

Child Safe and Code of Conduct

Purpose:

The purpose of this policy is to provide clear guidelines to employees, contractors and other visitors/volunteers ('individuals') to the school regarding expectations when in direct contact with students and other children. 'Direct contact' includes oral, written or electronic communication as well as face-to-face and physical contact.

To define the roles and responsibilities of school staff in protecting the safety and wellbeing of children and young people and to enable staff to:

- Identify indicators that a child or young person may be in need of protection
- Make a report about a child or young person who may be in need of protection
- Comply with reporting obligations under the child protection law and criminal law and fulfil their duty of care.

Our School Statement of Commitment to Child Safety

Sunshine Special Developmental School (SDS) 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 have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently. We have specific policies, procedures and training in place that support our leadership team, staff and volunteers to achieve these commitments.

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

The school is committed to preventing child abuse and identifying risks early and removing and reducing these risks.

The culture will foster openness so that all persons, and particularly children, may feel safe to disclose concerns or risks of harm to children

Appropriate conduct and behaviour towards children will be expected at all times

We have robust human resources and recruitment practices for all staff and volunteers.

The school is committed to regularly training and educating our staff and volunteers on child abuse risks.

Child safety policies and procedures will support ongoing assessment, identification and minimisation of the risk of child abuse in the school environment.

Our students

To promote child safety in the school environment we acknowledge the following:

All students have a right to: -

- Take part in learning programs that meet their individual needs.
- Feel secure and to be safe in a caring and supportive environment.
- Work and play without interference in an atmosphere of harmony and cooperation.
- Receive respect, kindness and courtesy and to be treated with fairness.
- Have learning continue without disruption in a supportive environment.
- Be valued for their individuality including race, gender, and cultural, physical or intellectual diversity.
- Expect the school rules to be fair, consistently implemented and respect the rights of all involved.

Sunshine SDS promotes diversity and tolerance in our school, 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

A Working With Children's (WWC) Check is required for anyone engaged in 'child-related-work' regardless of whether they are being supervised by a teacher or another adult with a WWC Check. WWC Checks are free for volunteers.

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

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.

Recruitment

Sunshine SDS takes 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. The school understands that when recruiting staff and volunteers we have ethical as well as legislative obligations.

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) for further information

We carry out reference checks to ensure that we are addressing the person's suitability for the job and working with children. VIT registration is compulsory and we require proof of personal identity and any professional or other qualifications.

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.

Sunshine SDS will implement recruitment processes that will assist in the effective selection of suitable personnel, including staff, volunteers and contractors.

These processes will ensure:

- new and existing staff, volunteers and contractors understand the importance of Child Safety and are aware of Sunshine SDS's policies and procedures

- each job or category of job for school staff that involves child-related work has a clear statement, which includes the job's requirements, duties and responsibilities regarding child safety and the essential or relevant qualifications, experience and attributes in relation to child safety
- induction of new staff, volunteers and contractors into the School's policies, codes, practices and procedures governing child safety and child-connected work
- a staff member's continuing suitability for child-connected work is monitored and assessed

Training and Education

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

The school culture aims for all staff and volunteers (in addition to parents/guardians 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.

For all jobs that require child connected work there will be an induction process providing explicit information about the job's requirements, duties and responsibilities and the school's child safety practices, including the code of conduct. Staff training includes annual Child Safe information sessions and the completion of Department of Education and Training online modules.

We also support our staff and volunteers through ongoing supervision to develop their skills to protect children from abuse; and promote the cultural safety of Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability.

New employees and volunteers will be supervised regularly to ensure they understand our learning community'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.

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.

Fair Procedures for personnel

The safety and wellbeing of children and young people 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. 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.

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.

Strategies to identify and reduce or remove risks of child abuse

Risk management strategies have been developed within the following school policies:

- Child Protection Policy
- Student Engagement and Wellbeing Policy
- Onsite Supervision Policy
- Professional Code of Conduct Policy

Allegations, concerns and complaints

The 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)
- Staff/parents/guardians reporting any changes to a student's behaviour, including non-verbal cues
- behaviour consistent with that of an abuse victim is observed
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour

Legislative responsibilities (Refer to Child Safety Responding and Reporting Obligations)

Sunshine SDS takes our legal responsibilities seriously, including reporting procedures:

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

Forming a belief on reasonable grounds

A person may form a belief on reasonable grounds that a child is in need of protection after becoming aware that a child or young person's health, safety or wellbeing is at risk.

Reporting a belief

Mandated staff members (Teachers and Principals) must make a report to Child Protection as soon as practicable after forming a belief on reasonable grounds that a child or young person is in need of protection.

Failure to disclose offence:

In addition to mandatory reporting and duty of care obligations, **any adult** who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 17 must report that information to police. Failure to disclose the information to police is a criminal offence except in limited circumstances, such as where the information has already been reported to Child Protection or the child is over 17 when the belief is formed.

Failure to protect:

Any staff member in a position of authority, who becomes aware that an adult associated with their organisation (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the care, authority or supervision of the organisation, must take all

reasonable steps to remove or reduce that risk. This may include, for example, removing the adult from child-related work pending investigation. If a staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence. The offence applies only to **adults in a position of authority** within an organisation, including Principals, senior school staff, regional directors and other senior managers.

Code of Conduct for Staff, Mentors, Volunteers and Participants Involved with children

Sunshine Special Developmental School (SDS) is committed to the safety and wellbeing of children and young people. Our school community recognises the importance of, and a responsibility for, ensuring our school is a safe, supportive and enriching environment which respects and fosters the dignity and self-esteem of children and young people, and enables them to thrive in their learning and development.

This Code of Conduct aims to protect children and reduce any opportunities for child abuse or harm to occur. It also assists in understanding how to avoid or better manage risky behaviours and situations. It is intended to complement child protection legislation, Department policy, school policies and procedures and professional standards, codes or ethics as these apply to staff and other personnel.

The Principal and school leaders of Sunshine SDS will support implementation and monitoring of the Code of Conduct, and will plan, implement and monitor arrangements to provide inclusive, safe and orderly schools and other learning environments. The Principal and school leaders of Sunshine SDS will also provide information and support to enable the Code of Conduct to operate effectively.

All staff, contractors, volunteers and any other member of the school community involved in child related work are required to comply with the Code of Conduct by observing expectations for appropriate behaviour below. The Code of Conduct applies in all school situations, including school camps and in the use of digital technology and social media.

Acceptable behaviours

As staff, volunteers, contractors, and any other member of the school community involved in child related work are individually responsible for supporting and promoting the safety of children by:

- upholding the school's statement of commitment to child safety at all times
- adhering to Sunshine Special Developmental School child safe policy at all times
- taking all reasonable steps to protect children from abuse
- treating students and families in the school community with respect both within the school environment and outside the school environment as part of normal social and community activities.
- listening and responding to the views and concerns of students, particularly if they are telling you that they or another child has been abused or that they are worried about their safety/the safety of another child
- promoting the cultural safety, participation and empowerment of Aboriginal and Torres Strait islander children
- promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination)
- promoting the safety, participation and empowerment of children with a disability (for example, during personal care activities)
- reporting concerns about child safety to a Child Safety Officer, (principal, assistant principal or welfare officer) and ensure that your legal obligations to report allegations externally are met
- understanding and complying with all reporting or disclosure obligations (including mandatory reporting) as they relate to protecting children from harm or abuse.
- if an allegation of child abuse is made, ensure as quickly as possible that the child(ren) are safe

Unacceptable behaviours

As staff, volunteers, contractors, and any other member of the school community involved in child-related work must not:

- ignore or disregard any concerns, suspicions or disclosures of child abuse
- develop a relationship with any student that could be seen as favouritism or amount to 'grooming' behaviour (for example, offering gifts)
- exhibit behaviours or engage in activities with students which may be interpreted as abusive and not justified by the educational, therapeutic, or service delivery context
- ignore behaviours by other adults towards students when they appear to be overly familiar or inappropriate
- discuss content of an intimate nature or use sexual innuendo with students, except where it occurs relevantly in the context of parental guidance, delivering the education curriculum or a therapeutic setting
- discriminate against any child because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity.
- communicate directly with a student through personal or private contact channels (including by social media, email, instant messaging, texting etc) except where that communication is reasonable in all the circumstances, related to school work or extra-curricular activities or where there is a safety concern or other urgent matter
- photograph or video a child in a school environment except in accordance with school policy or where required for duty of care purposes¹
- in the school environment or at other school events where students are present, consume alcohol contrary to school policy ² or take illicit drugs under any circumstances.
- put children at risk of abuse
- do things of a personal nature that a child can do for themselves, such as toileting or changing clothes
- engage in open discussions of a mature or adult nature in the presence of children
- use inappropriate language in the presence of children
- express personal views on cultures, race or sexuality in the presence of children
- have contact with a child or their family outside of our school without our child welfare officer's knowledge and/or consent (for example, no babysitting). Accidental contact, such as seeing people in the street, is appropriate

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.

References:

Department of Education and Training – Child Protection Reporting Obligations

<http://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotection.aspx>

Department of Health and Human Services

Overview of the Child Safe Standards

<http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/child-safe-standards-resources>

http://www.dhs.vic.gov.au/_data/assets/word_doc/0005/955598/Child-safe-standards_overview.doc

REVIEW CYCLE

This policy will be evaluated as part of a 2-year cycle of policy review

This policy was approved by School Council on 18th June 2019, last updated on 2nd May 2019 and is scheduled for review in May 2021

Version: Final

Review Date: May 2021

'Sunshine SDS is committed to providing a child safe environment where children and young people are safe and feel safe, and their voices heard about decisions that affect their lives'.

