

## Child Safety Policy

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### 1. Purpose

The purpose of this policy is to demonstrate the strong commitment of Melbourne Polytechnic to provide a safe environment ensuring the care, safety and wellbeing of all children and young people including Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds and children with a disability, from all forms of harm and abuse.

This policy will guide Melbourne Polytechnic staff, volunteers, consultants and contractors on how to behave with all children in our organisation and how to respond to suspected instances of child abuse.

### 2. Policy Statement

Melbourne Polytechnic has students aged under 18 years, has childcare centres located on campus and hosts visiting children and young people. Melbourne Polytechnic aims to establish and maintain a child safe organisation where children and young people feel safe, valued, respected, encouraged and empowered to reach their full potential.

Melbourne Polytechnic is committed to promoting a safe environment for staff and students. All children and young people at Melbourne Polytechnic have the right to feel safe and be safe. The wellbeing of children enrolled at or visiting the institute will be our first priority and child abuse of any nature will not be tolerated. We ensure all children, including Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds, and children with a disability are safeguarded.

#### 2.1 Melbourne Polytechnic's duty of care to children and young people:

Melbourne Polytechnic acknowledges that it has a duty of care to take reasonable measures to protect all students from foreseeable risks and injury. It recognises the need for safety and wellbeing of all children and young people within the organisation. Melbourne Polytechnic will provide all children and young people with positive and nurturing learning experiences. Melbourne Polytechnic is committed to the safety of children and young people and have developed and published a commitment statement to child safety.

Melbourne Polytechnic will provide a safe environment for, and consider the needs of, same sex attracted, intersex children, and young people. It recognises gender diversity in providing a safe environment, and consider their needs in providing that environment. Melbourne Polytechnic will take action to ensure that children and young people are protected from abuse or harm. Children and young people will be taught the necessary skills and knowledge to understand and maintain their personal safety and wellbeing. Melbourne Polytechnic staff will engage with, and listening to, the views of parents and carers about our child-safety practices, policies and procedures. Melbourne Polytechnic acknowledges the cultural diversity of all children and young people and being sensitive to how this may affect student safety issues. Melbourne Polytechnic commits to continuously reviewing and improving our systems to protect children and young people from abuse.

#### 2.2 Child Safety Concerns:

Melbourne Polytechnic commits to listen to all children and young people and empower them by taking their views seriously, and addressing any concerns that they raise with us. Melbourne Polytechnic commits to ensuring all children and young people will be informed and aware of the process to report any concerns of abuse. All staff working with children and young people will be provided with appropriate training in accordance to the Child Safety requirements. Melbourne Polytechnic has two designated child safety officers, Student Services Manager and Human

## Child Safety Policy

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Resources Manager, they will support and assist staff and students with understanding their reporting obligations and the process. The institutes risk appetite statement covers Child Safety risks.

(Please refer to the risk management policy and procedure for further instruction on how to identify, treat and monitor risks)

### 2.2.1 Child safety confidentiality and privacy reporting requirements:

Students, staff and volunteers must respect confidentiality and comply with the [Privacy Policy](#) when dealing with suspected child abuse. Details of the case and the identity of the child and their family will be recorded and may only be discussed with those directly involved in the management of the child's situation and to meet the reporting obligations set out in this policy and in the legislation. Advice may be sought from the Melbourne Polytechnic Privacy Officer.

### 2.2.2 Reporting Requirements:

#### 2.2.2i Mandatory Reporting Requirements

The [Child Youth and Families Act 2005](#) imposes an obligation under Mandatory Reporting which requires medical practitioners, nurses, midwives, psychologists, social workers, youth or child workers (welfare/justice), teachers, school principals and police officers to make a report to Child Protection if they form a reasonable belief that a child is need of protection from physical injury and/or sexual abuse, while acting in the course of their employment or professional duties, they reasonably form the belief that a child is in need of protection. It is a criminal offence to not comply. It is a requirement under the Child, Youth and Family Act 2005 that all Melbourne Polytechnic staff that are mandated will report any concerns, for the wellbeing of children and young people to the appropriate authorities and the Melbourne Polytechnic Child Safety Officer.

All mandated staff are required under the Child, Youth and Families Act 2005 to report to external authorities including Victoria Police by and Child Protection 13 12 78 as appropriate on each occasion where a reasonable belief is formed. The report must be made as soon as practical upon forming such a belief. It is the reporter's responsibility to make the notification whether or not senior staff in the organisation support the belief. In the event that another member of staff has undertaken to make a notification, the Act requires that the mandated staff member follow through and ensure that this has been reported to authorities, the Victoria Police and/or Child Protection as per the Four Critical Actions Process (link document).

#### 2.2.2ii Reportable Conduct Scheme Reporting Requirements

The [Reportable Conduct scheme](#) imposes obligations under the [Child Wellbeing and Safety Act 2005](#) on the Head of an organisation to report child abuse by any Melbourne Polytechnic staff member or volunteer to the Commission for Children and Young People.

All employee's and/or volunteers over the age of 18 years in Victoria are required to report if they become aware of any allegations of sexual offences, sexual misconduct, physical violence, ant behaviour that causes significant psychological or emotional harm or significant neglect against a child to police under section 327 of the [Crimes Act 1958 \(Vic\)](#). It is a criminal offence to not comply with this requirement.

Concerns regarding suspected or actual abuse of children by a Melbourne Polytechnic staff or volunteers must be reported promptly to the appropriate internal personnel (Child Safety Officer or Chief Executive).

Any misconduct towards children and young people, will be dealt with by Melbourne Polytechnic in accordance with the Code of Conduct and referred to the police where appropriate. Concerns regarding suspected or actual abuse of children must be reported promptly to the appropriate internal

## Child Safety Policy

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personnel (Child Safety Officer) as well as external authorities including Victoria Police by calling 000 and/or Child Protection 13 12 78 as appropriate.

### **2.2.3 Failure to disclose requirements:**

According to the Victorian Government requirements, all adults who have a reasonable belief that a person over the age of 18 has committed a sexual offence of a minor under the age of 16 have an obligation to report any information they have to the Victorian Police. It is a criminal offence if you do not report, unless the person has reasonable circumstances for not reporting in a timely manner.

The Child and Wellbeing Safety ACT 2005 requires that, where a reasonable belief exists that a child is at risk, it must be reported as soon as practicable. Reasonable belief includes any event, incident or disclosure including a child stating they have been abused. A reasonable explanation for not disclosing includes fear for safety of any person (other than the person believed to have committed the sexual offence), or belief that the information has already been disclosed to the Victoria police and/or Child protection.

### **2.2.4 Failure to protect requirements:**

This offence can apply if a person in authority at an educational institute which cares for children or young people 16 and under fails to reduce or remove any substantial risk of a child, that can become the victim of a sexual offence from someone over the age of 18 who is associated with the educational institute. A failure to protect a minor from substantial risk is a criminal offence.

The organisation must take reasonable actions to ensure a child's safety where an imminent threat or risk exists. Where a child is deemed to be at immediate risk, it is the responsibility of the organisation and mandated reporters to ensure the child's immediate safety. This includes protecting the child from any further risk or harm by removing the alleged staff member or other adult from having further contact with the child.

### **2.2.5 Grooming:**

Grooming concerns predatory conduct undertaken to prepare a child aged under 16 for sexual activity at a later time. Grooming is a criminal offence and against the law.

### **2.2.6 Identifying child abuse:**

Students, staff or associates may have reasonable grounds for believing a child who is a student or visitor or who comes to the attention of a staff member, student or associate in the course of their employment, study, research or other connection to the Institute, is in need of protection, including in any of the following circumstances:

1. where there are reasonable concerns about significant harm to a child;
2. physical abuse of, or non-accidental or unexplained injury to, a child;
3. a disclosure of sexual abuse by a child or witness, or a combination of factors suggesting the likelihood of sexual abuse, such as the child exhibiting concerning behaviours;
4. emotional or psychological abuse and ill treatment of a child impacting on the child's stability and healthy development;
5. persistent neglect, poor care or lack of appropriate supervision where there is a likelihood of significant harm to the child, or the child's stability and development;

## Child Safety Policy

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6. persistent family violence or parental substance misuse, psychiatric illness or intellectual disability where there is a likelihood of significant harm to the child, or the child's stability and development;
7. where a child's actions or behaviour may place them at risk of significant harm and the parents or caregivers are unwilling, or unable to protect the child;
8. where a child appears to have been abandoned, or where the child's parents are dead or incapacitated and no other person is caring properly for the child;
9. grooming of a child under 16 years of age by a person aged 18 years or older;

Definitions as defined by the World Health Organisation relating to types of child abuse can be found at the [Australian Institute of Family Studies](#).

### **2.2.7 How to report child abuse concerns:**

In a situation of grave and immediate life threatening risk to a child, staff, students and associates must notify police immediately by telephone on 000.

If there is a risk to the immediate safety of a child (non-life-threatening), staff, students or associates should immediately telephone Child Protection in their local government area (business hours) or the Child Protection Crisis Line after hours on 13 12 78.

Where a child is deemed to be at immediate risk on campus, Campus security should also be called and the child protected from immediate harm.

Child Protection will only investigate if the abuse is by an adult against a child aged under 16 years.

In relation to all child abuse concerns, staff, students and associates must:

1. Follow the [Four Critical Actions](#) in responding to incidents, disclosures and suspicions of child abuse;
2. Report their child abuse concerns to external authorities as soon as possible;
3. Report child abuse concerns to Melbourne Polytechnic Child Safety Officer;
4. Comply with any applicable mandatory reporting requirements by reporting suspected child abuse matters to Child Protection; and
5. If the incident relates to a student, staff member or associate or arises in the course of their employment, study or other connection to the Institute contact the one of the following: Departments Executive Director, Student Experience, International and Community Partnerships;
6. Complete the Melbourne Polytechnic Child Safety Report Form.

## Child Safety Policy

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### 2.3 Our child safety commitment to our organisations staff including employees, volunteers, and contractors:

Melbourne Polytechnic will ensure all new and continuing staff are aware of their responsibilities to comply with the Melbourne Polytechnic's Code of Conduct, Child Safe Standards and associated mandatory reporting requirements. We commit to listening to all concerns voiced by Melbourne Polytechnic employees, volunteers and contractors about keeping all children and young people safe from harm. Melbourne Polytechnic will provide additional information and supports to staff responsible for programs where there are high numbers of under-aged students.

Melbourne Polytechnic has a robust human resources and recruitment practices for all staff, contractors and volunteers in contact with children, including;

- For positions that involve contact with children and young people, recruitment should be based on selection criteria which clearly demonstrates commitment to child safety to assist the Institute in ensuring that the most appropriate staff are employed. Selection policies and guidelines, including pre-screening activities, are to reflect an understanding of, and commitment to, a child safe environment.
- All prospective/new staff members that deal with children and young people will be required to undertake a National Criminal History Record Check prior to commencement of employment.
- All people engaged in child-related work as defined in the Working with Children Act 2005, including volunteers, are required to hold a Working with Children (WWC) Check and to provide evidence that the WWC Check is valid at all times whilst employed by the department.
- In addition, positions that may have contact with children and young people due to their working environment are to be assessed as to whether a WWC Check is required to minimise the risk of harm to children and young people.

### 2.4 Appropriate workplace behaviour when working with children and young people:

- Operate within Melbourne Polytechnic's principles and guidance and any specific procedures;
- Follow Melbourne Polytechnic's child safety policy and code of conduct policy and procedures at all times;
- Listen to and respect children at all times;
- Avoid favouritism;
- Treat children and young people fairly and without prejudice or discrimination;
- Value and take children's contributions seriously, actively involving children and young people in planning activities wherever possible;
- Ensure any contact with children and young people is appropriate and in relation to the work of the project;
- Always ensure language is appropriate and not offensive or discriminatory;
- Follow the code of conduct policy and report any breaches;
- Always ensure equipment is used safely and for its intended purpose;
- Provide examples of good conduct you wish children and young people to follow;
- Challenge unacceptable behaviour and report all allegations/suspicions of abuse;
- Ensure that whenever possible, there is more than one adult present during activities with children and young people or if this isn't possible, that you are within sight or hearing of other adults;
- Be close to where others are working. If a child specifically asks for or needs some private

## Child Safety Policy

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time with you, ensure other staff should know where you and the child are;

- Respect a young person's right to personal privacy;
- Encourage young people and adults to feel comfortable and caring enough to point out attitudes or behaviour they do not like;
- Recognise that special caution is required when you are discussing sensitive issues with children or young people.

### 2.4.1 Inappropriate workplace behaviour when working with children and young people:

- Patronise or treat children and young people as if they are silly;
- Allow allegations to go unreported;
- Develop inappropriate relationships such as contact with children and young people that is not a part of the work of (name of group/organisation) or agreed with the manager or leader;
- Conduct a sexual relationship with a child or young person or indulge in any form of sexual contact with a child or young person. Any such behaviour between an adult member of staff or volunteer and a child or young person using the services of (name of group/organisation) represents a serious breach of trust on the part of the staff member or volunteer and is not acceptable under any circumstances;
- Let children and young people have your personal contact details (mobile number or address);
- Make sarcastic, insensitive, derogatory or sexually suggestive comments or gestures to or in front of children and young people;
- Act in a way that can be perceived as threatening or intrusive;
- Make inappropriate promises to children and young people, particularly in relation to confidentiality;
- Jump to conclusions about others without checking facts;
- Either exaggerate or trivialise child abuse issues;
- Rely on your reputation or that of the organisation to protect you.

Example behaviour code for adults when working with children can be found at [Safe Network](#).

### 2.5 Melbourne Polytechnic commits to:

- (a) the safety and wellbeing of all children and young people in our organisation.
- (b) providing all children and young people with positive and nurturing learning experiences.
- (c) listening to all children and young people and empowering them by taking their views seriously, and addressing any concerns that they raise with us. Any misconduct towards children and young people will be dealt with in accordance with the Code of Conduct and referred to the police where appropriate.
- (d) taking action to ensure that children and young people are protected from abuse or harm.
- (e) teaching children and young people the necessary skills and knowledge to understand and maintain their personal safety and wellbeing.
- (f) engaging with, and listening to, the views of parents and carers about our child-safety practices, policies and procedures.
- (g) acknowledging the cultural diversity of all children and young people and being sensitive to how this may affect student safety issues.
- (h) is committed to preventing child abuse and identifying risk early, and removing and reducing these risks. Child Safety risks are covered by the institutes risk

## Child Safety Policy

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appetite statement.

Please refer to the risk management policy and procedure for further instruction on how to identify, treat and monitor risks.

- (i) continuously reviewing and improving our systems to protect children and young people from abuse.
- (j) will provide a safe environment for, and consider the needs of, same sex attracted and intersex children and young people, and recognises gender diversity in providing a safe environment, and consider their needs in providing that environment.
- (k) Melbourne Polytechnic staff will be provided with appropriate information and training on the Child Safe Standards.

### **Our commitment to our organisations employees, volunteers, and contractors (called 'staff' for the purpose of this policy):**

- (a) to ensuring all new and continuing staff are aware of their responsibilities to comply with the Melbourne Polytechnic Code of Conduct, Child Safe Standards and associated mandatory reporting requirements.
- (b) to listening to all concerns voiced by Melbourne Polytechnic employees, volunteers and contractors about keeping all children and young people safe from harm.
- (c) to providing additional information and supports to staff responsible for programs where there are high numbers of under-aged students.
- (d) have robust human resources and recruitment practices for all staff, contractors and volunteers in contact with children, including:
  - For positions that involve contact with children and young people, recruitment should be based on selection criteria which clearly demonstrate commitment to child safety to assist the Institute in ensuring that the most appropriate staff are employed. Selection policies and guidelines, including pre-screening activities, are to reflect an understanding of, and commitment to, a child safe environment.
  - All prospective / new staff members that deal with children and young people will be required to undertake a National Criminal History Record Check prior to commencement of employment.
  - All people engaged in child-related work as defined in the Working with Children Act 2005, including volunteers, are required to hold a Working with Children (WWC) Check and to provide evidence that the WWC Check is valid at all times whilst employed by the department.
  - in addition, positions that may have contact with children and young people due to their working environment are to be assessed as to whether a WWC Check is required to minimise the risk of harm to children and young people.

## Child Safety Policy

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### 3. Principles

Melbourne Polytechnic has a moral, legal and mission-driven responsibility to create a nurturing environment where all children and young people including Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds and children with a disability are respected, their voices heard and they are safe and feel safe.

This policy statement is guided by the following values and principles, which underpin our commitment to child safety:

- Melbourne Polytechnic has zero tolerance of child abuse.
- All children and young people deserve, as a fundamental right, safety and protection from all forms of abuse.
- All staff including volunteers and contractors have a responsibility to care for children and young people and positively promote their wellbeing to protect them from any kind of harm or abuse. International Student Advisors meet regularly with all International students under 18 years of age.
- Melbourne Polytechnic staff will be provided with appropriate information and training on the Child Safe Standards.
- Human resources and recruitment practices robust to people who are or may be in contact with children and young people.

### 4. Scope

This policy applies to:

- All Melbourne Polytechnic staff (permanent and casual)
- Volunteers
- Contractors and Subcontractors
- Consultants
- Students and their families
- Visitors to Melbourne Polytechnic

## Child Safety Policy

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### 5. Definitions

For the purpose of this policy, the following definitions apply:

Act: Child Wellbeing and Safety Act 2005

Aboriginal Child: A person under the age of 18 who is of, identifies as and is accepted as Aboriginal or Torres Strait Islander descent

Child: Any person under the age of 18 years

Child Abuse: constitutes any act committed against a child involving physical violence, sexual offences, serious emotional or psychological harm and serious neglect

Children from culturally and/or linguistically diverse backgrounds: A child who identifies as having particular cultural or linguistic associations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents' identification on a similar basis

Children with a disability: A disability can be any physical, sensory, neurological disability, acquired brain injury, intellectual disability, or developmental delay that affects a child's ability to undertake everyday activities

Child Safety: measures to protect children from all forms of child abuse, managing the risk of child abuse and responding to incidents or allegations of child abuse

Child Safety officer: designated roles within Melbourne Polytechnic who support and assist staff and students with understanding their reporting obligations and the process.

Child Protection: An activity or initiative designed to protect children from all forms of harm, particularly arising from child abuse

Contact with Children: Working on an activity with children that involves or may involve contact, either under the position description or due to the nature of the work environment.

Cultural Safety: Is an environment, which is safe for children, where there is no assault, challenge or denial of their identity, of who they are and what they need

Grooming: A criminal offence which concerns predatory conduct undertaken to prepare a child for sexual activity at a later time. The offence applies where an adult communicates, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvement in sexual conduct, either with the groomer or another adult.

Mandatory Reporting: The legal requirement to report suspected cases of child abuse and neglect

Personnel: are either employed by an organisation, engaged by an organisation on a subcontract basis, or engaged by an organisation on a voluntary or unpaid basis

Reasonable Belief: When staff are concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a 'reasonable belief'. 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

## Child Safety Policy

### 6. Responsibility and Accountability

Task	Responsibility	Notes
Publish Child Safety Policy	Executive Director People, Culture and Corporate Services	The Child Safety Policy outlines our commitment to protecting children from all forms of abuse and promoting children's wellbeing.
Develop strategies and initiatives to embed an organisational culture to child safety, through effective leadership arrangements	Melbourne Polytechnic Executive Leadership Committee	The Executive Leadership Committee and Management will demonstrate leadership in modelling the appropriate values, behaviours and attitudes of Melbourne Polytechnic.
Provide supervision, training, screening and other robust staff recruitment processes that minimise the risk of child abuse	Executive Director People, Culture and Corporate Services	
Provide information and advice to staff and students on mandatory reporting requirements	Child Safety Officers	Staff portal contains resources to support child safety
Provide children with access to tailored supports and services	Manager, Student services	All children are aware of and can access counselling and support services at Melbourne Polytechnic
All staff are aware and comply with the Child Safety Standards and requirements to respond to incidents, disclosures and suspicions of Child Abuse	Executive Director, People, Culture and Corporate Services  Executive Director, Student Engagement, International and Community Partnerships.  All Staff	Executive Director, Student Experience is identified as institute contact for staff with concerns for child safety.  Concerns of child abuse will be reported to the Victorian police and relevant authorities as per procedure. A tool kit of resources when dealing with children and young adults will be made available for all staff.

### 7. Supporting Documents and Templates

[Code of Conduct Policy](#)

[Student Discipline Policy](#)

[Supporting Students with Disabilities Policy](#)

[Working with Children Check and Police Check Policy](#)

[The Child Wellbeing and Safety Act 2005](#)

## Child Safety Policy

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### 8. Policy Control

<b>Approving authority</b>	<i>Executive Leadership Committee</i>
<b>Date approved</b>	<i>4 August 2020</i>
<b>Date effective</b>	<i>4 August 2020</i>
<b>Policy category</b>	<i>People and Culture</i>
<b>Edition</b>	<i>2</i>
<b>Review date</b>	<i>July 2022</i>