



## CHILD SAFE POLICY AND PROCEDURE

### POLICY

The Australian Institute of Education and Training (AIET) RTO Number 121314 is committed to Child Safety to support schools to create a child safe organisation and protect students from all forms of abuse.

### STANDARDS FOR RTO'S 2015 ADDRESSED BY THIS POLICY

Nil

### LEGISLATIVE REQUIREMENT

The Child Safe Standards (the Standards) are compulsory minimum standards for all organisations that provide services to children including Victorian schools. The aim of the Standards is to ensure organisations are well prepared to protect children from abuse and neglect. It is recognised that many schools will have existing policies and procedures that aim to keep children safe.

The Standards provide a framework to identify gaps and improve policy and practices around child safety. On 26 November 2015, the Victorian Parliament passed the *Child Wellbeing and Safety Amendment (Child Safe Standards) Bill 2015*, which amended the *Child Safety and Wellbeing Act 2005* to introduce the Child Safe Standards that would apply to all organisations involved in child related work in Victoria.



## CHILD SAFE STANDARDS

- Standard 1: Strategies to embed an organisational culture of child safety, including through effective leadership arrangements
- Standard 2: A child safe policy or statement of commitment to child safety
- Standard 3: A code of conduct that establishes clear expectations for appropriate behaviour with children
- Standard 4: Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel
- Standard 5: Processes for responding to and reporting suspected child abuse
- Standard 6: Strategies to identify and reduce or remove risks of child abuse
- Standard 7: Strategies to promote the participation and empowerment of children.

## CHILD SAFE STANDARDS UNDER THE VET AUSPICE CONTRACT

As per the **Standard VET Auspice Contract** entered into as a Third-Party Arrangement with The Australian Institute of Education and Training (being the RTO) and Secondary Schools:

1. The parties acknowledge and agree that Victorian Government Schools are committed to:
  - 1.1. creating child safe environments;
  - 1.2. protecting students from abuse or harm in the school environment, 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 in accordance with their legal obligations, including Child Safety Laws.
2. This clause only applies to the extent that the RTO is engaged in Child-connected work.
3. The RTO acknowledges that the School Council and School Staff are required to comply with Child Safety Laws, the Ministerial Order and School Council Child Safety Policies.
4. If the RTO is an Applicable Entity, it warrants to the School Council that it:
  - 4.1. is compliant and will continue to comply with Child Safety Laws; and
  - 4.2. will immediately provide the School Council with copies of any documents or information in respect to any compliance action taken by any regulatory authority in connection with child safety against the RTO.



5. The RTO must:
  - 5.1. if applicable (whether or not the RTO must itself comply with Child Safety Laws), comply with any relevant School Council Child Safety Policies; and
  - 5.2. comply with any reasonable direction by the School Council in respect to compliance by the School Council, School Staff and/or the RTO with any Child Safety Laws or any relevant School Council Child Safety Policies.
6. The School Council may terminate this Contract immediately if, in the School's Council's reasonable opinion, it determines at any time that:
  - 6.1. there is a breach of any Child Safety Laws caused by, or in any way connected with, the RTO; or
  - 6.2. the RTO is not suitable to engage in Child-connected work for the purposes of the School Council and School Staff's compliance with the Child Safety Laws or relevant School Council Child Safety Policies.

## PURPOSE

This Child Safe Policy details how the Australian Institute of Education and Training will embed a culture of 'no tolerance' for child abuse and implement the Victorian Child Safe Standards. It covers material issues such as (i) what child abuse means, (ii) the forms it can take, (iii) the standards of behaviour expected, (iv) the risk management strategies against child abuse and (v) how to report issues of concern.

This Policy will ensure that children experience the fundamental right to be safe from the following forms of harm:

- Physical violence;
- Sexual offences, including grooming with the intent to sexually abuse a child or engaging in sexual activity with a child under 16;
- Serious emotional or psychological abuse;
- Serious neglect; and
- Unfair treatment on the basis of disability, culture, gender identity, sexual orientation and/or religion.

Child abuse can include physical or sexual harm, grooming, emotional or psychological harm, neglect, or family violence. It does not have to involve physical contact or force. Child abuse can include:

- Sexually abusing or exploiting a child;
- Talking to a child in a sexually explicit way;
- Grooming a child for future sexual activity;
- Forcing a child to watch pornography;
- Being witness to family violence;
- Engaging in sexual activity with a child under 16;
- Failing to provide a child with an adequate standard of nutrition, supervision or medical care to the extent that the development of the child is placed at serious risk or is significantly impaired.



## PROCEDURE

### Statement of Commitment to Child Safety

The Australian Institute of Education and Training is committed to child safety and wellbeing of all children and young people. This will be the primary focus of our care and decision-making.

The Australian Institute of Education and Training is committed to providing a child safe environment where children and young people are safe and feel safe, and their voices are heard about decisions that affect their lives. We want children to be safe, happy and empowered. We support and respect all children, as well as our Staff and Trainers.

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

We have zero tolerance of child abuse in all environments, and all allegations and safety concerns will be treated very seriously and consistently with our policies and procedures.

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

The Australian Institute of Education and Training is committed to preventing child abuse and identifying risks early and removing and reducing these risks.

The Australian Institute of Education and Training has human resources and recruitment practices for all Staff and Trainers.

The Australian Institute of Education and Training is committed to regularly training and educating our Staff and Trainers on child abuse risks.

We support and respect all children, as well as our Staff and Trainers. 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.

The Australian Institute of Education and Training Staff and Trainers all have a responsibility to understand the important and specific role they play individually and collectively to ensure that the wellbeing and safety of all children and young people is at the forefront of all they do and every decision they make.



## Principles for Child Safety

In its planning, decision-making and operations, the Australian Institute of Education and Training will:

- Take a preventative, proactive and participatory approach to child safety;
- Value and empower children to participate in decisions which affect their lives;
- Foster a culture of openness that supports all persons to safely disclose risks of harm to children
- Respect diversity in cultures and child rearing practices while keeping child safety paramount;
- Provide written guidance on appropriate conduct and behaviour towards children;
- Engage only the most suitable people to work with children and have high quality staff and volunteer supervision and professional development;
- Ensure children know who to talk with if they are worried or are feeling unsafe, and that they are comfortable and encouraged to raise such issues;
- Report suspected abuse, neglect or mistreatment promptly to the appropriate authorities;
- Share information appropriately and lawfully with other organisations where the safety and wellbeing of children is at risk; and
- Value the input of and communicate regularly with families and carers.

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

## Our Children

We promote diversity and tolerance in The Australian Institute of Education and Training, 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 Trainers

This Child Safe Policy guides our Staff and Trainers on how to behave with children in the context of delivering education and training for Secondary Schools.

All of our Staff and Trainers must agree to abide by our Child Safe Code of Conduct which specifies the standards of conduct required when working with children. All Staff and Trainers are given the opportunity to contribute to the development of the Code of Conduct.



## **Training and Education**

Training and education is important to ensure that everyone in The Australian Institute of Education and Training understands that child safety is everyone's responsibility.

The Australian Institute of Education and Training culture aims for all Staff and Trainers to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our Staff and Trainers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We also support our Staff and Trainers through ongoing training and development 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 Staff and Trainers will be inducted to ensure they understand The Australian Institute of Education and Training'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.

New Staff and Trainers are also advised that they can play a vital role in protecting children from harm and are well placed to observe signs or behaviours that may indicate risks of child abuse, neglect or exploitation. The Protecting Children – Mandatory Reporting and Other Obligations eLearning module (the module) is an essential professional learning resource that assists schools to protect the safety and wellbeing of children and young people.

The module provides detailed information for identifying and responding to child abuse and includes case studies and practical scenarios to assist staff fulfil their reporting obligations. The module takes approximately 30 to 45 minutes to complete. Participants receive a certificate of completion upon successful completion of a short assessment. A 12-month alert is also provided to remind participants to complete the module the following year.

The Australian Institute of Education and Training advise all Staff and Trainers to undertake the training once per calendar year.

## **Recruitment**

The Australian Institute of Education and Training 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. The Australian Institute of Education and Training understands that when recruiting Staff and Trainers we have ethical as well as legislative obligations.



We actively encourage applications from Aboriginal people, people from culturally and/or linguistically diverse backgrounds and people with a disability.

All people engaged in child-related work, including Staff and Trainers, are required to hold a current Working with Children Check and to provide evidence of this Check. Please see the Working with Children Check website ([www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au)) for further information. For further information see the Australian Institute of Education and Training Working with Children's Check Policy.

The Australian Institute of Education and Training 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.

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, trainers, 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

The Australian Institute of Education and Training 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.



- **Failure to protect:** People of authority in The Australian Institute of Education and Training 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.
- Any personnel who are mandatory reporters must comply with their duties.

## **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.

The Australian Institute of Education and Training 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 Trainer is to have contact with a child in organisations on social media).

## **Regular Review**

This Child Safe 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 – Mandatory Reporting Requirements**

The Australian Institute of Education and Training takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our Staff and Trainers are trained to deal appropriately with allegations.

We work to ensure all children, families, Staff and Trainers 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
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.





The Australian Institute of Education and Training record all allegations of abuse and safety concerns using the **Four Critical Actions for VET and Higher Education Providers - Responding to Incidents, Disclosures and Suspicions of Child Abuse and Protect Form**, including investigation updates. All records are securely stored.

The Australian Institute of Education and Training aims to promote an organisational culture of child safety through effective leadership by:

- Ensuring compliance with the Child Safe Standards;
- Regularly reviewing, updating and providing information on Policies and Procedures related to Child Safety; and
- Monitoring and evaluating the operation of the Australian Institute of Education and Training's Child Safe Code of Conduct.

The Australian Institute of Education and Training aims to eliminate all risks of child abuse wherever possible. Risks to children are identified during initial risk assessments and are managed for the duration of the activity or service

## RELEVANT LEGISLATION

- Children, Youth and Families Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic) and the Child Safe Standards (Vic)
- Crimes Act 1958 (Vic)
- Australian Skills Quality Authority (ASQA) – Standards for RTO's 2015
- VRQA Guidelines to Minimum Standards 2015
- Working with Children Act 2005 (Vic)

## RELEVANT DOCUMENTATION

- [PROTECT Responding to Suspected Child Abuse: A Template for all Victorian Schools](#)
- An Overview of the Child Safe Standards [DHHS] (<http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/child-safe-standards-resources>)
- A Guide for Creating a Child Safe Organisation [CCYP] (<http://www.ccyp.vic.gov.au/downloads/creating-a-childsafe-organisation-guide.pdf>)
- Empowerment and participation of children (CCYP - Tip Sheet for Child Safe Organisations) (<http://www.ccyp.vic.gov.au/downloads/tipsheets/tipsheet-empower-participation-children.pdf>)