

Child Safe Policy

Purpose

The NCAT Child safe Policy: sets out the college's approach to creating a child safe organisation where children and young people are safe and feel safe; and provides the policy framework for the school's approach to the Child Safe Standards

Scope

This policy will apply to all staff, homestay hosts, volunteers and contractors whether or not they work in direct contact with children or young people and across a range of college forums ((e.g. camps, online) and outside of school hours.)

Our commitment to child safety

NCAT is committed to child safety.

We want students to be safe, happy and empowered. We support and respect all students, as well as our staff and volunteers.

We are committed to the safety, participation and empowerment of all students.

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 student's safety, which we follow rigorously.

Our organisation is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.

Our organisation has robust human resources and recruitment practices for all staff and volunteers.

Our organisation is committed to regularly training and educating our staff and volunteers on child abuse risks.

We support and respect all students, as well as our staff and volunteers. We are committed to the cultural safety of Aboriginal students, the cultural safety of students from a culturally and/or linguistically diverse backgrounds, to the safety and wellbeing of all students regardless of gender and sexual orientation and to providing a safe environment for students with a disability.

We have specific policies, procedures and training in place that support our leadership team, staff, college council and volunteers to achieve these commitments.

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

Our students

This policy is intended to empower students who are vital and active participants in our organisation. 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, of every gender, sexuality and cultural backgrounds are welcome. in particular we:

- promote the cultural safety, participation and empowerment of Aboriginal students
- promote the cultural safety, participation and empowerment of students from culturally and/or linguistically diverse backgrounds
- promote the safety, participation and empowerment of students regardless of gender or sexual orientation
- ensure that students with a disability are safe and can participate equally.

Code of Conduct for staff, council, homestays, volunteers & contractors

This policy guides our staff, school council members, homestay hosts, volunteers and contractors on how to behave with students in our organisation.

All of our staff, college council members, homestays hosts, volunteers and contractors must agree to abide by our code of conduct which specifies the standards of conduct required when working with students. All staff and volunteers, as well as students 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 student safety is everyone's responsibility.

Our organisational culture aims for all staff, homestay hosts and volunteers (in addition to parents/carers and students) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our staff, homestay hosts and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

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

New employees, homestay hosts and volunteers will be supervised regularly to ensure they understand our organisation's commitment to student safety and that everyone has a role to play in protecting students from abuse, as well as checking that their behaviour towards students 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 and DET IED in the case of international Students depending on the severity and urgency of the matter.

Recruitment

We take all reasonable steps to employ skilled people to work with students. We develop selection criteria and advertisements which clearly demonstrate our commitment to student safety and an awareness of our social and legislative responsibilities. Our organisation 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 student-related work, including volunteers and homestay hosts including anyone over 18 also staying in the same homestay as an NCAT international student are required to hold a Working with Students Check and to provide evidence of this Check. Please see the [Working with Students Check](http://www.workingwithstudents.vic.gov.au) website <www.workingwithstudents.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 students 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 form¹ including investigation updates. All records are securely stored.

If an allegation of abuse or a safety concern is raised, we provide updates to students and families on progress and any actions we as an organisation take.

¹ Available on Staffshared/NCATADMIN/POLICIES/Child Safe Policies & forms

Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, homestay hosts, parents or students, 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

Our organisation 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 student under 16 have an obligation to report that information to the police.²
- **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.³
- Any personnel who are **mandatory reporters** must comply with their duties.⁴

Risk management

In Victoria, organisations are required to protect students 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 students.

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 student in organisations on social media).

We also have risk management strategies in place to identify, assess and take steps to minimize child abuse risks for international students whilst in the school care (e.g. WWC Checks, reference checks, induction for homestay hosts and biennial visits of homestay).

We have risk management strategies in place to inform international students about child abuse and how and to whom they can make a report if they feel unsafe or are abused.

We have risk management strategies in place to minimise child abuse risks posed by adult students at the college. This includes ensuring all new students over 18 who have not come directly from completing Year 12 at a secondary college have a WWC Check before enrolling in our Certificate IV or Diploma courses.

We have appointed the Assistant Principal as the Child Safe Officer to provide support and advice to staff and be a child safety champion, providing coordination in communicating, implementing, monitoring, enhancing and reporting on strategies to embed a culture of child safety.

Regular review

This policy will be reviewed every two years and following significant incidents if they occur. We will ensure that families and students 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

Our organisation 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.

² 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>.

³ 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>.

⁴ 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>.

We work to ensure all students, families, staff, homestay providers/hosts 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 student states they or someone they know has been abused (noting that sometimes the student may in fact be referring to themselves)
- behaviour consistent with that of an abuse victim is observed⁵
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.

Definitions:

Ministerial Order 870 provides definitions, including:

Child abuse includes -

- any act committed against a child involving:
 - a sexual offence or
 - an offence under section 49B(2) of the Crimes Act 1958 (grooming)
- the infliction, on a child, of:
 - physical violence or
 - serious emotional or psychological harm
 - serious neglect of a child.

Child-connected work means work authorised by the college governing authority and performed by an adult in a school environment while children are present or reasonably expected to be present. It also includes homestay hosts who have been approved to provide care for international students.

Child safety encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.

School environment means any physical or virtual place made available or authorised by the school governing authority for use by a child during or outside school hours, including:

- a campus of the school
- online school environments (including email and intranet systems)
- other locations provided by the school for a student's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions, and other events).
- Homestays organised by the college for international students.

School staff being: an individual working in a school environment who is:

- directly engaged or employed by a school governing authority;
- a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary)
- Homestay provider/host

Related Policies & Documents:

NCAT Child Safe Code of Conduct

NCAT Child Protection Reporting Obligations

NCAT Child Safe Risk Assessment register

REVIEW CYCLE

*This policy was updated and endorsed by the NCAT College Council on 21 February 2018
This policy is to be reviewed in February 2020.*

⁵ For example behaviour, please 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>