

### Statement

- Essendon Keilor College is committed to promoting and protecting the best interests of children involved in its programs at all times.
- All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, local or international have equal rights to protection from abuse.
- Essendon Keilor College has zero tolerance for child abuse. Everyone working at Essendon Keilor College is responsible for the care and protection of the children within our care and reporting information about suspected child abuse.
- Child protection is a shared responsibility between Essendon Keilor College, all employees, workers, contractors, associates, International Student Program Homestay hosts and members of the Essendon Keilor College community.
- Essendon Keilor College will consider the opinions of children and use their opinions to develop child protection policies.
- Essendon Keilor College supports and respects all children, staff and volunteers. Essendon Keilor College is committed to the cultural safety of Aboriginal children, international students and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.
- If any person believes a child is in immediate risk of abuse, telephone 000.
- In recognition of the diverse cultural and linguistic needs represented within the college community, the Child Protection Policy will also be provided in Arabic, Mandarin, Vietnamese and in other languages as requested.

### Aims

To:

- facilitate the prevention of child abuse occurring within Essendon Keilor College
- work towards an organisational culture of child safety
- prevent child abuse within Essendon Keilor College
- ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs
- provide guidance to staff, volunteers, contractors as to action that should be taken where they suspect any abuse within or outside of the organisation
- provide a clear statement to staff, volunteers, contractors forbidding any such abuse
- provide assurance that any and all suspected abuse will be reported and fully investigated.

## Implementation

### Responsibilities

The Essendon Keilor College School Council has ultimate responsibility for the detection and prevention of child abuse and is responsible for ensuring that appropriate and effective internal control systems are in place. The School Council is also responsible for ensuring that appropriate policies and procedures and a Child Protection Code of Conduct are in place.

The Principal of Essendon Keilor College is responsible for:

- dealing with and investigating reports of child abuse
- ensuring that all staff, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and Essendon Keilor Colleges Codes of Conduct;
- ensuring that all adults within Essendon Keilor College are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures
- ensuring that all staff, contractors and volunteers are aware of their obligation to observe the Codes of Conduct (particularly as it relates to child safety);
- providing support for staff, contractors and volunteers in undertaking their child protection responsibilities.

All **DET employees** must ensure that they:

- promote child safety at all times;
- assess the risk of child abuse within their area of control and eradicate/minimise any risk to the extent possible;
- educate employees about the prevention and detection of child abuse; and
- facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

Staff should be familiar with the types of abuse that might occur within their area of responsibility and be alert for any indications of such conduct.

All staff, volunteers, ISP Homestay hosts and contractors share in the responsibility for the prevention and detection of child abuse, and must:

- familiarise themselves with the relevant laws, the Codes of Conduct, and Essendon Keilor College's policy and procedures in relation to child protection, and comply with all requirements
- report any reasonable belief that a child's safety is at risk to the relevant authorities, such as the police and/or the Department of Health and Human Services, (DHHS) and fulfil their obligations as mandatory reporters;
- report any suspicion that a child's safety may be at risk to their supervisor (or, if their supervisor is involved in the suspicion, to a responsible person in the college); and
- provide an environment that is supportive of all children's emotional and physical safety.

### 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, a finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes 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 considerations 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 of 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 lead to a belief that the child has been physically or sexually abused.

### **Employment of New Personnel**

Essendon Keilor College undertakes a comprehensive recruitment and screening process for all workers and volunteers which aims to:

- promote and protect the safety of all children under the care of the organisation;
  - identify the safest and most suitable people who share Essendon Keilor College's values and commitment to protect children; and
  - prevent a person from working at Essendon Keilor College if they pose a risk to children.
- Essendon Keilor College requires all workers/volunteers to pass through the College's recruitment and screening processes prior to commencing their engagement with the college.
  - Persons applying for a role as a teacher with Essendon Keilor College must be registered with the Victorian Institute of Teaching.

- Essendon Keilor College may require applicants to provide a police check in accordance with the law and as appropriate, before they commence working at the college and during their time with the college at regular intervals.
- Essendon Keilor College will undertake thorough reference checks as per the approved internal procedure.
- Once engaged, workers/volunteers must review and acknowledge their understanding of this Policy.

### **Risk Management**

- Essendon Keilor College will ensure that child safety is a part of its overall risk management approach.
- Essendon Keilor College will have a risk and compliance sub-committee committed to identifying and managing risks at the college.
- Risk and compliance sub-committee members will receive regular training in relation to child safety.

### **Reporting**

- Any staff member, volunteer or contractor who has grounds to suspect abusive activity must immediately notify the appropriate child protection service or the police. They should also advise their supervisor about their concern.
- In situations where the supervisor is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision.
- Supervisors must report complaints of suspected abusive behaviour or misconduct to the principal and also to any external regulatory body such as the police.

### **Mandatory/Voluntary Reporting Requirements:**

#### **Mandatory Reporting:**

##### **Crimes Act 1958 (Vic)**

- Mandated reporters: Any person 18 years or older
  - A mandated reporter must make a report if:
    - They form a reasonable belief that a sexual offence has been committed in Victoria against a child (a person under 16 years old) by another person of or over the age of 18 years.
- Note: exceptions may apply.

##### **Children, Youth and Families Act 2005 (Vic)**

- Mandated reporters: teachers registered or granted permission to teach under the Education, Training and Reform Act 2006, principals
  - A mandated reporter must make a report if:
    - They form a belief on reasonable grounds that a child (a person under 17 years old) is in need of protection from physical injury or sexual abuse
    - The parents cannot or will not protect a child
    - The belief is formed in the course of practicing his/her position of employment.
- Note: exceptions may apply.

#### **Voluntary reporting:**

- Any person can make a voluntary report.
- A voluntary reporter may make a report in good faith on any aspect of the wellbeing of a child (a person under 18 years old).

### **Making a Report:**

Department of Health and Human Services: **1300 360 462**

After hours and to report concerns about the immediate safety of a child:

Child Protection Crisis Line (24 hours) **13 12 78** West division – Metro **1300 664 9777**

Victoria Police - Sexual Offences and Child Abuse Investigation Team (SOCIT),

Footscray: **(03) 8398 9860**

### **Investigating**

- If the appropriate child protection service or the police decide to conduct an investigation of this report, all employees, contractors or volunteers must co-operate fully with the investigation.
- Whether or not the authorities decide to conduct an investigation, the principal will consult with the authorities to determine whether an internal investigation is appropriate. If it is decided that such an investigation will not conflict with any proceeding of the authorities, the principal may decide to conduct such an investigation. All employees, contractors and volunteers must co-operate fully with the investigation.
- Any such investigation will be conducted according to the rules of natural justice.
- The principal will make every effort to keep any such investigation confidential; however, from time to time other members of staff may need to be consulted in conjunction with the investigation.
- After an initial review and a determination that the suspected abuse warrants additional investigation, the principal shall coordinate the investigation with the appropriate investigators and/or law enforcement officials. Internal or external legal representatives will be involved in the process, as deemed appropriate.

### **Responding**

- If it is alleged that a member of staff, contractor or a volunteer may have committed an offence or have breached college policies or its Code of Conduct the person concerned may be stood down (with pay, where applicable) while an investigation is conducted.
- If the investigation concludes that on the balance of probabilities an offence (or a breach of the organisation's policies or Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal or cessation of involvement with the organisation. The findings of the investigation will also be reported to the Victorian Institute of Teaching (VIT).

### **Privacy**

All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. Essendon Keilor College has safeguards and practices in place to ensure any personal information is protected. For information about how personal information is recorded, what will be done with it, and who will be able to access it, see the college Privacy policy.

### **Related Documents**

This policy must be read in conjunction with:

#### **Victorian Legislation**

Crimes Act 1958 Vic

Education and Training Reform Act 2006

Education and Training Reform Amendment (Child Safe Schools) Act 2015 Ministerial Order 870

Children Youth and Families Act 2005 (as amended)

Working with Children Act 2005

Charter of Human Rights and Responsibilities Act 2006

Crimes Act (Vic) incorporating Crimes Amendment (Protection of Children) Act 2014  
Victorian Institute of Teaching Act 2001  
National Safe School Framework

**Related College Policies**

Child Safety Code of Conduct  
Student Code of Conduct  
Bullying and Harassment  
ICT Acceptable Use  
Mandatory Reporting  
Privacy  
Working With Children Check  
Visitors

**Other**

DET Guidelines for Managing Complaints, Misconduct and Unsatisfactory Performance - Teaching Service

[www.education.vic.gov.au/hrweb/workm/Pages/conduct.aspx](http://www.education.vic.gov.au/hrweb/workm/Pages/conduct.aspx)

**Note**

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**Evaluation**

This policy will be reviewed every two years, and following every reportable incident, a review shall be conducted to assess whether the college child protection policies or procedures require modification to better protect the children under our care.

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Key Reviewer	Date Ratified	Next Review
Principal	2016	2020