

*Our commitment to child safety*

Pinewood Primary School 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.
- Pinewood Primary School is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.
- Pinewood Primary School has robust human resources and recruitment practices for all staff and volunteers.
- Pinewood Primary 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 at Pinewood Primary School. 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 of 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 Pinewood Primary School'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. Pinewood Primary School 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](http://www.workingwithchildren.vic.gov.au) website <[www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au)> for further information.

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.

## **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<sup>1</sup>, 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.

## **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.

## **Legislative responsibilities**

Pinewood Primary School 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.<sup>2</sup>

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<sup>1</sup> See resource seven in this toolkit.

- **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.<sup>3</sup>
- Any personnel who are **mandatory reporters** must comply with their duties.<sup>4</sup>

### **Risk management**

In Victoria, organisations 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**

Pinewood Primary School 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<sup>5</sup>
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.

Refer to Appendix A

What to do when an allegation of child abuse is made?

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<sup>2</sup> A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed.

Further information about the failure to disclose offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence) <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence>.

<sup>3</sup> Further information about the failure to protect offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence) <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence>.

<sup>4</sup> Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

See the Department of Health and Human Services website for information about [how to make a report to child protection](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first) <www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first>.

## Further information

Further information on child safe standards can be found on the [Department of Health and Human Services website](http://www.dhs.vic.gov.au/about-the-department/plans,-programs-and-projects/projects-and-initiatives/children,-youth-and-family-services/creating-child-safe-organisations) <www.dhs.vic.gov.au/about-the-department/plans,-programs-and-projects/projects-and-initiatives/children,-youth-and-family-services/creating-child-safe-organisations>.

Additional resources for organisations in the child safe standards toolkit can be found on the [Department of Health and Human Services website](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/child-safe-standards): <www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/child-safe-standards>. In particular, [An Overview to the Victorian child safe standards](#), has information to help organisations understand the requirements of each of the child safe standards, including examples of measures organisations can put in place, a self-audit tool and a glossary of key terms: <www.dhs.vic.gov.au/\_\_\_data/assets/word\_doc/0005/955598/Child-safe-standards\_overview.doc>

**Note for registered schools:** a forthcoming Ministerial Order under the *Education and Training Reform Act 2006* will contain the minimum actions that schools must take to meet each of the child safe standards. There will be a lead in time before regulation will commence to allow schools time to prepare. The Department of Education and Training and the Victorian Registration and Qualifications Authority will provide information and materials specifically for schools to assist with capacity building and compliance.

**Registered schools** can contact the Department of Education and Training: [child.safe.schools@edumail.vic.gov.au](mailto:child.safe.schools@edumail.vic.gov.au)

**Early childhood services** operating under the *National Quality Framework or Children's Services Act 1996* should contact: [licensed.childrens.services@edumail.vic.gov.au](mailto:licensed.childrens.services@edumail.vic.gov.au)

**Licensed children's services** enquiry line: 1300 307 415

# What to do when an allegation of child abuse is made

## Child safe standards toolkit: resource six

The child safe standards require organisations that provide services for children<sup>6</sup> to have processes for responding to and reporting suspected child abuse.<sup>7</sup> Your organisation may have existing processes. This resource is designed to provide guidance on what to do if a child discloses an incident of abuse, or if a parent/carer raises a concern or allegation of abuse which may have taken place in your organisation.

### If a child discloses an incident of abuse to you

Try and separate them from the other children discreetly and listen to them carefully.

Let the child use their own words to explain what has occurred.

Reassure the child that you take what they are saying seriously, and it is not their fault and that they are doing the right thing.

Explain to them that this information may need to be shared with others, such as with their parent/carer, specific people in your organisation, or the police.

Do not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.

Do not leave the child in a distressed state. If they seem at ease in your company, stay with them.

Provide them with an incident report form to complete, or complete it together, if you think the child is able to do this.

As soon as possible after the disclosure, record the information using the child's words and report the disclosure to your manager or your organisation's child safety officer/champion,<sup>8</sup> police or child protection.

Ensure the disclosure is recorded accurately, and that the record is stored securely.

### If a parent/carer says their child has been abused in your organisation or raises a concern

Explain that your organisation has processes to ensure all abuse allegations are taken very seriously.

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<sup>6</sup> For a [list of the organisations in scope](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/in-scope-organisations-for-child-safe-standards) for the child safe standards, please see the Department of Health and Human Services website: <[www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/in-scope-organisations-for-child-safe-standards](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/in-scope-organisations-for-child-safe-standards)>

<sup>7</sup> The child safe standards aim to protect children from abuse in organisations, including physical violence, sexual offences, serious emotional or psychological abuse and serious neglect. For further explanation of the different types of child abuse, please see see [An Overview of the Victorian child safe standards](http://www.dhs.vic.gov.au/__data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc): <[www.dhs.vic.gov.au/\\_\\_data/assets/word\\_doc/0005/955598/Child-safe-standards\\_overview.doc](http://www.dhs.vic.gov.au/__data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc)>.

<sup>8</sup> A child safety officer/champion is a person in your organisation who has knowledge of child safety issues, and could be a point of contact for others who have questions or concerns or want to report an allegation of child abuse. You could consider including child safety officer/champion duties in the person's job description.

Ask about the wellbeing of the child.

Allow the parent/carer to talk through the incident in their own words.

Advise the parent/carer that you will take notes during the discussion to capture all details.

Explain to them the information may need to be repeated to authorities or others, such as the organisation's management or Child Safety Officer, the police or child protection.

Do not make promises at this early stage, except that you will do your best to keep the child safe.

Provide them with an incident report form to complete, or complete it together.

Ask them what action they would like to take and advise them of what the immediate next steps will be.

Ensure the report is recorded accurately, and that the record is stored securely.

You need to be aware that some people from culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police, and communicating in English may be a barrier for some. You need to be sensitive to these issues and meet people's needs where possible, such as having an interpreter present (who could be a friend or family member).

If an allegation of abuse involves an Aboriginal child, you will need to ensure a culturally appropriate response. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community controlled organisations to review policies and procedures.

Some children with a disability may experience barriers disclosing an incident. For example, children with hearing or cognitive impairments may need support to help them explain the incident, including through sign language interpreters. Advice on [communicating with people with a disability](#) can be found on the Department of Health and Human Services website <[www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/communicate-and-consult-with-people-with-a-disability/communication-with-people-with-disabilities](http://www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/communicate-and-consult-with-people-with-a-disability/communication-with-people-with-disabilities)>.

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

## Legal responsibilities

While the child safe standards focus on organisations, every adult who reasonably believes that a child has been abused, whether in their organisation or not, has an obligation to report that belief to authorities.

The **failure to disclose** criminal offence requires all adults (aged 18 and over) who hold a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 to disclose that information to police (unless they have a reasonable excuse not to, for example because they fear for their safety or the safety of another).

More information about [failure to disclose](#) is available on the Department of Justice and Regulation website <[www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence)>

While failure to disclose only covers child sexual abuse, all adults should report other forms of child abuse to authorities. Failure to disclose does not change mandatory reporting responsibilities.

More information about [mandatory reporting](#) is available in the *Child protection manual* <[www.cpmanual.vic.gov.au/advice-and-protocols/advice/intake/mandatory-reporting](http://www.cpmanual.vic.gov.au/advice-and-protocols/advice/intake/mandatory-reporting)>.

**Mandatory reporters** (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

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The **failure to protect** criminal offence (commenced on 1 July 2015) 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 failed to do so.

Further information about [failure to protect](#) can be found on the Department of Justice and Regulation website <[www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence), and the Department of Health and Human Services website>.

## Further information

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## Disclaimer

This document provides general guidance only on the child safe standards. The Department of Health and Human Services does not guarantee that the examples provided in the document are sufficient for the purposes of an organisation's compliance with existing regulatory or government funding requirements.

To receive this publication in an accessible format email [childsafestandards@dhhs.vic.gov.au](mailto:childsafestandards@dhhs.vic.gov.au)

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© State of Victoria, Department of Health and Human Services, December 2015.  
Where the term 'Aboriginal' is used it refers to both Aboriginal and Torres Strait Islander peoples. Indigenous is retained when it is part of the title of a report, program or quotation. Throughout this paper we refer to 'Aboriginal peoples' rather than 'Aboriginal people' to reflect the plurality and diversity of Victorian Aboriginal communities.  
Available at: [www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/child-safe-standards](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/child-safe-standards)