contractors are aware of their obligations to observe the 'Codes of Conduct' particularly as they relate to child safety (See Code of Conduct for Staff and Code of Conduct for Volunteers and Contractors);
- To foster a culture of openness that supports all persons to safely disclose risks of harm to children; and
- To ensure that all reported incidents are followed up appropriately following the school's policies and processes.

### **Implementation**

- All members of the teaching service are mandated by law to report signs of physical and sexual abuse and neglect (see Mandatory Reporting policy);
- MPPS will engage only the most suitable people to work with children and have high quality staff and volunteer supervision and professional development;
- All employed teachers must be registered with the Victorian Institute of Teaching (VIT);
- All employed Education Support staff require a 'Working with Children Check' and 'Police Check' before the commencement of their duties;
- All volunteers and contractors require a 'Working with Children Check' before the commencement of their duties;
- All staff and volunteers must agree to abide by our 'Codes of Conduct' particularly as they relate to child safety (See Code of Conduct for Staff and Code of Conduct for Volunteers and Contractors) which specifies the standards of conduct required when working with children;

- We are committed to regular mandatory reporting training and educating our staff about child abuse risks;
- We will work to ensure children know who to talk with if they are worried or are feeling unsafe, and that they are comfortable and encouraged to raise such issues;
- We are committed to listening and responding to the views and concerns of students, particularly if they are telling you that they or another child has been abused or that they are worried about their safety/the safety of another child;
- To support or assist children who disclose child abuse, or are otherwise linked to suspected child abuse the school will:
  - establish regular communication between staff and the child's parent/guardian/carer (if this is appropriate) to discuss a child's wellbeing and the effectiveness of planned strategies;
  - convene a Student Support Group to plan ongoing monitoring, support, and follow-up of the child's health and wellbeing; and
  - develop and implement a Student Support Plan, which documents the planned support strategies and includes timeframes for review (where possible, these support strategies should be informed by allied health and wellbeing professional with expertise in addressing child abuse and trauma).
- All allegations of abuse and safety concerns will be reported to a member of the leadership team. The information will be documented using our 'confidential summary form' and stored securely. Updates will be added to this document and relevant stakeholders informed;
- We have specific policies, processes and training in place that support our staff and volunteers to confidently make a report based on holding a 'reasonable belief' that a child is at risk of child abuse (see Mandatory Reporting Policy, Cyber Safety Policy and Bullying Prevention Policy);
- Allegations of abuse or safety concerns will be made to the Department of Health and Human Services (DHHS) in accordance with mandatory reporting procedures; and
- The Leadership team will ensure appropriate supervision for all classes, excursions, camps and activities within the school environment in adherence with relevant school and DET policies and procedures.

### **Legislative Requirements**

To create and maintain a child safe organisation, all Victorian schools must comply with Ministerial Order No. 870 - Child Safe Standards, which came into effect 1 August 2016. Ministerial Order No. 870 was made for the purpose of section 4.3.1(6)(d) of the Education and Training Reform Act (ETRA), 2006.

### **Reporting Obligations:**

If you suspect or know a child in your care has been a victim of abuse you must act. A mandatory reporter (teacher, principal) who fails to comply with reporting obligations may be committing a criminal offence (see Mandatory Reporting Policy).

**Failure to Protect:**

Failure to Protect is a criminal offence. This offence applies to person in a position of authority (principal, assistant principal) within an organisation who:

- knows of a substantial risk that a child under the age of 16, under the care, supervision or authority of the organisation will become a victim of a sexual offence committed by an adult associated with the organisation (e.g. employee, contractors, volunteer, visitor); and
- negligently fails to remove or reduce the risk of harm.

**Failure to Disclose:**

All adults, not just professionals who work with children, have a legal obligation to report to Victoria Police where they form a reasonable belief that a sexual offence has been committed by an adult against a child under the age of 16.

**Definitions**

**Child** means a person below the age of 18 years, unless, under the law applicable to the child, majority is attained earlier.

**Child protection** means any responsibility measure or activity undertaken to safeguard children from harm.

**Child abuse** means all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial (e.g. for financial gain) or other exploitation of a child and includes any actions that results in actual or potential harm to a child.

**Child sexual assault** is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism and exposing the child to pornography. It included child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with the child.

**Reasonable grounds for belief** is a belief based on reasonable grounds that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or consideration may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

A reasonable belief is formed if a reasonable person believes that:

- (a) The child is in need of protection.
- (b) The child has suffered or is likely to suffer "significant harm as a result physical injury"
- (c) The parents are unable or unwilling to protect the child.

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere rumour or speculation.

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 if:

- (a) A child states that they have been physically or sexually abused;
- (b) A child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- (c) Someone who knows a child states that the child has been physically or sexually abused;
- (d) Professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; and or
- (e) Signs of abuse leads to a belief that the child has been physically or sexually abused.

### **Evaluation**

This policy may be modified using school-based processes should the need arise or every 3 years.

### **Related policies and legislations**

Department resources including [Protect Children](#); [Child Safe Standards](#)  
Code of Conduct for Staff Working with Children  
Code of Conduct for Volunteers and Contractors Working with Children  
Mandatory Reporting Policy  
Cyber Safety Policy  
Bullying Prevention Policy

### **Review cycle**

This policy was last updated on 14<sup>th</sup> August 2018 and is scheduled for review in August 2020.