

Child Safety Policy

Policy Objective

This policy aims to ensure TAFE Gippsland provides an environment where children and young people are protected from abuse including physical violence, sexual offences and/or grooming, serious emotional or psychological abuse and serious neglect and to comply with the current Victorian *Child Safe Standards* and associated legislation.

Scope

This Policy applies to all TAFE Gippsland Staff.

This Policy extends to:

- all TAFE Gippsland workplaces, including any location, real or virtual, and other locations external to TAFE Gippsland where Staff may be considered to be carrying out duties in the course of their employment or engagement; and
- investigation by TAFE Gippsland or reportable allegations towards Staff whether or not the conduct or misconduct is alleged to have occurred within the course of the person's employment.

All Staff are required to observe child safe principles and expectations for appropriate behaviour towards, and in the company of children, as outlined in **PAC003COC – Child Safe Code of Conduct**.

This Policy should be read in conjunction with associated policies and does not diminish or replace the requirement to also comply with:

- **PAC003PRO - Reporting Child Abuse Procedure;**
- **PAC003COC - Child Safe Code of Conduct;**
- **PAC021COC – Staff Code of Conduct;** and
- Code of Conduct for Victorian Public Sector Employees

Commitment

TAFE Gippsland is committed to:

- the empowerment and participation of children and young people and:
 - all children have the right to be heard and respected;
 - TAFE Gippsland values the contribution, insights and ideas of students;
 - students are encouraged to speak up on all matters that involve them;
 - will outline a commitment to the empowerment of children in all areas of the organisation; and
 - wherever possible encourage students to take opportunities to provide feedback to inform decision making;
- actively promoting a zero tolerance for child abuse with all allegations and safety concerns being treated very seriously and consistently within the policy framework;
- facilitating the prevention of child abuse;
- engaging in practices promoting participation and empowerment of children;

- maintaining codes of practices and procedures to protect children from abuse;
- identifying risks early and removing and reducing these risks by raising awareness and regularly providing training to Staff in safe behaviours and warning signs;
- providing a clear statement to employees and volunteers that child abuse and neglect is not tolerated and will be responded to accordingly;
- ensuring that all employees and volunteers are aware of their responsibilities for identifying and responding to concerns or allegations of child abuse and neglect;
- appropriately inducting and regularly training Staff to:
 - be able to recognise evidence of child abuse;
 - understand the risks that may lead to child abuse; and
 - how Staff may be subject to an allegation of abuse and investigation processes.
- embedding an organisational culture of child safety in the context of national legislation and current examples of best practice;
- establishing clear procedures for preventing and detecting child abuse and neglect and responding to such when it occurs;
- promoting safety for children from indigenous and culturally and/or linguistically diverse backgrounds and providing a safe environment for children with disabilities;
- providing assurance to children and young people, their families and the broader community that all cases of suspected abuse will be reported and fully investigated;
- treating all allegations and safety concerns seriously and consistently,
- conducting an annual risk assessment of:
 - the effectiveness of TAFE Gippsland policies and Child Safety processes; and
 - reportable incidents;
- meeting responsibilities regarding child safety including:
 - *Child Wellbeing and Safety Act (2005) Vic.*;
 - the *National Principles for Child Safe Organisations*;
 - the *Child Safety Standards*;
 - requirements to screen potential employees;
 - child protection practices;
 - mandatory reporting;
 - voluntary reporting;
 - reporting Reportable Conduct;
 - oversight of child health and wellbeing; and
 - the Commission for Children and Young People.

All Staff must:

- understand and adhere to the obligations of the Child Safe Code of Conduct at all times;
- report any breach or non-compliance to the Child Safe Code of Conduct;
- promote the safety and wellbeing of children and young people;
- actively empower children and young people to speak up, participate and be involved in consultation;
- create an environment in which children and young people feel safe; and
- support and direct those impacted to report and seek assistance.

Recruitment, selection and screening

TAFE Gippsland follows rigorous recruitment, selection and screening of employees in line with legislative requirements. This includes all potential employees working directly with children having:

- background checks;
- Working with Children's Clearances; and
- Police checks.

Volunteers need to supply current Working with Children Clearances and Police Checks.

Refer: **PAC016POL – Working with Children Clearances and Police Checks** policy for exemptions and specific details to meet screening requirements.

Training, supervision and support

TAFE Gippsland is committed to ensuring that all Staff are equipped with the skills and knowledge to in accordance with their obligations under the *Child Safety and Wellbeing Act (2005)* the **PAC003COC - Child Safe Code of Conduct**, other legislative requirements and relevant TAFE Gippsland policies and procedures.

This includes information at induction, training and continued support.

Identifying, responding and reporting child abuse and neglect (including responding to historical abuse and redress)

Students are informed about TAFE Gippsland's child safety framework and are encouraged to advise the Child Safe Team whenever they feel unsafe or form reasonable belief that a reportable allegation has occurred.

If Staff form a reasonable belief that a reportable allegation has occurred, they must report this to the Child Safe Team immediately for review and where required investigation.

All staff are required to report where they form reasonable belief that a student may be the victim of child abuse or family violence under mandatory reporting legislation.

All internal investigations will occur in line with the **PAC003GDE - Guidance for Investigating a Reportable Conduct Allegation**.

Responding to allegations of abuse from a non-TAFE Gippsland Staff member

TAFE Gippsland will ensure all Staff, as adults know they are required to report to police if they know or reasonably believe that a sexual offence has been committed by an adult against a child under the age of 18.

TAFE Gippsland will ensure some TAFE Gippsland Staff, a mandatory reporters under legislation are aware of their status. This is relevant to our teachers, persons in roles of School Principals, and Counsellors. Refer **PAC003PRO – Reporting Child Abuse Procedure**.

Historical Allegations of Abuse and Redress

In the event a student, former student, child or young person makes a report to TAFE Gippsland that involves historical allegations the Institute may need to investigate, TAFE Gippsland will be guided by the advice from the Commission for Children and Young People.

Managing complaints

All complaints, allegations and safety concerns will be responded to swiftly, treated seriously and consistently within TAFE Gippsland's procedural framework. In the event a complaint requires an investigation the **PAC003GDE - Guidance for Investigating a Reportable Conduct Allegation** will be followed.

Record keeping and information sharing

All records relating to complaints and reportable allegations; including but not limited to interview records, investigation reports, witness records and outcomes are to be filed securely in a restricted access file.

Information, including information reported under Public interested disclosure will only be used for the purpose for which it was collected. Where required this information will be passed to governing bodies and law enforcement agencies. Any request for disclosure of information will be responded within the boundaries of the *Freedom of Information Act 1982 (Vic)* and the *Privacy and Data Protection Act 2014 (Vic)*.

Roles and Responsibilities

Board Members

Board members are responsible for:

- ensuring that there are systems, resources and structures in place within the organisation to implement and monitor the effectiveness of the child safe code of conduct.
- ensuring governance level policies are appropriate, relevant, understood and regularly reviewed;
- demonstrating effective leadership by championing child safe practices both internally and externally; and
- ensuring the Chief Executive Officer implements all required child safe policies and procedures to ensure the organisation's compliance and to foster an open and aware culture.

Chief Executive Officer

The Chief Executive Officer is responsible for:

- ensuring that there are systems, resources and structures in place within the organisation to implement and monitor the effectiveness of the child safe code of conduct.
- ensuring governance arrangements and policies for child safety are appropriate, relevant, understood and regularly reviewed, in accordance with organisational process.
- providing governance leadership to ensure child safe practices are an organisational focus, adequately resourced and continually improved;
- ensuring that child safe practices are addressed and prioritised at a strategic and operational level;
- following appropriate reporting process when a concern, allegation or disclosure of child abuse or neglect arises;
- ensuring that child safe practices are included in relevant organisational planning processes and documents;

- ensuring all Staff are aware of;
 - their roles and responsibilities;
 - internal child safe policies and procedures; and
 - relevant laws and the organisation's codes of conduct;
- ensuring that adequate human and financial resources are allocated to child safety;
- demonstrating effective leadership by championing and engaging, participating and valuing child safe practices both internally and externally;
- monitoring, managing and continually improving the organisation's child safe strategies;
- ensuring that children and young people that engage with the organisation are consulted about things that impact on them; and
- following appropriate reporting processes when a concern, allegation or disclosure of child abuse or neglect arises.

Executive team members, Heads of Department, Managers

Executive team members, Heads of Department and Managers are responsible for:

- promoting child safe practice across the organisation;
- communicating information and promoting organisational initiatives and practice (internal and external);
- demonstrating effective leadership by championing and engaging, participating and valuing child safe practices both internally and externally;
- providing opportunities for training, supervision and ongoing support for those responsible for child safe practices;
- supporting employees responsible for the safety and wellbeing of children within the organisation;
- monitoring, managing and continually improving the organisation's child safe practices;
- ensuring the overall welfare and wellbeing of children and young people;
- managing and addressing noncompliance with the Codes of Conduct; and
- actively promote the Child Safe Code of Conduct and their commitment to it and its enforcement.
- following appropriate reporting processes when a concern, allegation or disclosure of child abuse or neglect arises; and
- developing organisational control and compliance systems that ultimately prevent, detect and respond to child abuse and neglect.

Child Safety Team

The Child Safety Team is responsible for:

- regularly reviewing the organisations' policies and procedures to ensure the safety and wellbeing of children and young people, including ensuring that the policies and procedures address the Child Safe Standards, are easy to understand and take into account any stakeholder consultation;
- facilitating the reporting of the findings of relevant reviews to staff and volunteers, community and families and children and young people;
- investigating, or referring to external investigator or Authorities (as applicable), any reportable allegations;

- promoting Child Safety across all campuses;
- seeking to continuously improve TAFE Gippsland Child Safety and Wellbeing at all campuses and TAFE Gippsland programs;
- supporting and providing advice when approached by a Child who has a concern; and
- analysing complaints, concerns and safety incidents to identify causes and systemic failures to inform continuous improvement.

Designated Child Safety Officers

The designated Child Safety Officers are responsible for:

- championing child safe practices across the organisation;
- supporting employees who are responsible for child safety;
- demonstrate effective leadership by engaging, participating and valuing child safe practices both internally and externally;
- presenting new ideas, best practice options, or up-to-date information on sector-wide research and initiatives;
- ensuring the organisation is safe for children and young people;
- following appropriate reporting processes when a concern, allegation or disclosure of child abuse or neglect arises; and
- regularly reviewing the framework and improving the implementation of the Child Safe Standards.

Other Staff

Volunteers and persons performing work at the direction, on behalf of or in connection with TAFE Gippsland (including contractors, subcontractors, secondees, agents and temporary staff) are responsible for:

- understanding the signs of child abuse and how to respond to these;
- fulfilling their obligations in relation to all child safety policies, procedures and practices;
- contributing to a positive child safe culture by engaging, participating and valuing child safe practices both internally and externally;
- following **PAC003COC – Child Safe Code of Conduct** when engaging with children and young people; and
- following appropriate reporting processes when a concern, allegation or disclosure of child abuse or neglect arises.

Related Legislation/Regulation

- Child Wellbeing and Safety Act 2005 (Vic)
- Child Safe Standards
- Freedom of Information Act 1982 (Vic)
- Privacy and Data Protection Act 2014 (Vic)

Related Policy and Procedures

- PAC003 - TAFE Gippsland Child Safety Policy Statement
- PAC003COC – Child Safe Code of Conduct
- PAC003PRO - Reporting Child Abuse procedure
- PAC021COC – Staff Code of Conduct
- PAC016POL – Working with Children Clearances and Police Checks policy

Related Documents

- Code of Conduct for Victorian Public Sector Employees
- National Principles for Child Safe Organisations
- Commission for Children and Young People
- PAC003FOR1 - Hair and Beauty services consent form for students and models under 18 years of age
- PAC003FOR2 - Existing Relationship Declaration - for students under the age of 18 form
- PAC003REG1 - Child Safety Risk Register
- PAC003GDE - Guidance for Investigating a Reportable Conduct Allegation

Definitions

Adult	Person who has achieved the age of 18 years.
Child	Means a child or young person who is under the age of 18 years.
Child Safety Framework	Means PAC003 - Child Safety Policy Statement, PAC003POL – Child Safety policy, PAC003COC – Child Safe Code of Conduct, PAC003PRO – Reporting Child Abuse procedure and all associated documents and training materials.
Reportable allegation	Means any information that leads a person to form a reasonable belief that an employee has committed; <ul style="list-style-type: none"> • reportable conduct; or • misconduct that may involve reportable conduct— whether or not the conduct or misconduct is alleged to have occurred within the course of the person's employment.

Reportable Conduct	<p>Means:</p> <ul style="list-style-type: none"> • a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded; or • sexual misconduct, committed against, with or in the presence of, a child; or • physical violence committed against, with or in the presence of, a child; or • any behaviour that causes significant emotional or psychological harm to a child; or • significant neglect of a child.
Staff	Means TAFE Gippsland employees or workers, Board members, volunteers and persons performing work at the direction, on behalf of or in connection with TAFE Gippsland (including contractors, subcontractors, secondees, agents and temporary staff).
Young Person	Means a person under the age of 18 years.

Version Control

Item	Summary of Update	Version	Review Date
1	Original Document	1.0	11/04/2022
2	Review and update including adopting new document template and naming conventions	1.1	05/01/2023

Appendices

Nil.