

 <b>CREST EDUCATION</b>	TITLE	<b>CHILD SAFETY &amp; WELLBEING POLICY</b>		
	VERSION	7/22		
	LOCATION	STAFF		
	ISSUE DATE	JULY 2022		
	REVIEW DATE	JULY 2024		
	REVIEWED BY	EXECUTIVE PRINCIPAL	RATIFIED BY	CREST BOARD
PURPOSE:	To provide policy and procedure direction to all Staff at CREST Education to safeguard children in College environments			
BACKGROUND:	CREST Education seeks to establish and maintain high level professional standards in relation to all activities within the College Environments. 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></li> <li><i>Working with Children Act 2005</i></li> </ul> </li> <li>• <i>Ministerial Order 1359</i></li> <li>• <i>CREST Education Staff Code of Conduct</i></li> <li>• <i>CREST Volunteer and Contractor Code of Conduct</i></li> <li>• <i>CREST eSmart Policy</i></li> <li>• <i>CREST Digital Technology and Internet Acceptable Use Agreement</i></li> <li>• <i>CREST Whistleblower Policy</i></li> <li>• <i>CREST Anti-Bullying and Harassment Policy</i></li> <li>• <i>VIT Code of Conduct</i></li> </ul>			

## INTRODUCTION:

This policy provides the key elements of our approach as a Child Safe organisation. It forms the foundation of the College's procedures, practices, decision-making processes and ultimately the College's culture with respect to child safety.

This Policy outlines the key elements of our approach to implementing Ministerial Order 1359 (**MO1359**), which sets out how the Victorian Child Safe Standards apply to schools. This Policy informs the College community of everyone's obligations to act safely and appropriately towards Students and guides the policies, processes and practices for the safety and wellbeing of Students across all areas of our work.

At CREST Education, we have no tolerance for child abuse and are committed to acting in children's best interests and keeping them safe from harm. CREST Education regards its child safety responsibilities with the utmost importance and is committed to providing community members with the necessary resources to ensure compliance with all relevant child safety laws and regulations and maintain a child safe culture. Each member of the College community has a responsibility to understand the important and specific role they play individually and collectively to ensure the wellbeing and safety of all Students is at the forefront of all that they do and every decision they make.

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 Safety and Wellbeing Policy.

## PURPOSE

The purpose of this policy is to:

- facilitate the prevention of child abuse occurring within CREST Education.
- work towards an organisational culture of child safety.
- ensure 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.
- provide guidance to Staff and Volunteers as to how to respond when they suspect any abuse within or outside of the College.
- provide a clear statement to Staff and Volunteers forbidding any such abuse.
- provide assurance that suspected abuse will be reported and fully investigated.

## SCOPE

This Policy applies to all Staff and Volunteers.

Staff and Volunteers must comply with the Policy, Procedure and Child Safety Code of Conduct.

This Policy applies in all College Environments. This means it applies whether Staff or Volunteers work face-to-face, online or remotely with children.

## SUMMARY OF CHILD SAFE STANDARDS:

**Child Safe Standard 1** – Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued;

**Child Safe Standard 2** – Child safety and wellbeing is embedded in organisational leadership, governance and culture;

**Child Safe Standard 3** – Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously;

**Child Safe Standard 4** – Families and communities are informed, and involved in promoting child safety and wellbeing;

**Child Safe Standard 5** – Equity is upheld, and diverse needs respected in policy and practice;

**Child Safe Standard 6** – People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice;

**Child Safe Standard 7** – Processes for complaints and concerns are child focused;

**Child Safe Standard 8** – Staff and Volunteers are equipped with the knowledge, skills, and awareness to keep children and young people safe through ongoing education and training;

**Child Safe Standard 9** – Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed;

**Child Safe Standard 10** – Implementation of the Child Safe Standards is regularly reviewed and improved;

**Child Safe Standard 11** – Policies and procedures document how the organisation is safe for children and young people.

### 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.

### 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*  
*CREST Education*

## Child Safe Standard 1

### **Cultural safety for Aboriginal and Torres Strait Islander Students and children**

CREST Education is committed to establishing a culturally safe environment for Aboriginal children, Students, and young people in which we prioritise understanding their unique and diverse identities, honour Aboriginal culture and traditions, and do our utmost to eliminate racism and abuse through the promotion of respect and inclusion in our Colleges.

The Executive Principal and CREST Board have committed to developing a Reconciliation Action Plan to contribute to CREST Education's commitment to ongoing improvement of cultural safety for Aboriginal peoples.

Actions of CREST Education to contribute to cultural safety include:

- equipping Staff, Students, and the College communities with information about the unique experiences of Aboriginal children to help them acknowledge and appreciate Aboriginal cultures.
- adopting measures to ensure racism is identified, confronted, and not tolerated.
- addressing any instances of racism within the school environment with appropriate consequences, in accordance with the CREST Discipline Policy and CREST Anti-Bullying and Harassment Policy.
- actively supporting participation and inclusion in the school of Aboriginal children, Students, and their families.
- ensuring school policies, procedures, systems, and processes together create a culturally safe and inclusive environment and meet the needs of Aboriginal children, Students, and their families, for example, adopting a practice of Acknowledgements of Country at assemblies.
- developing and endorsing a Reconciliation Action Plan which details the strategies and actions the school will take to establish a culturally safe environment for Aboriginal peoples.

### **CREST Education's Vision for Reconciliation**

CREST Education's vision for reconciliation is to embrace and foster respect, understanding and inclusion of Aboriginal and Torres Strait Islander perspectives, histories, cultures, and stories in the learning communities at Hillcrest Christian College and Rivercrest Christian College.

As a Christian organisation founded on the Gospel of love, we seek to embody a spirit of reconciliation where we acknowledge the truth of our shared past, engage wholeheartedly in our present so that we may strive together towards a tomorrow in which inclusion, justice, equality, and peace is the lived experience for all Aboriginal and non- Aboriginal Australians.

We are committed to learning and listening, to growing our collective appreciation and understanding of Aboriginal values, practices, beliefs, and language, and deepening our embedding of culturally effective curriculum and pedagogical approaches that celebrate and honour the role of Aboriginal peoples within and beyond our community.

Our aims are to:

- Further develop and strengthen relationships with Elders of the Kulin nation as they speak into our journey towards becoming a reconciled community.
- Celebrate the cultural heritage and history of Aboriginal Australians in our College's physical environment
- Ensure our Colleges are culturally safe environments where Aboriginal Australians are treated with inclusion, dignity and respect.
- Embed Aboriginal and Torres Strait Islander perspectives, cultures, and stories in the curriculum, with particular recognition of Australia's colonial past, fostering a truthful understanding of our history and how it may impact on our community today.

Our Reconciliation Action Plan represents our commitment to Aboriginal Australians and our intent towards strengthening respectful relationships. CREST Education commits to submitting its first Reconciliation Action Plan to Reconciliation Australia (Narrangunawali) for approval in 2023.

## Child Safe Standard 2

**Child safety and wellbeing is embedded in organisational leadership, governance, and culture.**

### 2.1 Commitment to Child Safety

CREST Education has no tolerance for child abuse. Child safety is a shared responsibility at CREST Education; between all Staff, Volunteers, and members of the CREST Education Community. All Staff and Volunteers at CREST Education are responsible for the care and protection of the children within our care and reporting information about suspected child abuse. 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.

The CREST Board and Executive Leadership Teams at CREST Education are committed to:

- endorsing policies which ensure CREST Education implements practices which comply with the MO1359'.
- developing and implementing risk management strategies that focus on preventing, identifying, and mitigating risks to child safety, taking into account CREST's unique school environment
- Promoting and protecting, at all times the best interests of children, for example, with child safety being a standing agenda item at CREST Board meetings.
- Implementing programs to ensure 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.

### 2.2 Child Safety is championed at all levels of the organisation

The Board of CREST Education has ultimate responsibility for:

- the detection and prevention of child abuse.
- ensuring appropriate and effective internal control systems are in place.
- ensuring appropriate policies and procedures and a Code of Conduct are in place; and;
- ensuring Board Members receive annual training as required by MO1359.

**The Executive Principal of CREST Education is responsible for:**

- reporting, dealing with and investigating reports of child abuse;
- ensuring all Staff and Volunteers engaging to undertake child-connected work are aware of relevant laws, CREST policies and procedures related to child safety, and CREST's Child Safe Code of Conduct;
- ensuring all adults in the CREST community are aware of their obligation to report suspected sexual abuse of a child (under 16) in accordance with these policies and procedures;
- ensuring all Staff and Volunteers are aware of their obligation to observe the Code of Conduct (particularly as it relates to child safety);
- providing support for Staff and Volunteers in undertaking their child safety responsibilities;

\* Staff and Volunteers engaged to perform child-connected work are those who will perform work in the school environment while children are present or reasonably expected to be present.

**All CREST leaders and CREST Managers must:**

- Actively contribute to the College compliances with MO1359;
- Provide a safe and supportive environment for Students;
- Model professionally appropriate teacher-Student behaviours;
- Ensure all Staff and Volunteers understand their responsibilities in relation to child safety matters, including as set out in this Policy;
- Provide appropriate professional development to enable Staff to meet their child safety obligations.

Leaders and managers must 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 and Volunteers** share in the responsibility for the prevention and detection of child abuse and must act in accordance with their legal obligations.

Staff Must:

- ensure they are aware of and adhere to this Policy, 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, and taken seriously
- 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 responding to and reporting suspicions, incidents, disclosures or allegations of child abuse.

### **Child Safety Champions (CSCs)**

To ensure a coordinated and consistent response to child safety, in line with CREST's legal requirements, key wellbeing Staff members in all College environments are *Child Safety Champions* (CSCs). These include, but are not limited to:

- Head of Primary/Secondary
- Psychologist and Counsellors
- CREST Chaplains
- Deputy Head of School – Wellbeing/Wellbeing Co-ordinator
- CREST Nurses
- ELC Director

CSCs are provided particular training as to the various reporting obligations, 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 Allied Health Professional (psychologist, counsellor) 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.

Fulfilling the roles and responsibilities contained in the 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.

### **2.3 Governance arrangements facilitate implementation of the child safety policy at all levels**

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.

### **2.4 A Code of Conduct provides guidelines for Staff and Volunteers on expected behavioural standards and responsibilities.**

All Staff have a moral and legal obligation as well as a duty of care to protect children from reasonably foreseeable harm. All Staff and Volunteers:

- are responsible for the safety of all Students
- must ensure their behaviour in relation to all Students is in line with this Policy and applicable Codes of Conduct, including the CREST Child Safe Code of Conduct, and the Victorian Institute of Teaching Code of Conduct; and
- 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).

In addition, the CREST Code of Conduct outlines the expectation that all CREST employees will always display the highest standards of professional and personal conduct in serving the needs of our community members.

School Staff may be the best-placed, or the only, adult in a position to identify and respond to suspected abuse.

The definition of Child Abuse is in Appendix 1.

### **2.5 Risk management strategies focus on preventing, identifying, and mitigating risks to children and young people.**

CREST Education maintains strong risk management procedures to ensure that Student safety is maintained at all times. Occupational Health and Safety (Risk Management) meetings occur regularly, and all Staff are encouraged to raise risk concerns as part of regular agenda items for all Staff meetings across the Colleges.

The College's Operational Risk Committee has overall oversight of the Child Safety Risk Register and reports monthly to the College's Risk Management Committee.

Refer to ***CREST Child Safe Standards Risk Register***

### **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 and 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 College, Head of School, Deputy Head of School: 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 CREST Board, Executive 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.

## **2.6 Staff and Volunteers understand their obligations on information sharing and recordkeeping.**

Staff and Volunteers are made aware of their obligations to communicate information in relation to child safety matters via training and induction sessions.

CREST Education collects, uses, and discloses information about children and their families in accordance with Victorian privacy laws, and other relevant laws. For information on how our College collects, uses, and discloses information refer to the *CREST Privacy Legislation and Compliance Policy*.

We acknowledge that good records management practices are a critical element of child safety and wellbeing and manage our records in accordance with the Department of Education and Training's guidelines. Further information can be found in the CREST record keeping *guidelines and our CREST Record Keeping Policy and the CREST Privacy Policy*.

## **Child Safe Standard 3**

**Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.**

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, and the behaviour of its leaders and Staff, we encourage children 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 at CREST must be alert to the warning signs of grooming and child sexual abuse, providing children with appropriate education about their bodies and personal boundaries will further strengthen CREST's Child Safety strategy.

To implement this standard, CREST will ensure all children are taught about:

- how the law protects them from child abuse, including the Child Safe Standards, the definitions of abuse and sexual assault, and the limits to their confidentiality.
- Safe body awareness/ body safety; appropriate terminology for body parts;
- Privacy, cyber safety;
- the potential negative consequences of secret-keeping;
- identification of safe adults;

- the process to follow if they wish to make a disclosure within the College; and
- the potential consequences of disclosing.

This education is provided by an appropriately qualified individual such as a child psychologist, nurse, or child counsellor with training expertise.

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.

### ***Responding to disclosures and allegations***

All children are fully supported in making disclosures by competent, trained professional Staff, such as a CREST Child Safety Champion.

When the school is collecting information in relation to a complaint about alleged misconduct towards or abuse of a child, we will listen to the complainant's account and take them seriously, check our understanding of the complaint, support the Student, and keep them (and their parents and careers, as appropriate) informed about progress.

Respectful relationships between Students are reinforced and we encourage strong friendships and peer support in the College to ensure a sense of belonging. This occurs through Wellbeing, pastoral care, Christian Studies, and Chaplaincy Programs.

We inform Students of their rights through Student Handbooks, Student Policies and Educative Programs, both regular and occasional, and give them the skills and confidence to recognise unsafe situations with adults or other Students, and to speak up and act on concerns relating to themselves or their peers. We ensure our Students know who to talk to if they are worried or feeling unsafe, and we encourage them to share concerns with a trusted adult at any time. Students and families can also access information on how to report concerns on CREST Connect.

## **Child Safe Standard 4**

### **Families and communities are informed and involved in promoting child safety and wellbeing.**

Our families and the school community have an important role in monitoring and promoting children's safety and wellbeing and helping children to raise any concerns.

To support family engagement, at CREST we are committed to providing families and community with accessible information about our school's child safe policies and practices and involving them in our approach to child safety and wellbeing.

We will create opportunities for families to have input into the development and review of our Child Safety Policies and practices and encourage them to raise any concerns and ideas for improvement.

We do this by:

- seeking input from families and the community through CREST Connect, newsletters, Student, Staff, and parent meetings and surveys, Community Association meetings etc.
- making all Child Safety Policies and Procedures available for Students and parents at on the College websites and on CREST Connect. Child safety is also be included in Parent Induction sessions and the Volunteer Induction process
- providing all families and Staff with access to School TV, an excellent resource for supporting the mental health and wellbeing of the community
- informing families and the school community in newsletters and via parent information evenings about any significant updates to our Child Safety Policies or processes, and strategies or initiatives we are taking to ensure Student safety
- giving members of the Community Association and Year Level Representatives monthly opportunities to raise Child Safe and Wellbeing concerns as part of a regular agenda item
- communicating information about the Colleges' operations and governance regarding Child Safety via the Annual Report, the company AGM and parent information sessions as appropriate
- displaying PROTECT Child Safety posters across the College in places, where they are highly visible to Students and families.



## Child Safe Standard 5

### Equity is upheld, and diverse needs respected in policy and practice.

As a Child Safe organisation, we celebrate the rich diversity of our Students, families and community and promote respectful environments that are free from discrimination. Our focus is on wellbeing and growth for all.

We recognise every child has unique skills, strengths, and experiences to draw on. We pay particular attention to individuals and groups of children and young people in our community with additional and specific needs. This includes tailoring our child safety strategies and supports to the needs of:

- Aboriginal children and young people
- children from culturally and linguistically diverse backgrounds
- children and young people with disabilities
- children unable to live at home or impacted by family violence
- international Students
- children and young people who identify as LGBTQIA+

CREST complies with all State and Commonwealth legislation regarding diversity and anti-discrimination. Please see the *CREST Anti Bullying and Harassment Policy* for more information about the measures we have in place to support diversity and equity.

#### Responsibilities of CREST:

- CREST Education ensures Staff and Volunteers understand the diverse circumstances of Students by providing diversity training and having information available about Students on the confidential Student portal.
- CREST Education ensures we communicate with our community using clear, simple language, and age-appropriate particularly for younger Students.
- Provide information to children and Students about child safety and wellbeing, and their rights, via a range of strategies to ensure this information is accessible, easy to understand and age-appropriate

#### Responsibilities of Staff

Staff must:

- provide support and respond to the needs of vulnerable Students;
- attend training and development programs offered about diversity and equity as reasonably directed by their direct Managers;
- provide a safe and inclusive space for diverse students;
- respond to disclosures made by Students in a culturally safe manner and take into account another other diverse characteristic of those involved.

## Child Safe Standard 6

### People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

CREST Education is committed to having effective human resources practices which screen, induct, supervise, train, and appraise potential and current Staff and Volunteers to reduce the risk of child abuse.

#### Employment of New Personnel

CREST Education undertakes a comprehensive recruitment and screening process for all Staff and Volunteers, which aims to:

- Promote and protect the safety of all children under the care and supervision of CREST;
- 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.

When engaging Staff to perform child-connected work, we sight, verify, and record the person's Working with Children clearance or equivalent background check such as a Victorian teaching registration.

When engaging Staff for child-related work (i.e., direct contact with children), we collect and record:

- proof of the person's identity and any professional or other qualifications;
- the person's history of working with children;
- references that address suitability for the job and working with children;
- signed agreement to CREST Child Safe and Wellbeing Policy & Procedure and CREST Staff Code of Conduct.

CREST Education's process for ensuring Child Safe Standards is applied to the recruitment and onboarding of Staff and is outlined in the CREST Education Recruitment Process.

### **Staff Induction**

All newly appointed Staff must participate in our CREST Induction program. The program includes information on:

- their responsibilities to children and Students, including in this Policy
- information sharing, reporting and recordkeeping responsibilities
- the CREST Education Staff Code of Conduct and Child Safe Code of Conduct
- the Child Safety Responding and Reporting Obligations
- any other Child Safety and Wellbeing information CREST Education leadership considers appropriate to the nature of the role.

### **Ongoing supervision and management of Staff**

All Staff and Volunteers engaged in child-connected work are supervised appropriately to ensure their continuing suitability for child-connected work and their behaviour towards children is safe and appropriate. This is done through observations, regular performance reviews and regular child safety agenda item at leadership meetings.

Inappropriate behaviour by Staff and Volunteers towards children and young people will be managed swiftly and in accordance with CREST's Codes of Conduct and legal obligations. Child safety and wellbeing will be paramount.

### **Suitability of Volunteers**

All Volunteers must comply with the CREST Volunteer Code of Conduct Policy, which describes how we assess the suitability of prospective Volunteers, ongoing suitability of existing Volunteers, and outlines expectations in relation to child safety and wellbeing induction and training, and supervision and management. All Volunteers must attend a Volunteer Induction Briefing which outlines Child Safety, Code of Conduct, Duty of Care and Occupational Health and Safety matters.

## **Child Safe Standard 7**

### **Processes for complaints and concerns are child focused.**

This Policy, and its procedures in the Appendices, explain CREST's processes for responding to and reporting suspected child abuse. It provides guidance on what to do if:

- a child discloses an incident of abuse;
- a parent/carer raises a concern or allegation of abuse which may have taken place in a College environment;  
or
- a Staff member has reasonable grounds for forming a belief that a child is in need of child protection.

*NOTE: Fulfilling the roles and responsibilities contained in the procedures for responding to suspected child abuse does not displace or discharge any other obligations. For example, you may report to CREST, and also have obligations to report to Police.*

## Responsibilities:

All Staff and Volunteers must:

- take complaints seriously and respond promptly and thoroughly;
- Report concerns, suspicions, incidents, disclosures and allegations of child abuse according to the Four Critical Actions in Appendix 2. This includes as soon as you witness an incident, receive a disclosure or form a reasonable belief that a child has been, or is at risk of being, abused;
- act if they 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);
- keep clear and comprehensive notes, even if they do not to report externally; and
- Meet privacy obligations when responding to complaints or concerns.

The CREST Board is responsible for implementing a complaint-handling policy that is child-focused, covers all forms of abuse, is sensitive to diversity characteristics of the College community, publicly available, accessible and applies to complaints and concerns against Staff, Volunteers, contractors, service providers, visitors and other persons connected to the College environment.

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

## Child Safe Standard 8

**Staff and Volunteers are equipped with the knowledge, skills, and awareness to keep children and young people safe through ongoing education and training.**

Ongoing training and education are essential to ensure Staff understand their roles and responsibilities and develop their capacity to effectively address Child Safety and wellbeing matters.

In addition to the child safety and wellbeing induction, CREST Staff participate in a range of training and professional learning to equip them with the skills and knowledge necessary to maintain a Child Safe environment. Staff Child Safety and wellbeing training is delivered at least annually and includes guidance on:

- CREST's Child Safety and Wellbeing Policies, procedures, relevant codes, and practices
- completing the Protecting Children – Mandatory Reporting and Other Legal Obligations online module annually
- recognising indicators of child harm including harm caused by other children and Students
- responding effectively to issues of Child Safety and Wellbeing and supporting colleagues who disclose harm
- how to build culturally safe environments for children and Students
- information sharing and recordkeeping obligations
- how to identify and mitigate child safety and wellbeing risks in the College environments.

Other professional learning and training on Child Safety and Wellbeing, for example, training for our Volunteers, is tailored to specific roles and responsibilities, and any identified or emerging needs or issues.

## College Board Training and Education

To ensure the CREST Board of Directors is equipped with the knowledge required to make decisions in the best interests of Student safety and wellbeing, and to identify and mitigate Child Safety and wellbeing risks in our school environment, the CREST Board is trained annually, or as required for new members.

Training includes guidance on:

- individual and collective obligations and responsibilities for implementing the Child Safe Standards and managing the risk of child abuse;
- child safety and wellbeing risks in our school environment; and
- CREST Child Safety and Wellbeing Policies, procedures, codes, and practices.

## Child Safe Standard 9

### Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed

This Policy helps Staff and Volunteers identify and mitigate risks in the school environments. Privacy training and other elements of professional development help Staff support Students' rights to privacy, access to information, social connections and learning opportunities.

#### Maintaining Child Safety in Online Environments

CREST Education is a certified eSmart school, which proactively equips Students with the skills and attributes to safely use technology to enhance learning and be equipped as responsible digital citizens. Staff must:

- adequately supervise and support Students when using digital devices at the College
- ensure any online safety incidents involving Students in their care are appropriately handled, reported, and documented, as necessary.
- model the safe and responsible use of digital technologies.
- uphold the VIT and CREST Codes of Conduct at all times, including in their online conduct
- ensure only College e-mail addresses are given to Students within the College,
- be vigilant in making clear to Students that only College related issues, including problems with schoolwork assignments, are to be the sole purpose of online discussions via email, Microsoft Teams or Crest Connect
- investigate and deal with any concerns or incidents relating to misuse of ICT appropriately and report these to the College.

The College will:

- provide Students with learning experiences that address key understandings and skills relating to online safety, appropriate communication, cyber bullying, and digital citizenship; and
- regularly review policies and practices relating to the eSmart policy and provide opportunities for concerns to be shared and discussed in Staff, parent and eSmart committee meetings.

## Child Safe Standard 10

### Implementation of the Child Safe Standards is regularly reviewed and improved

At CREST Education, we have established processes for the review and ongoing improvement of our Child Safe Policies, procedures, and practices. The CREST Board, in conjunction with the Executive Principal, is responsible for:

- reviewing, evaluating and improving this Policy every year or after any significant child safety incident;
- analysing any complaints, concerns, and safety incidents to improve policy and practice; and
- acting with transparency and share pertinent learnings and review outcomes with school Staff and our school community.

The review will include input from Students, parents/carers, and the College community.

The Board must ensure complaints, concerns and safety incidents are analysed to identify causes and systemic failures and to inform continuous improvement and must report on the outcomes of any relevant review to the College community, families, and students.

## Child Safe Standard 11

### Policies and procedures document how CREST is safe for children and young people

The requirements of this Standard are comprehensively addressed throughout this policy; they are referenced in policies as outlined in the Appendix.

The CREST Board ensures that CREST Colleges implement this Policy by requiring reporting to the CREST Board by

the Executive Principal of Child Safety incidents.

## Resources and References

Victorian Government, Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises, Ministerial Order No. 1359.

<https://www.vrqa.vic.gov.au/Documents/MinOrder1359childsafes.pdf>

Victorian Institute of Teaching (VIT) (2021) The Victorian Teaching Profession's Codes of Conduct and Ethics

Document\_VIT\_Code\_of\_Conduct.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/ChildSafetyStandard1\\_FactSheet\\_StrategiesChildSafety.pdf](https://www.education.vic.gov.au/Documents/about/programs/health/protect/ChildSafetyStandard1_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/protectionofchildren.PDF>

Protecting Children - Mandatory Reporting and Other Obligations – e-learning module

<http://www.elearn.com.au/det/protectingchildren/external/>

## APPENDIX 1: DEFINITIONS OF CHILD 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;
  - Can be committed by any member of the community, including someone within a child's family or someone within the school setting.
  - 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 communicates, by words or conduct, through close interpersonal relationship building, or electronic communication (including social media) with a child under the age of 16 years in a predatory fashion to try to increase a child's trust, lower a child's inhibitions, or heighten their curiosity regarding sex, with intention of facilitating the child's involvement in sexual conduct either with the groomer or another adult
- 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

## Appendix 2 – Reporting Child Safety Incidents

### 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:
  1. separating alleged victims and others involved;
  2. administering first aid;
  3. calling **000** for urgent medical and/or police assistance to respond to immediate health or safety concerns; and
  4. 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, Staff must report incidents, suspicions, allegations, and disclosures of child abuse and/or Student sexual offending as soon as possible; by:

1. reporting externally as required by the types of reporting above – including mandatory reporting, failure to disclose or failure to protect. Not all external reporting obligations apply to all types of child abuse.

#### Types of reporting

##### Mandatory reporting

Staff who:

- are Mandatory Reporters (defined in the Policy) including the Executive Principal, registered teachers, registered nurses, registered psychologists, youth, social or welfare workers, registered early childhood teachers and persons in religious ministry; and
- in the course of carrying out their duties form a belief on reasonable grounds that:
  - a child is in need of protection because they have suffered or are likely to suffer from significant harm as a result of **physical injury or sexual abuse**; and
  - the child’s parents have not or are unlikely to protect the child from harm,
- must report that information to the DFFH.

Mandatory Reporters must make a report to DFFH each time they become aware of further ground for their belief a child may have suffered or is likely to suffer harm. An Incident Report should also be completed each time (Internal report).

**Physical injury** means injury which results from abuse. The injury may be intentionally inflicted or may be the inadvertent consequence of physical punishment, or the physically aggressive treatment of a child.

**Sexual abuse** includes but is not limited to sexual offences. Sexual offences are defined in this policy.

A reasonable belief is defined in the Glossary.



## Failure to Disclose

Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria have a legal duty to report information about child **sexual** abuse to police.

Any adult who forms a reasonable belief that a sexual offence has been or is likely to be committed by an adult against a child under 16 **must report** that information to police as soon as practicable. Failure to disclose the information to police is a criminal offence unless you have a “reasonable excuse”.

A **reasonable excuse** includes:

- the person fears on reasonable grounds for the safety of any person (other than the person reasonably believed to have committed, or to have been involved in, the sexual offence) were the person to disclose the information to police; and
- the person believes on reasonable grounds that the information has already been disclosed to police by another person and the first mentioned person has no further information.

A **sexual offence** includes rape, assault, sexual penetration, grooming, compelling sexual touching, threat to commit a sexual offence, facilitating a sexual offence of a child.

Information about forming a reasonable belief is in the Glossary.

## Failure to protect

All adults are responsible for protecting children from abuse and to provide a safe environment for children to develop, learn and play. It is a criminal offence for an adult who is in a position of authority (i.e., a Staff member, Volunteer or parent) who is aware of a substantial risk that a child under 16 will become the victim of a sexual offence by an adult associated with CREST Education to negligently fail to reduce or remove that risk.

There are a number of factors that may assist in determining whether a risk is a substantial risk. These include:

- the likelihood or probability that the child will become the victim of a sexual offence;
- the nature of the relationship between a child and the adult who may pose a risk to the child;
- the background of the adult who may pose a risk to the child, including any past or alleged misconduct;
- any vulnerabilities particular to a child which may increase the likelihood that they may become the victim of a sexual offence; and
- any other relevant fact which may indicate a substantial risk of a sexual offence being committed against a child.

Reasonable steps to remove or reduce that risk 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.

## Voluntary reporting

Any person can report a concern a child is at risk of significant harm due to any type of child abuse including physical injury, sexual abuse, significant emotional or psychological harm, neglect to CREST Education, DFFH, or the Police.

The definition of **child abuse** is in Appendix 1.

## Internal reporting (for the Reportable Conduct Scheme)

The College has obligations to report reportable allegations to the CCYP. So the College can meet this obligation, Staff and Volunteers must report internally via the Incident Report Form and

**Action 2** when they hold a reasonable belief that a Staff member has committed reportable conduct or has committed misconduct which may constitute reportable conduct.

**Reportable conduct** includes:

- a) **sexual offences** committed against, with or in the presence of a child;
- b) **sexual misconduct** committed against, with or in the presence of a child;
- c) **physical violence** committed against, with or in the presence of a child;
- d) any behaviour which can cause significant **emotional or psychological harm** to a child; and
- e) significant **neglect** of a child.

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 will conduct an 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.

2. speaking to the Deputy Head of School: Wellbeing, or another Child Safety Champion, if they are not available;
3. reporting internally by completing a Child Safety Incident form on CREST Connect. Staff must tag: The Executive Principal, Head of College, and the relevant Head of School, Year Level Co-ordinator (if applicable), and Wellbeing team;
4. emailing to the following Staff: The Executive Principal, Head of College, the relevant Head of School, and Year Level Co-ordinator (if applicable). 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;
5. keeping clear and comprehensive notes relating to incidents, disclosures, and allegations of child abuse by using the School's Incident Report Form.

A Checklist has been provided - **Incident 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.

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

**It is not the role of Staff to contact parents that a report has been made.**

The Head of College, Head of School, or Deputy Head of School: Wellbeing, will consult with Victoria Police or DFFH Child Protection to determine what information can be shared with parents/carers. 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).
- The Head of College, Head of School, or Deputy Head of School: Wellbeing, if appropriate, will contact the parent if it had been agreed with the authorities.

We consider privacy when deciding what information to share, but child safety is the paramount consideration.

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

- CREST supports for Students who are victim of an offence and Students who have engaged in an offence. This is an essential part of our duty of care requirements.
- This support may include the development of a Student Support Plan outlining support strategies in consultation with wellbeing professionals, the Student(s) concerned and their families
- Strategies may include the development of a safety plan, direct support and referral to wellbeing professionals
- Staff must not assume that someone else is providing ongoing support. Stay in communication with the person to whom you reported.

## Appendix 3 - CHILD SAFETY REPORTING PROCESS

Staff must read this procedure 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>		
1	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)
2	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.	
3	<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>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 CSC must not contact the child's parent(s) until the Head of College, the Executive Principal or the College Child Safety Champion have determined 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)
4	<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</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 DFFH).</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> 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 DFFH or the Commission, the Child Safety Champion must 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 DFFH or the Commission, the Child Safety Champion must 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 CREST may 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 will be suspended from undertaking any works pending the outcome of the investigation;</li> <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 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 discontinued until further advised.</p>

	<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))</p> <ul style="list-style-type: none"> <li>during and throughout the investigation process.</li> </ul>	
<b>8</b>	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>		
<b>9</b>	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 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>
<b>10</b>	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>		
<b>11</b>	Provide the external body with regular updates about the internal investigation.	See process under item 9.
<b>12</b>	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>		
<b>13</b>	<p>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 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>	

14	<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>	
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### 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 (i.e., failure to protect).
- Following a report, it is important to protect privacy, 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.
- DFFH 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 must 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).

## Appendix 4 - Incident Reporting Checklist

### Report the suspicion, incident, allegation, or disclosure to a Child Safety Champion:

- Name of Staff member/s you reported to: \_\_\_\_\_
- You can call the CREST Psychologist 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 DFFH 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, the Head of Rivercrest and Hillcrest Colleges, the CREST Psychologist 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, the Head of College, 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 member of Staff or Volunteer who forms a reasonable belief that a Staff member has participated in reportable conduct **must** follow *the Four Critical Actions* and report that concern to CREST Education Complete the Incident Reporting Checklist. Other people (such as parents) **may** concern to report to CREST Education. In the following process, this person is referred to as “**Reporter**”.

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 investigate 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>		
<b>1A</b>	A person receives information; or has witnessed; or has been informed of an Event.	
<b>1B</b>	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	
<b>1C</b>	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>		
<b>2A</b>	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 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 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 witness to be present on behalf of the College during this meeting.</li> </ul>
	c. may request further information from the 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 Reporter; and	
e. if witnesses are identified, to request the Mandatory Reporter for their names and contact details		

**Note:** The matters contained in **item 2A (b) to (e)** 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 (i.e. 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>

**Step 3: Determine the Event**

<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 (physical injury or sexual abuse)	The Event is to be reported to DFFH in accordance with the <i>Child Safety Procedure</i> .
	b. Reportable Conduct (physical abuse, sexual abuse or sexual offences, neglect, or significant emotional or psychological harm)	<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> <p><i>Refer also to conduct reporting guide for schools.</i></p>

**Step 4: Develop the investigation framework**

<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;	
	b. planning the course of the investigation and use of resources;	The investigation plan (item 4A(b)) will 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.
	c. identifying persons to be involved in the incident. Limit this to those who need to be involved, in order to maintain confidentiality and procedural fairness. Consider privacy obligations.  The investigation plan ( <b>item 4A(b)</b> ) will outline any identified and potential witnesses.	Also include identification of who will be the main point of contact during and throughout the course of the investigation.

	d. identifying who will conduct the investigation including, whether an external investigator will be appointed;	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 is covered under Client Legal Privilege ( <b>CLP</b> ) <b>OR</b> there is no internal person able to be appointed.
	e. timing of the investigation including, when to be commenced, concluded, the timing for the provision of draft report and final report;	The investigation must 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 must be clearly communicated to those affected.
	f. collection of evidence such as interviewing witnesses, identification, collection and inspection of relevant documents or information;	
	g. analysis of evidence such as, identifying possible root causes; and	
	h. provision of the investigation report, such as: <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>	It is important that prior to a draft report being prepared that a meeting be held between the investigator and relevant College personnel

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

5A	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.  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.	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.
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> .	

#### Step 6: Collecting, gathering and analysis of evidence

##### Collecting, Gathering and Analysis of evidence

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.	

**Note:** Evidence may comprise of the following:

- a. **Hearsay evidence:** what the person heard, saw or otherwise perceived
- b. **Direct evidence:** is based on a witness's personal knowledge or observation of a fact, which is in issue.
- c. **Circumstantial or indirect evidence:** a fact, which reasonably infers the existence or nonexistence of another fact.

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.	Investigator to draft sets of questionnaires relevant for each witness. Refer to <b>Annexure B</b>  The questions must be relevant to the allegations raised by the Mandatory Report.

**Step 7: Interviewing of Witnesses and the person alleged to have committed the Event**

7A	Investigator to interview relevant witnesses in line with <b>item 6D</b> .  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).	The investigator is to accurately document the accounts of the witness (called Proof of Evidence) which; will be later converted into a Witness Statement.  Refer to <b>Annexure B</b> for tips when interviewing witnesses
7B	The investigator <i>to</i> interview the person alleged to have committed the Event.  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).	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.
		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 will recall the witness to clarify previously inconsistent statement.	Investigator to note and comment in the investigation report any inconsistent statements given by a witness.

**Note:** There is no correct order to interview witnesses, as there may be various factors that may impact this, such as, availabilities of witnesses.

**Step 8: Applying the standard of proof**

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 will then identify the finding/s best supported by the available evidence (or propose any recommendations arising from the investigation – if instructed to do so).
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**Note:** 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.

**Step 9: Prepare an investigation report**

<p><b>9A</b></p>	<p>The investigator will provide a detailed report, which allows the College to make decisions about required outcomes. The report will 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 (i.e. the person alleged to have committed the Event));</li> <li>• analysis of the material; 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>	<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>
<p><b>9B</b></p>	<p>The investigator must at first instance advise the College of its initial finding before writing its draft report.</p>	<p>The investigator to meet with the College representative if matters are required to be clarified.</p>
<p><b>9C</b></p>	<p>Once the College has considered the draft investigation report, a final report may be issued.</p>	

**Step 10: Close the investigation report**

<p><b>10A</b></p>	<p>After <b>items 3 to 9</b> have been completed, this concludes the investigation.</p>	<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>
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**Step 11: Responding to allegations**

<p><b>11A</b></p>	<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>	
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## Tips for Investigators when preparing for interview questions

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

- purpose for each interview;
- potential challenges in conducting the interview;
- preferred interviewee communication style and any relevant communication supports;
- additional support requirements(e.g. support person who is not involved in the investigation);
- type of information you expect including lawful defences the interviewee may raise;
- method of recording interview;
- 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 relaxed environment and approach will suit most situations;
- start with a presumption of innocence;
- provide the person with a clear explanation of the allegations against them;
- investigator must not be confrontational or takes (or appears to take) sides;
- there may be occasions – such as where a person appears willfully obstructive or inconsistent - which require more formal approaches;
- listen carefully and be flexible: be prepared to hear and follow up on information that you were not anticipating;
- ensure that all evidence has been gathered;
- question inconsistencies (if accounts of the same Events differ between witnesses)
- avoid 'leading' questions which might influence responses; 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;
- give people the opportunity to hear back their statements to confirm / make changes;
- privacy and confidentiality are critical. There must 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 Policy is inclusive of Aboriginal and Torres Strait Islander peoples.

**CCYP, or Commission, means the Commission for Children and Young People; the organisation responsible for administering the Reportable Conduct Scheme.**

### 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 safety** includes matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse and responding to suspicions, incidents, disclosures and allegations of child 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 and manage the risk of child abuse.

**Child sexual abuse** is any act which exposes a child to, or involves a child in, sexual activity beyond their 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 grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child, or their parent or carer, to lower the child's inhibitions in preparation for sexual abuse of 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.

**College means each of the individual schools referred to in the definition of CREST Education.**

**College environment means any of the following physical, online or virtual places, used during or outside school hours:**

- a. a campus of the College, including Rivercrest, Hillcrest and Ayr Hill;
- b. online or virtual College environments made available or authorised by the CREST Board for use by a child, young person or Student (including email, social media, intranet systems, software applications, collaboration tools, and online services); and

- c. other locations provided by the school (such as the Equestrian Centre) or through a third-party provider for a child, young person, or Student to use including, but not limited to, locations used for:
- i. camps;
  - ii. approved homestay accommodation;
  - iii. delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers, or another school; or
  - iv. sporting events, excursions, competitions, or other events.

**CREST and CREST Education** means the school governing authority of Hillcrest Christian College, Rivercrest Christian College, and Ayr Hill Equestrian Centre.

**CSCs means Child Safety Champions. 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.

**DFFH means** the Department of Families, Fairness and Housing; the department to which registered teachers (and others) must make mandatory reports.

**Leaders and managers** include the Executive Principal, Heads of College, Heads of School and Managers.

**MO1359 means Ministerial Order 1359** – Implementing the Child Safe Standards in Schools.

**Organisation In the context of this Policy, organisations means** CREST, including Hillcrest, Rivercrest and the Ayr Hill Equestrian Centre.

**Policy means this** *CREST Child Safety and Wellbeing Policy & Procedure*.

**Reasonable grounds for belief** are 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 considered 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:

- The child is in need of protection,
- The child has suffered or is likely to suffer “significant harm as a result of physical injury”,
- 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 state they have been physically or sexually abused;
  - A child states 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 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.
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- **Staff** means employees (including casual employees), contractors (such as relief teachers, gardeners, sport coaches) and ministers of religions or religious leaders working in the College environment.
  - **Student** means a Student enrolled at the College.
  - **Volunteers** means people who perform work in the College environment without remuneration.

**Appendix 7**

**STAFF AND VOLUNTEER DECLARATION OF COMPLIANCE WITH CHILD SAFETY POLICY**

I, \_\_\_\_\_, have read and understood the CREST Child Safety and Wellbeing Policy and Child Safe Code of Conduct in relation to CREST's commitment to always providing a Child Safe environment for all Students.

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

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

Date:

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

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