

CHILD SAFE POLICY

PREAMBLE

The College commits to Child safety by having zero tolerance for child abuse.

It actively works towards listening to and empowering Children by:

1. having systems to protect Children from abuse;
2. taking all allegations and concerns of Child abuse very seriously and responding to them consistently in line with its policies and procedures;
3. promoting cultural safety for Aboriginal Children and Children from culturally and/or linguistically diverse backgrounds; and
4. providing a safe environment for Children with a disability.

DEFINITIONS AND ACRONYMS

“Aboriginal Children” means children who:

- a) are descended from an Aboriginal or Torres Strait Islander; and
- b) identify as an Aborigine or a Torres Strait Islander; and
- c) are accepted as an Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.

“Child/Children” means a student of the College who is under the age of 18 years calculated from the time of the student’s date of birth.

“Child Related Work” means work in a specific child related role or with direct contact with a child. Refer to sections 6 and 7 of the Child Protection (Working With Children) Act 2012 (NSW), section 9 of the Working with Children Act 2005 (VIC) and the Working with Children (Risk Management Screening) Act 2000 (QLD). Child Related Work positions may include roles such as:

- mentoring or counselling positions;
- teachers and assistants;
- home stay providers;
- student services;
- school cleaners;
- approved provider or manager of education services;
- assessment officers;
- support services that come into contact with Children (Qld);

- education programs conducted outside of school (Qld);
- transport services for Children (Vic).

“College” means Australian Pacific College, English Unlimited and Australian Pacific Travel and Tourism.

“Mandatory Reporters” are certain professionals defined by either the Children, Youth and Families Act 2005 (Vic), the Child Protection Act 1999 (Qld) or the Children and Young Persons (Care and Protection) Act 1988 (NSW) who are required to report suspicions of child abuse and/or neglect to statutory authorities.

“Policy” means this Child Safe Policy.

“VIT” means the Victorian Institute of Teaching.

“WWCC” means a Working With Children Check issued by the relevant State government department.

1. CHILDREN’S PARTICIPATION

- 1.1 The College encourages and respects the views of Children who participate in our programs. We listen to and act upon any concerns Children or their families raise with us. We provide students and their families with information on their rights, what they can do and who they should speak to, if they feel unsafe and how to access the College’s complaints procedures.

2. STAFF AND VOLUNTEERS

- 2.1 The College seeks to attract and retain the best employees and volunteers. The College provides support and supervision to its employees and volunteers so they feel valued, respected and fairly treated.
- 2.2 The College requires that all employees are appropriately trained to promote the establishment and maintenance of a Child safe environment. Existing employees are exposed to recurring information that will:
- a) reinforce this Policy, the College Child Protection Intervention Policy and Procedures and the Code of Conduct;
 - b) raise their awareness of Child protection issues including recognising signs of reportable conduct and indicators of abuse;
 - c) advise them of their statutory obligations; and
 - d) provide clear guidance in relation to appropriate and inappropriate behaviour.

- 2.3 As part of their induction to the College, newly recruited employees will be given copies of this Policy, the Child Protection Intervention Policy and Procedures and the Code of Conduct. The new recruits will be stepped through their obligations under these policies/code.
- 2.4 All employees and volunteers are directed to the College's website to access copies of the College's Child Protection Intervention Policy and Procedures, the Code of Conduct and this Policy.

3. CHILD PROTECTION OFFICER

- 3.1 The Campus Director/Manager in each State will fulfill the role of Child Protection Officer for all campuses in that particular State. The Child Protection Officer role includes:
- a) to be aware of current child protection legislation;
 - b) keeping up to date and complying with any changes in legislation and practices;
 - c) arranging appropriate training and education for staff to be aware of this Policy and how to implement it;
 - d) identifying the potential for Child abuse and reviewing this Policy and the Risk Management Plan;
 - e) cooperating with other services/professionals in the best interests of Children and their families;
 - f) ensuring that families are aware of support services provided by the College;
 - g) implementing the procedures for reporting suspected Child abuse and management of complaints;
 - h) notifying the approved provider immediately on becoming aware of a concern, complaint or allegation regarding the health, safety and wellbeing of a Child;
 - i) offering support to the Child, their family and to staff in response to reports relating to the health, safety and wellbeing of a Child; and
 - j) maintaining confidentiality at all times.

4. RECRUITMENT

- 4.1 In addition to complying with employment screening legislation for people engaged in Child Related Work, the College seeks to recruit employees that would be strongly supportive of the pastoral needs of students. It takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with Children.

- 4.2 The College adheres to its Recruitment and Induction of Academic Staff Policy and the Recruitment and Selection Policy for General Staff when it is recruiting for positions at the College.

5. STATE SCREENING SCHEMES

- 5.1 All States and Territories have legislation providing for Child-related employment pre-screening. The College requires the implementation of the following state screening schemes when recruiting people for Child Related Work:

| STATE | COLLEGE'S OBLIGATIONS | EMPLOYEE'S OBLIGATIONS | LEGISLATION |
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| NSW | <ul style="list-style-type: none"> The College must be registered online with the NSW Office of the Children's Guardian. The College must verify online the WWCC of all new paid employees. All existing paid workers and all volunteers (new and current) need their WWCC verified online. The WWCC is valid for 5 yrs and subject to ongoing monitoring by the State. | <ul style="list-style-type: none"> The employee or volunteer is responsible for their own application for a WWCC. | Child Protection (Working with Children) Act 2012 (NSW) |
| QLD | <ul style="list-style-type: none"> The College must have policies and procedures in place to identify and minimise risk of harm to Children which are monitored by the Public Safety Business Agency. The Blue Card is valid for 3yrs. | <ul style="list-style-type: none"> The employee or volunteer is required to apply for a WWCC (also called a Blue Card). | Working with Children (Risk Management and Screening) Act 2000 (Qld) |
| VIC | <ul style="list-style-type: none"> The Working With | <ul style="list-style-type: none"> The employee or | Working With |

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| | Children clearance is valid for 5 years. | <p>volunteer is required to apply for a WWCC.</p> <ul style="list-style-type: none"> • If you are a teacher who is currently registered with the VIT, you are exempt from applying for a WWCC. NOTE: the VIT registration is only valid for one year. • If your VIT registration is suspended or cancelled, you are no longer exempt and must apply for a WWCC. You must, in writing, notify every organisation that engages you in Child-related work within seven days of the suspension or cancellation of your registration. | Children Act 2005 (Vic) |
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6. REFERENCE CHECKS

- 6.1 The people responsible for interviewing candidates and conducting reference checks must be confident, assertive and probing in their questions. At least one person on the interview panel should be experienced in undertaking referee checks. When calling referees, it is important to verify who you are talking to and the College prefers that one referee must be the current or most recent employer. Relevant questions to pose to the referee can be found in

the [Reference Checklist v1.2](#). The College uses various reference check documents and you should approach your campus manager for the most appropriate document to use.

7. PERFORMANCE REVIEWS

- 7.1 The College has robust staff and volunteer performance management strategies in place.

8. CODE OF CONDUCT

- 8.1 Caring for Children brings additional responsibilities for the employees and volunteers of the College. Staff, especially teachers, are often seen as role models and play a major part in the successful delivery of educational programs. The College expects that all staff will commit to the College's Code of Conduct and implement the risk management strategies developed by the College for Child protection and intervention.

- 8.2 All employees and volunteers of the College are responsible for promoting the safety and well-being of Children by:

- a) ensuring the safety and welfare of the Child is paramount at all times;
- b) treating all Children with dignity, equality and respect;
- c) adhering to this Policy, the [Child Protection Intervention Policy and Procedures](#) and the [Code of Conduct](#);
- d) listening and responding appropriately to the views and concerns of Children and their families within the College;
- e) taking all reasonable steps to ensure the safety and protection of Children within the College;
- f) ensuring Children and families understand their rights and what they can expect when participating in a service, activity or program offered by the College;
- g) guiding the Children and their families to a teacher or the Campus Director/Manager or the College's complaints procedures (whichever is appropriate) in times of trouble;
- h) responding quickly, fairly and transparently to any serious complaints made by a Child or their parent/guardian and directing the Children and their families to the Campus Director/Manager or the complaints procedures (whichever is appropriate) in times of trouble;
- i) notifying the College's Child Protection Officer and/or the appropriate Child protection body as soon as practicable if they have a reasonable suspicion that a Child has been or is being abused or neglected.

- 8.3 Employees/volunteers will not:

- a) take part in any unnecessary physical contact with a Child;

- b) discriminate against any Child because of age, gender, cultural background, religion, vulnerability or sexuality; and/or
- c) develop any 'special' relationships with Children outside of the professional relationship.

9. RESPONDING AND REPORTING SUSPECTED CHILD ABUSE

- 9.1 The College will not tolerate incidents of Child abuse.
- 9.2 The College's Child Protection Intervention Policy and Procedures outlines the processes for reporting and acting on disclosures or concerns about Child abuse for the principals, employees and volunteers of the College.
- 9.3 The College encourages and respects the views of Children who participate in their programs. It listens to and acts upon any concerns Children, their parents or their families/guardians raises with it. Children, their parents/guardians and students are informed of their rights and what they can do and who they should speak to, if they (or their Children) feel unsafe. The College ensures that Children, their families/guardians and students know how to access the complaints procedures available to them and who they should speak to in times of trouble.
- 9.4 The Children, their families/guardians and students are informed at orientation that in times of trouble they should speak to the Student Official Point of Contact (Emergency number available 24 hours), Brisbane - 0473 624 695, Sydney 0402 449 155 or Melbourne 0423 571 615.

10. LEGISLATIVE RESPONSIBILITIES

- 10.1 The College takes its legal responsibilities seriously with respect to Child safety, including (but not limited to):
 - a) **Mandatory Reporters:** Any employees of the College who are Mandatory Reporters must report to the relevant state authority if they believe that a Child is in need of protection from physical injury or sexual abuse.
 - NSW - Department of Family and Community Services - phone 13 21 11
 - VIC - Department of Human Services - phone 1300 664 977
 - QLD - Department of Communities Child Safety and Disability Services - phone (07) 3224 8045
 - b) **Failure to Disclose:** Reporting Child sexual abuse is a community-wide responsibility. The College expects all employees to

be vigilant in reporting Child sexual abuse. However, in Victoria all adults who have a reasonable belief that an adult has committed a sexual offence against a **child (under 16 years of age)** have a legal obligation to report that information to the Police. 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.

- c) **Failure to Protect:** The College expects all employees will attempt to protect any Child from the substantial risk of sexual abuse. However, in Victoria, people of authority in the College (including employees) will commit an offence if they know of a substantial risk of **child (under 16 years of age)** sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

11. IDENTIFYING AND REDUCING OR REMOVING RISKS OF CHILD ABUSE

RISK MANAGEMENT PLAN

The following risk management plan is to be monitored and reviewed at the same time as this Policy by the Child Protection Officers or Campus Manager/Director in each State.

| Risk Event or Environment | Likelihood and Consequence | Current Risk Rating | Existing Strategy or control | New strategy or treatment needed | Who is responsible and when should it be completed? |
|--------------------------------------------|----------------------------|---------------------|----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| No leadership with respect to Child safety | Unlikely/ Severe | Low | <ul style="list-style-type: none"> Child Safe Policy Child Protection Intervention Policy and Procedures | <ul style="list-style-type: none"> Regular statements by leaders regarding the importance of Child safety. Annual training of company leaders Ensuring the review of the Child Safe Policy and related policies. | Campus Manager and Campus Director |
| Inappropriate behaviour not | Unlikely/ Severe | High | <ul style="list-style-type: none"> Child Safe Policy | <ul style="list-style-type: none"> Training for staff | Campus Manager |

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| reported or addressed | | | <ul style="list-style-type: none"> Child Protection Intervention Policy and Procedures Critical Incident Management Procedures Complaint Procedures Orientation Program | <ul style="list-style-type: none"> Appointment of a Child Protection Officer on each campus Ensure Orientation Program for Staff and for Study Tours and Junior Program outline the College's reporting procedures. | |
| Failure of students to understand what is inappropriate behaviour | Unlikely/ Severe | Medium | <ul style="list-style-type: none"> Child Safe Policy Child Protection Intervention Policy and Procedures Orientation procedures | <ul style="list-style-type: none"> regular reminders to students that the College is a Child Safe Environment and what it means to be part of a Child Safe Environment. | Assistant Academic Manager |
| Unquestioning trust of long term employees and/or volunteers | Possible/ Severe | High | <ul style="list-style-type: none"> Child Safe Policy Child Protection Intervention Policy and Procedures Accommodation and Welfare Policy for Under 18 year old Students | <ul style="list-style-type: none"> Training for staff Robust performance reviews that consider Child safe issues | Campus Manager/ Director |
| Recruitment of an inappropriate person | Unlikely/ Severe | Medium | <ul style="list-style-type: none"> Child Safe Policy Child Protection Intervention Policy and Procedures Recruitment and Induction of Academic Staff Recruitment | <ul style="list-style-type: none"> Review of pre-employment reference check to include Child safety questions | Campus Manager/ Enterprise Unit Leader |

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| | | | and Selection of General Staff Policy • Reference Checklist | | |
| Engagement with Children online | Possible/ Moderate | Medium | <ul style="list-style-type: none"> Child Safe Policy Child Protection Intervention Policy and Procedures | <ul style="list-style-type: none"> train students and staff to detect inappropriate behaviour ensure appropriate settings on all student and staff technology | Assistant Academic Manager |
| Unknown people and environments at excursions and camps | Possible/ Moderate | Medium | <ul style="list-style-type: none"> Child Safe Policy Child Protection Intervention Policy and Procedures | <ul style="list-style-type: none"> review of the study tours and junior programs and how best to implement them with a Child safe focus trained Child safe staff members in attendance risk assessments (and review of them) site visits before excursions to identify and minimise risks | Assistant Academic Manager |
| Ad-hoc contractors on the premises | Possible/ Unlikely | Medium | • | <ul style="list-style-type: none"> Information and awareness for visitors that come onto the premises monitoring of those people | Campus Manager/Director |
| Adult students on premises | Possible/ Unlikely | Medium | <ul style="list-style-type: none"> Child Safe Policy | <ul style="list-style-type: none"> regular reminders to | Assistant Academic |

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| | | | <ul style="list-style-type: none"> Child Protection Intervention Policy and Procedures orientation procedure | students that the College is a Child Safe Environment and what it means to be part of a Child Safe Environment. | Manager |
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12. POLICY REVIEW

12.1 This policy will be reviewed every two years or following significant incidents (if they occur) or in accordance with legislative changes. Students, their families and importantly local Aboriginal communities, culturally and linguistically diverse communities and people with a disability (if they apply) and their reasonable views will be considered in these reviews.

12.2 The Risk Management Plan for Identifying and reducing or removing risks of child abuse (see clause 11 above) will be reviewed yearly.

RELEVANT LEGISLATION

This document references the following legislation, regulations, codes and standards:

| Relevant Legislation/codes/standards | |
|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Commonwealth | National Code of Practice for Providers of Education and Training to Overseas Students 2018 |
| New South Wales | Children and Young Persons (Care and Protection) Act 1998 (NSW) Child Protection (Working with Children) Act 2012 (NSW) |
| Queensland | Child Protection Act 1999 (Qld) Working with Children (Risk Management and Screening) Act 2000 (Qld) |
| Victoria | Child Safe Standards, Education and Training Reform Act 2006 (VIC) Children, Youth and Families Act 2005 (VIC) Working with Children Act 2005 (VIC) Crimes Act 1958 (VIC) |

RELATED POLICIES AND PROCEDURES

This document references the following College policies and/or procedures:

| Related Policies and Procedures | |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policies | Child Protection Intervention Policy and Procedures Code of Conduct Recruitment and Induction of Academic Staff Policy Recruitment and Selection Policy for General Staff Critical Incident Management Procedures Complaint Procedures Accommodation and Welfare Policy for Under 18 year old Students. |
| Procedures | Reference Checklist Orientation Program |

KEYWORDS

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|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Keywords | Child Safety, Child abuse, aboriginal Children, safety, Child protection, Child Protection Officer, relationships, failure to disclose, failure to protect, mandatory reporters |
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POLICY OWNER

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| Policy Owner | Learner Experience Enterprise Unit and Community Engagement Unit |
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POLICY/PROCEDURE HISTORY

| Policy History | | | |
|-----------------|------------------------------|--------|------------------------|
| Current version | Current version release date | Author | Description of changes |
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|---------------------------|---------------|-------------|-----------------|
| Child Safe Policy 1.0R | December 2018 | Sara Gaudry | Original Policy |
|---------------------------|---------------|-------------|-----------------|