

 <b>CREST EDUCATION POLICY</b>	TITLE	<b>CHILD SAFE POLICY AND PROCEDURE</b>		
	VERSION	03/11/2020		
	LOCATION	STAFF		
	ISSUE DATE	MARCH 2021		
	REVIEW DATE	MARCH 2022		
	REVIEWED BY	EXECUTIVE PRINCIPAL	APPROVED BY	BOARD
PURPOSE:	To provide policy and procedure direction to all staff at Crest Education			
BACKGROUND:	Crest Education seeks to establish and maintain high level professional standards in relation to all activities within the Educational Precinct. This policy is in accord with the Crest Education 'Vision', 'Mission', 'Philosophy' and 'Key Commitments' documents as published and in line with Board Policy.			
RELATED DOCUMENTS:	<p>This Policy must be read in conjunction with:</p> <ul style="list-style-type: none"> <li>• the law of the Commonwealth and Victoria including but not limited to: <ul style="list-style-type: none"> <li><i>Children, Youth and Families Act 2005;</i></li> <li><i>Child Wellbeing and Safety Act 2005;</i></li> <li><i>Crimes Act 1958;</i> and</li> </ul> </li> <li>• <i>Working with Children Act 2005;</i></li> <li>• <i>The Victorian Teaching Profession Code of Conduct</i></li> <li>• <i>The Crest Education Code of Conduct</i></li> <li>• <i>Crest Child Safety Reporting process</i></li> <li>• <i>"Termination of Employment Policy" and "Misconduct Procedures".</i></li> <li>• <i>"Whistleblower Policy"</i></li> <li>• <i>Risk Management Procedures</i></li> </ul>			

## Introduction

Children have the right to be safe and protected, including at school. Crest Education is fully supportive of the Victorian Government's adoption of mandatory Child Safe Standards as well as the more recent adoption of a set of National Principles whose aim is to ensure that institutions which care for children of all ages are genuinely safe places for them.

Child safety is an ongoing key focus at Crest Education. Providing a safe and supportive environment for children has always been an important part of being a Christian School. Legislation and compliance demand all schools in Victoria to take child safety much more seriously. We are committed as a school community to do our part to protect the children under our care. A safe environment includes developing a culture of child safety in the school, including a zero tolerance of child abuse. We have all been entrusted with an obligation to do the best we possibly can to keep our children safe from harm. We have embraced the opportunity to strengthen the safety of our operations and aim to further develop a culture of child safety. We do not simply aim for compliance with the Child Safe standards; instead, we seek to be a place of excellence where child safety is deeply embedded into the culture of the organisation.

We recognise that the awareness of the importance of the safety of children needs to be woven through the entire organisation for it to be effective. As such, the Crest Board annually commits to reviewing and ratifying the Crest Child Safe Policy. The Child Safe Policy is a comprehensive and

overarching document that provides an overview of the key elements of Crest Education's approach to creating a child safe organisation. The purpose of this policy is:

- To facilitate the prevention of child abuse occurring within Crest Education.
- To work towards an organisational culture of child safety.
- To ensure that all parties are aware of their responsibilities for identifying potential risks in relation to child abuse and for establishing controls and procedures for preventing such abuse and / or detecting such abuse when it occurs.
- To provide guidance to staff / volunteers / contractors as to action that should be taken where they suspect any abuse within or outside of the College.
- To provide a clear statement to staff /volunteers / contractors forbidding any such abuse.
- To provide assurance that any and all suspected abuse will be reported and fully investigated

#### **SUMMARY OF 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.

#### **We invite your questions and input**

To make enquiries about child safety at the College, to contribute to our child-safe policy reviews, or make suggestions to further improve our child-safe environment, please contact: Executive Principal, Mr Brendan Kelly

#### ***Add contacts***

##### **Support**

If you or someone you know has suffered abuse, we encourage you to reach out for support. You can contact the Executive Principal, Head of College, or one of the Crest Child Safety Champions.

A list of organisations and support services we can commend to you can be found at:  
<http://www.childabuseroyalcommission.gov.au/support-services>.

Everyone at Crest Education is responsible for preventing and responding to child abuse

***Mr Brendan Kelly***  
***Executive Principal***  
***November 2020***

## **Standard 1: Strategies to embed an organisational culture of child safety, including through effective leadership arrangements**

The Crest Education Board acknowledges that quality governance arrangements, underpinned by a firm commitment from executive leadership to Crest's values and standards are the starting point to embedding a culture of child safety. Strategies that seek to prevent harm and neglect (including physical, sexual, emotional, neglect, racial, cultural and/or religious abuse) all contribute to a child safe culture. It is therefore critical that child safety is part of the everyday thinking and practice of all within the Crest community.

The Crest Board recognises that it is important to maintain the momentum of a child safe culture by monitoring performance and checking that child safety continues to be prominent in the ongoing governance and planning of the Crest organisation.

### **RESPONSIBILITIES**

1. The **Board of Crest Education** has ultimate responsibility for the detection and prevention of child abuse and is responsible for ensuring that appropriate and effective internal control systems are in place. The Board is also responsible for ensuring that appropriate policies and procedures and a Code of Conduct are in place and that Board Members receive annual training on ***Child Safe Policy and Procedures***.
2. The **Executive Principal** of Crest Education is responsible for:
  - Reporting, dealing with and investigating reports of child abuse;
  - Ensuring that all staff, relevant\* contractors and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct;
  - Ensuring that all adults within the Crest Education community are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures;
  - Ensuring that all staff, relevant contractors and volunteers are aware of their obligation to observe the Code of Conduct (particularly as it relates to child safety);
  - Providing support for staff, relevant contractors and volunteers in undertaking their child protection responsibilities.

\* In this case, 'relevant' denotes those contractors and volunteers who are likely to have any level of contact and involvement with Crest Education students as part of their work
3. All **leaders and managers** must:
  - Ensure that the College complies with Ministerial order No 870.
  - Provide a safe and supportive environment for students.
  - Model professionally appropriate teacher-student behaviours.
  - Ensure all staff members and volunteers have a clear understanding of their responsibilities in relation to child safety matters.
  - Provide appropriate professional development to enable staff to meet their child safety obligations.

Management should be familiar with the types of abuse that might occur within their area of

responsibility and be alert for any indications of such conduct.

All **staff/relevant contractors and volunteers** share in the responsibility for the prevention and detection of child abuse, and must:

- Ensure they are aware of and adhere to the College's **Code of Conduct** and the **Four Critical Actions**.
- Provide a safe and supportive learning environment where students are treated with courtesy and respect.
- Provide a duty of care to protect students at the College.
- Work with students to develop their understanding and enactment of the College's values.
- Follow the College's procedures when reporting child abuse, including the legal obligation to report to Victoria Police where they form a reasonable belief that a sexual offence has been committed by an adult against a child under the age of 16.

### **Training obligations for staff**

The College will provide staff training throughout each year, including at least the following:

- Completion of the eLearning Module. (Mandatory Reporting and Other Obligations). This is compulsory for all staff members each calendar year.
- A compulsory presentation to all staff members twice a year.
- Regular emails to all staff with refresher information on Child Safe requirements and procedures.
- The issuing of this **Crest Child Safe Policy and Procedures** document.

### **Child Safety Champions**

To ensure a co-ordinated and consistent response to child safety, in line with Crest's legal requirements, key wellbeing staff members in each of the key Crest educational precincts will be identified as Child Safety Champions (CSC's). These would include, but are not limited to:

- Head of Primary/Secondary
- Psychologist and other Allied Health staff
- Lead Chaplain
- Primary/Secondary Chaplain
- Deputy Head of School – Wellbeing/Wellbeing Co-ordinator
- Nurses

These staff will be trained in the mandatory reporting process and best -practice, evidence-based responses to "at risk" students and critical incidents, including suicide ideation (refer to **Suicide Risk Response Policy**). Their duties will include:

- Being a point of contact for all employees in the event of needing to make a mandatory report or respond to a critical situation;
- Support staff through the process of reporting of child abuse;
- Ensure accurate recording of mandatory reports and critical incidents in the database;
- Support the referral of students and staff impacted by critical incidents and disclosures to counselling support as appropriate;
- Respond to other critical incidents, such as instances of identified suicide ideation;
- Liaise with the Crest Psychologist for secondary consult and support, as required;
- Participate in Wellbeing Case Management meetings to ensure alignment and comprehensive care is provided to children.

For further details of their role, see *Child Safety Champion Role Description*

## **Standard 2: Crest Education's Statement of Commitment to Child Safety**

The Board, Cabinet and Executive Leadership Teams at Crest Education are committed to:

- Complying with the ***Child Safe Standards - Victoria***
- Promoting and protecting, at all times the best interests of children
- All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, having equal rights to protection from abuse.
- Zero tolerance for child abuse. Everyone working at Crest Education is responsible for the care and protection of the children within our care and reporting information about suspected child abuse.
- Child protection being a shared responsibility at Crest Education; between all employees, workers, contractors, associates, and members of the Crest Education community.
- Ensuring that students understand, as is age appropriate, the legislation which protects them and that they are empowered to voice concerns and make reports
- Respecting all children, staff and volunteers. Crest Education is committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability

## **Standard 3 – A Code of Conduct that establishes clear expectations for appropriate behaviour with children**

All school staff members have a moral and legal **obligation** as well as a duty of care to protect children from reasonably foreseeable harm (not just staff who are classified as mandatory reporters):

- All school staff members are responsible for the safety of Crest students and to ensure that their behaviour in relation to students is in line with this policy, the ***Crest Code of Conduct, The Victorian Teaching Profession Code of Conduct*** and is above reproach.
- As a school staff member, one must respond to any reasonable suspicion that a child has been, or is at risk of being abused (In Victoria, failure to report child abuse can constitute a criminal offence)
- School staff may be the best-placed, or the only, adult in a position to identify and respond to suspected abuse.

Child abuse is defined as:

- Physical Abuse: Any non-accidental infliction of physical violence on a child by any person. Examples may include beating, shaking or burning, assault with implements and female genital mutilation.
- Child sexual abuse: Can include physical abuse, sexual abuse, grooming, emotional or psychological harm, neglect or family violence;
  - o Can be committed by any member of the community, including someone within a child's family or someone within the school setting.
  - o May not always include physical sexual contact and can also include non-contact offences, for example:
    - talking to a child in a sexually explicit way

- sending sexual messages or emails
- exposing a sexual body part to a child
- forcing a child to watch a sexual act (including pornography)
- having a child pose or perform in a sexual manner (including child sexual exploitation).
- Child sexual abuse does not always involve force. In some circumstances a child may be manipulated into believing that they have brought the abuse on themselves, or that the abuse is an expression of love, through a process of grooming.
- Grooming: Occurs when an adult uses close interpersonal relationship building, or electronic communication (including social media) in a predatory fashion to try to increase a child's trust, lower a child's inhibitions, or heighten their curiosity regarding sex, with the aim of eventually participating in person in sexual activity.
- Emotional child abuse: Occurs when a child is repeatedly rejected, isolated or frightened by threats.
  - Also includes hostility, derogatory name-calling and put-downs, and persistent coldness from a person, to the extent that the child suffers, or is likely to suffer, emotional or psychological harm to their physical or developmental health.
- Neglect: Includes a failure to provide the child with an adequate standard of nutrition, medical care, clothing, shelter or supervision.
  - May not immediately compromise the safety of the child, but is likely to result in longer term cumulative harm, or
  - Can place the child's immediate safety and development at serious risk.
- 'Serious' or 'Significant' neglect: Continued failure to provide a child with the basic necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child's health, safety and/or development is, or is likely to be, jeopardised.
  - Can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life threatening situations.
  - That means that neglect by school members (staff, contractors or volunteers) that is either significant or serious must be reported to the Employee Conduct Branch under the Reportable Conduct Scheme, a Principal must notify the Employee Conduct Branch if school engage in neglectful conduct that is 'significant'. This covers significant neglect that occurs within the school environment, as well as by staff, contractors or volunteers that happens outside the school.
- Family Violence: The Family Violence Protection Act 2008 (Vic) defines family violence as behaviour by a person towards a family member which:
  - is physically, sexually, emotionally, or psychologically abusive;
  - is economically abusive;
  - is threatening or coercive; or
  - in any other way controls or dominates the family member, and causes that family member to feel fear for their or another person's safety or wellbeing; or
  - a child has witnessed, or been present during, an act of family violence.

In addition, the College has an established **Crest Code of Conduct** which outlines its expectation that its employees will always display the highest standards of professional and personal conduct in serving the needs of our community members. The Code is revised regularly in line with legislative requirements.

#### **Standard 4: Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel**

Crest Education is committed to having effective human resources practices which will seek to screen, induct, supervise, train and appraise potential and current staff and volunteers to reduce the risk of child abuse within the organisation.

##### **EMPLOYMENT OF NEW PERSONNEL**

Crest Education undertakes a comprehensive recruitment and screening process for all workers and volunteers which aims to:

- Promote and protect the safety of all children under the care of the organisation
- Identify the safest and most suitable people who share Crest Education's values and commitment to protect children; and
- Prevent a person from working at Crest Education if they pose a risk to children.
- In addition, once engaged, staff, relevant contractors and volunteers must review and acknowledge their understanding of this Child Safe Policy and sign the **Staff and Contractor Declaration of Compliance to Child Safe Standards (Appendix 7)**

Crest Education's process for ensuring Child Safe standards are applied to the recruitment and onboarding of staff is outlined in the **Crest Education Recruitment Process**.

##### **TRAINING AND INDUCTION**

Training and education are an important tool to help people understand that child safety is everyone's responsibility. Employees and volunteers (in addition to parents/guardians and children) need to be supported to discuss child protection issues and to detect signs of potential child abuse.

Crest staff receive training at induction and ongoing updates each year

Crest staff, relevant contractors and volunteers will be required to commit to promoting the safety and wellbeing of children, by signing Crest's Code of Conduct. Training will enhance the skills and knowledge of employees and volunteers and reduce exposure to risks.

Employees, relevant contractors, and volunteers working with children will undergo annual training in the following areas:

- Identifying, assessing, and reducing or removing child abuse risks
- Crest's policies and procedures (including the **Crest Staff Code of Conduct** and **Crest Child Safe Policy & Procedures**)
- Mandatory Reporting Module
- Disability Standards Module
- Cultural awareness training.

##### **PERFORMANCE AND DEVELOPMENT REVIEW**

Crest has a proactive performance development strategy which serves to review employees', relevant contractors' and volunteers' skills and knowledge on child safety. This is also an opportunity to improve knowledge and skills in working with children, as well as recognising and responding to suspected abuse. In relation to Child Safety matters, performance will be measured against the **Crest Staff Code of Conduct**.

#### **Standard 5: Processes for responding to and reporting suspected child abuse**

This standard is designed to provide guidance on what to do if a child discloses an incident of abuse, or if a parent/carer raises a concern or allegation of abuse which may have taken place in the organisation or a staff member has reasonable grounds for forming a belief that a child is in need of child protection.

Matters which require reporting include:

- Physical abuse
- Sexual abuse/grooming
- Emotional abuse
- Neglect
- Family violence
- Forced marriage.
- Age-inappropriate sexualised behaviour.

#### **Forming a suspicion / reasonable belief and the obligation to ACT**

- A reasonable belief is a deliberately low threshold which enables cumulative information to shape a picture about a child's circumstances and for authorities to investigate
- All school staff members (not just those classified as mandatory reporters) have a moral and legal obligation as well as a duty of care to protect children from reasonably foreseeable harm and must take action
- If a child discloses that they or another child have been, are being, or are in danger of being abused, one must treat the disclosure seriously and take immediate action by following the Four Critical Actions (see below)
- Act as soon as practicable after witnessing an incident or forming a suspicion / reasonable belief that a child has been, or is at risk of being abused, even if you are unsure or have not directly observed child abuse (e.g. if the victim or another person tells you about the abuse)
- This includes abuse that has, or is suspected to have, taken place within or outside of school grounds and hours; or a disclosure from a former student, no longer of school age, no longer attending school, or historical abuse

#### **Failure to disclose**

Reporting child sexual abuse is a community-wide responsibility. Accordingly, a new criminal offence has been created in Victoria that imposes clear legal duty upon all adults to report information about child sexual abuse to police.

Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence unless you have a "reasonable excuse" or have an "exemption" from doing so.

A reasonable excuse includes:

- fear of safety
- where the information has already been disclosed.

Exemptions, which include:

- the victim requests confidentiality
- the person is a child when they formed a reasonable belief
- the information would be privileged
- the information is confidential communication
- the information is in the public domain
- where police officers are acting in the course of their duty.

### **Failure to protect**

In response to the [Betrayal of Trust](#) Report, the Victorian Government has strengthened laws to protect our children from sexual abuse and exposure to sexual offenders. This is in recognition of the shared community responsibility to protect children from abuse and to provide a safe environment for children to develop, learn and play.

A new criminal offence for failing to protect a child under the age of 16 from a risk of sexual abuse commenced on 1 July 2015.

The offence applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

This offence encourages organisations to actively manage the risks of sexual offences being committed against children in their care to protect them from harm.

Any staff member in a position of authority, who becomes aware that an adult associated with their organisation (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the care, authority or supervision of the organisation, must take all reasonable steps to remove or reduce that risk. This may include, for example, removing the adult from child-related work pending investigation. If a staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence.

### **Reporting using the Four Critical Actions:**

The **Four Critical Actions** (Appendices 1 & 2) must be followed in all cases of Child Abuse or Student Sexual Offending

- As a school staff member, you play a critical role in protecting children in your care.
- **In responding to incidents, disclosures and suspicions of Child Abuse**, you must act by following the **Four Critical Actions – Child Abuse** (Appendix 1), as soon as you witness an incident, receive a disclosure or form a reasonable belief that a child has, or is at risk of being abused.
- A reasonable belief is a deliberately low threshold. This enables authorities to investigate and take action.
- You must act if you form a suspicion/reasonable belief, even if you are unsure and have not directly observed child abuse (e.g., if the victim or another person tells you about the abuse).
- Staff must keep clear and comprehensive notes, even if you make a decision not to report.
- **In responding to Student Sexual Offending**, you must act by following the **Four Critical Actions – Student Sexual Offending** (Appendix 2), as soon as you witness an incident, receive a disclosure or form a suspicion that a student is a victim of student sexual offending and/or a student has engaged in sexual offending.
- You must act even if you are unsure and have not directly observed student sexual offending (e.g. if the victim, or another person tells you about the offence).

#### **ACTION 1: IMMEDIATE RESPONSE TO AN INCIDENT**

- If there is no risk of immediate harm go to ACTION 2.
- If a child is at immediate risk of harm you must ensure their safety by:
  - o separating alleged victims and others involved

- o administering first aid
- o calling **000** for urgent medical and/or police assistance to respond to immediate health or safety concerns
- o identifying a contact person at the school for future liaison with Police.

#### **ACTION 2: REPORTING TO AUTHORITIES**

- As soon as immediate health and safety concerns are addressed you must report incidents, suspicions and disclosures of student sexual offending as soon as possible.
- You must speak to the Head of Wellbeing, or another Child Safety Champion if they are not available. If you are unsure whether you should report, or the pathway for reporting, contact the School Psychologist by telephone (not email) who will provide secondary consult.
- As well as reporting externally, guided by the Four Critical Actions, you must also report internally by completing a Report form on Crest Connect. You must tag: The Principal, The Head of Schools, The School Psychologist, and the relevant Head of School, Year Level Co-ordinator, and Wellbeing team.
- You must send an email to the following staff: The Principal, The Head of Schools, The School Psychologist, and the relevant Head of School and Year Level Co-ordinator.
- A Checklist has been provided **Reporting Checklist** (Appendix 4) which outlines the wording to be used in the email. It is essential for audit reasons that you use the correct subject heading.

#### **ACTION 3: CONTACTING PARENTS/CARERS**

***It is not your role to contact parents that a report has been made.***

- Your Head of School, Head of Wellbeing/Wellbeing Coordinator, School Psychologist or Head of College will consult with Victoria Police or DHHS Child Protection to determine what information can be shared with parents/carers. They may advise:
  - o not to contact the parents/carers (e.g. in circumstances where contacting the parents/carers is likely to adversely affect a Victoria Police investigation or where the student is a mature minor and has requested that their parent/carer not be notified).
  - o to contact the parents/carers and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion).
- The Head of College, Head of School, or Head of Wellbeing or School Psychologist, if appropriate, would contact the parent if it had been agreed with the authorities.

#### **ACTION 4: PROVIDING ONGOING SUPPORT**

- Your school must provide support for students who are victim to an offence AND students who have engaged in an offence. This is an essential part of your duty of care requirements.
- This support should include the development of a Student Support Plan in consultation with wellbeing professionals outlining support strategies.
- Strategies may include the development of a safety plan, direct support and referral to wellbeing professionals.
- Do not assume that someone else is doing it. Stay in communication with the person to whom you reported.

***A poster outlining the Four Critical Actions can be found in each staffroom area.***

***As a school staff member, you must keep clear and comprehensive notes relating to incidents, disclosures and allegations of child abuse. Use the School's Incident Report Form.***

## **REPORTING**

### **In summary:**

- Report a Disclosure of abuse to the Head of School, Head of Wellbeing or a Child Safety Champion.
- Contact the School Psychologist by telephone (not email) for secondary consult, if required.
- Follow the reporting process in the Four Critical Actions, calling Victoria Police, DHHS or SOCIT (for sexual matters).
- Complete a report form on Crest connect, ensuring you tag the correct people, and only those people.
- Send an email to the following staff: The Principal, The Head of Schools, The School Psychologist, and the relevant Head of School and Year Level Co-ordinator.
- A Checklist has been provided ***Mandatory Reporting Checklist*** (Appendix 4) which summarises this process and demonstrates the wording to be used in the email. It is essential for audit reasons that you use the correct subject heading, and notify the correct people, and only those people.

Note, the Four Critical Actions outline the bodies to whom a report is to be made which may include the Department of Health and Human Services, Child Protection (DHHS); Victoria Police; the Sexual offences and child abuse investigation team of Victoria Police (SOCIT); and, in the case where a reasonable belief is formed that a Crest member (employee, contractor or volunteer) has been involved in child abuse, the Commission for Children and Young People (CCYP).

In the case where a reasonable belief is formed that a Crest member (employee, contractor or volunteer) has been involved in child abuse, in addition to following the Four Critical Actions, the College shall conduct its own internal investigation to determine whether, *'on the balance of probabilities'* the Event as alleged occurred or not. The investigation process will be conducted with fairness, integrity and, free from bias and conflict of interest and may inform additional actions taken to comply with the College's duties and obligations under the relevant laws.

## **Standard 6: Strategies to identify and reduce or remove risks of child abuse**

The College is committed to a robust risk management system for identifying, assessing, and eliminating risks of Child abuse. This includes, but is not limited to:

- Increasing the education and capability of all staff in identifying and responding to issues of Child Safety.
- Increased education of all children to understand, identify and respond to risks or instances of Child Abuse.
- Provision of a strategic governance system around the Child Safety Service provision, including:
  - Streamlined internal reporting through to the Head of School, Head of Wellbeing or nominated Child Safety Champion.
  - Updated hard copy and electronic reporting, ensuring consistency and confidentiality

- of reporting; appropriate filing and data storage; and that the correct notifications occur including the Executive Principal in every instance.
- Supporting the development of such capability and response with specialist expertise by allied health staff.
  - The Board will review the Child Safety Policy and Procedures annually and make recommendations for ways to improve Crest wide child safe practices. In addition, the sub-committee will:
    - Receive regular training in relation to Child Safety;
    - Make a record of identified risks of Child Abuse in a risk register
    - Specify actions to eliminate or reduce the risks (i.e. risk controls) and monitors their success in doing so.
  - Child safety is a regular standing agenda item at College Board, Leaders', and all sectional Staff Meetings
  - Child Wellbeing is discussed at the school level through regular Wellbeing Case Management meetings, which include all Child Safety Champions

See ***Crest Risk Management Procedures***

### **Standard 7: Strategies to promote the participation and empowerment of children.**

Organisations where children and young adults feel free to question and speak up are the most child-safe organisations of all. Through Crest Education's policies, as well as the behaviour of its leaders and staff, children should be encouraged to come forward with questions or concerns about adult behaviour as well as inappropriate behaviour of their peers.

A key factor in empowering children is to provide sensitive education on appropriate adult behaviour and how to spot and respond to the signs of inappropriate conduct. Whilst adults within our organisation must be alert to the warning signs of grooming and child sexual abuse, providing children in the care of our organisation with appropriate education about their bodies and personal boundaries will further strengthen our organisation's child protection strategy.

#### **To implement this standard, Crest will ensure:**

- All children will be taught about the legislative framework ensuring their protection, including the Child Safe Standards, the definitions of abuse and sexual assault, and the limits to their confidentiality.
- Education will include but will not be limited to: Safe body awareness/ body safety; appropriate terminology for body parts; privacy; cyber safety; the potential negative consequences of secret-keeping; identification of safe adults; and the potential consequences of disclosing. An appropriately qualified individual (such as a child psychologist, nurse, or child counsellor with training expertise) provide this type of education. All children will be taught the process to follow if they wish to make a disclosure within the College and fully supported in making disclosures by competent, trained professional staff, such as a Child Safe Officer or School Psychologist.
- Crest Education will implement a range of strategies to empower ALL children, recognising and accommodating for equity and diverse needs, to understand their rights, identify and feel safe and supported to disclose abuse.

- The Child Safe standards and reporting requirements mean that no staff member can promise to keep information confidential.

## Resources and References

- Victorian Government, Education & Reform Act 2006, Gazette No. S2, January 2016, *Child Safe Standards – Managing the Risk of Child Abuse in Schools*, Ministerial Order No. 870. <https://www.vrqa.vic.gov.au/childsafe/pages/documents/Min%20Order%20870%20Child%20Safe%20Standards.pdf>
- Victorian Registration and Qualification Authority (2016) *Information Sheet. CHILD SAFETY STANDARD 1: Strategies to embed an organisational culture of child safety.* [https://www.education.vic.gov.au/Documents/about/programs/health/protect/ChildSafeStandard1\\_FactSheet\\_StrategiesChildSafety.pdf](https://www.education.vic.gov.au/Documents/about/programs/health/protect/ChildSafeStandard1_FactSheet_StrategiesChildSafety.pdf)
- Commission for Children and Young People (2018) *A Guide For Creating A Child Safe Organisation*, Version 4.0. <https://ccyp.vic.gov.au/assets/resources/CSSGuideFinalV4-Web-New.pdf>
- A step-by-step guide to making a report to Child Protection or Child FIRST: <https://www.education.vic.gov.au/Documents/childhood/parents/health/mandreportsep10.pdf>
- Protecting the safety and wellbeing of children and young people: <https://www.education.vic.gov.au/school/principals/spag/safety/Documents/protectiofchildren.PDF>
- Protecting Children - Mandatory Reporting and Other Obligations – e-learning module <http://www.elearn.com.au/det/protectingchildren/external/>

# Appendix 1 – FOUR CRITICAL ACTIONS FOR REPORTING CHILD ABUSE

## FOUR CRITICAL ACTIONS FOR SCHOOLS

### Responding to Incidents, Disclosures and Suspicions of Child Abuse

**YOU MUST TAKE ACTION** As a school staff member, you play a **critical role** in protecting children in your care.

- You **must** act, by following the Four Critical Actions, as soon as you witness an incident, receive a disclosure or form a reasonable belief that a child has, or is at risk of, being abused.
- You **must** act if you form a suspicion or reason to believe, even if you are unsure and have no directly observed child abuse (eg. the victim or another person tells you about the abuse).
- It is strongly recommended that you use the **Responding to Suspected Child Abuse template** to keep a clear and comprehensive record, even if you make a decision not to report.

\*A reasonable belief is a subjective judgement. This enables authorities to investigate and take action.

## 1 RESPONDING TO AN EMERGENCY      2 REPORTING TO AUTHORITIES / REFERRING TO SERVICES      3 CONTACTING PARENTS/CARERS      4 PROVIDING ONGOING SUPPORT

If there is no use of immediate force, go to **Action 2**.

If a child is at immediate risk of harm you **must** ensure their safety by:

- separating alleged victims and others involved
- calling 000 for urgent medical and/or police assistance to respond to immediate health or safety concerns
- identifying a contact person at the school for future liaison with Police. Where necessary you may wish to contact the integrity of the police or the scene and preserve evidence.

As soon as immediate health and safety concerns are addressed you **must** report all incidents, disclosures and disclosures of child abuse as soon as possible. It is **illegal** to report criminal and sexual child abuse may amount to a criminal offence.

**Q: Where does the source of suspected abuse come from?**

**WITHIN THE SCHOOL**

**VICTORIA POLICE**  
You **must** report all instances of suspected child abuse, including a school staff member, contact, volunteer or visitor to Victoria Police.

You **must also** report internally to:

- GOVERNMENT SCHOOLS**
  - School principal and/or leadership team
  - Employee Conduct Branch
  - DET Security Services Unit.
- CATHOLIC SCHOOLS**
  - School principal and/or leadership team
  - Diocesan education office.
- INDEPENDENT SCHOOLS**
  - School principal and/or leadership team
  - Diocesan education office.

**WITHIN THE FAMILY OR COMMUNITY**

**DHHS CHILD PROTECTION**  
You **must** report to DHS Child Protection if a child is considered to be:

- In need of protection from child abuse
- at risk of being harmed or has been harmed and the harm has had or is likely to have a serious impact on the child's safety, stability or development.

**VICTORIA POLICE**  
You **must also** report all instances of suspected sexual abuse including grooming to Victoria Police.

You **must also** report internally to:

- GOVERNMENT SCHOOLS**
  - School principal and/or leadership team
  - DET Security Services Unit.
- CATHOLIC SCHOOLS**
  - School principal and/or leadership team
  - Diocesan education office.
- INDEPENDENT SCHOOLS**
  - School principal and/or leadership team

For suspected student sexual assault, please follow the **Four Critical Actions: Student Sexual Offending**.

**OTHER CONCERNS**

If you believe that a child is not subject to abuse, but you still have **significant concerns** for their wellbeing you **must** contact: His may include making a referral or seeking advice from:

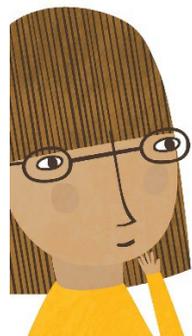
- Child FIRST (the Orange Door) for information on where the family can go to receive support
- DHS Child Protection
- Victoria Police.

Your principal **must** consult with DHHS Child Protection or Victoria Police to determine what information can be shared with parents/carers. They may advise:

- not to contact** the parent/carer (eg. if circumstances within the parents are all expected to have engaged in the abuse, or the child is a mature minor and does not wish to make parents/carer to be contacted)
- to contact** the parent/carer and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident/disclosure or as soon as possible)
- how to communicate** with a relevant service with consideration for their safety.

Your school **must** provide support for children impacted by abuse. This should include the development of a **Student Support Plan** in consultation with relevant professionals. This is an essential part of your duty of care requirements. Strategies may include: development of a safety plan, direct support and referral to well-being professionals and support.

You **must** know the **Four Critical Actions** every time you become aware of a further instance of child abuse. This includes reporting new information to authorities.



CONTACT		
<p><b>DHHS CHILD PROTECTION</b></p> <p>AREA North Division: <b>1300 664 9777</b> South Division: <b>1300 658 795</b> East Division: <b>1300 360 301</b> West Division: <b>1800 076 599</b> West Division (Metro): <b>1300 664 9777</b></p> <p><b>AFTER HOURS</b> After hours, weekends, public holidays: <b>13 1278</b></p> <p><b>CHILD FIRST</b> <a href="https://www.childfirst.vic.gov.au/">https://www.childfirst.vic.gov.au/</a> referrals and support helpline</p> <p><b>ORANGE DOOR</b> <a href="https://www.vic.gov.au/orange-door/child-abuse-reporting">https://www.vic.gov.au/orange-door/child-abuse-reporting</a></p>	<p><b>VICTORIA POLICE</b> 000 or your local police station: <b>DET SECURITY SERVICES UNIT</b> (03) 9569 6266</p> <p><b>STUDENT INCIDENT AND RECOVERY UNIT</b> (03) 9651 9622</p> <p><b>EMPLOYEE CONDUCT BRANCH</b> (03) 9637 2295</p> <p><b>DIOCESAN OFFICE</b> Melbourne: (03) 9287 0228 Hilme: (03) 5357 7155 Sydney: (03) 9622 6600 Stadium: (03) 5443 2377</p>	<p><b>INDEPENDENT SCHOOLS VICTORIA</b> (03) 9825 7200</p> <p><b>THE LOOKOUT</b> The LOOKOUT has a service directory information and evidence based guidance to help you respond to family violence: <a href="http://www.lookout.vic.gov.au/">http://www.lookout.vic.gov.au/</a></p> <p>Family violence victims/survivors can be referred to: <b>1800 Respect</b> for counselling, information and a referral service: <b>1800 737 732</b>.</p>



## Appendix 2 – FOUR CRITICAL ACTIONS FOR REPORTING STUDENT SEXUAL OFFENDING

### FOUR CRITICAL ACTIONS FOR SCHOOLS

#### Responding to Student Sexual Offending

#### YOU MUST TAKE ACTION

As a school staff member, you play a **critical role** in protecting children in your care.

- You **must act** by following the 4 critical actions as soon as you witness an incident, receive a disclosure or form a suspicion that a student is a victim of a student sexual offending and/or a student has engaged in sexual offending.
- You **must act** even if you are unsure and have not directly observed student sexual offending (e.g. if a victim, or another person tells you about the offence).
- You **must use** the *Responding to Student Sexual Offending template* to keep clear and comprehensive notes.

### PROTECT



#### 1 IMMEDIATE RESPONSE TO AN INCIDENT

If there is no risk of immediate harm go to **Action 2**.

- If a child is at immediate risk of harm you **must** ensure their safety by:
- separating alleged victims and others involved
  - administering first aid
  - calling **000 for urgent medical and/or police assistance** to respond to immediate health or safety concerns
  - identifying a contact person at the school for future liaison with Police.

Where necessary you may also need to maintain the integrity of the potential crime scene and preserve evidence.

#### 2 REPORTING TO AUTHORITIES

As soon as immediate health and safety concerns are addressed you **must** report incidents, suspicions and disclosures of student sexual offending as soon as possible:

**VICTORIA POLICE**  
All instances on **000**

**DHHS CHILD PROTECTION**  
If you believe that:

- the victim's parent/carers are unable or unwilling to protect the child
- the student who is alleged to have engaged in the student sexual offending is:
  - aged over 10 and under 15 years and may be in need of therapeutic treatment to address these behaviours
  - may be displaying physical and behavioural indicators of being the victim of child abuse<sup>1</sup>.

**INTERNALLY**  
ALSO report internally to:

- School Principal and/or leadership team** (all instances)
- Government Schools:** DET Security Services Unit
- Catholic Schools:** Diocesan education office

You must identify a contact person at the school for future liaison with Victoria Police and/or Child Protection and seek advice about contacting parents/carers (see **Action 3**).

<sup>1</sup>See the *Four Critical Steps for Schools: Responding Incidents, Disclosures and Suspicions of Child Abuse* for further guidance in these circumstances.

#### 3 CONTACTING PARENTS/CARERS

Your Principal **must** consult with **Victoria Police or DHHS Child Protection** to determine what information can be shared with parents/carers of all impacted students. They may advise:

- not to contact the parents/carers** (e.g. in circumstances where contacting the parents/carers is likely to adversely affect a **Victoria Police** investigation or where the student is a mature minor and has requested that their parent/carer not be notified)
- to contact the parents/carers** and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion).

#### 4 PROVIDING ONGOING SUPPORT

Your school **must** provide support for students who are victims to a student sexual offence AND students who have engaged in a sexual offence. This is an essential part of your duty of care requirements. This support should include the development of a **Student Support Plan** in consultation with wellbeing professionals, outlining support strategies. Strategies may include the development of a safety plan, direct support and referral to wellbeing professionals.



CONTACT		
<b>DHHS CHILD PROTECTION AREA</b> North Division <b>1300 664 977</b> South Division <b>1300 665 795</b> East Division <b>1300 360 391</b> West Division (Rural) <b>1800 075 599</b> West Division (Metro) <b>1300 664 977</b> <b>AFTER HOURS</b> After hours, weekends, public holidays <b>13 12 76</b>	<b>CHILD FIRST</b> www.dhavic.gov.au <b>VICTORIA POLICE</b> 000 or contact your local police station <b>DET SECURITY SERVICES UNIT</b> (03) 9589 6266 <b>STUDENT INCIDENT AND RECOVERY UNIT</b> (03) 9651 3622	<b>EMPLOYEE CONDUCT BRANCH</b> (03) 9637 2595 <b>DIOCESAN OFFICE</b> Melbourne (03) 9267 0228 Ballarat (03) 5337 7195 Sale (03) 5622 6600 Sandhurst (03) 5443 2377 <b>INDEPENDENT SCHOOLS VICTORIA</b> (03) 9826 7200

### Appendix 3 - CHILD SAFETY REPORTING PROCESS

This procedure should be read in conjunction with the *Crest Education Child Safety Policy* and the *Four Critical Actions*.

The steps in this procedure are to be taken after a person has become aware of a reportable allegation.

Step	Internal procedure	External procedure
<b>Receiving information or forming a reasonable belief concerning child safety</b>		
<b>1</b>	A person receives information or forms a Reasonable belief which causes the person to feel concern for the safety and/or health and wellbeing of a child ( <b>person</b> ).	Reporting obligation is triggered at this point, in line with the <i>Four Critical Actions</i> (Appendix 2 & 3)
<b>2</b>	Person with reasonable belief communicates their concern to the Child Safety Champion or proceeds to step 4 (failing contact with persons above), as soon as reasonably practicable.	
<b>3</b>	<p>The Child Safety Champion:</p> <ul style="list-style-type: none"> <li>• Discusses and clarifies any issues with the person in a confidential manner;</li> <li>• Liaises with the School Psychologist for secondary consult</li> <li>• Provides immediate support to the student and person concerned; and</li> <li>• Contacts the Child's parent(s) as appropriate.</li> </ul> <p><b>Note:</b> The Child's parent(s) should not be contacted until it has been determined by the Head of College and/or the Executive Principal or the College Child Safety Champion that the information received has basis for the person to be concerned or formed a Reasonable belief that the student is at risk.</p> <p>In ensuring immediate safety of the Child, the Head of College and/or the Executive Principal, in consultation with the Child Safety Champion, will take steps to remove or reduce that risk and protect any child connected to the alleged Child abuse until the allegation is resolved.</p>	See <i>Four Critical Actions</i> (Appendix 2 & 3)
<b>4</b>	<p><b>Mandatory Reporting</b></p> <p>The person who made the report completes the <i>Mandatory Reporting Checklist (Appendix 4)</i> and makes a report under the applicable legislation.</p> <p>The Child Safety Champion assists the staff member in making a record on the database and notifying the Head of Section, Executive Principal and Psychologist</p>	<p>Complete the Mandatory Reporting Checklist and use the information as the basis for the report.</p> <p>Make a report by phone to appropriate external body following the Four Critical Actions (e.g., Police/CCYP or DHS).</p>
	<p><b>Suspected Reportable Conduct by Crest Staff Member</b></p> <p>A person who forms a reasonable belief that a staff member has participated in reportable conduct must follow <i>the Four Critical Actions</i></p>	Under the reportable allegation scheme, the person must report the conduct to the Commission for Children and Young People ( <b>CCYP</b> ) by contacting CCYP on 1300 78 29 78.

	<p>and disclose a reportable allegation to the Commission.</p> <p>The Executive Principal, after becoming aware of a reportable allegation, must notify the Commission in writing within <b>3 business days</b> and conduct an investigation as soon as practicable. (See Appendix 5 <b>Crest Child Safety Investigation Process</b>)</p> <p>The Executive Principal must notify the Commission within <b>30 days</b> as to whether they propose to take disciplinary action or other action in relation to the Employee, Staff or Associates.</p> <p><b>Notifying parents of a Child</b></p> <p>The Head of College and/or the Executive Principal must notify the parent(s) of a Child or Children affected by or exposed to the allegation of Child abuse as appropriate</p>	<p>Complete the notification form available in the CCYP website on <a href="http://ccyp.vic.gov.au">ccyp.vic.gov.au</a></p> <p>Request that if an interview is to take place at the College, the visiting police officer is in plain clothes at the time of the interview and that appropriate arrangements are made for a private meeting room.</p> <p>Advise the CCYP as soon as practicable of investigator details. Provide a copy of findings and reasons for the findings, and any disciplinary action taken to the CCYP as soon as practicable</p>
5	<p>If the student is agreeable to being interviewed by DHHS or the Commission, the Child Safety Champion should offer to be present at the interview to support the student.</p> <p>The College will take into account the diversity of all Children, including (but are not limited to) the needs of Aboriginal and Torres Strait Islander Children, Children from culturally and linguistically diverse backgrounds, Children with disabilities, and Children who are vulnerable, and make reasonable efforts to accommodate these matters.</p>	<p>If the student is agreeable to being interviewed by DHS or the Commission, the Child Safety Champion should offer to be present at the interview to support the student.</p>
6	<p>The Executive Principal or their delegate liaises with external body and communicates with internal personnel regarding next steps / risk minimisation strategy.</p> <p>Under the reportable conduct guidelines, the College must, as soon as becoming aware of a reportable allegation, conduct an investigation and give the Commission the findings of the investigation.</p>	<p>Find out from the external body whether it will conduct an external investigation and whether the organisation is able to / should carry out its own internal investigation at the same time. Ask that the College be informed of each step of the procedure.</p> <p>Provide to the Commission as soon as practicable a copy of the findings of the investigation:</p> <ul style="list-style-type: none"> <li>• with reasons for the findings;</li> <li>• details of the disciplinary action or other action (as appropriate) the College is proposing to take; and</li> <li>• if no disciplinary action or other action is going to be taken, the reasons why no action is to be taken.</li> </ul>
7	<p>If the person forms a reasonable belief that a crime has been committed by:</p> <ul style="list-style-type: none"> <li>• a College staff member, that person is suspended on full pay pending the outcome of the investigation;</li> <li>• a contractor of the College, the contractor</li> </ul>	<p>The College to report the matter to Victoria Police or the Commission.</p> <p>If the matter is referred to Victoria Police – their investigation takes priority and any internal investigation carried out by the College or regulatory body is to be</p>

	<p>will be suspended from undertaking any works pending the outcome of the investigation;</p> <ul style="list-style-type: none"> <li>a volunteer of the College, the volunteer will be suspended from undertaking any volunteering work pending the outcome of the investigation.</li> </ul> <p>The Executive Principal or approved delegate will conduct its investigation or engage a suitably independent and qualified person to conduct the investigation and will put necessary steps as part of risk minimisation and employment relations strategies (e.g. advise P&amp;C, inform relevant parties including parent(s) during and throughout the investigation process.</p>	discontinued until further advised.
8	The College will keep the parties updated as far as practicable and appropriate to ensure all parties understand the steps being taken to ensure fair and due process.	
<b>If internal and external investigation conducted at the same time</b>		
9	Provide the external body with regular updates about the investigation being carried out by the College.	<p>The College will notify and provide the external body (Commission):</p> <ul style="list-style-type: none"> <li>that an investigation is being carried out and the identity of the person conducting the investigation;</li> <li>regular updates as appropriate regarding the investigation being carried out by the College;</li> <li>within <b>30 days</b> whether the College will take any disciplinary or other action in relation to the person who is alleged to have committed a Reportable conduct.</li> </ul> <p>If an external body decides to conduct its own investigation, the College will liaise with and request regular updates from the external body regarding progress of its investigation.</p>
10	Provide the external body with the findings of the internal investigation and associated outcomes as soon as practicable after the investigation has concluded, except where the investigation is subject to Client Legal Privilege (CLP).	Obtain the findings of the investigation conducted by the external body and associated outcomes as required and appropriate.
<b>If an investigation is conducted by the College</b>		
11	Provide the external body with regular updates about the internal investigation.	See process under item 9.
12	Provide the external body with the findings of the internal investigation and associated outcomes as required and appropriate.	See process under item 9.
<b>Post review / investigation of concern raised</b>		
13	Executive Principal or approved delegate advises the person that raised the concern and any other relevant parties (such as a parent, teacher, the person alleged to have committed	

	<p>the conduct, etc) as to the outcome of the review / investigation, subject to the comments about confidentiality below.</p> <p>This will be done both verbally and in writing where possible.</p>	
<b>14</b>	<p>Continue to risk manage and monitor the implemented controls as required in consultation with the relevant teams, such as the school Wellbeing team, HR and members of the Risk Compliance Sub-committee.</p> <p><b>Note:</b> The College, as part of its risk management process and continual improvement, will undertake a review of the relevant <b>Child Safety Policies and Procedures</b> as part of this process to determine the effectiveness of the Child Safety Policy and this Procedure and action any gaps identified.</p>	

#### Special comments

- Fulfilling the roles and responsibilities contained in this Procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.
- Following a report, it is important to protect confidentiality and the interests of the child and family at all times except where the relevant laws require disclosure of information or for the protection of public interest.
- DHHS or the Commission will only interview the student if he/she is agreeable and, if it is considered and after taking all reasonably practicable steps to mitigate any negative effect that the interview may have on the child.
- The family will not be contacted until it is believed that the student is at risk.
- The identity of the person making a notification will be kept confidential (except when that information is required to be disclosed in good faith under the relevant laws and jurisdictions) unless that person gives written permission for the information to be disclosed.
- Throughout the entire process of observation, discussion and reporting, the interests of the child and child's family should be protected from unnecessary disclosure of information concerning abuse.
- Following the making of a report to the DHHS or the Commission or Victoria Police, any investigation that takes place is the responsibility these authorities.
- The College will secure and retain records of the allegation of Child abuse and its responses to it (i.e. maintain written records about the disclosure, the internal consultation process and the report).

## MANDATORY REPORTING CHECKLIST

### Report the disclosure to a Child Safety Champion:

- Name of staff member/s you reported to: \_\_\_\_\_
- You can call the Crest Psychologist, Nicola Farrell for secondary consult regarding whether a report is necessary or the reporting pathway

### Report to the appropriate agency/ agencies according to the Four Critical Actions

- Please be aware that there can be long wait times when phoning Child Protection and Emergency Management. Both services offer a call back service where they will retain your position in the queue and phone you back.
- DO NOT provide your mobile number.

### Report on Crest Connect

- Ensure the following people are tagged: The Executive Principal, Brendan Kelly; the Head of Colleges, Christine Lucas; the Crest Psychologist, Nicola Farrell and the relevant Head of School, Year Level Co-ordinator and Wellbeing Co-ordinator.

### Send an Email Notification

- Send an Email to the following people according to the template below:

To: The Executive Principal, Brendan Kelly; the Head of Colleges, Christine Lucas; the Crest Psychologist, Nicola Farrell and the relevant Head of School, Year Level Coordinator and Wellbeing Coordinator.

**Subject: MANDATORY REPORT** – Student name

Hi All,

Just letting you know that I have contacted X (authority/ies: DHHS, Narre Warren Police, SOCIT etc) related to XX (family violence/ suspected child abuse/student sexual offending/concerns about inability to care for a child, etc.,).

Full notes are on Crest Connect.

Kind Regards,

### Confirm that all steps of checklist are complete & submit

**Appendix 5**

**Crest Child Safety Investigation Process**

A person who forms a reasonable belief that a staff member has participated in reportable conduct must follow *the Four Critical Actions* and disclose a reportable allegation to the Commission.

The Executive Principal, after becoming aware of a reportable allegation in relation to a Crest staff member, must notify the Commission in writing within 3 business days and conduct an investigation as soon as practicable.

The Executive Principal must notify the Commission within 30 days as to whether they propose to take disciplinary action or other action in relation to the Employee, Staff or Associates.

Step	Investigation procedure	Further steps
<b>Step 1: Receiving a report associated with an Event</b>		
1A	A person receives information; or has witnessed; or has been informed of an Event.	
1B	A person (if staff, contractors or volunteers) who received information, witnessed or has been informed of an Event must immediately notify the Head of College; or the Executive Principal	
1C	If the Event was reported to the Head of College, the Executive Principal must be immediately informed and briefed of the Event.	
<b>Step 2: Assess the information received from the Reporter</b>		
2A	After being informed of a reported Event, the Executive Principal reviews the information, and:	
	a. considers whether the reported Event has merits, that is, the Mandatory Reporter has satisfied the requirement for reporting an Event by, having formed a Reasonable belief as opposed to the belief being based on mere suspicion, speculation or conjecture;	
	b. may request to formally meet with the Mandatory Reporter in order to clarify or confirm matters which are the subject of the alleged Event;	<ul style="list-style-type: none"> <li>▪ To inform the Reporter that he/she may bring a support person.</li> <li>▪ To ensure conversations are recorded accurately.</li> <li>▪ A witnessed to be present on behalf of the College during this meeting.</li> </ul>
	c. may request further information from the Mandatory Reporter (if required) such as, any documentation to support the alleged Event, name of potential witnesses or other relevant information in support of the allegation;	
	d. to consider further information or documents provided by the Mandatory Reporter; and	

	e. if witnesses are identified, to request the Mandatory Reporter for their names and contact details.	
<b>Note:</b> The matters contained in <b>item 2A (b) to (e)</b> form part of the ‘informal’ gathering of evidence which is part of Step 5 and will be used in this process.		
<b>2B</b>	After considering the matters contained in <b>item 2A (a to e)</b> , the Executive Principal:	
	a. forms a Reasonable belief; <b>OR</b>	<ul style="list-style-type: none"> <li>▪ In line with the Child Policy Procedure, the Executive Principal to report the Event to the relevant statutory body.</li> <li>▪ Process for incident investigation is triggered.</li> </ul>
	b. not formed a Reasonable belief after considering relevant information or documents in line with <b>item 2A (a to e)</b> .	<ul style="list-style-type: none"> <li>▪ No further action required (ie reporting obligation not triggered).</li> <li>▪ Incident investigation not required.</li> <li>▪ Executive Principal to communicate to the Reporter as to the outcome of the initial process (<b>Steps 4 to 11</b>).</li> </ul>
<b>Step 3: Determine the Event</b>		
<b>3A</b>	After information and documents have been gathered and, Reasonable belief is formed, the Executive Principal is to determine whether the Event falls under:	
	a. Mandatory Reporting	The Event is to be reported to the Secretary of Department of Human Services in accordance with the <i>Child Safety Procedure</i> .
	b. Reportable Conduct	<p>The Event is to be reported to the Commissioner for Children and Young People.</p> <p>Advise the Commissioner that an investigation will be carried out and to provide information to the Commissioner within 3 business days in accordance with the <i>Child Safety Procedure</i>.</p>
<b>Step 4: Develop the investigation framework</b>		
<b>4A</b>	Establish an investigation Terms of Reference, including (but are not limited to) the following:	The steps identified in <b>item 4A</b> must be approved by the Executive Principal.
	a. how the investigation will be conducted;	

<p>b. planning the course of the investigation and use of resources;</p>	<p>The investigation plan should outline any supports required to ensure full participation by all stakeholders, including communication supports, how they will be sourced and what assistance is required to use them.</p>
<p>c. identifying persons to be involved in the incident.</p> <p>This should be limited to those who need to be involved, in order to maintain confidentiality and procedural fairness.</p> <p>The investigation plan (<b>item 4A(b)</b>) should outline any identified and potential witnesses.</p>	<p>This should also include identification of who will be the main point of contact during and throughout the course of the investigation.</p>
<p>d. identifying who will conduct the investigation including, whether an external investigator should be appointed;</p>	<p>The decision to appoint an external investigation is to ensure the investigation and material gathered throughout the course of the investigation including, the investigation report are covered under Client Legal Privilege (<b>CLP</b>) <b>OR</b> there is no internal person able to be appointed.</p>
<p>e. timing of the investigation including, when to be commenced, concluded, the timing for the provision of draft report and final report;</p>	<p>The investigation should be completed as swiftly as possible, subject to the complexity of the Event and requirements of police and relevant external bodies. Any changes to approach or timeframes should be clearly communicated.</p>
<p>f. collection of evidence such as interviewing witnesses, identification, collection and inspection of relevant documents or information;</p>	
<p>g. analysis of evidence such as, identifying possible root causes; and</p>	
<p>h. provision of the investigation report, such as:</p> <ul style="list-style-type: none"> <li>i. preliminary draft report;</li> <li>ii. review draft report; and</li> <li>iii. final report.</li> </ul>	<p>It is important that prior to a draft report being prepared that a meeting be held between the investigator and relevant College personnel</p>

**Step 5: Identifying and appointing an investigator**

<p><b>5A</b></p>	<p>When identifying an investigator regard must be had to the relevant experience, skills and knowledge of the investigator, proportionate to the seriousness of the Event being investigated.</p> <p>The investigator must have the capacity to maintain independence from the Event and any potential consequences, has demonstrated communication skills and a range of interview techniques.</p>	<p>The College to determine whether an external investigator is more appropriate if, in appointing an internal investigator there is a potential for perceived biased which may affect the overall veracity and reliability of the investigation process and findings.</p>
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5B	Ensure the independence of the investigator. The College will need to ask the investigator prior to appointment to declare any conflict of interest.	When choosing an investigator consider any actual or potential conflict of interest that may be held by the investigator.
5C	If the College decides to appoint an internal person to conduct the investigation, the College must have regard to the matters set out in <b>items 5A and 5B</b> .	
<b>Step 6: Collecting, gathering and analysis of evidence</b>		
<b>Collecting, Gathering and Analysis of evidence</b>		
6A	Once an investigator has been appointed, the investigator will gather and collect relevant evidence relating to or might be relevant to the Event, such as policies, procedures, systems of work, contracts, records of training, induction, information gathered, etc.	
6B	When gathering and collating evidence, the investigator must have regard to the different types of evidence, such as hearsay evidence, direct evidence or circumstantial evidence.	
<p><b>Note:</b> Evidence may comprise of the following:</p> <ul style="list-style-type: none"> <li>a. <b>Hearsay evidence:</b> what the person heard, saw or otherwise perceived</li> <li>b. <b>Direct evidence:</b> is based on a witness's personal knowledge or observation of a fact, which is in issue.</li> <li>c. <b>Circumstantial or indirect evidence:</b> a fact, which reasonably infers the existence or nonexistence of another fact.</li> </ul>		
6C	After gathering and collating the evidence, the investigator is to evaluate whether the evidence is relevant or not.	
6D	Based on the evidence gathered and collated, the investigator is to determine whether the witnesses 'initially' identified are required to be interviewed.	<p>Investigator to draft sets of questionnaire relevant for each witness. Refer to <b>Annexure B</b></p> <p>The questions must be relevant to the allegations raised by the Mandatory Report.</p>
<b>Step 7: Interviewing of Witnesses and the person alleged to have committed the Event</b>		
7A	<p>Investigator to interview relevant witnesses in line with <b>item 6D</b>.</p> <p>Investigator to offer the relevant witnesses a support person to be present during the interview and ask the witness if he/she does not mind for the interview to be recorded (if applicable).</p>	<p>The investigator is to accurately document the accounts of the witness (called Proof of Evidence) which; will be later converted into a Witness Statement.</p> <p>Refer to <b>Annexure B</b> for tips when interviewing witnesses</p>
7B	<p>The investigator to interview the person alleged to have committed the Event.</p> <p>If the alleged person has agreed to participate in the investigation, the investigator is to inform and offer the alleged person to have a support person to be present during the interview and; ask if he/she does not mind for the interview to be recorded (if applicable).</p>	<p>In most circumstances, a person who has been alleged to have committed an Event is likely not to partake in any form of investigation carried out by the College or by an external agency or statutory bodies.</p>

		In the event that the alleged person has declined to participate in the investigation process, the investigator is to <b>continue</b> with the investigation and must make a finding based on the totality of the evidence available to the investigator.
7C	If during the course of interviewing witnesses, inconsistencies as to the account have been identified, the investigator should recall the witness to clarify previously inconsistent statement.	Investigator to note and comment in the investigation report any inconsistent statements given by a witness.
<p><b>Note:</b> There is no correct order to interview witnesses, as there may be various factors that may impact this, such as, availabilities of witnesses.</p>		
<p><b>Step 8: Applying the standard of proof</b></p>		
8A	During the course of the investigation, the investigator <b>must</b> , when determining whether each allegation is proven or not – the investigator must have regard to the standard of proof of “ <i>on the balance of probabilities</i> ”.	The investigator must coherently and objectively analyse and weigh the evidence to support any conclusions. The investigator should then identify the finding/s best supported by the available evidence (or propose any recommendations arising from the investigation – if instructed to do so).
<p><b>Note:</b> The standard of “on the balance of probabilities” means that having regard to the totality of the available evidence that, it is more probable than not that the conduct as alleged occurred.</p>		
<p><b>Step 9: Prepare an investigation report</b></p>		
9A	<p>The investigator should provide a detailed report, which allows the College to make decisions about required outcomes. The report should include:</p> <ul style="list-style-type: none"> <li>▪ the issue being investigated in full (including the allegation);</li> <li>▪ the scope of the investigation;</li> <li>▪ investigation methodology including process, all inquiries made, who was interviewed and what other evidence has been taken into account;</li> <li>▪ all identified and confirmed facts about events;</li> <li>▪ analysis of the evidence in support of each separate allegation and particular;</li> <li>▪ recorded statements quoted as close to verbatim as possible to avoid misrepresentation;</li> <li>▪ conflicting, contradictory or exculpatory evidence (evidence which exonerates the person (ie the person alleged to have committed the Event));</li> <li>▪ analysis of the material;</li> </ul>	<p><b>Substantiated:</b> where there is sufficient evidence the Event took place.</p> <p><b>Not substantiated:</b> insufficient evidence: where there is evidence that the Event took place but not enough evidence to make a conclusive finding.</p> <p><b>Disproven:</b> the evidence shows the Event did not occur as alleged.</p>

	<ul style="list-style-type: none"> <li>▪ if there is limited supporting evidence and/or there is a question of conflicting statements and the investigator relies on one in preference of another, there must be a reason provided;</li> <li>▪ a statement that allegations have been substantiated or not substantiated (based on available evidence).</li> </ul>	
<b>9B</b>	The investigator must at first instance advise the College of its initial finding before writing its draft report.	The investigator to meet with the College representative if matters are required to be clarified.
<b>9C</b>	Once the College has considered the draft investigation report, a final report may be issued.	
<b>Step 10: Close the investigation report</b>		
<b>10A</b>	After <b>items 3 to 9</b> have been completed, this concludes the investigation.	<p>The College to notify relevant statutory bodies in line with the <i>Child Safety Procedure</i></p> <p>Communicate the outcome to the Mandatory Report</p>
<b>Step 11: Responding to allegations</b>		
<b>11A</b>	<p>The College will take necessary steps to address the findings of the investigation depending on whether the allegation(s) is:</p> <ul style="list-style-type: none"> <li>▪ substantiated; or</li> <li>▪ not substantiate; or</li> <li>▪ disproven.</li> </ul>	

### Tips for Investigators when preparing for interview questions

Investigators should carefully plan each interview they undertake and being clear about the:

- a. purpose for each interview;
- b. potential challenges in conducting the interview;
- c. preferred interviewee communication style and any relevant communication supports;
- d. additional support requirements (e.g. support person who is not involved in the investigation);
- e. type of information you expect including lawful defences the interviewee may raise;
- f. method of recording interview;
- g. support needs of any persons being interviewed however, ensure any support person is not a potential witness. In the case of union representatives, it may be wise to have one individual representative for each staff member

General tips for successful interviews:

- a. a relaxed environment and approach will suit most situations;
- b. start with a presumption of innocence;
- c. provide the person with a clear explanation of the allegations against them;
- d. investigator should not be confrontational or takes (or appears to take) sides;
- e. there may be occasions – such as where a person appears wilfully obstructive or inconsistent - which require more formal approaches;
- f. listen carefully and be flexible: be prepared to hear and follow up on information that you were not anticipating;
- g. ensure that all evidence has been gathered;
- h. question inconsistencies (if accounts of the same Events differ between witnesses)
- i. avoid 'leading' questions which might influence responses;
- j. consider making recordings where possible, as they are the most accurate record of the interview. You may supply a copy of the interview to interviewees after the interview or within reasonable time frame;
- k. give people the opportunity to hear back their statements to confirm / make changes;
- l. privacy and confidentiality are critical. There should be no discussion of interviews with colleagues or others to reduce the potential for influence or distortion of facts.

## Appendix 6

### Glossary of Terms

#### Aboriginal

The term 'Aboriginal' in this guide is inclusive of Aboriginal and Torres Strait Islander peoples.

#### Child

The words 'child' and 'children' in this guide refers to children and young people up to the age of 18 years, unless, under the law applicable to the child, majority is attained earlier.

#### Child abuse

For the purposes of this document, abuse constitutes any act committed against a child involving:

- physical violence
- sexual offences
- serious emotional or psychological abuse
- serious neglect.

It includes all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial (e.g. for financial gain) or other exploitation of a child and includes any actions that results in actual or potential harm to a child.

#### Children from culturally and / or linguistically diverse backgrounds

A child or young person who identifies as having particular cultural or linguistic affiliations 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.

**Child protection** means any responsibility, measure or activity undertaken to safeguard children from harm.

### **Child safety**

In the context of the child safe standards, child safety means measures to protect children from abuse.

### **Child safe organisation**

In the context of the child safe standards, a child safe organisation is one that meets the child safe standards by proactively taking measures to protect children from abuse.

**Child sexual assault** is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with the child.

### **Children with a disability**

A disability can be any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities. A disability can occur at any time in life. Children can be born with a disability or acquire a disability suddenly through an injury or illness. Some disabilities may be obvious while others are hidden.

### **Cultural safety for Aboriginal children**

The positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity.

### **Organisation**

The Child Safety and Wellbeing Act 2005 (the Act) will provide that the standards apply to 'applicable entities', which are defined in the Act as:

- an incorporated body or association
- an unincorporated body or association (however structured)
- an individual who carries on a business and engages contractors, employees or volunteers to assist in the business in providing services or facilities.

**Reasonable grounds for belief** is a belief based on reasonable grounds that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

A reasonable belief is formed if a reasonable person believes that:

- (a) The child is in need of protection,
- (b) The child has suffered or is likely to suffer "significant harm as a result of physical injury",
- (c) The parents are unable or unwilling to protect the child.

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. For example, a 'reasonable belief' might be formed if:

- A child states that they have been physically or sexually abused;
- A child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- Someone who knows a child states that the child has been physically or sexually abused;
- Professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; and/or

Signs of abuse lead to a belief that the child has been physically or sexually abused

For further explanation or definitions please refer to the Child Wellbeing and Safety Amendment (Child Safe Standards) Bill 2017, found at [http://www.legislation.vic.gov.au/domino/Web\\_Notes/LDMS/PubPDocs\\_Arch.nsf/5da7442d8f61e92bca256de50013d008/ca257cca00177a46ca257ee40013d5e6/\\$FILE/581078exi1.pdf](http://www.legislation.vic.gov.au/domino/Web_Notes/LDMS/PubPDocs_Arch.nsf/5da7442d8f61e92bca256de50013d008/ca257cca00177a46ca257ee40013d5e6/$FILE/581078exi1.pdf)

Appendix 7

**STAFF AND CONTRACTOR\* DECLARATION OF COMPLIANCE TO CHILD SAFE STANDARDS**

I, \_\_\_\_\_, have read and understood the Crest Child Safe Code of Conduct in relation to Crest’s commitment to providing a child safe environment for all students at all times.

I agree to completely abide by the expectations and requirements of this Code of Conduct.

Signature: \_\_\_\_\_ Date:

- FROM SEPTEMBER 1<sup>st</sup> 2016, ALL FUTURE EMPLOYMENT AND INVOLVEMENT BY STAFF, CONTRACTORS\* AND VOLUNTEERS WILL BE DEPENDENT ON THE SUBMISSION OF A SIGNED CHILD SAFE CODE OF CONDUCT.

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In addition, all Crest staff and contractors\* will be required to have read and understood the following sections of the Crest Child Safe standards:

1. Standard 2 – Child Safe Policy
2. Standard 5 – Responding to Allegations of Child Abuse
3. Standard 7 – Empowering Children

I, \_\_\_\_\_, have read and understood Standards 2, 5 and 7 of the Crest Child Safe standards.

I agree to completely abide by the expectations and requirements of these sections of the Child Safe Framework.

Signature: \_\_\_\_\_ Date:

**WHEN COMPLETED, PLEASE RETURN TO MRS JOANNE BALL, CREST HR/OHS MANAGER EITHER IN HARD COPY OR AS A SCANNED PDF DOCUMENT**

\* Those contractors whose role is to work directly or indirectly with students

**All children have a right to feel safe and to be safe.**

## **CREST VOLUNTEER DECLARATION OF COMPLIANCE TO CHILD SAFE STANDARDS**

I, \_\_\_\_\_, have read and understood the Crest Child Safe Code of Conduct in relation to Crest's commitment to providing a child safe environment for all students at all times.

I agree to completely abide by the expectations and requirements of this Code of Conduct.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

- FROM SEPTEMBER 1<sup>st</sup> 2016, ALL FUTURE EMPLOYMENT AND INVOLVEMENT BY STAFF, CONTRACTORS AND VOLUNTEERS WILL BE DEPENDENT ON THE SUBMISSION OF A SIGNED CHILD SAFE CODE OF CONDUCT.

When completed, please return to Mrs Carez Crnkovic, Executive Assistant to the Executive Principal, either:

In hard copy or as a scanned pdf document, emailed to

[carez.crnkovic@cresteducation.vic.edu.au](mailto:carez.crnkovic@cresteducation.vic.edu.au)

**All children have a right to feel safe and to be safe.**

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