

# **Child Safety Policy**

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**The WEP Child Safety Policy is accessible on the WEP website at:**

**<https://wep.org.au/>**

**This version of the WEP Child Safety Policy is updated to reference the New Child Safe Standards which are in effect from 1 July 2022.**

## **INTRODUCTION**

This Child Safety Policy supports schools/organisations to create and maintain a child safe organisation where children and young people are safe and feel safe. The policy provides a framework for how schools/organisations approach child safety.

All school/organisation community members are responsible for caring for children and young people, positively promoting their wellbeing and protecting them from any harm or abuse.

The Child Safety Policy tells the relevant community about the strategies and arrangements in place to keep children safe, helping create a shared commitment to keeping children safe. It will also support everyone in your school/organisation to know their responsibilities.

## **UNDERSTANDING THE STANDARDS**

The 11 Child Safe Standards are listed below. Schools/Organisations must comply with the Standards and in doing so, implement all aspects of the 11 Standards.

Each of the Standards is expressed as a statement of an expected outcome that organisations must achieve. The new Standards also include minimum requirements to clarify what you need to do for your school/organisation.

## **THE 11 CHILD SAFE STANDARDS**

The 11 Child Safe Standards for Child Safe Organisations are listed below. Schools/Organisations must comply and implement all aspects of the 11 Standards.

Each of the Standards is expressed as a statement of an expected outcome that schools/organisations must achieve. The new Standards also include minimum requirements to clarify what a school/organisation is expected to do.

Child Safe Standards is a compulsory framework that supports schools/organisations to promote the safety of children by requiring them to implement policies to prevent, respond to and report allegations of child abuse. The *Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021* give the Commission and other regulators more powers to assess and enforce compliance with the Child Safe Standards.

There are 11 Child Safe Standards:

**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.

## **STATEMENT OF COMMITMENT**

At WEP we hold the care, safety and wellbeing of children and young people as a primary and fundamental responsibility.

WEP, schools, and affiliated organisations have a moral, legal and mission-driven responsibility to create nurturing environments where children and young people are respected, their voices are heard, and they are safe and feel safe.

The health, welfare and safety of all children in care are paramount. WEP, schools, and affiliated organisations will act on behalf of children to protect their rights to safety and security following legal and regulatory requirements. In cases of suspected child abuse and other welfare concerns, staff will report to the appropriate authorities. All staff working with children take on a duty of care to ensure that all children are protected and safe from harm.

WEP, schools, and affiliated organisations will nominate one Child Safety Officer for their organisation. The officer must be up to date with child safety requirements and able to promote and effectively communicate with a range of stakeholders.

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

## **UNDERSTANDING LEGISLATIVE CONTEXT**

### **Child, Youth and Families Act 2005**

The Act governs and guides the process of child protection in Victoria. Under this Act a person can make a report to Child Protection Services if they have:

- A significant concern for a child's wellbeing.
- A belief the child is in need of protection; and/or
- A significant concern before the birth of a child about their wellbeing after their birth

The Act also defines **mandatory reporting** and identifies relevant professions. Under the Act a mandated reporter **must** make a report to the Department of Health and Human Services, Child Protection if:

- they form the belief on reasonable grounds that a child has suffered, or is likely to suffer significant harm as a result of physical injury or sexual abuse; and
- the parents have not protected or are unlikely to protect the child from harm of that type and the belief is formed in the course of practising his/her position of employment.

In Victoria, the following professions are considered mandated reporters:

- Registered medical practitioners, midwives, and nurses
- Registered teachers (*Registered Teachers includes those registered with Permission to Teach*)
- Principals
- Police
- People in religious ministries
- Out-of-home care workers
- Early childhood workers
- Youth justice workers
- Registered psychologists
- School counsellors

A reasonable belief is a belief on reasonable grounds i.e. if a reasonable person practising the profession or carrying out the duties of the office, position or employment, as the case requires, would have formed the belief on those grounds.

- contemporary graduated monitoring and enforcement powers
- improved information sharing powers

All incidents, suspicions, and disclosures of child abuse must be reported as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.

### **New Regulatory Framework**

A new regulatory framework for the Child Safe Standards was started on 1 January 2023.

The changes make it easier for people to identify who the regulator is for their organisation. New laws came into effect resulting in some organisations having a different regulator. Some organisations that deliver multiple types of services to children may still have more than one regulator.

The framework will provide regulators of the Standards with legal powers to hold organisations to account if they are not complying with the Standards.

This will aid regulators to respond to risks of child abuse and breaches of the Standards.

### **Relevant Legislation**

- Child Wellbeing and Safety Act 2005 (Vic)
- Education and Training Reform Act 2006 (Vic)
- Ministerial Order 1359 – Implementing the Child Safe Standards – Managing the [risk of child abuse in Schools \(PDF\)](#)

## **Working with Children's Clearance (WWCC) Act 2020**

The requirement to obtain a Working with Children Check where a person wants to engage in child-related work and the process to obtain the Working with Children Check is established by the *Worker Screening Act 2020* ('the Act') which came into force on 1st February 2021 and repealed the *Working with Children Act 2005*.

A Working with Children Check is an assessment of whether a person poses an unacceptable risk to children in Australia. As part of the process, the screening unit will look at criminal history, child protection information, and other information.

The purpose of this policy is to ensure Schools/Organisations and School/Organisation leaders understand and comply with the legal requirements for undertaking suitability checks including Working with Children Checks for any adults who work with children in School environments.

- Schools/Organisations must have a registry for staff, volunteers, committee members, contractors and other relevant personnel, and WWC cards to make sure everyone has the current and valid card.
- Schools/Organisations must establish and implement School/Organisation -level procedures to assess and verify the suitability of all adults who engage in child-related and child-connected work. These may exceed the requirements of the Worker Screening Act 2020 (Vic) if required.
- Working with Children Checks are required by law for people who engage in child-related work (whether paid or unpaid) as defined in the Worker Screening Act 2020 (Vic).
- Schools/Organisations must comply with the volunteer child safety screening requirements of Ministerial Order 1359 – Implementing the Child Safe Standards – managing the risk of child abuse in Schools and School boarding premises.
- In assessing what suitability checks should be undertaken, Schools/Organisations must consider the child safety risks relevant to the adult's role.

The check aims to prevent people from working with children if records indicate that they may pose an unacceptable risk to children.

### **The Difference Between the Working with Children Check and Police Check**

The Working with Children Check and the Australian National Character Check are two different checks.

The Working with Children Check is an ongoing assessment of a person's eligibility to work with children and involves a check of a person's criminal history and other disciplinary and police information.

A Nationally Coordinated Criminal History Check is a point-in-time check that discloses criminal history.

<b>Organisation obligations according to the <i>Working with Children's Clearance (WWCC) Act 2020</i></b>	<b>Staff and volunteer obligations according to the <i>Working with Children's Clearance (WWCC) Act 2020</i></b>
<p>Prior to engaging an employee or volunteer in child-related work, organisations must check the status of the person's check.</p> <p>Organisations must ensure that employees and volunteers have updated their details to include the name of the organisation. When this has been done, the organisation will receive a confirmation letter.</p> <p>Workers must update their details of employment to include the organisation and the address of the organisation <b>within 21 days of commencing work</b></p> <p>It is important that organisations keep accurate records of the WWCC process including</p> <ul style="list-style-type: none"> <li>• card numbers (or application receipt numbers) of all works and volunteers</li> <li>• expiry dates and card types</li> <li>• all correspondence from the WWCC VIC</li> </ul>	<p>Employees and volunteers must ensure they have the correct type of check (employee or volunteer) when engaging in child-related work.</p> <p>Employees and volunteers must ensure that their details are up to date. Changes to personal and employment details must be made <b>within 21 days</b>.</p> <p>Employees and volunteers must notify the WWCC office know if they have been charged or found guilty of any offences</p>

## **NEW CRIMINAL OFFENCES**

### **Grooming for Sexual Conduct**

The offence of grooming for sexual conduct with a child under the age of 16 years is defined as: A person of or over the age of 18 years must not communicate, by words or conduct, with a child under the age of 16 years or a person under whose care, supervision or authority the child is (whether or not a response is made to the communication) with the intention of facilitating the child's engagement in or involvement in a sexual offence with that person or another person who is of or over the age of 18 years.

### **Failure to Protect Offence**

The offence of failure to protect a child under the age of 16 years from sexual offence is defined as:

A person who by reason of the position he or she occupies within a relevant organisation, has the power or responsibility to reduce or remove a substantial risk that a relevant child will become the victim of a sexual offence committed by a person of or over the age of 18 years who is associated with the organisation ; and knows that there is a substantial risk that that person will commit a sexual offence against a relevant child must not negligently fail to reduce or remove that risk.

The failure to protect offence 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 did not act to protect the child.

The offence applies 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. This offence encourages organisations to actively manage the risks of sexual offences being committed against children in their care to protect them from harm.

### **Failure to Disclose Offence**

The offence of failure to disclose a sexual offence committed against a child under the age of 16 years is defined as:

A person of or over the age of 18 years (whether in Victoria or elsewhere), who has information that leads the person 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, must disclose that information to a member of the police force of Victoria as soon as it is practicable to do so, unless the person has a reasonable excuse for not doing so. The failure to disclose offence helps to ensure that protecting children from sexual abuse is the responsibility of the whole community.

### **Mandatory Reporting**

All mandatory reporters must make a report to the Police or relevant local Child Protection Services Authority ] as soon as practicable if, during the course of carrying out their professional roles and responsibilities, they form a belief on reasonable grounds that:

- a child has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse
- the child's parents have not protected, or are unlikely to protect, the child from harm of that type.

It's a criminal offence not to report in these circumstances. It's recommended that mandatory reporters follow the four critical actions.

**Individuals who are required to report:**

- Victorian Institute of Teaching (VIT) registered teachers, including principals, and early childhood teachers
- school staff who have been granted permission to teach by the VIT
- registered medical practitioners, nurses and midwives
- police officers
- registered psychologists
- people in religious ministry
- early childhood workers
- youth justice workers
- out-of-home care workers (excluding voluntary foster and kinship carers)
- school counsellors including staff who provide direct support to students for mental, emotional, or psychological wellbeing, including (but not limited to) school health and wellbeing staff, primary welfare officers, student wellbeing coordinators, mental health practitioners, chaplains, and Student Support Services staff.

**Reportable Conduct Scheme**

The Reportable Conduct Scheme requires organisations involving children to notify the Commission for Children and Young People (CCYP) of any alleged abuse by people employed by:

- the organisation
- volunteers, as well as foster and kinship carers in a formal care arrangement.
- contractors
- office holders
- ministers of religion
- officers of a religious body

There are 5 types of 'reportable conduct':

- sexual offences (against, with or in the presence of, a child)
- sexual misconduct (against, with or in the presence of, a child)
- physical violence (against, with or in the presence of, a child)
- behaviour that causes significant emotional or psychological harm
- significant neglect.

**The Child Employment (Amendment) Act 2022**

The *Child Employment (Amendment) Act 2022* improves the regulation of child employment in Victoria. It strengthens protections for children in the workplace and makes it easier for employers to understand their obligations when employing children. The Act applies to the employment of children under the age of 15.

On the 1<sup>st</sup> of July 2017, the Commission for Children and Young People (CCYP) began administering a reportable conduct scheme in Victoria. The scheme is designed to improve oversight of how organisations respond to allegations of child abuse and child-related misconduct by staff and volunteers.

Under the scheme, the CCYP has the power to:

- oversee and monitor the handling of allegations of child abuse by relevant government departments, religious and non-government organisations
- undertake independent investigations
- scrutinise and audit systems and processes for handling allegations
- monitor and report on trends



- build skills and knowledge within government departments, religious and non-government organisations to ensure they can competently handle allegations of suspected child abuse<sup>1</sup>.

## **EQUITY AND DIVERSITY**

The purpose of this policy is to ensure that schools/organisations developing and/or implementing WEP programs, including Student Exchange Programs, comply with legal obligations to provide inclusive educational environments where students are treated with respect and dignity, regardless of their attributes.

WEP recognises the diverse circumstances of children and young people and works to celebrate their strengths and individual characteristics and embrace them regardless of their abilities, gender, socio-economic status and cultural background.

Staff, volunteers, host families, affiliated organisations and all other relevant personnel are trained to recognise and respond effectively to children and young people with diverse needs, with a particular focus on vulnerable groups, including Aboriginal and Torres Strait Islander children, children with a disability, and children from culturally and linguistically diverse backgrounds and LGBTIQ+.

Schools/Organisations must take steps to create a learning environment where all students are welcomed, accepted and treated equitably and with respect regardless of their backgrounds or attributes such as race, religious belief or activity, gender identity, disability or sexual orientation so that they can participate, achieve and thrive at school.

### **Schools/Organisations:**

- must not unlawfully discriminate when deciding who should be enrolled in a student exchange program and on what terms
- must not unlawfully discriminate against a student by denying or limiting access to any benefit provided by the school/organisation or by subjecting a student to any other detriment because of the student's attribute
- must not unlawfully discriminate against a student by expelling them because of the student's attribute
- must make reasonable adjustments for students with disabilities who require adjustments to enable them to participate in their education and other school activities (for example, school sports, concerts and other events) on the same basis as their peers without a disability
- must take steps to provide an educational setting that is safe for all students, and which is free from bullying, unlawful discrimination, sexual harassment, disability harassment (such as hurtful or humiliating comments or actions about a person's disability) or victimisation
- must acknowledge and respond to the diverse needs, identities and strengths of all students
- must encourage empathy and fairness towards others
- must challenge stereotypes that promote prejudicial and biased behaviours and practices
- must create a learning environment for all students that acknowledges, respects and values different cultures and identities including Koorie cultures
- must respond to complaints and allegations appropriately and ensure that students are not victimised for making a complaint or asserting their rights.

## **EQUAL OPPORTUNITY: ANTI-DISCRIMINATION, RACIAL VILIFICATION AND DISABILITY DISCRIMINATION**

All those involved in developing and/or implementing WEP programs, including Student Exchange programs are required to uphold the values outlined in the *Equal Opportunity Act 2010* in relation to their students and the selection, supervision and management of staff.

The purpose of this policy is to ensure that Schools/Organisations comply with legal obligations to provide inclusive educational environments where students are treated with respect and dignity, regardless of their attributes.

- Schools/Organisations are required to comply with a number of legislative obligations that relate to equal opportunity and human rights
- It is unlawful for Schools/Organisations to discriminate against students on the basis of certain protected attributes (for example, race, religious belief or activity, disability, sex, gender identity or sexual orientation) – refer to ‘Definitions’ below for a complete list of protected attributes

Schools/Organisations must comply with federal and state anti-discrimination laws and the Charter of Human Rights and Responsibilities 2016 (Vic).

### **Equal Opportunity Act Objectives**

The objectives of this Act are:

- (a) To eliminate discrimination, sexual harassment and victimisation, to the greatest possible extent;
- (b) To further promote and protect the right to equality set out in the Charter of Human Rights and Responsibilities;
- (c) To encourage the identification and elimination of systemic causes of discrimination, sexual harassment and victimisation;
- (d) To promote and facilitate the progressive realisation of equality, as far as reasonably practicable by recognising that-
  - (i) discrimination can cause social and economic disadvantage and that access to opportunity is not equitably distributed throughout society;
  - (ii) equal application of a rule to different groups can have unequal results or outcomes;
  - (iii) the achievement of substantive equality may require the making of reasonable adjustments and reasonable accommodation and the taking of special measures;
- (e) to enable the Victorian Equal Opportunity and Human Rights Commission, or the local jurisdiction equivalent, to encourage best practice and facilitate compliance with this Act by undertaking research, educative and enforcement functions;
- (f) to enable the Victorian Equal Opportunity and Human Rights Commission or the local jurisdiction equivalent, to resolve disputes about discrimination, sexual harassment and victimisation in a timely and effective manner, and to also provide direct access to the Victorian Civil and Administrative Tribunal for resolution of such disputes.

### **Definitions**

Discrimination is defined in part 2, section 6 of the Equal Opportunity Act as being linked to the following attributes, the basis of 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.

### **Equal Employment Opportunity**

WEP, Schools/Organisations, and Affiliated Organisations must choose the best person for the job regardless of:

- race, colour and national origin;
- physical, intellectual or psychological impairment including HIV and AIDS;
- gender;
- marital status (including de facto);
- parental status (including pregnancy);
- religious or political beliefs, activities or practices.

School/Organisation Authorities should establish and monitor all employment policies, practices and procedures to ensure that equal opportunity principles are followed in all areas of staff management.

### **CHILD SAFEGUARDING**

WEP believes that the safety of children is of paramount importance and aims to protect a child's right to be safe from abuse of any kind. WEP will ensure that all parties affected by this policy are aware of their roles and responsibilities regarding child protection.

Schools/Organisations must therefore provide an environment that is free from any type of abuse and foster a child's growth and development as per the individual requirements of each child. The staff of Schools/Organisations should therefore be aware of their obligations and responsibilities regarding the safety of children.

WEP will educate all parties about their roles in creating a child-safe environment, including identifying and responding to signs of child abuse.

WEP requires all those involved in developing and implementing Student Exchange Programs to have strategies in place to:

- prevent child abuse;
- encourage reporting of any abuse that does occur;
- improve responses to any allegations of child abuse;
- review these processes regularly.

In addition, WEP, as well as all Schools/Organisations, should provide regular training to their staff on child safety issues to ensure that, in the event, a child has suffered abuse, all relevant personnel can act quickly in the best interests of the child.

As part of the Victorian Child Safe Standards, three overarching principles require organisations to consider the increased vulnerability of:

- Aboriginal children;
- Children from culturally and linguistically diverse backgrounds; and
- Children with disabilities

Schools/Organisations must focus on promoting the cultural safety of Aboriginal children, the cultural safety of children from culturally and linguistically diverse backgrounds and the safety of children with a disability.

The 4 R's of safeguarding children are a set of strategies for promoting the welfare and the safety of children. They stand for:

1. **Recognise** signs of abuse or potential risks to welfare.
2. **Respond** appropriately and promptly to any concerns about child safety.
3. **Record** all relevant information accurately and confidentially.
4. **Refer** to the appropriate services for further investigation or support.

These strategies are essential in ensuring that you are able to effectively identify risks, respond effectively and refer to where necessary. They help to ensure that vulnerable children and young people receive the protection and support they need.

## FORMS OF ABUSE

All volunteers and employees must understand how child abuse can occur to create a child-safe environment.

Under the **Child Safe Standards Ministerial Order 1359**, a child is under the age of 18 years, under **Mandatory Reporting** a child is under 17 years of age (qualified) and under the **Crimes Act** a child is under 16 years of age (qualified).

For the purposes of the Child Safe Standards, abuse constitutes any act committed against a child involving:

- Physical child abuse
- Child sexual abuse
- Grooming
- Emotional child abuse
- Neglect
- Family violence
- Children exhibiting inappropriate sexual behaviour This list is not exhaustive but may include:

**Cumulative harm** – Cumulative harm refers to the effects of multiple adverse or harmful circumstances and events in a child's life. Cumulative harm may be caused by an accumulation of a recurring negative circumstance (such as unrelenting low-level care) or even; or by multiple occasions or events (such as persistent verbal abuse and denigration, inconsistent or harsh disciplines or exposure to family violence).

**Multidimensional harm** – occurs when more than one abuse type is experienced at the same time, e.g. sexual abuse also involves physical Abuse and Emotional Abuse at the same time.

**Emotional abuse** – Emotional child abuse occurs when a child is repeatedly rejected, isolated or frightened by threats, or by witnessing family violence.

It also includes hostility, derogatory name-calling and put-downs, and persistent coldness from a person, to the extent that the child suffers, or is likely to suffer, emotional or psychological harm to their physical or developmental health. Emotional abuse may occur with or without other forms of abuse.

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.

**Exposure to Family Violence** – Family violence is behaviour towards a family member that may include:

- physical violence or threats of violence
- verbal abuse, including threats
- emotional or psychological abuse
- sexual abuse
- financial and social abuse.

A child's exposure to family violence constitutes child abuse. This exposure can be very harmful and may result in physical harm and long-term physical, psychological and emotional trauma. Action must be taken to protect the child, and to mitigate or limit their trauma.

**Grooming** – Many perpetrators of sexual offences against children purposely create relationships with children and young people, their families and carers to create a situation where abuse could occur. Grooming concerns predatory conduct undertaken to prepare a child for sexual activity.

For example:

- Spending special time with a child, e.g. in private settings, away from the organisation, online;
- Isolating the children or young people from family and peers;
- Giving gifts to a child;
- Showing favouritism;
- Allowing the child to step out of boundaries or rules;
- Touching the child; and
- Testing and breaking professional boundaries

**Neglect** – 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 development are, or is likely to be, jeopardised. Severe neglect can also occur if an adult fails to adequately ensure a child's safety when exposed to extremely dangerous or life-threatening situations.

**Physical violence** – 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 imposed in many ways, including hitting, beating, shaking, burning, or using weapons (such as belts and paddles).

**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 their age and development. Child sexual abuse can involve a range of sexual activities, including fondling, masturbation, penetration, voyeurism and exhibitionism. It can also include exposure to or exploitation through pornography or prostitution and grooming.

**Sexually harmful behaviour in children** – refers to harmful behaviour perpetrated by a child (17 years of age or younger) to another child. Harmful behaviours in children often indicate that they have experienced abuse or neglect. Where sexually harmful behaviour occurs, organisations have a duty of care to both children. In children under ten years of age, such behaviour is usually referred to as *sexually problematic behaviour*.

## ROLES & RESPONSIBILITIES

KEY ROLE	KEY RESPONSIBILITIES
<b>All Staff, Employees, Students, Volunteers, Host families, Contractors and other relevant personnel</b>	<ul style="list-style-type: none"> <li>• To be aware of, understand and apply the requirements of this policy in all areas of work.</li> <li>• Work with WEP to embed and uphold the Child Safe Policy.</li> <li>• Attend Child Safe training.</li> <li>• Report any abuse/neglect concerns, allegations or disclosures to the child safe officer and/or relevant authorities.</li> <li>• Understand the legislation and legal obligations to report.</li> <li>• Obtain and maintain a valid Working with Children Check as required for their role.</li> <li>• Where a child is in immediate danger, call the Police.</li> <li>• Respond appropriately to a child who makes or is affected by an allegation of child abuse.</li> </ul>

<b>Local Child Safety Officer</b>	<ul style="list-style-type: none"> <li>• Act as the first point of contact for child safety concerns or allegations of abuse within the school/organisation.</li> <li>• Consult and liaise with the principal and WEP on the implementation of the Child Safe Standards.</li> <li>• Provide support to the child, the parents/carers, the person who reports and the accused person.</li> <li>• Initiate internal processes to ensure the safety of the child(ren).</li> <li>• Decide, considering legal requirements and duty of care, whether the matter will be reported to the Police or Child Protection and lodge a report as soon as possible (if required).</li> <li>• Confirm relevant authorities have been notified i.e. Department of Health and Human Services (DHHS) Child Protection, Police, DET, CCYP.</li> <li>• Monitor compliance with the child safe policy and reporting procedure and respond appropriately where non-compliance is identified.</li> <li>• Create, develop and support a culture of child safety within [insert school].</li> <li>• Ensure all Staff, Employees, Students, Volunteers, Host families, Contractors and other relevant personnel are aware of how to respond appropriately to a child who makes or is affected by an allegation of child abuse.</li> <li>• Review and update the Child Safety Policy annually.</li> <li>• Inform the children and young people about this policy and make it publicly available.</li> <li>• Oversee the implementation of the Child Safe Policy and Reporting Procedure.</li> <li>• Store the Incident Reporting Form for reporting purposes according to privacy policy and procedures.</li> </ul>
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## Key Roles & Key Responsibilities

<b>Principal and Other Leaders</b>	<ul style="list-style-type: none"> <li>• Demonstrate leadership in child safe practices.</li> <li>• Monitor compliance with the child safe policy and reporting procedure and respond appropriately where non-compliance is identified.</li> <li>• Ensure organisational systems and processes are in place relating to recruitment, training, appraisals and ongoing management of staff and the implementation of the Child Safe Standards.</li> <li>• Undertake or nominate an appropriate delegate where the local Child Safety Officer is unavailable. Where this occurs, it must be widely publicised to the school community.</li> <li>• Develop a culture of child safety within the school.</li> <li>• Confirm the nature of the complaint and commence disciplinary processes if needed.</li> <li>• Ensure child safe principles are included in risk assessments.</li> <li>• Conduct appropriate child safe recruitment practices and screening processes.</li> <li>• Ensure processes are in place to facilitate the appropriate response to a child who makes or is affected by an allegation of child abuse.</li> </ul>
<b>WEP Australia</b>	<ul style="list-style-type: none"> <li>• Continuously develop a culture of child safety within WEP.</li> <li>• Provide information relating to Child Safety via training to new and existing staff, volunteers, affiliated organisations and host families.</li> <li>• Make child safety resources/templates available to local Child Safety Officers.</li> <li>• Provide support and assistance to Child Safety Officers.</li> <li>• Inform Child Safety Officers of any changes to legislation</li> <li>• Research and share information and updates regarding Child Safe Standards and legislative changes to all relevant personnel.</li> <li>• Develop and distribute child safe materials such as posters and leaflets.</li> <li>• Work with schools/organisations to determine if an allegation is a Reportable Conduct offence and oversee any investigations into suspected staff and volunteer misconduct and provide advice in relation to disciplinary procedures as they apply to the Child Safe Standards and Child Safe Policy.</li> </ul>

## Responsibilities of School/Organisation Authorities

The below information is a general guide and specific responsibilities should be detailed in your School/Organisation Code of Conduct.

### School/Organisation Authorities must:

- Ensure that all staff:
  - o are clear about their roles and responsibilities regarding child protection and child safeguarding.
  - o are required to observe Child Safe Standards and expectations for appropriate behaviour towards and in the company of children.



- o always adhere to School/Organisation Child Safe Policy and Code of Conduct and uphold School/Organisation's Statement of Commitment to child safety.
  - o take all reasonable steps to protect children from abuse.
  - o are aware of their obligations to immediately report suspected abuse
  - o are aware of the indicators when a child may be at risk of harm or significant harm.
- Provide/facilitate training and development for all staff in the recognition and reporting of abuse and harm.
- Provide reporting procedures and professional standards for care and protection work.
- Ensure that all allegations of child abuse are reported to the School/Organisation's mandatory reporter, local Child Safety Officer and School Principal/Organisation leader, who will ensure any allegation is reported to the police or Child Protection Services, the WEP CEO and WEP Child Safe Officer.
- If an allegation of child abuse is made, ensure as quickly as possible that the child(ren) is safe.
- Ensure all staff have access to relevant acts, regulations, standards, and other resources for them to fulfil their obligations.
- Treat everyone with respect.
- Promote the cultural safety, participation, and empowerment of Aboriginal children (for example, by never questioning an Aboriginal child's self-identification).
- Promote the cultural safety, participation, and empowerment of children from culturally and/or linguistically diverse backgrounds (for example, by having a zero-tolerance approach to discrimination).
- Promote the safety, participation, and empowerment of children with a disability (for example, by having a zero tolerance of discrimination).
- Encourage children to have a say and participate in all relevant School/Organisation activities where possible, especially on issues that are important to them.
- Ensure as far as practicable that adults are not left alone with a child.

## **Responsibilities of Mandatory Reporters**

### **Mandatory Reporters must:**

- make a report to Child Protection if they form a belief on reasonable grounds that a child is in need of protection from physical injury or sexual abuse;
- make a report as soon as practicable after forming a belief;
- make a report on each occasion they form a belief;
- make a report even if the Principal or equivalent leader does not share their belief; and
- ensure that a report has been made when another mandated reporter has undertaken to make the report.

## CODE OF CONDUCT

WEP recognises a Code of Conduct as an essential strategy to help keep children safe from harm. A Code of Conduct lists acceptable behaviours and those that are unacceptable. It identifies professional boundaries, ethical behaviour and how to avoid or better manage difficult situations.

The Child Safety Code of Conduct is one of the requirements of the Child Safe Standards.

***It applies to all those adults involved in child-related work with students.***

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 behaviour and the behaviour of other school staff and to protect children from abuse in the school environment.

In addition to WEP's Code of Conduct, school/organisation's should develop their own Code of Conduct to provide all relevant adults with clear principles about how they should behave with children.

## RECRUITMENT PROCESS FOR STAFF

### Recruitment Process

WEP will follow the procedures below when recruiting staff:

1. Clarify the need for and role of the staff member and develop or review the Job Description:
  - Ensure that position descriptions for all new positions advertised include the standard **Child Safe Environments** Clause 13 of Ministerial Order 1359 (as in Standard 9 of the Child Safe Standards).
2. Identify roles to be involved in the shortlisting and interviewing.
3. Advertise the position.
4. Send applicants a copy of the position description.
5. Shortlist applicants based on their skills and experience.
6. Conduct interviews and include child safeguarding questions.
7. Select the most suitable applicant. In accordance with any applicable legal requirement or policy, WEP and/or its schools, affiliated organisations etc. must make reasonable efforts to gather, verify and record the following information about a person whom it proposes to engage to perform child-connected work:
  - Working with Children Check status, or similar check;
  - Proof of personal identity and any professional or other qualifications;
  - The person's history of work involving children; and
  - 2-3 references that address the person's suitability for the job and working with children.
8. Conduct 2-3 verbal professional reference checks for the applicant. Follow up with referee reports as they are a critical part of the assessment of the relative merits of each short-listed applicant.
9. Advise the successful applicant in writing including the probation period.
10. Sign a *Child Safety Commitment*.
11. Write letters to unsuccessful applicants.
12. Orientate the new staff member. New staff must have 3 hours mandatory child safety training.

13. All staff and volunteers receive an appropriate induction and are aware of their responsibilities to children and young people, including record-keeping, information sharing and reporting obligations.
14. Ongoing supervision and people management is focused on child safety and wellbeing.

Staff must be selected against the key selection criteria outlined in the relevant position description. WEP should carry out verbal reference checks before a new employee is engaged.

### **Advertising Positions**

Most positions in community languages Schools should be advertised in community newspapers and radio as well as other relevant avenues. Position descriptions must include the **Child Safe Environments**.

### **Interviewing**

The selection panel should draw up a list of interview questions prior to the interviews. All applicants should be asked the same questions. The questions should aim to explore the applicants' relevant skills and experience to perform the duties and include a range of behavioural and values-based questions that will help determine the person's suitability for the position and uncover any potential risks to children.

Each interview should include questions that explore the:

- Motivation to work with children
- Understanding of child abuse in organisational settings, e.g. how it occurs, prevention strategies.
- Work history, including prior positions held, responsibilities, any gaps, and reasons for leaving (especially where previous roles involved work with children).

Particular attention is paid to:

- Answers that indicate a lack of professional boundaries in relation to working with children.
- Answers that are incomplete or concerning.
- Any unusual context for the candidate to be seeking employment with children.

### **Procedures When a New Staff Member is Recruited**

When a new employee is appointed, the following must apply:

- the employee has a copy of their job description which includes the following statement:

*WEP and all of its affiliated schools/organisations are child safe environments. Our activities promote the safety and wellbeing of all students, staff, volunteers and other relevant personnel. We are committed to protecting students from abuse or harm in accordance with our legal obligations including the Child Safe Standards.*

- all staff, volunteers and committee members must undertake three hours of compulsory Child Safety training
- all staff, volunteers and other relevant personnel must sign a Code of Conduct annually to ensure they have read and understood its contents

NB: All job descriptions and Agreements of Employment should incorporate child safe messaging.

## Digital Technology

This following outlines measures Schools/Organisations must take to support all students, including exchange students, to engage with digital technology in a safe and responsible way.

- There is a duty of care to students to take reasonable steps to ensure digital learning is conducted in a safe and responsible manner.
- Ensure students are aware of expectations relating to the safe, responsible and ethical use of digital technologies.
- Online safety should be included in all program planning.
- Online incidents of concern must be managed in accordance with WEP's policy on Managing and Reporting Critical Incidents, as well as any other policy relevant to the type of incident.

There is a duty of care to take reasonable steps to protect students from any harm that should have reasonably been foreseen, including those that may be encountered within the online learning environment.

It is essential that the following are developed:

- clear processes and practices to manage online behaviour and respond to any incidents that may arise
- prepare program plans that explicitly teach safe, responsible and ethical online behaviours
- ensure students are aware of behavioural expectations when engaging in digital learning activities.
- recommend that parents/carers and/or host families discuss, develop and implement a similar 'family agreement' at home. This will assist students to understand what is and isn't appropriate behaviour and that appropriate behaviour is expected everywhere and anytime they are online.

## Supervision When Using Digital Technology in the Classroom

Schools/Organisations should have measures in place to ensure students are appropriately supervised when engaged in online learning.

Such measures might include:

- regularly monitoring screens
- installing remote access software that enables access to individual students' 1 to 1 learning device used in class
- actively reinforcing learning and behavioural expectations during the activity.

## Posting Photographs Online

When including photographs of students in online platforms and applications, it is important to consider risk and consent.

## Responding to Online Incidents

Any online incident must be responded to in accordance with the WEP policy on **Managing and Reporting Critical Incidents**.



### **Key Definitions**

**Cyber Safety:** refers to safe and desirable practices in online environments and the use of electronic and ICT equipment devices.

**ICT Equipment/Devices:** in this document includes, but is not limited to, computers, laptops, tablets, storage devices, cameras, all types of mobile phones, video and audio players/receivers, social networking sites, and any other technologies as they come into use.

**Cyber Bullying:** involves the unwanted use of electronic equipment devices to harass and cause discomfort to other members of the School community.

### **Behaving Safely Online Means:**

- protecting their own privacy and personal information
- selecting appropriate spaces to work and contribute
- protecting the privacy of others (this can be sharing personal information or images)
- being proactive in letting the relevant personnel know if something is 'not quite right' These principles of safety and responsibility apply to internet and social media use at home and School.

### **WEP's Responsibilities**

- To provide everyone involved in WEP's programs with an awareness of the benefits and risks of using ICT
- To integrate cyber safety education into all programs with other child safety measures
- To promote staff awareness of the professional responsibilities for students' safety in the area of cyber safety
- To provide professional learning in regarding cyber safety issues
- To provide information through avenues such as newsletters, website, and/or posters
- To liaise with outside agencies to offer education programs Cyber Safety Policy

### **Students' Responsibilities**

- To abide by WEP/school's cyber safety policy, that aims to prevent bullying and harassment
- To ensure that all material being accessed on the internet is appropriate
- To seek clarification about accessing websites or other sources of information where they may be unsure of content
- To ensure that student communications with other students, staff members and members of the outside community do not harass, vilify or attack personally other individuals. This includes, but is not limited to, written words and the posting of images
- Where ICT equipment devices are used out of School time, report any communications which are inappropriate to the relevant personnel i.e. teacher.

### **Parents/Carer/Host family's' Responsibilities**

- To encourage responsible communication using ICT equipment/devices.
- To explain the internet use permission form to their child/children/student.

### **School/Organisations' Responsibilities**

- Promote safe and responsible use of ICT devices.
- Investigate and act upon all cases of misuse of ICT equipment and devices.

## REPORTABLE CONDUCT SCHEME

The Victorian Reportable Conduct Scheme seeks to improve organisations' response to their worker's and volunteers' allegations of child abuse and child-related misconduct. The scheme is established by the *Child Wellbeing and Safety Act 2005*. The Commission for Children and Young People (CCYP) is responsible for administering the scheme.

### Summary

Principals/Leaders must notify CCYP as soon as possible after becoming aware of a reportable conduct allegation involving any adults. WEP will assess the allegations and report them to the CCYP, if appropriate.

The Reportable Conduct Scheme does not change or replace other reporting obligations such as mandatory reporting.

### Details

The Reportable Conduct Scheme is a child safety mechanism introduced as a result of the Betrayal of Trust report. The Reportable Conduct Scheme complements the Child Safe Standards and other existing child safety measures.

WEP policy is that the Principals/Leaders have the responsibility of reporting any allegations of 'reportable conduct' raised against any adults who are 18 years or over to the CCYP.

There is an allegation of reportable conduct where a person has a reasonable belief that there has been:

- a sexual offence, sexual misconduct or physical violence committed against, with or in the presence of a child
- behaviour causing significant emotional or psychological harm to a child
- significant neglect of a child, or misconduct involving any of the above

Principals/Leaders should notify CCYP as soon as possible after becoming aware of a reportable allegation. If appropriate, Principals/Leaders should notify WEP as well.

The Reportable Conduct Scheme has been designed to ensure that the Commission can oversee and monitor the handling of allegations of child abuse and share information with relevant bodies (e.g. Working with Children Check Unit, relevant regulators and Victoria Police) to better prevent and protect children from misuse.

There are five types of Reportable Conduct:

- **sexual offences** committed against, with or in the presence of a child
- **sexual misconduct** committed against, with or in the fact of a child
- **physical violence** against, with or in the presence of a child
- any behaviour that causes **significant emotional or psychological harm** to a child
- **significant neglect** of a child.

## Requirements of Heads of Organisations

The Reportable Conduct Scheme imposes new obligations on heads of organisations (**Principals**) within the scheme.

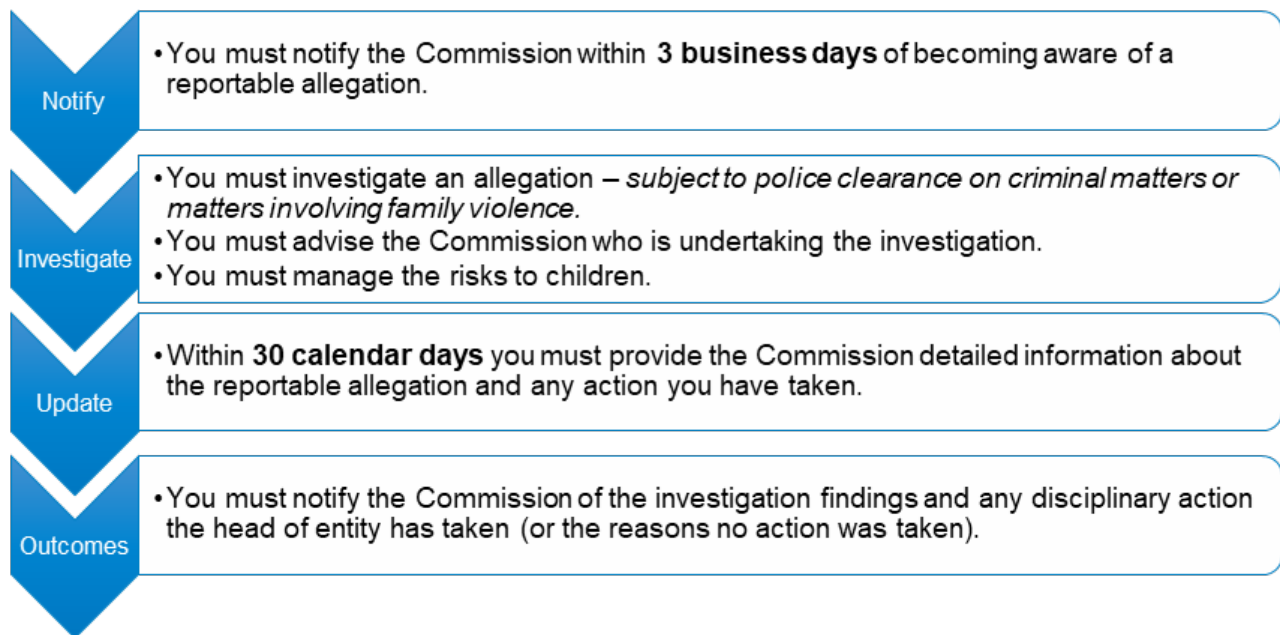
This includes requirements to:

- have in place systems to prevent child abuse and, if child abuse is alleged, to ensure allegations can be brought to the attention of appropriate persons for investigation and response

- ensure that the Commission is notified and given updates on the organisation's response to an allegation
- report allegations that may involve criminal conduct to the police.

**The Reportable Conduct Scheme does not replace the need to report allegations of child abuse, including criminal conduct and family violence, to the Police.**

A snapshot of a head of obligations under reportable conduct:



### Where to Get Help

Organisations covered by the Reportable Conduct Scheme should contact the Commission for clarification and guidance and to talk through any issues of concern.

1. Telephone: 8601 5281
2. Email: [childsafestandards@ccyp.vic.gov.au](mailto:childsafestandards@ccyp.vic.gov.au)

Further information is also available on the Commission for Children and Young People's website at: [CCYP | Resources and support for the Reportable Conduct Scheme](#)

## INDICATORS OF CHILD ABUSE

Abuse Type	Indicators
<b>Physical</b>	<p>Physical indicators of physical child abuse include (but are not limited to):</p> <ul style="list-style-type: none"> <li>• evidence of physical injury that would not likely be the result of an accident</li> <li>• bruises or welts on facial areas and other areas of the body, such as back, bottom, legs, arms and inner thighs</li> <li>• burns from boiling water, oil or flames or burns that show the shape of the object used to make them, such as from an iron, grill, or cigarette</li> <li>• fractures of the skull, jaw, nose and limbs, especially those not consistent with the explanation offered, or the type of injury possible at the child's age of development</li> <li>• cuts and grazes to the mouth, lips, gums, eye area, ears and external genitalia</li> <li>• bald patches where hair has been pulled out</li> <li>• multiple injuries - old and new</li> <li>• effects of poisoning</li> <li>• internal injuries.</li> </ul>
<b>Child sexual abuse</b>	<p>Physical Indicators of sexual abuse may include (but are not limited to):</p> <ul style="list-style-type: none"> <li>• injury to the genital or rectal area (for example: bruising, bleeding, discharge, inflammation or infection)</li> <li>• injury to areas of the body, such as breasts, buttocks, or upper thighs</li> <li>• discomfort in urinating or defecating</li> <li>• presence of foreign bodies in the vagina or rectum</li> <li>• sexually transmitted infections</li> <li>• frequent urinary tract infections.</li> <li>• disclosure of sexual abuse - by the child, friend, family member</li> <li>• drawings or descriptions of stories that are sexually explicit and not age-appropriate</li> <li>• persistent and age-inappropriate sexual activity, such as excessive masturbation or rubbing genitals against adults</li> <li>• wariness or fear of a parent, carer or guardian and reluctance to go home</li> <li>• unusual fear of physical contact with adults</li> <li>• change in sleeping patterns, fear of the dark or nightmares and regressive behaviour, such as bed-wetting</li> <li>• wearing clothes unsuitable for weather conditions to hide injuries</li> <li>• unusually nervous, hyperactive, aggressive, disruptive and destructive to self or others</li> <li>• exhibits significant delays in gross and fine motor development and coordination</li> <li>• overly compliant, shy, withdrawn, passive and uncommunicative</li> <li>• fear of home, specific places or particular adults</li> <li>• poor self-care or personal hygiene</li> <li>• complaining of headaches, stomach pains or nausea without physiological basis.</li> </ul>



<b>Grooming</b>	<p>Behavioural indicators that a child may be subject to grooming include (but are not limited to):</p> <ul style="list-style-type: none"> <li>● developing an unusually close connection with an older person</li> <li>● displaying mood changes, such as hyperactive, secretive, hostile, aggressive, impatient, resentful, anxious, withdrawn, or depressed</li> <li>● using street or different language, such as copying the way the new 'friend' may speak, talking about the new 'friend' who does not belong to his or her normal social circle</li> <li>● possessing gifts, money and expensive items given by the 'friend'</li> <li>● being excessively secretive about their use of communications technologies, including social media</li> </ul> <p>being dishonest about where they've been and whom they've been with.</p>
<b>Emotional child abuse</b>	<p>Physical indicators of emotional abuse include (but are not limited to):</p> <ul style="list-style-type: none"> <li>● language delay, stuttering or selectively being mute (this is when the child only speaks with certain people or in certain situations)</li> <li>● delays in emotional, mental or physical development.</li> </ul> <p>Behavioural indicators of emotional abuse include (but are not limited to):</p> <ul style="list-style-type: none"> <li>● overly compliant, passive and undemanding behaviour</li> <li>● extremely demanding, aggressive and attention-seeking behaviour or anti-social and destructive behaviour</li> <li>● low tolerance or frustration</li> <li>● poor self-image and low self-esteem</li> <li>● unexplained mood swings, depression, self-harm</li> <li>● behaviours that are not age-appropriate (for example: overly adult or overly infantile)</li> <li>● exhibits significant delays in gross and fine motor development and coordination</li> <li>● poor social and interpersonal skills</li> <li>● violent drawings or writing</li> <li>● lack of positive social contact with other children.</li> </ul>
<b>Neglect</b>	<p>Physical indicators of neglect include (but are not limited to):</p> <ul style="list-style-type: none"> <li>● appearing consistently dirty and unwashed</li> <li>● being consistently inappropriately dressed for weather conditions</li> <li>● being at risk of injury or harm due to consistent lack of adequate supervision from parents</li> <li>● being consistently hungry, tired and listless</li> <li>● unattended health problems/lack of routine medical care</li> <li>● having inadequate shelter and unsafe or unsanitary conditions.</li> </ul> <p>Behaviour indicators of neglect include (but are not limited to):</p> <ul style="list-style-type: none"> <li>● being left with older children or persons who could not reasonably be expected to provide adequate care and protection</li> <li>● gorging when food is available or inability to eat when extremely hungry</li> <li>● begging for, or stealing food</li> <li>● appearing withdrawn, listless, pale and weak</li> </ul>

	<ul style="list-style-type: none"> <li>● aggressive behaviour, irritability</li> <li>● little positive interaction with parent, carer or guardian</li> <li>● indiscriminate acts of affection and excessive friendliness towards strangers</li> <li>● exhibits significant delays in gross and fine motor development and coordination</li> <li>● poor, irregular or non-attendance at the service (where regular attendance is expected)</li> <li>● refusal or reluctance to go home</li> <li>● self-destructive behaviour</li> <li>● taking on an adult role of caring for parent.</li> </ul>
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<b>Family Violence</b>	<p>Physical indicators of family violence may include (but are not limited to):</p> <ul style="list-style-type: none"> <li>● speech disorders</li> <li>● delays in physical development</li> <li>● failure to thrive (without an organic cause)</li> <li>● bruises, cuts or welts on facial areas, and other parts of the body including back, bottom, legs, arms and inner thighs</li> <li>● any bruises or welts (old or new) in unusual configurations, or those that look like the object used to make the injury (such as fingerprints, handprints, buckles, iron or teeth)</li> <li>● internal injuries.</li> </ul> <p>Behavioural indicators of family violence may include (but are not limited to):</p> <ul style="list-style-type: none"> <li>● violent or aggressive behaviour and language</li> <li>● depression and anxiety</li> <li>● appearing nervous and withdrawn, including wariness of adults</li> <li>● difficulty adjusting to change</li> <li>● developmentally inappropriate bedwetting and sleeping disorders</li> <li>● extremely demanding, attention-seeking behaviour</li> <li>● participating in dangerous risk-taking behaviours to impress peers.</li> <li>● overly compliant, shy, withdrawn, passive and uncommunicative</li> <li>● 'acting out', such as cruelty to animals.</li> <li>● demonstrated fear of parents, carers or guardians, and of going home</li> <li>● complaining of headaches, stomach pains or nausea without physiological basis.</li> </ul>
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## REVIEWING THE CHILD SAFETY POLICY

WEP will record, review and analyse complaints, issues, concerns and safety incidents for the purpose of identifying causes and systemic failures, and to inform continuous improvement. WEP's ***Evaluation Framework: Policies, Guidelines and Programs*** outlines the process by which it will do this.

In accordance with the processes outlined in its ***Engagement Overview***, WEP will share findings and actions taken in response to relevant reviews of its policies, guidelines and programs, including those related to child safety incidents, with students, families/guardians, staff and volunteers.

This policy will be **reviewed every year** and following significant incidents if they occur. Where possible, we do our best to work with all stakeholders, including schools, affiliated organisations, local Aboriginal communities, culturally and linguistically diverse communities and people with a disability.

Changes to the Child Safety Policy are made based on review findings to better protect the children and young people we engage with.

## Child Safety Policy Declaration

I have read this Child Safety Policy and understand the fundamental principles, values and behaviours at the heart of working with community language schools. I agree to abide by the Child Safety Policy at all times.

## Approval

Responsible Officer	Compliance Officer, WEP
Approval Body	CEO, WEP
Approval Date	01/08/2024
Next Scheduled Review	01/08/2025