

# STUDENT SAFETY AND STAFF WELFARE POLICIES AND PROCEDURES MANUAL FOR COMMUNITY LANGUAGE SCHOOLS

**A manual prepared by Community  
Languages Australia - July 2023**



*The Student Safety and Staff Welfare Policies and Procedures Manual for Community Languages Schools* is accessible on the Community Languages Australia website at: [www.communitylanguagesaustralia.org.au](http://www.communitylanguagesaustralia.org.au)

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## Glossary

|                                      |  |
|--------------------------------------|--|
| <b>AFESA:</b>                        | Australian Federation of Ethnic Schools Associations   |
| <b>Carer:</b>                        | Guardian or Custodian of a Child (used interchangeably with Guardian)  |
| <b>Chairperson:</b>                  | Person who Chairs the School Management Committee  |
| <b>Child:</b>                        | A Person Under 18 Years of Age in Relation to the Working with Children Check and Under 16 in Relation to the Child Safe Standards   |
| <b>CLA:</b>                          | Community Languages Australia  |
| <b>CLA Schools:</b>                  | Community Languages Schools Coordinated by CLA   |
| <b>Duty of Care:</b>                 | Staff Code of Conduct  |
| <b>Employer:</b>                     | Body or Person Responsible for the Operation and Accountability of a Community Language School   |
| <b>Employee:</b>                     | Any Person who Receives Payment at a Community Language School   |
| <b>Guardian:</b>                     | Carer or Custodian of a Child (used interchangeably with Carer)  |
| <b>Manager:</b>                      | Senior Staff Member or Member of School Leadership who supervises/is Responsible for Supporting and Performance Appraisal of Other Staff (used interchangeably with Supervisor)  |
| <b>Principal:</b>                    | For the purposes of this document, Principal will refer to any employee or volunteer whose role means they hold lead responsibility for key organisational functions including children safety, recruitment, selection, supervision, program planning, risk management and program delivery. |
| <b>School:</b>                       | Community Language School  |
| <b>Schools:</b>                      | Community Languages Schools  |
| <b>School Administration Leader:</b> | Member of the School Leadership Responsible for Managing the Operations of a Community Language School   |
| <b>School Authority:</b>             | Body or Person Responsible for the Operation and Accountability of a Community Language School   |
| <b>School Education Leader:</b>      | Member of the School Leadership Responsible for the Education Provided at a Community Language School  |
| <b>School Leader:</b>                | Education or Administration Leader at a Community Language School  |
| <b>School Leadership:</b>            | Employer and Education and Administration Leaders at a Community Language School   |
| <b>School Community:</b>             | Students, Staff and Parents of Students at a Community Language School   |
| <b>School Management Committee:</b>  | Committee Established by a Community Language School which is Generally Chaired by the Person Responsible for the Operation and Accountability of a Community Language School. It includes Staff and Volunteer representatives (can also include Parent Representatives)                     |

|                    |  |
|--------------------|--|
| <b>Staff:</b>      | All Persons Employed or Working at a Community Language School, including Office Staff, Volunteers not Conducting Classes, etc   |
| <b>Standard:</b>   | Child Safe Standard  |
| <b>Standards:</b>  | Child Safe Standards   |
| <b>Supervisor:</b> | Senior Staff Member or Member of the School Leadership who Supervises/is Responsible for Supporting and Performance Appraisal of Other Staff (used interchangeably with Manager) |
| <b>Teachers:</b>   | Paid Teachers and Instructors and Volunteers at Community Languages Schools Who Conduct Classes  |
| <b>VCAA:</b>       | Victorian Curriculum and Assessment Authority  |
| <b>VCE:</b>        | Victorian Certificate of Education   |
| <b>Volunteers:</b> | Unpaid Staff at Community Languages Schools Who Do Not Conduct Classes   |
| <b>VRQA:</b>       | Victorian Regulations and Qualifications Authority   |
| <b>WWC Check:</b>  | Working with Children Check  |

## ***Introduction***

Community Languages Australia (CLA) also known as the Australian Federation of Ethnic Schools Associations (AFESA) is an umbrella body designed to unite the community languages schools of Australia, and the state-based bodies which serve as their administrators. An essential task of CLA is to consolidate these organisations under a single organisational banner, and in the process, carry out many crucial roles in the creation, maintenance, and profile of Australia's, over 695 community languages schools. One of the major activities of CLA is the National Coordination and Quality Assurance of community languages schools.

Community languages schools play a key role in providing over 220 languages across all Australian States and Territories to an excess of 100,000 school-aged children. They offer major advantages for communities and families, who are keen to maintain the language and culture of their heritage. Mainstream schools alone cannot provide the entire range of language learners may wish to study. Providing a wide range of languages is achieved through:

- mainstream schools, distance education providers, and government schools of languages;
- in the case of Australian Indigenous Languages, schools working in partnership with Indigenous communities;
- community languages schools.

Community language schools are thus recognised as complementary providers of languages and cultural education programs in Australia.

Community languages schools are managed and supported by culturally and linguistically diverse Australian communities to promote and teach their languages. They:

- are non-profit making and open to all students, irrespective of their linguistic and cultural backgrounds;
- develop and promote the languages and cultures of Australian communities and promote cohesion within the diversity of Australia's multicultural society;
- provide authentic cultural contexts for languages learning;
- promote the learning of a wide range of languages and an understanding of different cultures within Australian society;
- are funded by communities, with additional funding support from the Australian Government and State and Territory Governments;
- are accredited and registered, in accordance with state and territory jurisdictional funding guidelines.

## **1.0 National Principles for Child Safe Organisations**

All community language schools must comply with the National Principles to be accredited/registered by their state-based association or jurisdiction for funding purposes. CLA is responsible for ensuring the minimum standards are met.

This Manual which provides **Student Safety and Safety Welfare Policies and Procedures** is for use by School Authorities to ensure they are compliant in relation to student safety and staff welfare. Whilst the Manual provides general information and advice, it is the responsibility of each School to familiarise their staff and community with its contents.

All Victorian organisations that provide services or facilities to children are required by law to comply with the 11 Child Safe Standards.

**Parts of this Manual relate to the School's specific situation or location such as the emergency management plan. It is the School Authority's responsibility to ensure these are adapted to their specific situation/location. School Authorities are also responsible for ensuring they are referring to relevant current Acts or Regulations.**

**If you require further information, please contact:**

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## 1.1 Definitions

**Aboriginal and Torres Strait Islander** – A person who is of Aboriginal or Torres Strait descent, identifies as Aboriginal or Torres Strait Islander, and is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.

**Adult** – a person 18 years of age or older and includes persons who are employees, volunteers, and associates of CLV.

**Child** – any person under the age of 18.

**Child Safe** – refers to an organisational environment that has an open and aware culture, understands child abuse, is supported by a well-known child safety policy, promotes the empowerment and participation of children, manages child safety risks; and expects all stakeholders to report all allegations, disclosures or concerns. **Child safety** encompasses matters related to protecting all children from child abuse and neglect, intervening early where concerns arise, preventing abuse where possible, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse. Child safety includes **cultural safety** for children.

**Child Protection** – refers to legislation, statutory authority responsible for child protection, and all measures taken to minimise the risk of child abuse. Child protection is a core part of the broader, over-arching concept of child safety.

**Child-related work** – refers to roles in which there is direct contact with children and/or young people. Direct contact includes any access or contact with children and young people when a parent or carer is not present and the employee or volunteer is doing their normal role.

Direct contact with children includes face-to-face, physical, oral and electronic communication. E.g.

- teaching staff, volunteers, child safety officers, principals, managers
- Employees and volunteers in contact with children and young people via email and all forms of social media

Direct contact is any contact between a child and an adult that involves:

- (a) Physical contact; or
- (b) Face to face oral communication; or
- (c) Physically being within eyeshot;
- (d) Yard Duty;
- (e) Unsupervised contact.

**Code of Conduct** – Policy that specifies behaviours expected of all employees, volunteers, and directors in the organisation.

**Contractor** - A person or company that undertakes a contract to provide materials or labour to perform a service or a job. Examples include cleaners, photographers, tradesperson, and people contracted to provide an incursion.

**Cultural safety** – 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. It is an environment which is socially and emotionally safe, as well as physically safe for

children. It is about shared respect, shared meaning, shared knowledge and experience, learning, living and working together with dignity, and truly listening<sup>1</sup>.

**Culturally and/or linguistically diverse background (CaLD)** – identification with particular cultural or linguistic affiliations by virtue of place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home, or because of parents' identification on a similar basis.

**Department of Health and Human Services** – the statutory authority responsible for receiving and investigating reports of child abuse.

**Disability** – 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. Some disabilities may be obvious while others are hidden.

**Disclosure** – refers to a child telling someone (through words, drawings or actions) that he or she feels unsafe or has been harmed.

**Educational Institutions** – In Victoria, educational institutions are defined as follows – an education and training organisation registered on the State Register (or equivalent in other states and territories) under the Education and Training Reform Act 2006 – to the extent that the college, university, provider, institution or organisation provides a program of study or training primarily for, or directed at, children and that leads to the award of a Senior Secondary Certificate of Education that is recognised by the AQF within the meaning of the *Education and Training Reform Act 2006*.

**Leader (or other term used with THE ORGANISATION)**– For the purposes of this document, the leader will refer to any employee or volunteer whose role means they hold lead responsibility for key organisational functions including recruitment, selection, supervision, program planning, risk management, and program delivery.

**Mandated Reporter** – any adult who holds the following occupations - Registered medical practitioners, midwives, and nurses, Registered teachers and principals, Police, People in religious ministries, Out of home care workers, Early childhood workers, Youth justice workers, Registered psychologists, School counselors are mandated to report child abuse to child protection authorities or police

**Principal** – For the purposes of this document, the principal will refer to any employee or volunteer whose role means they hold lead responsibility for key organisational functions including recruitment, selection, supervision, program planning, risk management, and program delivery.

**Reasonable Grounds of Belief** - A 'reasonable belief' is not the same as having proof. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. A 'reasonable belief' might be formed when:

- a child states that they have been abused
- a child states that they know someone who has been abused (sometimes the child may be talking about themselves)

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<sup>1</sup> Revised from *An Overview of the Victorian Child Safe Standards* (November 2015) -State of Victoria, Department of Health and Human Services and

- someone who knows a child states that the child has been abused
- professional observations of the child's behavior or development leads a mandated professional to form a belief that the child has been abused
- signs of abuse lead to a belief that the child has been abused.

**Sexual Orientation** – An inherent or immutable enduring emotional, romantic, or sexual attraction to other people<sup>2</sup>

**Staff**– refers to any individual employed by CLV [Insert School]

**Volunteer** – means an unpaid member of CLV [Insert School] supporting program delivery or operations.

**Young Person** – Any person under the age of 18.

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<sup>2</sup> Human Rights Campaign, [www.hrc.org](http://www.hrc.org)

## 1.2 Duty of Care

All staff, contractors, and volunteers who exercise care, supervision or authority over children have a **duty of care** to take reasonable steps to keep them safe from harm and provide a safe environment.

To have failed this duty it must be established that a reasonable person in the position within the organisation would have taken precautions in response to a risk of harm to children, but that the organisation failed to take those precautions.<sup>3</sup>

All teachers must:

- maintain constant supervision of the students in their charge;
- not send students to deliver messages beyond the School grounds;
- take immediate action in any situation where there is a threat to the welfare or safety of a student such as a child abuse;
- attend their allocated yard duty time;
- ensure that no student leaves the School premises without written parent/carer permission;
- ensure that a safe and appropriate working environment is created and maintained in the classroom;
- ensure the visitors' register is signed by people entering School premises;
- carry the working with children card while they are on duty.

For more information on this policy see [Duty of Care: Policy | education.vic.gov.au](https://www.education.vic.gov.au/dutyofcare/Pages/default.aspx)

A new statutory duty of care (The Wrong's Amendment (Organisational Child Abuse) Act 2017) has been created in Victoria that places a clear legal duty to take reasonable steps to minimise the risk of child abuse (sexual and/or physical abuse) perpetrated by organisational representatives. The new legislation means that organisations are understood to have breached their duty of care unless an organisation can prove they took all reasonable steps to prevent the abuse.

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<sup>3</sup> Excerpted from the National Office for Child Safety, [Complaint Handling Guide](#)

## 2.0 National Principles for Child Safe Organisations

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) uncovered shocking abuse of children within institutions in Australia.

The Commission recommended taking action to make organisations across the country safe for children. The development of the **National Principles for Child Safe Organisations (National Principles)** is a key national reform in response to these recommendations. The Principles have been endorsed by all Commonwealth, State, and Territory governments.

They provide a nationally consistent approach to embedding child-safe cultures within organisations that engage with children and act as a vehicle to give effect to all Royal Commission recommendations related to child safety standards.

### Principle 1: Child safety and wellbeing are embedded in organisational leadership, governance and culture.

This principle provides guidance on the role of organisational leadership and governance in promoting inclusive and welcoming environments for children and young people, a culture of accountability and the ways in which a child safe culture is developed and maintained.

Adoption of this principle shows that the organisation has a commitment to child safety and wellbeing through all levels of the organisation. Governance arrangements are transparent and include a child safety and wellbeing policy, practice guidance, a Code of Conduct and a risk management framework. Governance arrangements vary depending on the type, nature and size of an organisation. Organisational leadership provides an authorising environment for the sharing of information about risks to children and young people.

- 1.1 The organisation makes a public commitment to child safety.
- 1.2 A child-safe culture is championed and modeled at all levels of the organisation from the top down and the bottom up.
- 1.3 Governance arrangements facilitate the implementation of the child safety and wellbeing policy at all levels.
- 1.4 A Code of Conduct provides guidelines for staff and volunteers on expected behavioral standards and responsibilities.
- 1.5 Risk management strategies focus on preventing, identifying, and mitigating risks to children and young people.
- 1.6 Staff and volunteers understand their obligations to information sharing and recordkeeping.

## **Principle 2: Children and young people are informed about their rights, participate in decisions affecting them, and are taken seriously.**

This principle describes an organisational culture that supports children and young people to understand what child safety and wellbeing means. They are informed about their rights and responsibilities in an age appropriate way. They contribute and actively participate in building an organisational culture that is safe for them.

Children and young people know about the organisation's commitment to child safety and wellbeing and access relevant information and programs. They recognise safe environments and understand protective strategies. In such environments, children and young people feel comfortable participating in decisions and communicating their views and concerns. Ultimately, however, the responsibility for child safety and wellbeing in an organisation rests with the organisation and its workers.

Staff and volunteers value and respect children and young people's identity and culture, are comfortable and skilled in engaging with them, understand their developmental needs and build on children and young people's strengths and capacities.

- 2.1 Children and young people are informed about all of their rights, including safety, information, and participation.
- 2.2 The importance of friendships is recognized and support from peers is encouraged, to help children and young people feel safe and less isolated.
- 2.3 Where relevant to the setting or context, children may be offered access to sexual abuse prevention programs and to relevant related information in an age-appropriate way.
- 2.4 Staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children to express their views, participate in decision-making and raise their concerns.

## **Principle 3: Families and communities are informed, and involved in promoting child safety and wellbeing.**

This principle outlines the range of ways an organisation can involve families and the community in its approach to child safety and wellbeing, relevant policies and practices and the provision of accessible information. This will help inform parents and carers about safeguarding children and young people and encourage their feedback and input. They will be empowered to speak up and drive conversations regarding child safety and wellbeing and how and when they can raise issues and concerns.

Families have the primary responsibility for the upbringing of their children, and are aware of their children's primary protective networks. There is wide variety in the structure of families, the role different family members may play in a child's life, their backgrounds and cultures. Families and carers are best placed to advise about their children's needs and capabilities and can inform organisations about practices and environments that are safe for them. In a safe environment, children, young people, family and community members feel that their culture and identity are respected.

- 3.1 Families participate in decisions affecting their children.
- 3.2 The organisation engages and openly communicates with families and the community about its child-safe approach and relevant information is accessible.
- 3.3 Families and communities have a say in the development and review of the organisation's policies and practices.
- 3.4 Families, carers, and the community are informed about the organisation's operations and governance.

#### **Principle 4: Equity is upheld and diverse needs respected in policy and practice.**

This principle examines how recognition of children and young people's diverse circumstances enables an organisation to work in a more child centred way and empowers children and young people to participate more effectively. This builds an organisational culture that acknowledges the strengths and individual characteristics of children, and embraces all children regardless of their abilities, sex, gender, or social, economic or cultural background.

A welcoming organisation is one where all children and young people feel comfortable and where services are provided in culturally safe and inclusive ways. This reduces the risk of discrimination, exclusion, bullying and abuse.

- 4.1 The organisation, including staff and volunteers, understands children and young people's diverse circumstances, and provides support and responds to those who are vulnerable.
- 4.2 Children and young people have access to information, support, and complaints processes in ways that are culturally safe, accessible, and easy to understand.
- 4.3 The organisation pays particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, and lesbian, gay, bisexual, transgender, and intersex children and young people.

#### **Principle 5: People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.**

This principle describes recruitment and staff development policies, including appropriate screening, that are a foundation of child safe organisations. This principle also includes induction training, understanding child safety responsibilities and cultural safety concepts, and appropriate supervision of staff and volunteers. Reporting obligations, training in record keeping, and information sharing provide staff and volunteers with relevant practice tools to better safeguard children and young people.

- 5.1 Recruitment, including advertising, referee checks, and staff and volunteer pre-employment screening, emphasise child safety and wellbeing.
- 5.2 Relevant staff and volunteers have current working with children checks or equivalent background checks.
- 5.3 All staff and volunteers receive appropriate induction and are aware of their responsibilities to children and young people, including record keeping, information

sharing, and reporting obligations.

- 5.4 Ongoing supervision and people management are focused on child safety and wellbeing.

### **Principle 6: Processes to respond to complaints and concerns are child focused.**

This principle provides guidance on how human resource management policies and practices and effective complaints management processes should be accessible, responsive to and understood by children and young people, families, staff and volunteers. Complaint management processes will be linked to the Code of Conduct and provide details about where breaches of the Code have occurred. Training will help staff and volunteers to recognise and respond to neglect, grooming and other forms of harm, provide appropriate support to children and young people in these instances and meet legal requirements. This includes training to assist in responding to different types of complaints, privacy considerations, listening skills, disclosures of harm and reporting obligations.

- 6.1 The organisation has an accessible, child focused complaint handling policy that clearly outlines the roles and responsibilities of leadership, staff, and volunteers, approaches to dealing with different types of complaints, breaches of relevant policies or the Code of Conduct, and obligations to act and report.
- 6.2 Effective complaint handling processes are understood by children and young people, families, staff, and volunteers, and are culturally safe.
- 6.3 Complaints are taken seriously and responded to promptly and thoroughly.
- 6.4 The organisation has policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and co-operates with law enforcement.
- 6.5 Reporting, privacy, and employment law obligations are met.

### **Principle 7: Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.**

This principle emphasises the importance of information, ongoing education and training for staff and volunteers. Staff and volunteers build on their knowledge and skills and evidence-based practice tools through professional seminars and memberships, supervised peer discussions, team training days and access to research and publications. This ensures staff and volunteers develop awareness and insights into their attitudes towards children and young people, and have a contemporary understanding of child development, safety and wellbeing. They are able to identify indicators of child harm, respond effectively to children and young people and their families and support their colleagues. Staff and volunteers are able to respond in culturally appropriate ways to children and young people who disclose or show signs that they are experiencing harm inside or outside the organisation.

Staff and volunteers are trained in the rights of children and young people in relation to record keeping, and the possible uses and audiences for records that may be created.



- 7.1 Staff and volunteers are trained and supported to effectively implement the organisation's child safety and wellbeing policy.
- 7.2 Staff and volunteers receive training and information to recognise indicators of child harm including harm caused by other children and young people.
- 7.3 Staff and volunteers receive training and information to respond effectively to issues of child safety and wellbeing and support colleagues who disclose harm.
- 7.4 Staff and volunteers receive training and information on how to build culturally safe environments for children and young people.

### **Principle 8: Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.**

This principle highlights that reducing the risk of harm in physical and online environments is an important preventative mechanism. Risk management strategies clarify potential risks where adult to child or child to child interactions occur, or where the physical environment is unsafe.

Technological platforms within organisations provide valuable tools in education, communication and help seeking. Risks associated with these platforms are minimised through all necessary means, including: education of children and young people, parents, staff and volunteers about expectations of online behaviour; the application of safety filters; and communication protocols.

- 8.1 Staff and volunteers identify and mitigate risks in the online and physical environments without compromising a child's right to privacy, access to information, social connections, and learning opportunities.
- 8.2 The online environment is used in accordance with the organisation's Code of Conduct and child safety and wellbeing policy and practices.
- 8.3 Risk management plans consider risks posed by organisational settings, activities, and the physical environment.
- 8.4 Organisations that contract facilities and services from third parties have procurement policies that ensure the safety of children and young people.

### **Principle 9: Implementation of the national child safe principles is regularly reviewed and improved.**

This principle emphasises that child safe organisations seek to continuously improve their delivery of child safe services and their operations. They also conduct reviews to ensure that organisational policies and procedures, including record keeping practices, are being implemented by staff and volunteers. The participation and involvement of staff, volunteers, children and young people, families and community mentors in these reviews will strengthen the organisation's child safeguarding capacities. This includes the importance of reporting on the finding of reviews, and sharing good practice and learnings on a regular basis. Regular reviews ensure that organisations address new challenges or concerns that arise.

- 9.1 The organisation regularly reviews, evaluates, and improves child safe practices.
- 9.2 Complaints, concerns, and safety incidents are analysed to identify causes and systemic failures so as to inform continuous improvement.
- 9.3 The organisation reports on the findings of relevant reviews to staff and volunteers, community and families, and children and young people.

### **Principle 10: Policies and procedures document how the organisation is safe for children and young people.**

This principle outlines the importance of organisations having a clearly documented child safety and wellbeing policy. This will ensure that all stakeholders, including organisational staff and volunteers, children and young people and their families and carers, are aware of how the organisation is planning to meet its obligations to create an environment that is safe for children. Partner agencies or organisations funded to provide services to children and young people should demonstrate adherence to child safety and wellbeing policies and practices.

Documenting policies and procedures ensures consistent application of child safe practices across the organisation. It also enables organisations to examine, through review processes, adherence to child safety and wellbeing principles and practices.

- 10.1 Policies and procedures address all national child safe principles.
- 10.2 Policies and procedures are documented and easy to understand.
- 10.3 Best practice models and stakeholder consultation informs the development of policies and procedures. .
- 10.4 Leaders champion and model compliance with policies and procedures.
- 10.5 Staff and volunteers understand and implement policies and procedures.

***Failure to abide by the above rules may lead to dismissal from the community language school and referral to the police.***

CLA Schools must develop or review their own Child Safety Code of Conduct and ensure they provide all staff with a set of clear principles about how they should behave with children. CLA has a sample that can be used as a guide as well as professional codes of conduct. Once finalised and approved by the School Management Committee, the Code should be made available to all members of the school community on an ongoing basis. In the development of a child-safe code of conduct, CLA Schools should seek the consultation and feedback of key stakeholders, including children and young people.

**Please refer to the CLA sample Child Safety Code of Conduct for guidance.**

## 2.1 Scope of the National Principles for Child Safe Organisations

The National Principles collectively show that a child safe organisation is one that creates a culture, adopts strategies, and takes action to promote child wellbeing and prevent harm to children and young people.

A child-safe organisation consciously and systematically:

- creates an environment where children's safety and wellbeing are the center of thought, values, and actions
- places emphasis on genuine engagement with, and valuing of children creates conditions that reduce the likelihood of harm to children and young people
- creates conditions that increase the likelihood of identifying any harm
- responds to any concerns, disclosures, allegations or suspicions.



## 2.2 National Quality Standard and Regulations

The National Quality Standard and Regulations provide a national approach to regulation, assessment, and quality improvement for early childhood education and care and outside school hours services across Australia

The aim of the National Quality Standard and Regulations is to safeguard and promote children's health and safety, minimise risks and protect children from harm, injury, and infection. Standard relates to Child Protection as follows:

Management, Educators, and staff are aware of their roles and responsibilities to respond to every child at risk of abuse or neglect. While the child safe standards focus on organisations, every adult who reasonably believes that a child has been abused, whether in their organisation or not, has an obligation to report that belief to authorities.

Further, **Regulation 84** of the Education and Care National Regulations is the Awareness of Protection Law.

### Commonwealth, state, and territory child protection legislation

The link below outlines the key Commonwealth, state, and territory legislation, including regulations, for child protection and other areas of legislation that overlap with child protection issues: [Australian child protection legislation](#)

## 2.3 Child Safeguarding

CLA believes that the safety of children is of paramount importance and aims to protect a child's right to be safe from the abuse of any kind. CLA will ensure that all parties affected by this policy are aware of their roles and responsibilities regarding child protection.

Community languages schools must therefore provide an environment that is free from any type of abuse and foster a child's growth and development as per the individual requirements of each child. The staff of community languages schools should therefore be aware of their obligations and responsibilities regarding the safety of children.

CLA will educate all parties about their roles in creating a child-safe environment, including identifying and responding to signs of child abuse.

CLA requires all schools to have strategies in place to:

- prevent child abuse;
- encourage reporting of any abuse that does occur;
- improve responses to any allegations of child abuse;
- review these processes regularly.

In addition, all community languages schools should provide regular training to their staff on child safety issues to ensure that, in the event, a child has suffered abuse, the School can act quickly in the best interests of the child.

As part of the Victorian Child Safe Standards, three overarching principles require organisations to consider the increased vulnerability of

- Aboriginal children;
- Children from culturally and linguistically diverse backgrounds; and
- Children with disabilities

Schools must focus on promoting the cultural safety of Aboriginal children, the cultural safety of children from culturally and linguistically diverse backgrounds and the safety of children with a disability.

## **2.4 The 11 Child Safe Standards**

The 11 Child Safe Standards listed below belong to Victorian Organisations that must comply and implement all aspects of the 11 Standards.

Each of the Standards is expressed as a statement of an expected outcome that organisations must achieve. The new Standards also include minimum requirements to clarify what you need to do for your organisation.

**There are 11 Child Safe Standards:**

**Standard 1: Culturally safe environments** – Establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.

**Standard 2: Leadership, governance, and culture** – Ensure that child safety and well-being are embedded in school leadership, governance and culture.

**Standard 3: Child and student empowerment** – Children and young people are empowered about their rights, participate in decisions affecting them, and are taken seriously.

**Standard 4: Family engagement** – Families and communities are informed and involved in promoting child safety and well-being.

**Standard 5: Diversity and equity** – Equity is upheld, and diverse needs are respected in policy and practice.

**Standard 6: Suitable staff and volunteers** – People working with children and young people are suitable and supported to reflect child safety and well-being values in practice.

**Standard 7: Child-focused complaints processes** – Ensure that processes for complaints and concerns are child-focused.

**Standard 8: Child safety knowledge, skills, and awareness** – Staff and volunteers are equipped with the knowledge, skills, and awareness to keep children and young people safe through ongoing education and training.

**Standard 9: Physical and online environments** – Physical and online environments promote safety and well-being while minimising the opportunity for children and young people to be harmed.

**Standard 10: Review of child safety practices** – Implementing the Child Safe Standards is regularly reviewed and improved.

**Standard 11: Implementation of child safety practices** – Policies and procedures document how schools are safe for children, young people, and students.

## 2.5 Understanding our Legislative Context

### Child, Youth and Families Act 2005

The Act governs and guides the process of child protection in Victoria. Under this Act a person can make a report to Child Protection Services if they have:

- A significant concern for a child's wellbeing;
- A belief the child is in need of protection; and/or
- A significant concern before the birth of a child about their wellbeing after their birth

The Act also defines **mandatory reporting** and identifies relevant professions. Under the Act a mandated reporter **must** make a report to the Department of Health and Human Services, Child Protection if:

- they form the belief on reasonable grounds that a child has suffered, or is likely to suffer significant harm as a result of physical injury or sexual abuse; and
- the parents have not protected or are unlikely to protect the child from harm of that type and
- the belief is formed in the course of practicing his/her position of employment.

In Victoria, the following professions are considered mandated reporters:

- Registered medical practitioners, midwives, and nurses
- **Registered teachers and principals**
- Police
- People in religious ministries
- Out-of-home care workers
- **Early childhood workers**
- Youth justice workers
- Registered psychologists
- School counselors

A reasonable belief is a belief on reasonable grounds i.e. if a reasonable person practicing the profession or carrying out the duties of the office, position or employment, as the case requires, would have formed the belief on those grounds.

All incidents, suspicions, and disclosures of child abuse must be reported as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offense.

## 2.6 Working with Children Check (WWCC) Act 2005

A Working with Children Check is an assessment of whether a person poses an unacceptable risk to children in Australia. As part of the process, the screening unit will look at criminal history, child protection information, and other information.

If you are applying for any role that requires proximity, or in-person service to children in Australia; you must undergo a Working with Children Check. This assessment will affect pre-employment decisions and determine if you can be employed or not. Hence it is popularly referred to as WWCC or WWC in many Australian states and territories.

In the Australian Capital Territory, the equivalent is known as the Working with Vulnerable People registration.

The Working With Children Check (WWCC) is legislated by each state and territory for the purpose of conducting background checks for people seeking to engage in child-related work.

The check aims to prevent people from working with children if records indicate that they may pose an unacceptable risk to children.

### The Difference Between the Working with Children Check and Police Check

The Working with Children Check and a [Nationally Coordinated Criminal History Check](#) are two different checks.

The Working with Children Check is an ongoing assessment of a person's eligibility to work with children and involves a check of a person's criminal history and other disciplinary and police information.

A Nationally Coordinated Criminal History Check is a point-in-time check that discloses criminal history.

### Where to obtain a Working with Children Check

Applicants wishing to apply for a Working with Children Check must do so through an authorised government screening unit in their state or territory.

The table below shows authorised government screening units that are responsible for working with children registrations in each Australian state and territory:



| State or Territory                  | Name of the check   | Link to Government Screening Unit   | Year of Commencement |
|-------------------------------------|---|---|----------------------|
| <b>New South Wales</b>              | Working with Children Check   | <a href="#">NSW Office of the Children's Guardian</a>                                   | 2000                 |
| <b>Queensland</b>                   | Blue Card Check / Working with Children Check   | <a href="#">Blue Card Services</a>  | 2001                 |
| <b>Victoria</b>                     | Working with Children Check   | <a href="#">Department of Justice and Regulation, Working with Children Check Unit</a>  | 2006                 |
| <b>South Australia</b>              | DCSI Screening / Working with Children Check  | <a href="#">DCSI Screening Unit (Department for Communities and Social Inclusion)</a>   | 2011                 |
| <b>Australian Capital Territory</b> | Working With Vulnerable People (WWVP) check   | <a href="#">Background Screening Unit, Access Canberra</a>                              | 2012                 |
| <b>Tasmania</b>                     | Registration to Work with Vulnerable People (RWVP) / Working with Children Registration | <a href="#">Department of Justice</a>   | 2014                 |
| <b>Western Australia</b>            | Working With Children Check   | <a href="#">WWC Screening Unit (Department for Child Protection and Family Support)</a> | 2005                 |
| <b>Northern Territory</b>           | Working with Children Clearance / Ochre Card  | <a href="#">Screening Assessment for Employment – Northern Territory (SAFE NT)</a>      | 2010                 |

| Organisation obligations according to the Working with Children Check Act 2005  | Staff and volunteer obligations according to the Working with Children Check Act 2005   |
|---|---|
| <p>Prior to engaging an employee or volunteer in child-related work, organisations must check the status of the person's check.</p> <p>Organisations must ensure that employees and volunteers have updated their details to include the name of the organisation. When this has been done, the organisation will receive a confirmation letter.</p> <p>Workers must update their details of employment to include the organisation and the address of the organisation <b>within 21 days of commencing work</b></p> <p>It is important that organisations keep accurate records of the WWCC process including</p> <ul style="list-style-type: none"> <li>• card numbers (or application receipt numbers) of all works and volunteers</li> <li>• expiry dates and card types</li> <li>• all correspondence from the WWCC VIC</li> </ul> | <p>Employees and volunteers must ensure they have the correct type of check (employee or volunteer) when engaging in child-related work.</p> <p>Employees and volunteers must ensure that their details are up to date. Changes to personal and employment details must be made <b>within 21 days</b>.</p> <p>Employees and volunteers must notify the WWCC office know if they have been charged or found guilty of any offences</p> |

For more information regarding the Working with Children Check, click on the link below:

[Resources & Technical Articles | ANCC](#)

## 2.7 New Criminal Offenses

### **A broader grooming offense**

The grooming offense, introduced in 2014, applies where a person over 18 years of age communicates, by words or conduct, online or face-to-face, with a child under the age of 16 or with a person who has care, supervision or authority for a child, with the intention of subsequent sexual activity with a child.

### **Failure to disclose offense**

Any adult who forms a reasonable belief that a sexual offense has been committed by an adult against a child under 16 years of age has an obligation to report that information to the police, unless they have a reasonable excuse not to or an exemption applies. Failure to disclose the information to the police is a criminal offense.

### **Failure to protect offense**

The failure to protect offense applies to people within organisations who knew of a risk of child sexual abuse by someone in the organisation and had the authority to reduce or remove the risk but did not act to protect the child.

## **Children Legislation Amendment (Reportable Conduct) 2017**

On the 1<sup>st</sup> of July 2017, the Commission for Children and Young People (CCYP) began administering a reportable conduct scheme in Victoria. The scheme is designed to improve oversight of how organisations respond to allegations of child abuse and child-related misconduct by staff and volunteers. Under the scheme, the CCYP has the power to:

- oversee and monitor the handling of allegations of child abuse by relevant government departments, religious and non-government organisations
- undertake independent investigations
- scrutinise and audit systems and processes for handling allegations
- monitor and report on trends
- build skills and knowledge within government departments, religious and non-government organisations to ensure they can competently handle allegations of suspected child abuse.<sup>4</sup>

## **2.8 Roles and Responsibilities**

### **Responsibilities of School Authorities**

The below information is a general guide and specific responsibilities should be detailed in your school's Code of Conduct. School Authorities must:

- Ensure that all staff:
  - o are clear about their roles and responsibilities regarding child protection and child safeguarding.
  - o are required to observe Child Safe Standards and expectations for appropriate behaviour towards and in the company of children.
  - o always adhere to [INSERT SCHOOL NAME] Child Safe Policy and Code of Conduct and uphold [INSERT SCHOOL NAME] Statement of Commitment to child safety.
  - o take all reasonable steps to protect children from abuse.
  - o are aware of their obligations to immediately report suspected abuse

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<sup>4</sup> Commission for Children and Young People, 'About the Reportable Conduct Scheme', <https://ccyp.vic.gov.au/>

- o are aware of the indicators when a child may be at risk of harm or significant harm.
- Provide training and development for all staff in the recognition and reporting of abuse and harm.
- Provide reporting procedures and professional standards for care and protection work.
- Ensure that any allegations of child abuse are reported to the [INSERT SCHOOL NAME] Child Safety Officer [INSERT CSO NAME] and School Leadership, who will ensure any allegation is reported to the police or Child Protection and the CLV Child Safe Officer.
- If an allegation of child abuse is made, ensure as quickly as possible that the child(ren) is safe.
- Ensure all staff has access to relevant acts, regulations, standards, and other resources for them to fulfill their obligations.
- Treat everyone with respect.
- Promote the cultural safety, participation, and empowerment of Aboriginal children (for example, by never questioning an Aboriginal child's self-identification).
- Promote the cultural safety, participation, and empowerment of children from culturally and/or linguistically diverse backgrounds (for example, by having a zero-tolerance approach to discrimination).
- Promote the safety, participation, and empowerment of children with a disability (for example, by having a zero tolerance of discrimination).
- Encourage children to have a say and participate in all relevant school activities where possible, especially on issues that are important to them.
- Ensure as far as practicable that adults are not left alone with a child.

## **2.9 Cyber Safety**

### **Key Points**

Principals and teachers have a duty of care to take reasonable steps to protect students from any harm that should have reasonably been foreseen, including those that may be encountered within the online learning environment.

Principals and teachers must understand their duty of care responsibilities and other school-based policies that work to support them such as the bully prevention policy, student engagement policy, and acceptable use agreements.

It is essential that principals work in partnership with their staff and school community to:

- develop holistic policies that reflect the teaching and learning practices, strategies and technologies that are being used by teachers and students
- create clear processes and practices to manage classroom and online behaviour and respond to any incidents that may arise

- prepare curriculum plans that explicitly teach safe, responsible and ethical online behaviours
- implement and raise awareness of the school's policies, processes and plans

### **Key Definitions**

**Cyber Safety:** refers to safe and desirable practices in online environments and the use of electronic and ICT equipment devices.

**ICT Equipment/Devices:** in this document includes, but is not limited to, computers, laptops, tablets, storage devices, cameras, all types of mobile phones, video and audio players/receivers, social networking sites, and any other technologies as they come into use.

**Cyber Bullying:** involves the unwanted use of electronic equipment devices to harass and cause discomfort to other members of the school community.

### **Behaving safely online means:**

- protecting their own privacy and personal information
- selecting appropriate spaces to work and contribute
- protecting the privacy of others (this can be sharing personal information or images)
- being proactive in letting a parent/ guardian or teacher know if something is 'not quite right' These principles of safety and responsibility apply to internet and social media use at home and school.

### **CLV Responsibilities:**

- To provide students with an awareness of the benefits and risks of using ICT
- To integrate cyber safety education into the curriculum with other school safety issues
- To promote staff awareness of the professional responsibilities for students' safety in the area of cyber safety
- To provide professional learning in regarding cyber safety issues
- To provide information for parents through avenues such as the school: information nights, newsletter, website, and posters
- To liaise with outside agencies to offer education programs Cyber Safety Policy

### **Student Responsibilities:**

- To sign an agreement to abide by the school's cyber safety policy, that aims to prevent bullying and harassment
- To ensure that all material being accessed on the internet is appropriate
- To seek CLV clarification about accessing websites or other sources of information where they may be unsure of content
- To ensure that student communications with other students, staff members and members of the outside community do not harass, vilify or attack personally other individuals. This includes, but is not limited to, written words and the posting of images
- Where ICT equipment devices are used out of school time, report any communications which are inappropriate to parent/guardians or a teacher.

**Parent Responsibilities:**

- To support the school in encouraging responsible communication using ICT equipment/devices.
- To explain the internet use permission form to their child/children

**Schools Responsibilities:**

- Promote safe and responsible use of ICT devices.
- Investigate and act upon all cases of misuse of ICT equipment and devices.

**School-based actions and consequences:**

- In accordance with the Student Engagement Policy, Student Code of Conduct and Department guidelines.

**Evaluation:**

- This policy will be reviewed annually.

**Supporting Documents:**

[eSafety Commissioner](#)

[eSmart Schools](#)

CLV Policy

Student Code of Conduct

Department of Education and Training website:

<http://www.education.vic.gov.au/school/principals/health/Pages/lol.aspx>

Internet Use Permission – Student Agreement

Parent Information on Internet Usage

[A Step-by-Step Guide for Responding to Online Incidents of Inappropriate Behaviour Affecting Students](#)

## 2.10 Equal Opportunity- Anti Discrimination, Racial Vilification and Disability Discrimination

Community Languages Schools' Authorities are required to uphold the values outlined in the *Equal Opportunity Act 2010* in relation to their students and the selection, supervision and management of staff.

### Equal Opportunity Act Objectives

As stated in Part 1, Section 3, the objectives of this Act are:

- (a) To eliminate discrimination, sexual harassment and victimisation, to the greatest possible extent;
- (b) To further promote and protect the right to equality set out in the Charter of Human Rights and Responsibilities;
- (c) To encourage the identification and elimination of systemic causes of discrimination, sexual harassment and victimisation;
- (d) To promote and facilitate the progressive realisation of equality, as far as reasonably practicable by recognising that-
  - (i) discrimination can cause social and economic disadvantage and that access to opportunity is not equitably distributed throughout society;
  - (ii) equal application of a rule to different groups can have unequal results or outcomes;
  - (iii) the achievement of substantive equality may require the making of reasonable adjustments and reasonable accommodation and the taking of special measures;
- (e) to enable the Victorian Equal Opportunity and Human Rights Commission to encourage best practice and facilitate compliance with this Act by undertaking research, educative and enforcement functions;
- (f) to enable the Victorian Equal Opportunity and Human Rights Commission to resolve disputes about discrimination, sexual harassment and victimisation in a timely and effective manner, and to also provide direct access to the Victorian Civil and Administrative Tribunal for resolution of such disputes.

### Definitions

Discrimination is defined in part 2, section 6 of the Equal Opportunity Act as being linked to the following attributes the basis of which discrimination is prohibited in the area of activity set out in part 4:

- (a) age
- (b) breastfeeding
- (c) employment activity
- (d) gender identity
- (e) disability
- (f) industrial activity
- (g) lawful sexual activity
- (h) marital status
- (i) parental status or status career
- (j) physical features
- (k) political belief or activity
- (l) pregnancy

- (m) race
- (n) religious belief or activity
- (o) sex
- (p) sexual orientation
- (q) personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes.

In section 7 the meaning of discrimination is defined as **direct** or **indirect discrimination** on the basis of an attribute.

### **Equal Employment Opportunity**

Community languages schools must choose the best person for the job regardless of:

- race, colour and national origin;
- physical, intellectual or psychological impairment including HIV and AIDS;
- gender;
- marital status (including de facto);
- parental status (including pregnancy);
- religious or political beliefs, activities or practices.

School Authorities should establish and monitor all employment policies, practices and procedures to ensure that equal opportunity principles are followed in all areas of staff management including:

- advertising for positions;
- job descriptions and selection criteria;
- interview questions and processes;
- selection panel composition and practices;
- appointment procedures;
- training and development;
- transfer, promotion and higher duties;
- discipline and dismissals.



## 2.11 Recruitment Process for Staff

Community languages schools should follow the procedures below when recruiting staff:

1. Clarify the need for and role of the staff member and develop or review the Job Description:
  - Ensure that position descriptions for all new positions advertised include the standard **Child Safe Environments** clause as provided in the **Recruitment in Schools Guide**.
2. Identify roles to be involved in the short listing and interviewing.
3. Advertise the position.
4. Send applicants a copy of the position description.
5. Shortlist applicants based on their skills and experience.
6. Conduct interviews and include child safeguarding questions.
7. Select the most suitable applicant. In accordance with any applicable legal requirement or School policy, the School must make reasonable efforts to gather, verify and record the following information about a person whom it proposes to engage to perform child connected work:
  - Working with Children Check status, or similar check;
  - Proof of personal identity and any professional or other qualifications;
  - The person's history of work involving children; and
  - 2-3 references that address the person's suitability for the job and working with children.
8. Conduct 2-3 verbal professional reference checks for the applicant. Follow up with referee reports as they are a critical part of the assessment of the relative merits of each short-listed applicant.
9. Advise the successful applicant in writing including probation period.
10. Sign an Agreement of Engagement and child safety commitment.
11. Write letters to unsuccessful applicants.
12. Orientate the new staff member.

Staff must be selected against the key selection criteria outlined in the relevant position description. Community languages schools should carry out verbal reference checks before a new employee is engaged. To find the best applicant for the position, community languages schools must focus on the requirements of the job rather than questions or assumptions about the applicant's circumstances or background. Community languages schools must provide information and training to all staff involved in the advertising, selection and appointment process.

### Advertising Positions

Most positions in community languages schools should be advertised in community newspapers and radio as well as other relevant avenues. Position descriptions must include the **Child Safe Environments** clause as provided in the **Recruitment in Schools Guide**.

### Interviewing

The selection panel should draw up a list of interview questions prior to the interviews. All applicants should be asked the same questions. The questions should aim to explore the applicants' relevant skills and experience to perform the duties and include a range of behavioural and values-based questions that will help determine the person's suitability for the position and uncover any potential risks to children.

Each interview should include questions that explore the:

- Motivation to work with children
- Understanding of child abuse in organisational settings, e.g. how it occurs, prevention strategies.
- Work history, including prior positions held, responsibilities, any gaps, and reasons for leaving (especially where previous roles involved work with children).

Particular attention is paid to:

- Answers that indicate a lack of professional boundaries in relation to working with children.
- Answers that are incomplete or concerning.
- Any unusual context for the candidate to be seeking employment with children

### Reference Checks

Reference checks are a critical part of the assessment of the relative merits of each short-listed applicant. Such reports allow for a rigorous checking of claims made by applicants and the gathering of evidence on work performance. Referees have directly supervised the candidate and observed their interactions with children. Staff responsible for conducting reference checks are confident and probing in their questions, e.g. asking referees whether they have ever had any concerns about the candidate's suitability to work with children. All referees should be asked the same questions and the completed template is kept with the candidate's HR file.

### Procedures When a New Staff Member is Recruited

When a new employee is appointed to a position at a community language school the following procedures apply:

- an Agreement of Engagement specifying all the terms and conditions of employment is signed by the employee and the School Education Leader and a copy given to the employee;
- the employee has a copy of their job description which includes the following statement:

*CLA schools are child safe environments. Our School actively promotes the safety and wellbeing of all students, and all school staff and volunteers are committed to protecting students from abuse or harm in the school environment, in accordance with their legal obligations including the Child Safe Standards. Our School's Child Safety Policy and Code of Conduct is available on our School website.*

- an employee record card is completed;
- the employee Tax Declaration Form is completed and forwarded to the Australian Tax Office;
- a page in the wages book is set up for the employee;
- the employee is given time to read the school orientation kit, and the opportunity to ask any questions;
- when practicable, a handover is arranged with the previous occupant of the position;
- the contents of this Manual are explained to them.

### **Conditions of Employment**

The conditions of employment for community languages schools' staff are specified below:

- All employees should have a job description which specifies their roles and responsibilities. Job descriptions should be reviewed as required. Each person should be given a copy of their job description prior to their commencing employment and whenever their job description is changed. School policy regarding conditions of employment needs to be specified in the Agreement of Employment.
- All employees should have an Agreement of Engagement, which is to be signed by their employer.
- Each employee shall be given a copy of their signed *Agreement of Employment* prior to commencing employment.
- Job descriptions and Agreements of Employment should incorporate child safe messaging.

### **Probationary Period**

Our probation period is for 3 months. If the School Management Committee (or School Leadership) is not happy with the employee's performance their employment can be terminated during the period of the Agreement by giving at least 14 days' notice in writing. Probation periods can help Schools assess an inexperienced employee's performance and suitability for the job before confirming their permanent employment. If there are any concerns about the person working with children, Schools should seriously consider whether they want them to remain in the job and their organisation.

### **Staff Information**

HR files must be kept of all employees. Each file should include:

- their signed Agreement of Engagement
- their job description
- a completed record card
- signed Code of Conduct
- copy of their WWCC

- details of any training attended
- notes on their performance
- any other relevant information.

Staff are entitled to see their file at any suitable time to be arranged with their Manager.

### **Staff Orientation Kit**

The School Leadership at community languages schools will maintain an Orientation Kit and give it to all new staff on recruitment. The Orientation Kit should include the following:

- School name, address, phone numbers and fax numbers;
- School philosophy and objectives;
- School organisation chart and management model;
- Staff roles, rights and responsibilities;
- Pay day and method of payment (if applicable);
- Date and frequency of staff meetings;
- Job description and Agreement of Engagement;
- Staff code of behaviour;
- Child Safety Policy and other important policies;
- Organisational and Administrative Manual.

### **Staff Supervision and Support**

Supervision and support are important to ensure that staff are supported in their work and that their work is carried out effectively. All staff and volunteers should be provided with regular supervision. This will include an annual performance appraisal. Supervision can be formal meetings or informal chats and catch ups. All staff should contact the principal if issues arise. The Chairperson of the School Management Committee/School Education Leader (or other nominated senior staff member) is responsible for providing supervision and support. The staff member responsible for supervision and performance appraisal must have relevant skills and experience.

### **Performance Appraisal**

CLA and community languages schools are committed to supporting their staff to improve their own efficiency and effectiveness. All staff are expected to perform their duties to the best of their ability and to show a high level of personal commitment to providing a quality, professional service at all times. Performance appraisals will be conducted annually for employees by an appointed School Leader who is his/her Manager. Performance appraisals must be based on job descriptions and agreed work plans. Performance appraisals will also be carried out for regular volunteers at Schools. All staff should be encouraged to attend relevant professional development and training provided through State Ethnic Schools Associations/ Federation of Community Languages Schools.

The aims of the performance appraisal are:

- to allow free and confidential discussions about work between a staff member and their manager;
- to discuss the staff member's job performance, in comparison with set standards;
- to discuss any work problems and search for a solution;

- to discuss means of improving work performance including identification of training and development needs.
- to cover other areas that intersect with the workplace e.g. Child safeguarding

The Senior Staff Member conducting the performance appraisal should:

- review the job requirements so they are fully aware of them;
- review the goals and objectives or job expectations previously agreed to with the staff member. (These may have been agreed to in the last performance appraisal);
- give the staff member a copy of the Performance Appraisal Form to complete before the appraisal session and arrange a time for the appraisal;
- review the staff member's history: skills, training, experience, past performance appraisals etc;
- use the Performance Appraisal Form to assess the staff member's job performance against the expectations of the position using all sources of information available to them and rate each area or duty from unacceptable to outstanding;
- note performance issues, which need to be discussed with the staff member;
- include strengths, weaknesses and opportunities for development. Provide specific examples, especially where performance is poorly rated;
- be open and honest. Try to be positive even when dealing with negative issues. Keep in mind that this is a positive meeting for the benefit of the staff member and the person conducting the appraisal;
- write up the performance appraisal;
- include all issues covered, actions to be taken, timelines and staff member comments.

### **Performance Dispute Procedure**

The performance dispute procedure is the procedure for dealing with issues of poor performance or concerns relating to an employee. The procedure provides staff with an opportunity to improve their performance through training and trial periods.

The following is the procedure for dealing with a performance dispute not involving misconduct, which may result in suspension from duties while an investigation takes place.. It should also be included in the Agreement of Employment.

Any performance or behavioural issues should be addressed in a timely and professional matter.

#### ***Step 1: Verbal Warning***

The employee will be told as soon as possible of any complaint concerning the performance of his/her work and will be provided with an opportunity to discuss the complaint. If appropriate, the Manager will, in consultation with the employee, outline how the employee must improve his/her performance. Any assistance needed by the employee to improve his/her performance will be identified and provided where possible. A date to review the employee's performance will be set.

### **Step 2: First Written Warning**

If at the time of review set in Step 1, the employee's performance is still unsatisfactory, there will be further discussion with the employee. This will include the employee, a representative of their choice and their Manager.

The complaint against the employee and plans for improvement will be recorded in writing and a copy given to the employee clearly stating that a lack of improvement by a given time will result in a final written warning

### **Step 3: Final Written Warning**

If at the date set in Step 2, the employee's performance has not improved, there will be further discussion with the him/her. This will include the employee, a representative of their choice and their Manager.

The complaint against the employee and plans for improvement will be recorded in writing and a copy given to the employee clearly stating that a lack of improvement by a given time will result in termination of employment.

### **Step 4: Termination of Employment**

If the problem persists after the final written warning the employer may terminate the employment of the employee. The Manager represents the employer and has the authority to dismiss staff.

Detailed notes of above meetings must be recorded and kept with the person's HR file.

## **Misconduct and Serious Misconduct**

Misconduct and serious misconduct are unacceptable behaviour by a staff member or volunteer. Misconduct includes breaches of school rules and policies, which may warrant an investigation and then further action.

Serious misconduct includes breaches of school rules and policies e.g. allegations of child abuse, allegations of theft and may warrant the instant dismissal of an employee or a suspension from duties while an investigation takes place.

CLAS committed to preventing a person from having contact with children or young people if they pose an unacceptable risk. Following a formal investigation, a confirmed breach of the Code of Conduct or child related policy will lead to disciplinary procedures which may involve termination of employment or contract. Serious breaches of this policy and related procedures may be reported to Police.

Examples of misconduct include:

- theft of property or funds from community languages schools;
- wilful damage of School property;
- intoxication through alcohol or other substances during working hours;
- breaches of the Code of Conduct;
- breaches of school policies;
- verbal or physical harassment of any students, staff or parents particularly in respect of race, sex or religion;
- disclosure of confidential information regarding the organisation to any other party without prior permission;

- the disclosure of information concerning the students, staff or parents of the School other than the information that is necessary to assist them and to ensure their safety;
- carrying on a personal business from School premises or using the School's resources for personal business;
- falsification of any School records for personal gain or on behalf of any other staff member; and
- failure to comply with the Staff Code of Behaviour.

### **Staff Exit Procedure**

When an employee leaves a community languages school an exit interview or termination interview must be arranged. The exit interview should be conducted by the School Administration Leader or a member of the School Management Committee (not the employee's direct report) and provides useful feedback about the School for use in planning and evaluation.

The following provides an outline of an exit interview to assist community languages schools:

- Questions regarding the implementation and promotion of child safety

Prepare the employee's termination payment:

- calculate ordinary wages due or wages in lieu of notice;
- calculate annual leave due to the date of termination. This is paid at the employee's current rate of pay;
- calculate leave loading in accordance with the employment contract;
- check if the employee is entitled to pro-rata long service leave;
- check if any allowances are owing (e.g. travel, meals);
- check if the employee owes the community language school monies;
- prepare a written statement showing the detailed calculation of all monies to be paid to the employee;
- make sure there is a letter of resignation from the employee if they resigned, or a letter of termination if they were dismissed;
- if requested, prepare a written statement of employment detailing the period of employment and type of work performed.

If appropriate, prepare a reference and make sure that property belonging to the community language school is returned, including keys, files and equipment.

## 2.12 Workplace Harassment, Victimisation and Bullying

### Anti Bullying Policy

This Anti Bullying Policy applies to all staff, students and parents of community languages schools.

### Definition

A person is bullied when one or more other persons expose them regularly and over time to negative or harmful actions. Bullies are people who deliberately set out to intimidate, exclude, threaten and or hurt others repeatedly. Bullying is a clear form of harassment.

### Forms of Bullying

- **Verbal:** name calling, put downs, verbal threats or demands based on culture, race, religion, gender or physical appearance;
- **Psychological:** stalking or giving dirty looks;
- **Social:** excluding or ignoring others, spreading rumours;
- **Cyber-bullying:** harassment or cyber-stalking via SMS messages, mass emailing, chat rooms, blogs, message boards and social networks;
- **Physical:** hitting, tripping, poking, kicking a student or stealing, taking, damaging or defacing their belongings, harmful actions targeting medical conditions such as allergies;
- **Sexual harassment:** suggestive comments or gestures, unwelcome advances or conduct of a sexual nature.

The Anti Bullying Policy Aims to:

- educate the school community about the different forms of bullying, and its unacceptability;
- alert everyone within the school community to signs and evidence of bullying and their responsibility to report it whether as an observer or victim.
- ensure that all reported incidents of bullying are followed up appropriately and that support is given to both victims and perpetrators.
- ensure that parental and peer-group support and co-operation is sought in relation to students.
- ensure all staff, students and their parents are aware of the School's position on bullying.

Community languages schools should adopt the following four-phase approach to bullying:

### A. Primary Prevention

- Professional development for staff relating to bullying, harassment and proven counter measures.
- Community awareness and input relating to bullying, its characteristics and the School's policy.
- Provision of programs that promote resilience, life and social skills, assertiveness, conflict resolution and problem solving.
- At the commencement of each school year, each staff member will revisit the school



policy on bullying with their class.

### **B. Early Intervention**

- Teachers and School Leaders will remind students and parents to report incidents of bullying on a regular basis.
- Public recognition and reward will be provided for positive behaviour and resolution of issues.
- The School Leadership will be informed of all bullying incidents.

### **C. Intervention**

- Once identified each bully, victim and witness will be spoken with, and all incidents or allegations of bullying will be fully investigated and documented.
- Students, parents and staff identified by others as bullies will be informed of the allegations.
- Both bullies and victims will be offered ongoing counselling.
- If student bullying is repeated parents will be contacted and consequences implemented consistent with the School's Student Code of Conduct.
- If staff bullying persists formal disciplinary action will commence.

### **D. Post Violation**

- Consequences for students will be individually based and may involve:
  - o Exclusion from class
  - o Exclusion from yard
  - o School suspension
  - o Reinforcement of positive behaviours
  - o Classroom meetings
  - o Support structures
  - o Ongoing monitoring of identified bullies
  - o Rewards for positive behaviour
- Consequences for staff will be individually based and may involve a period of monitoring, a formal support group or disciplinary action.

## **Workplace Harassment Policy**

CLA and community languages schools are committed to ensuring healthy and safe workplaces that are free from workplace harassment. Workplace harassment is unacceptable and will not be tolerated under any circumstances. This policy applies to all staff, students, and parents of community languages schools.

### **Workplace harassment**

A person is subjected to 'workplace harassment' if the person is subjected to repeated behaviour, other than behaviour amounting to sexual harassment, by a person, including the person's employer or a co-worker or a member/s or students or group of co-workers of the person that:

- is unwelcome and unsolicited;
- the person considers to be offensive, intimidating, humiliating or threatening;
- a reasonable person would consider to be offensive, humiliating, intimidating or threatening;

- does not include reasonable management action taken in a reasonable way by the person's employer about the person's employment.

The definition of 'workplace harassment' is contained in the *Equal Opportunity Act 2010*. Detailed below are examples of behaviours that may be regarded as workplace harassment, if the behaviour is repeated or occurs as part of a pattern of behaviour. This is not an exhaustive list; however, it does outline some of the more common types of harassing behaviours.

- Abusing a person loudly, usually when others are present.
- Repeated threats of dismissal or other severe punishment for no reason.
- Constant ridicule and being put down.
- Leaving offensive messages on email or the telephone.
- Sabotaging a person's work (for example) by deliberately withholding or supplying incorrect information, hiding documents or equipment, not passing on messages etc.
- Maliciously excluding and isolating a person from workplace activities.
- Persistent and unjustified criticisms, often about petty, irrelevant or insignificant matters.
- Humiliating a person through gestures, sarcasm, criticism and insults.
- Spreading gossip or false, malicious rumours with an intent to cause the person harm.

### **Actions that are not workplace harassment**

Legitimate and reasonable management actions and business processes. Actions taken to transfer, demote, discipline, redeploy, retrench or dismiss an employee are not considered to be workplace harassment, provided these actions are conducted in a reasonable way.

### **Effects of workplace harassment on people and the business**

Workplace harassment has detrimental effects on people and the business. It can create an unsafe working environment, result in a loss of trained and talented staff, the breakdown of teams and individual relationships, and reduced efficiency. People who are harassed can become distressed, anxious, withdrawn, depressed and can lose self-esteem and self-confidence.

### **Workplace Strategies to Eliminate Workplace Harassment**

Community languages schools should:

- provide all staff with workplace harassment awareness training;
- develop a code of conduct for staff to follow;
- introduce a complaint handling system and inform all staff on how to make a complaint, the support systems available and options for resolving grievances;
- regularly review the workplace harassment prevention policy, complaint handling system and training.

Community languages schools' staff are required to comply with this policy, to not tolerate unacceptable behaviour and to maintain privacy during the investigations. The School Leadership must ensure that staff are not exposed to workplace harassment and to personally demonstrate appropriate behaviour, promote the workplace harassment prevention policy, treat complaints seriously and ensure where a person lodges or is witness to a complaint, that this person is not victimised.

A member of staff who is being harassed, can contact the Chairman of the School Management Committee or the School Leadership for assistance in the management and

resolution of a workplace harassment complaint.

### **Commitment to Promptly Investigate Complaints**

Community languages schools must have a complaint handling system, which includes procedures for reporting, investigating, resolving and appealing workplace harassment complaints. Any reports of workplace harassment must be treated seriously and investigated promptly, fairly and impartially. A person making a complaint and/or who is a witness to workplace harassment must not be victimised.

Schools must also have a child-friendly complaints process in place.

### **Consequences of Breach of Policy**

Disciplinary action will be taken against a person who harasses or who victimises a person who has made or is a witness to a complaint. Complaints of alleged workplace harassment found to be malicious, frivolous or vexatious may make the complainant liable for disciplinary action.

## **2.13 Training and Development**

All community languages schools' staff should receive training appropriate to their position. By providing opportunities for staff training and development and encouraging them to expand their knowledge and skills their improved abilities will be reflected in continuing improvements to services. Staff training and development should be tied into the performance appraisal and supervision process.

### **Training and Professional Development Procedure**

The training needs of staff should be discussed at the annual staff performance appraisal and during supervision sessions.

School Authorities are responsible for ensuring that the basic training needs of staff are met. This may be through:

- the provision of an orientation kit and/or procedures manual;
- referral to an external training course;
- the provision of 'in-house' training sessions or on the job training;
- State Ethnic Schools Association/Federation of Community Languages Schools and Department of Education programs.

School Authorities should:

1. Identify training and professional development needs;
2. Prioritise training and professional development needs;
3. Determine available training, learning resources and options;
4. Source/select appropriate training;
5. Conduct or provide training activities;
6. Evaluate training provided.

Basic training for staff should include:

- induction training through an orientation session for new staff. This will cover the Staff Orientation Kit and the content and use of the Organisational and Administrative Manual;
- training on Child Safe Standards, Code of Conduct and Child Safe Policy;
- training on child safeguarding every 2 years;
- annual training on occupational health and safety issues and in the use of equipment;
- training regarding the legal responsibilities associated with their work;
- training related to the needs of the consumer group;
- ongoing training on the content and use of this Manual.

Staff should be advised of changes in practice and policy, or of upcoming events, through a number of different forums including:

- Staff Meetings
- Individual meetings
- Notice Boards
- Resource Folders
- Letters/ Memos/Email.

## **Training and Development Opportunities**

Community languages schools will support their staff and volunteers in development, education and training activities which are relevant to, and will benefit the organisation.

Support may include:

- attendance at workshops, seminars and conferences provided by the School, CLA or other agencies;
- participating in an accredited course of study part-time or externally at a recognised educational institution;
- purchasing resources such as videos and research literature.

Staff should report back to the School Leadership on any training or professional development activities, which they attend and the value of the activity to their work.

Any staff member wishing to participate in development opportunities should discuss these with their immediate supervisor at least 14 days prior to the activity. This will allow for the rostering of a person's work.

## 2.14 Reporting Child Abuse

A new offence for failure to disclose child sexual abuse came into force in Victoria on 27 October 2014. This offence has been introduced as part of the *Crimes Amendment (Protection of Children) Act 2014*, in response to a recommendation from the report of the Parliamentary Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations, *Betrayal of Trust*.

The new offence requires that any adult (aged 18 and over) who holds a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child (aged under 16) disclose that information to police (unless they have a reasonable excuse).

Any adult in a community language school 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 through their Child Safety Officer/School Leadership to police.

Failure to disclose the information to police is a criminal offence.

For further information go to: [Failure to disclose offence | Department of Justice and Community Safety Victoria](#)

Child abuse and/or neglect may occur in the context of a school activity, however it may also occur outside of school, for example at home, sports club or in regular school. If a reasonable belief of harm is formed a report must be made.

### What is a 'reasonable belief'?

A 'reasonable belief' is not the same as having proof. 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 when:

- a child states that they have been sexually abused;
- a child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves);
- someone who knows a child states that the child has been sexually abused;
- professional observations of the child's behaviour or development leads a mandated professional to form a belief that the child has been sexually abused;
- signs of sexual abuse lead to a belief that the child has been sexually abused.

A report to **Child Protection Services** must be made if:

- the harm or risk of harm has a serious impact on the child's immediate safety, stability or development;
- the harm or risk of harm is persistent and entrenched and is likely to have a serious impact on the child's immediate safety, stability or development;
- the child's parents cannot or will not protect the child from harm.

A report to **Child FIRST** must be made if concerns about the child have a low to moderate impact on the child and the immediate safety of the child is not compromised. Some of these concerns may include:

- family conflict or breakdown;
- young or isolated families;
- significant parenting problems that may be affecting the child's development;
- families under pressure due to a family member's physical or mental illness, substance abuse, disability or bereavement;
- significant social or economic disadvantage that may adversely impact on a child's care or development.

If the concern of the allegation is about a staff member, volunteer, contractor or member of the community the police must be called.

**If the child is in immediate danger please call 000.**

Community languages schools' staff should be supported through the appointment of an individual Child Safety Officer with specified 'child-safe' duties in their job description, including being the designated person to hear or be informed about all allegations or concerns and providing support to other staff. This will assist the School in ensuring that child safety is prioritised, and that any allegations of abuse or safety concerns are recorded and responded to consistently and in line with School's legal requirements and policies and procedures.

Child Protection and the Victorian police (or equivalent in other states or territories) are responsible for investigating an allegation of child abuse. Any allegation of abuse by an employer, staff member or visitor to an education and care service must immediately be reported by the Child Safety Officer/School Leadership directly **to Police on the emergency number 000**.

### **Forms of Abuse**

For the purposes of the Child Safe Standards, abuse constitutes any act committed against a child involving:

- physical abuse
- sexual offences including sexual abuse, grooming and sexual exploitation
- serious emotional or psychological abuse
- serious neglect.
- exposure to family violence

**Physical abuse** - occurs when a person intentionally or recklessly uses physical force against or in the presence of a child without their consent, which causes or could cause harm to that child. It can also occur when someone intentionally or recklessly causes a child to believe that physical force is about to be used against them without their consent. Physical abuse can take the form of punching, beating, shaking or otherwise harming a child and also includes behaviours, such as words or gestures that leads a child to believe they are about to suffer physical abuse.

**Sexual abuse** - occurs when a person uses power, force or authority to involve a child in any form of sexual activity. Sexual offences include touching or fondling; obscene or suggestive phone calls/texts; exhibitionism and voyeurism; showing children or involving them in the production of pornographic images; and penetration. Sexual misconduct is another type of sexual abuse and includes a variety of sexualised behaviours toward children. Examples of sexual misconduct include; inappropriate comments of a sexual nature, and behaviour that crosses a professional boundary such as establishing (or seeking to establish) an overly familiar relationship with a child.

**Sexual Exploitation** - is considered a specific form of sexual abuse because children, by virtue of their age and development, are unable to give informed consent. Sexual exploitation of children takes different forms. It can include children being involved in sexually exploitive relationships, exposing a child to pornography, receiving money, goods, drugs or favours in exchange for sex, or being exploited in sex work. In all cases, those exploiting the children have power over them due to the child's age, gender, physical strength, economic or other resources such as access to drugs or gifts.

**Grooming** - refers to actions deliberately undertaken by an adult, adolescent or child to befriend and influence a child (and in some circumstances members of the child's family) with the intention of achieving a criminal objective of sexual activity with children. Grooming is generally subtle and ambiguous. Staff therefore need to be vigilant in reporting any breach of policy or generalised concern to enable patterns of behaviour to be identified early and potential abuse prevented. Grooming behaviours can include the following:

- Sharing secrets with the child;
- Engaging inappropriately with a child on social media;
- Non-sexual touching such as tickling, hugging or rough play;
- Allowing the child to break the rules;
- Spending time with the child away from protective adults, for example a special outing;
- Favouritism toward a child through giving gifts or money.

**Serious emotional or psychological abuse** occurs when harm is inflicted on a child through repeated rejection, isolation, or by threats or violence. It can include derogatory name-calling and put-downs, or persistent and deliberate coldness from a person, to the extent where the behaviour of the child is disturbed, or their emotional development is at serious risk of being impaired. Serious emotional or psychological abuse could also result from conduct that



exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.

**Neglect** - is the continued failure to provide a child with the 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. Serious neglect 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.

**Exposure to family violence** – Family violence is behaviour by a person towards a family member that is:

- Physically or sexually abusive;
- Emotionally (psychologically) abusive;
- Coercive or any way controls or dominates the family member and causes that family member to fear for their safety or wellbeing or the that of another family member; and
- Behaviour by a person that causes a child to hear or witness or otherwise be exposed to the effects of, behaviour referred to above.

Exposure to family violence includes children seeing, hearing or experiencing the violence in a number of ways.

**Sexually harmful behaviour in children** – refers to harmful behaviour perpetrated by a child (17 years of age or younger) to another child. Harmful behaviours in children are often an indicator that they have experienced abuse or neglect. Where sexually harmful behaviour occurs, organisations have a duty of care to both children. Note that in children under 10 years of age, such behaviour is usually referred to as *sexually problematic behaviour*.

Research indicates that a significant proportion of sexual abuse experienced in the context of organisations is carried out by children<sup>5</sup>. Sexually harmful behaviour involves children engaging another party in sexual activity that is either unwanted or where, due to the nature of the situation, the other party is not capable of giving consent (e.g. children who are younger or who have a cognitive impairment)<sup>6</sup>. The School is committed to ensuring its employees and volunteers have access to training and support which prepares them to prevent and identify sexually harmful behaviours and respond to peer-to-peer abuse in a timely, child-focused and protective manner.

If a child exhibits sexually harmful behaviour within our school, the school owes a duty of care to both the perpetrator and victim. Our school recognises that a child who demonstrates sexually harmful behaviours requires therapeutic intervention. They may also have experienced abuse and/or neglect and therefore may require protection.

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<sup>5</sup> Royal Commission into Institutional Responses to Sexual Abuse, 2014.

<sup>6</sup> Adapted from work of the Victorian Therapeutic Treatment Board.

## Indicators of Child Abuse

| Abuse Type                           | Indicators   |
|--------------------------------------|--|
| <b>Physical</b>                      | <ul style="list-style-type: none"> <li>• Disclosure of abuse</li> <li>• Bruises, burns, sprains, dislocations, bites, cuts.</li> <li>• Pressure marks from fingers</li> <li>• Bite marks</li> <li>• Location and extent of injury do not fit the explanation given</li> <li>• Fractured bones, especially in an infant where a fracture is unlikely to occur accidentally</li> <li>• Poisoning</li> <li>• Internal injuries</li> <li>• Showing wariness or distrust of adults.</li> <li>• Wearing long sleeved clothes on hot days (to hide bruising or other injury)</li> <li>• Demonstrating fear of parents and of going home; running away</li> <li>• Becoming fearful when other children cry or shout</li> <li>• Being excessively friendly to strangers</li> <li>• Being very passive and compliant</li> </ul>        |
| <b>Sexual Abuse and Exploitation</b> | <ul style="list-style-type: none"> <li>• Disclosure of abuse</li> <li>• Complaining of headaches or stomach pains</li> <li>• Experiencing problems with schoolwork</li> <li>• Sexually transmitted infections</li> <li>• Genital injuries</li> <li>• Bleeding</li> <li>• Bite marks</li> <li>• Pregnancy</li> <li>• Displaying sexual behaviour or knowledge which is unusual for the child's age</li> <li>• Excessive masturbation which doesn't respond to boundaries</li> <li>• Showing behaviour such as frequent rocking, sucking and biting</li> <li>• Experiencing difficulties in sleeping</li> <li>• Persistent soiling or bed wetting</li> <li>• Having difficulties in relating to adults and peers</li> <li>• Unexplained absences, unexplained gifts or money are often signs of sexual exploitation</li> </ul> |
| <b>Emotional</b>                     | <ul style="list-style-type: none"> <li>• Disclosure of abuse</li> <li>• Developmental delays</li> <li>• Displaying low self esteem</li> <li>• Tending to be withdrawn, passive, tearful</li> <li>• Displaying aggressive or demanding behaviour</li> <li>• Being highly anxious</li> <li>• Showing delayed speech</li> <li>• Fear of the dark, sleep disturbances</li> <li>• Acting like a much younger child, e.g. soiling, wetting pants</li> <li>• Displaying difficulties in relating to adults and peers</li> <li>• Avoiding home</li> <li>• Running away</li> </ul>  |

|                        |  |
|------------------------|--|
| <b>Neglect</b>         | <ul style="list-style-type: none"><li>• Disclosure of neglect</li><li>• Frequent hunger</li><li>• Malnutrition</li><li>• Poor hygiene</li><li>• Inappropriate clothing, e.g. Summer clothes in winter</li><li>• Left unsupervised for long periods</li><li>• Medical needs not attended to; ill more than average</li><li>• Abandoned by parents</li><li>• Stealing food</li><li>• Staying at school outside school hours</li><li>• Often being tired, falling asleep in class</li><li>• Abusing alcohol or drugs</li><li>• Displaying aggressive behaviour</li><li>• Not getting on well with peers</li></ul> |
| <b>Family Violence</b> | <ul style="list-style-type: none"><li>• Disclosure of family violence</li><li>• Physical injuries</li><li>• Concentration difficulties</li><li>• Adjustment difficulties</li><li>• Anxious or nervous</li><li>• Depression</li><li>• Fear of a parent or partner of parent</li><li>• Isolation from friends and family</li><li>• Unusual absences</li><li>• Fear of conflict</li><li>• Violent outbursts</li><li>• Aggressive language</li><li>• Headaches, abdominal pain, stuttering.</li></ul>  |

## Identifying sexually harmful behaviour in children

### Normal vs concerning sexual development in children

#### Traffic Light Model

The following model can be used to help parents and carers to assess if a child is displaying normal or concerning sexual development behaviours.

**Green:** Sexual behaviours that are considered 'normal', healthy, spontaneous, curious, light-hearted, easily distracted, experimental, and that are in line with age and ability level.

**Action:** opportunity to give the child or adolescent positive feedback and information.

**Yellow:** Sexual behaviours that are outside the norm in terms of persistence, frequency or disparity in age/development.

**Action:** gather more information to assess the most appropriate action.

**Red:** Sexual behaviours outside the norm – behaviour that is excessive, secretive, compulsive, coercive or degrading.

**Action:** requires immediate intervention and action.

When using the traffic light model it is important to remember the model is evidence-based and outlines what research shows is normal and irregular sexual behaviours in children at various ages and stages of development.

#### Considerations

There are various influences on children's sexual behaviour and development, including:

- Parents and family relationships
- Media - television, internet, radio, magazines, etc
- Peer relationships
- How adults treat each other
- Children's services
- School environments
- Cultural background and norms
- Social overlays or judgments should be managed carefully in order to appropriately respond to the behaviours in the first instance.

When assessing a child's sexualised behaviour it is important to consider the following variables:

- Is the behaviour age appropriate or concerning?
- What is the context of the behaviour?
- What is the age difference and relationship between children?
- What is the vulnerability of the child? (age, cognitive ability, socio economic status)

**Situations of sexualised behaviour and peer sexual play which causes concern**

- The children engaged in the sexual play do not have an ongoing mutual relationships.
- The children engaged in the sexual play/behaviour are of different ages or development levels.
- Any sexual play/behaviour which continues in spite of consistent and clear requests to stop.
- Sexual behaviour which occur in public or other places where the child has been told is not acceptable.
- Sexual play/behaviour which is eliciting complaints from other children or adversely affecting them.
- Sexual behaviour which progresses in frequency, intensity or intrusiveness over time.
- Sexual behaviour that is associated with fear, anxiety, deep shame or intense guilt.
- Children who manually stimulate or have oral or genital contact with an animal.
- Sexual behaviours which cause physical or emotional pain to self or others.
- Children who use sex to hurt others.
- When verbal and/or physical expressions of anger precede, follow or accompany the sexual behaviour.
- When coercion, force, bribery, manipulation or threats are associated with sexual behaviours.

**0 – 5 Years**

|               |   |
|---------------|---|
| <b>Green</b>  | <ul style="list-style-type: none"> <li>• Thumb-sucking, body-stroking, genital holding</li> <li>• Curious - wants to touch others' private parts, e.g. when in bath</li> <li>• Games, e.g. doctor/nurse, 'show me yours, I'll show you mine'</li> <li>• Enjoyment being nude, using slang language for toilet functions</li> </ul>  |
| <b>Yellow</b> | <ul style="list-style-type: none"> <li>• Preoccupation with adult sexual behaviour</li> <li>• Preoccupation with touching others' genitals</li> <li>• Use of adult sexual language</li> <li>• Peeping at others' private body parts, pulling others pants down/skirt up</li> <li>• Sexualised play with dolls</li> </ul>            |
| <b>Red</b>    | <ul style="list-style-type: none"> <li>• Simulation of foreplay/sexual behaviour in play</li> <li>• Persistent masturbation, touching or attempting to touch others' genitals</li> <li>• Sexual behaviour between children involving penetration with objects</li> <li>• Forcing other children to engage in sexual play</li> </ul> |

**5 - 9 Years**

|               |  |
|---------------|--|
| <b>Green</b>  | <ul style="list-style-type: none"> <li>• Self-touching, masturbation to self-soothe</li> <li>• Increased curiosity about other children's genitals and adult sexuality (e.g. babies, gender differences)</li> <li>• Using 'toilet words', body parts as swear words to be silly, telling dirty jokes</li> <li>• Increased sense of privacy about bodies</li> </ul>     |
| <b>Yellow</b> | <ul style="list-style-type: none"> <li>• Persistent/recurrent questions about sexual activity</li> <li>• Writing sexually threatening notes</li> <li>• Engaging in mutual masturbation</li> <li>• Constant public touching of own genitals</li> <li>• Use of adult language to discuss sex e.g., "do I look sexy?"</li> <li>• Persistent use of dirty words</li> </ul> |

|                       |   |
|-----------------------|---|
| <b>Red</b>            | <ul style="list-style-type: none"> <li>• Persistent masturbation, especially in front of others</li> <li>• Sexual behaviours engaging younger/less able children (e.g. sneaking into room of sleeping younger children to touch or engage in sexual play)</li> <li>• Simulation of sexual acts sophisticated for age e.g. oral sex</li> <li>• Persistent sexual themes in talk, play, art, etc</li> </ul>   |
| <b>9 to 12 Years</b>  |   |
| <b>Green</b>          | <ul style="list-style-type: none"> <li>• Use of sexual language and dirty words/jokes with peers</li> <li>• Having girlfriends/boyfriends; consensual kissing with known peers</li> <li>• Some exhibitionism e.g. flashing/mooning to same age peers</li> <li>• Increased need for privacy</li> <li>• Occasional masturbation</li> <li>• Use of internet to chat online</li> </ul>  |
| <b>Yellow</b>         | <ul style="list-style-type: none"> <li>• Sudden change in behavior or dress</li> <li>• Mixing with new and/or older people</li> <li>• Bullying involving sexual aggression</li> <li>• Pseudo maturity, inappropriate knowledge, discussion of sexuality</li> <li>• Preoccupation with online chat or pornography</li> <li>• Persistent expression of fear of pregnancy or STIs</li> <li>• Mutual masturbation, preoccupation with masturbation</li> </ul>   |
| <b>Red</b>            | <ul style="list-style-type: none"> <li>• Persistent masturbation, particularly in front of others</li> <li>• Sexual activity, oral sex, intercourse, coercion of others into sexual acts</li> <li>• Sending nude/sexually provocative images of self or others online</li> <li>• Degradation/humiliation of self or others using sexual themes</li> <li>• Presence of STI</li> <li>• Penetration of children, animals, dolls or other objects</li> </ul>  |
| <b>13 to 18 Years</b> |   |
| <b>Green</b>          | <ul style="list-style-type: none"> <li>• Sexually explicit conversations with peers; obscenities/jokes within norm</li> <li>• Solitary masturbation</li> <li>• Interest in erotica</li> <li>• Use of internet to chat online</li> <li>• Sexual activity: flirting, hugging, kissing, foreplay, hand-holding, consensual oral sex, intercourse with partner of similar age and development</li> </ul>  |
| <b>Yellow</b>         | <ul style="list-style-type: none"> <li>• Sexual preoccupation</li> <li>• Anxiety interferes with daily function</li> <li>• Preoccupation with pornography, online chat, meeting online acquaintance</li> <li>• Sexually aggressive themes/ obscenities/ graffiti</li> <li>• Peeping, exposing, non-consensual sexual touch, violation of other's space</li> <li>• Unsafe sexual behaviour i.e. unprotected, intoxicated, multiple partners</li> </ul>   |
| <b>Red</b>            | <ul style="list-style-type: none"> <li>• Compulsive masturbation (especially chronic or public)</li> <li>• Degradation of self/others with sexual themes</li> <li>• Preoccupation with sexually aggressive pornography</li> <li>• Sexual harassment, attempt/force others to expose genitals</li> <li>• Sexual contact or talk with others of a significantly different age developmental status</li> <li>• Sending nude or sexually provocative images of self to others online</li> <li>• Genital injury to self or others</li> <li>• Sexual penetration or contact with animals</li> </ul> |

### Suspicion of harm

A common understanding about child abuse is important for all [INSERT SCHOOL NAME] staff and volunteers. Staff and volunteers must be aware of the indicators of child abuse, and the impact of child abuse and neglect on the healthy development of children and young people.

You can suspect harm if there are changes in behaviour or the presence of new or unexplained and suspicious injuries.

### **Disclosure of harm**

As Children and Young People are more likely to open up to staff and volunteers that they know well, it is important that all staff and volunteers understand how to manage disclosures. A disclosure of harm occurs when someone, including a child, tells you about harm that has happened or is likely to happen. Disclosures of harm may start with:

- *I think I saw...*
- *Somebody told me that...*
- *Just think you should know...*
- *I'm not sure what I want you to do, but...*

### **Procedure for Receiving a Disclosure of Harm**

When receiving a disclosure of harm:

- remain calm and find a private place to talk;
- don't promise that you'll keep a secret; tell them they have done the right thing in telling you but that you will need to tell someone who can help keep them safe;
- only ask enough questions to confirm the need to report the matter; probing questions could cause distress, confusion and interfere with any later enquiries; and do not attempt to conduct your own investigation or mediate an outcome between the parties involved.

## Disclosure Do & Don't Tips

| Do   | Don't   |
|--|---|
| Listen carefully to what the child or young person is saying; let them use their own words.      | Make promises you cannot keep, such as promising that you will not tell anyone.   |
| Tell the child or young person they did the right thing by telling you.                          | Push the child or young person into giving details of the abuse. Your role is to listen to what the child or young person wants to tell you or make observations - not to conduct an investigation. |
| Tell the child or young person it is not their fault and they are not responsible for the abuse. | Indiscriminately discuss the circumstances of the incident with others not directly involved with the child or young person.  |
| Let the child or young person know what will happen next.  |   |
| Tell the child or young person you are pleased they told you.                                    |   |
| Advise your principal/child safe officer and report to relevant authorities.                     |   |

## Reporting Guidelines for Disclosures or Suspicions of Harm

The following advice is provided in relation to a disclosure or suspicion of harm:

- All staff and volunteers must comply with all legal requirements to report child abuse to their Child Safety Officer/School Principal who will work with you to contact the police on 000 when it is suspected that a child's safety is at immediate risk or other relevant authorities when needed.
- Ensure processes for reporting suspected child abuse are appropriate, clear and robust, and that children and families feel comfortable following them. This includes:
  - step by step guides for staff outlining when, and to whom, a report must be made;
  - requirements for accurate recording of relevant information and actions taken;
  - clear criteria for assessing how, and when, to report to the Child Safety Officer/School principal and authorities (the police and/or Child Protection), which comply with all legal requirements;
  - instituting strategies to make people feel safe and comfortable reporting suspected abuse by designating a Child Safety Officer/Champion, for staff and children to contact to discuss a suspected abuse or child safety concern.
  - Having a child friendly complaints process in place
  - Easy to understand documents in place that parents/carers can understand or documents in their own language



**Areas of concern that require reporting to the school Child Safe Officer and/or authorities include:**

- Suspicions or beliefs that children are at risk of harm.
- Inadequate staff-child supervision ratios
- Inappropriate relationships developing between children and staff/volunteers
- Observations of concerning changes in behaviour
- Feelings of discomfort about a relationship between a child and staff member/volunteer.
- Disclosures of abuse or harm which must be reported to external authorities.
- Any other suspected or actual breach of this framework, Code of Conduct/Statement of Commitment, legislation or related policy, procedure or practice related to the safety of children.

**Documenting a Suspicion of Harm**

If you or others have concerns about the safety of a child, record your concerns in an objective and accurate manner as soon as possible. If a parent explains a noticeable mark on a child, record your own observations as well as accurate details of the conversation. If you see unsafe or harmful actions towards a child in your care, intervene immediately, provided it is safe to do so. If it is unsafe, call the police for assistance.

**Documenting a Disclosure of Harm**

Complete an incident report form (can be adapted from the CLV template) or record the details as soon as possible so that they are accurately captured. Include:

- time, date and place of the disclosure;
- 'word for word' what happened and what was said, including anything you said and any actions that have been taken; and
- date of report and signature.

If you need to take notes as the person is telling you, explain that you are taking a record in case any later enquiry occurs.

**Record Keeping and Storage**

[INSERT SCHOOL NAME] will keep confidential records of any child safety concerns or complaints should they arise. Notes and observations should be clear, easy to read and accessible. Documentation should include, dates, times and location, as well as details of conversations with other employees, volunteers, contractors or the child and their family/carers. Reports should be accurate and impartial.

Detailed descriptions of the incident or concern, evidence and actions taken, including incident forms, reports made to authorities and any other follow-up actions will be completed. In accordance with current best practice guidelines [Insert school] will keep these records for up to 45 years (at minimum).

All information collected by school will be stored 7 years.

## **Actions Following a Disclosure of Harm**

Support and counselling must be offered to all parties involved including the child, staff, volunteers and the alleged perpetrators. Support may include development of a safety plan, direct support and referral to wellbeing professionals etc.

Schools **must** provide support for children and young people impacted by abuse. This should include the development of a Student Support Plan in consultation with wellbeing professionals. This is an essential part of duty of care requirements.

Schools **must** follow the following Four Critical Actions every time they become aware of a further instance or risk of abuse. This includes reporting new information to authorities.

Action 1: Responding to an emergency

Action 2: Reporting to authorities

Action 3: Contacting parents/carers

Action 4: Providing ongoing support

### ***Action 1: Responding to an emergency***

A new criminal offence of Failing to Protect a child under the age of 16 from the risk of sexual abuse commenced in Victoria on 1 July 2015.

The offence requires a person in a position of authority to reduce or remove the risk of sexual abuse of a child by an adult associated with their organisation. A person in authority in an organisation must take reasonable steps to reduce or remove a known substantial risk that an adult associated with their organisation will commit a sexual offence against a child. For example:

- A staff member or volunteer who is known to pose a risk of sexual abuse to children in the organisation should be immediately removed from contact with children and reported to appropriate authorities and investigated after police clearance has been given.
- A community member who is known to pose a risk of sexual abuse to children should not be allowed to volunteer in a role that involves direct contact with children at the organisation.
- A parent/carer who is known to pose a risk of sexual abuse to children in a school should not be allowed to attend overnight school camps as a parent helper.

To report a child in **immediate** risk or danger of a sexual offence, the Child Safety Officer/School Leadership must call Triple Zero (000).

### ***Action 2: Reporting to Authorities***

The following outlines the steps to be taken following a breach of the Child and Youth Risk Management Strategy in order to address the breach in a fair and supportive manner.

School Authorities must report to DHHS Child Protection if a child is:

- 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.

If the source of suspected abuse is from within the family or community, School Authorities must contact DHHS Child Protection (or equivalent in other states or territories).

### **Victorian DHHS Child Protection Areas**

- North Division 1300 664 9777
- South Division 1300 655 795
- East Division 1300 360 391
- West Division (Rural) 1800 075 599
- West Division (Metro) 1300 664 9777

After hours, weekends, public holidays 13 12 78

### **Interstate websites and contact numbers**

- [Australian Capital Territory \(ACT\)](#): 1300 556 729
- [New South Wales \(NSW\)](#): 132 111
- [Northern Territory \(NT\)](#): 1800 700 250
- [Queensland \(QLD\)](#): 1800 177 135
- [South Australia \(SA\)](#): 131 478
- [Tasmania \(TAS\)](#): 1800 000 123
- [Western Australia \(WA\)](#): 131 444

[National Relay Service](#)

The Child Safe Officer and school principal will determine if the incident is a Reportable Conduct allegation and if a report needs to be made to CCYP.

### **Action 3: Contacting parents/carers**

The Child Safety Officer/School Principal must consult with DHHS Child Protection or Police to determine what information can be shared with parents/carers. They may advise:

- not to contact the parents/carers (e.g. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and does not wish for their parents/carers to be contacted)
- 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).

### **Action 4: Providing ongoing support**

All community languages schools are required to follow appropriate processes and procedures to ensure that the child and family connected to alleged child abuse are able to access appropriate support until the allegation is resolved. This includes support and counselling to be offered to **all parties** involved. Strategies may include development of a safety plan, direct support and referral to wellbeing professionals etc. Schools must provide ongoing support for children impacted by abuse. This should include the development of a Student Support Plan in consultation with wellbeing professionals. This is an essential part of duty of care requirements.

## **Managing Breaches (Non Child Safeguarding)**

### **Definition**

A breach is any action or inaction by any member of the School, including children and young people, that fails to comply with any part of the Child and Youth Management Strategy.

This includes any breach in relation to:

- statement of commitment to the safety and wellbeing of children and the protection of children from harm, and Zero tolerance of child abuse;
- code of conduct for interacting with children and young people;
- procedures for recruiting, selecting, training and managing staff;
- policies and procedures for handling disclosures or suspicions of harm, including reporting guidelines;
- policies and procedures for implementing and reviewing the Children and Youth Risk Management Strategy and maintaining a staff register;
- risk management plans for high risk activities and special events; and
- strategies for communication and support.

All stakeholders are to be made aware of the actions or inactions that form a breach as well as the potential outcomes of breaching the Child and Youth Risk Management Strategy. Failure to disclose does not change mandatory reporting obligations. Certain professionals are mandatory reporters, meaning they are required to report to the Department of Health and Human Services if they believe on reasonable grounds that a child is in need of protection from physical and sexual abuse.

### **Processes to manage a breach of the Child and Youth Risk Management Strategy**

Breaches will be managed in a fair, unbiased and supportive manner. The following will occur:

- All people concerned will be advised of the process;
- All people concerned will be able to provide their version of events;
- The details of the breach, including the versions of all parties and the outcome will be recorded;
- Matters discussed in relation to the breach will be kept confidential; and
- An appropriate outcome will be decided.

### **Suitable outcomes for breaches**

Depending on the nature of the breach, outcomes may include:

- Emphasising the relevant component of the Child and Youth Risk Management Strategy, for example, the code of conduct;
- Providing closer supervision;
- Further education and training;
- Mediating between those involved in the incident (where appropriate);
- Disciplinary procedures if necessary; or
- Reviewing current policies and procedures and developing new policies and procedures if necessary.

## **Managing Breaches (Child Safeguarding)**

### **Definition**

A breach is any action or inaction by any member of the School or CLV to whom the Code of Conduct and/or Child Safe Policy applies that fails to comply with the Code of Conduct and Child Safe Policy.

This includes any breach in relation to:

- Statement of Commitment to the safety and wellbeing of children and the protection of children from harm, and zero tolerance of child abuse;
- Code of Conduct for interacting with children and young people;
- procedures for recruiting, selecting, training and managing staff;
- policies and procedures for handling disclosures or suspicions of harm, including reporting guidelines;
- policies and procedures for implementing and reviewing the Children and Youth Risk Management Strategy and maintaining a staff register;
- risk management plans for high risk activities and special events; and
- strategies for communication and support.

All stakeholders are to be made aware of the actions or inactions that form a breach as well as the potential outcomes of breaching the Code of Conduct and Child Safe Policy. Failure to disclose does not change mandatory reporting obligations. Certain professionals are mandatory reporters, meaning they are required to report to the Department of Health and Human Services if they believe on reasonable grounds that a child is in need of protection from physical and sexual abuse.

### **Processes to manage a breach of the Code of Conduct and Child Safe Policy**

Breaches will be managed in a fair, unbiased and supportive manner. The following will occur:

- All people concerned will be advised of the process;
- All people concerned will be able to provide their version of events;
- The details of the breach, including the versions of all parties and the outcome will be recorded;
- Matters discussed in relation to the breach will be kept confidential;
- An appropriate outcome will be decided; and
- External investigators will be involved when necessary

### **Suitable outcomes for breaches**

Depending on the nature of the breach, outcomes may include:

- Providing closer supervision;
- Further education and training;
- Mediating between those involved in the incident (where appropriate);
- Disciplinary procedures if necessary;
- Termination of employment or engagement with the school;
- Reporting allegations, disclosures and concerns to authorities; and
- Reviewing current policies and procedures and developing new policies and procedures.

## Child and Young people - Risk Management

Community languages schools are required to protect children when a risk is identified. In addition to general occupational health and safety risks, they must proactively manage risks of abuse to children. They must have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments (for example, any doors that can lock), and online environments (for example, no staff member is to have contact with a child on social media).

In addition to occupational health and safety concerns, a Child and Young people Risk Management Strategy should analyse the risk of 'harm' to children and young people. Schools are responsible for delivering the strategy to suit the relevant needs of their School environment and circumstances. A template is provided below to support Schools develop their Child and Youth Risk Management Strategy.

Risk management means identifying the potential for an incident or potential harm to occur and taking steps to reduce the likelihood of it happening.

| STEP 1   | STEP 2   | STEP 3   | STEP 4  | STEP 5                                       | STEP 6   |
|--|--|--|---|--|--|
| <b>Describe the activity</b><br>Identify all elements of the event from beginning to end | <b>Identify Risks</b><br>Something that could happen that results in harm to a child or young person | <b>Analyse the Risk</b><br>Likelihood/Consequences | <b>Evaluate the Risk</b><br>The level of risk | <b>Manage the Risk</b><br>Assess the options | <b>Review</b><br>Nominate who will review after the event/activity |

- [INSERT SCHOOL NAME] has a duty of care to prevent harm before it occurs and will do its utmost to assess and mitigate risks in relation to its activities and services.
- [INSERT SCHOOL NAME] is a learning organisation and commits to reviewing any serious incidents or breaches of policy and procedure or order to ensure that learning can be utilised to strengthen child safety across the school.
- [INSERT SCHOOL NAME]'s risk management strategy is designed to suit our school's needs and accounts for possible risks in both physical and online environments.
- [INSERT SCHOOL NAME] listens to what children and young people have to say about what keeps them safe/unsafe and their likes/dislikes.

[INSERT SCHOOL NAME] staff and volunteers need to have a clear understanding of:

- Potential risks to children and young people.
- Identifying and assessing the risks associated with the specific services and activities it delivers
- How to develop a plan to prevent risks, or to address them effectively when they occur.

## **2.15 Implementing Strategies to Promote Child Participation and Empowerment**

Examples of how community languages schools can implement this standard include:

- Providing children with child-appropriate and accessible information about what child abuse is, their right to make decisions about their body and their privacy, that no one has a right to injure them, and how they can raise concerns about abuse. For example, information can be included in welcome packs, information sessions and posters, as well as on websites and social media.
- Ensuring information and processes for reporting concerns are accessible to all children, for example by having policies and procedures that are able to be accessed and understood by children with a disability.
- Ensuring information and processes for reporting concerns are culturally appropriate for Aboriginal children. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community-controlled organisation to review information and processes.
- Accessing culturally appropriate language, photographs and artwork for Aboriginal children, children from culturally and/or linguistically diverse backgrounds and children with a disability when drafting communications materials.
- Translating School information (including information about children's rights, child safe policies, statements of commitment and reporting and response procedures) into relevant community languages, including relevant Aboriginal languages.
- Gathering feedback from children, for example through surveys, focus groups, story time and social media, about whether they would feel safe and be taken seriously if they were to raise concerns, and implement improvements based on this feedback.
- Enabling children to express their views and make suggestions on what child safety means to them, and on child safe policies, reporting and response procedures, and acknowledging and acting upon these where possible. For example, views could be gathered through suggestion boxes, feedback sessions, emails or online (via wikis or other social media).

### **Successfully Implementing**

Successfully implementing should result in Schools where:

- reporting procedures for when a child feels unsafe are accessible for all children;
- children understand what child abuse is, and their rights (age appropriate);
- children understand how to report an allegation of abuse or concern for their safety to the School, a trusted adult and external bodies (for example, the police);
- children feel safe, empowered and taken seriously if they raise concerns;
- children feel empowered to contribute to the School's understanding and treatment of child safety;
- children's reports of concern are responded to appropriately.

## **2.16 Schools That Operate Early Years Programs**

Schools that work with children under the age of 6 must meet additional obligations. These obligations include:

- Sample Curriculum plan for preschool-aged children
- Emergency Management Plans for each campus listed
- School policies
- A Commitment to the Victorian Child Safe Standards
- Child Safe Code of Conduct
- Child Safe Policy or Statement of Commitment Policy
- WWCCs (for all staff/volunteers at each campus)
- A clear approach to risk identification and management
- Demonstrated capacity to deliver curriculum to and for preschool-aged students in line with the Victorian Early Years Learning and Development Framework<sup>7</sup>
- Commitment to professional development for staff in regard to preschool-aged delivery in line with the Victorian Early Years Learning and Development Framework

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<sup>7</sup> [VICTORIAN EARLY YEARS LEARNING AND DEVELOPMENT FRAMEWORK FOR ALL CHILDREN FROM BIRTH TO EIGHT YEARS](#)



### **3.0 Occupational Health and Safety**

CLA and community languages schools are committed to providing a safe and positive working environment for their staff acknowledging that staff well-being is a major factor in enabling them to perform their duties to the best of their ability.

Consistent with the requirements of the *Occupational Health and Safety Act, 2004*, CLA and community languages schools as employers, have an obligation to provide safe working conditions and work practices.

These include:

- providing or maintaining equipment and systems of work that are safe and without risks to health;
- making arrangements to ensure the safe use, handling, storage and transport of equipment and substances;
- providing information, instruction, training and supervision necessary to ensure the health and safety at work of staff members;
- maintaining places of work under their control in a safe condition and providing and maintaining safe entrances and exits;
- making available adequate information about research and relevant tests of substances used at the place of work.

#### **3.1 Occupational Health and Safety Act Objectives**

The objectives of the *Occupational Health and Safety Act* (Section 2) are:

- (a) to secure the health, safety and welfare of staff and other persons at work; and
- (b) to eliminate at the source, risks to the health, safety or welfare of staff and other persons at work; and
- (c) to ensure that the health and safety of members of the public is not placed at risk by the conduct of undertakings of employers and self-employed persons; and
- (d) to provide for the involvement of staff, employers and organisations representing those persons, in the formulation and implementation of health, safety and welfare standards.

#### **3.2 Principles of Health and Safety Protection**

Section 4 of the Occupational Health and Safety Act affirms the following principles of health and safety protection:

1. The importance of health and safety requires that all staff, other persons at work and members of the public be given the highest level of protection against risk to their health and safety that is reasonably predictable in the circumstances.
2. Persons who control or manage that give rise or may give rise to health or safety are responsible for eliminating or reducing those risks so far as is reasonably predictable.
3. Employers and self-employed persons should be proactive, and take all practicable measures, to ensure health and safety at workplaces and in the conduct of undertakings.
4. Employers and their staff should exchange information and ideas about risks to health and safety and measures that can be taken to eliminate or reduce those risks.
5. Staff are entitled, and should be encouraged, to be represented in relation to health and safety issues.

## 3.3 Health and Safety

Community languages schools need to recognise their responsibilities under the *Occupational Health and Safety Act 2004* to provide a healthy and safe work environment for staff, clients and o visitors. In order to achieve this, Schools will make every reasonable effort in the areas of accident prevention, hazard control and removal, injury protection, health preservation and promotion. Those aspects of working conditions must be given top priority in their plans, procedures, programs, job instructions, training, and supervision to ensure that all staff are aware of safe work practices.

### **Health and Safety in Community Languages Schools**

In accordance with the requirements of the legislation, information and relevant training must be provided to all staff on the causes and prevention of work related illnesses and injuries.

#### ***Furniture and Equipment***

Staff must be provided with relevant training prior to the use of any equipment. It is the responsibility of all staff to ensure that they use equipment, such as computers appropriately and follow the procedures recommended to protect themselves from muscle fatigue and repetitive strain injury. Staff should also ensure that they protect their eyes from the light emitted by photocopiers and should take care when filling photocopiers with toners.

#### ***Stress***

Community languages schools recognise that stress is an occupational hazard and aim to minimise stress for staff by:

- making working conditions a priority;
- clearly defining job responsibilities and accountability structures;
- establishing support systems for all staff;
- ensuring work plans and timelines are realistic.

#### ***Smoking***

Community languages schools recognise the dangers of passive smoking and have made their workplaces smoke free environments. No person is permitted to smoke when community languages schools are operating.

#### ***Accidents***

An accident report form as provided by the WorkCover Authority must be completed by any staff member involved in an accident/injury (however minor) either at work or on the way to, or from work, and given to their Manager as soon as possible.

#### ***Communicable Diseases***

All staff should practice basic hygiene and exercise infection control measures to avoid communicable diseases.

### **3.4 Occupational Health and Safety Policy**

Health and safety at work is both an individual and shared responsibility of all staff. School Authorities are required to actively pursue the goals set out in this policy through the following approaches:

- (a) devising and administering a comprehensive health and safety program;
- (b) holding regular meetings to discuss health and safety performances; and
- (c) taking effective action to provide and maintain safe and healthy working conditions for all staff.

The legislation also places the obligation on all staff to take care of their own health and safety, and health and safety of other persons who may be affected by their acts or omissions at the workplace. It also provides for involvement of staff in dealing with health and safety issues. Therefore, all staff are expected to practice safe working habits, report unsafe working conditions and equipment, take care of others, cooperate with the School in meeting the requirements of the *Occupational Health and Safety Act* and immediately report any hazards or faulty equipment.

### **3.5 Maintaining a Safe and Healthy Workplace**

Community languages schools are required as far as is practicable to:

- monitor the health of staff;
- maintain information and records relating to the health and safety of staff;
- monitor workplace conditions;
- engage outside specialist advice when it is required;
- provide occupational health and safety information to all staff, including the name of persons to whom they may make an enquiry or complaint in relation to health and safety.

Community languages schools have the following key responsibilities:

- Assessing work-related medical conditions, and investigating all matters relating to occupational health and safety in the workplace;
- Providing advice and supervision on all aspects relating to the maintenance of a safe working environment, safety training, hazard monitoring of the workplace and investigation of serious or recurring accidents;
- Providing advice to staff on WorkCover entitlements, administration of WorkCover claims, liaison with the Victorian WorkCover Authority, and preparation of responses to the conciliators, Administrative Appeals Tribunal, Medical Panel or County Court;
- Implementing rehabilitation programs for injured staff, supervising return-to-work programs and liaising with rehabilitation providers;
- Developing and implementing occupational health and safety training programs.

## **3.6 Health and Safety Representatives**

All community languages schools need to elect health and safety representatives. Elected health and safety representatives have specific functions and powers defined by the *Occupational Health and Safety Act*.

Health and safety representatives may:

- inspect any part of the workplace giving reasonable notice to the employer or the employer's representative; and
- report to their manager, immediately in the event of any accident or immediate risk to the health and safety of any person;
- accompany any inspector during an inspection of the workplace;
- with the consent of the staff member, be present at any interview between a staff member and an inspector concerning health and safety.

## **3.7 Reporting of Work-Related Injuries and Illness**

It is important that community languages schools recognise the need for investigating, analysing and reporting all injuries, accidents and potential hazards. It is a legal requirement under *Occupational Health & Safety* legislation and an insurance requirement to report all work-related injuries or illnesses. However, it should be recognised that good reporting also leads to effective prevention.

In order to meet legal requirements, any accident, significant injury or work-related illness must be reported immediately to the School Leadership. Other injuries or occupational illnesses should be reported within 24 hours. Accidents not causing injury also need to be reported. Prompt reporting is necessary in the event of a claim being made under WorkCover.

A reporting form should be made available which should be completed either by the person suffering the injury or illness or someone acting on his or her behalf. It is important to provide as much detail as possible, including the name, date of the accident/incident and place of incident. It is important to use specific and identifiable rooms or locations (for example do not use terms such as 'my office' or 'hurt right finger'), or for injuries, describe the condition suffered (for example, 'cut right finger').

## **3.8 Investigation of Work-Related Injuries and Illness**

It is important to investigate, analyse and report all accidents, injuries, work-related illnesses and potential hazards in order to prevent a similar accident or injury from re-occurring. Therefore, the purpose of investigating is to gather all-important facts and set in motion any action required.

All accidents should be investigated. However, the level of investigation will vary. For example, minor incidents such as a scratch on the skin requiring a band-aid, would need a simple

investigation. No injury however small, should be ignored simply because it is of a minor nature.

For more serious accidents causing injury or having potential to cause injury, the following procedures should be followed:

- First aid should be given as soon as possible to an injured person. If the person is seriously injured or ill, medical help must be obtained as soon as possible.
- The location of the accident must be secured until an investigation is completed. In the case of injury, it can start whilst the injured person is receiving treatment or as soon as possible.
- Evidence should be kept, such as collecting samples of broken equipment.
- The injured person as well as people who might have witnessed the accident happen should be interviewed.
- The accident investigation should be completed within 24 hours, whilst still fresh in mind. In exceptional circumstances completion within 48 hours is acceptable.

### **3.9 WorkCover Information for Employees**

WorkCover is an injured workers' Compensation Scheme and acts in three spheres:

- *Prevention:* Aims to increase awareness of occupational health and safety in providing policies and standards to prevent injury in the workplace, because work must always be done safely, with safe equipment, in safe and healthy workplaces.
- *Compensation:* Compensates staff who are injured at work.
- *Rehabilitation:* Helps injured staff to return to work.

### **3.10 A Brief Guide to Compensation**

The purpose of compensation is to provide proper compensation to an employee who has suffered a work-related injury or illness at work or because of their employment. The information below is provided to assist community languages schools understand Workers Compensation.

#### ***Who Is an Employee?***

An employee is any person who receives payment for providing the service. This would normally include all full time, part time and casual staff. A voluntary staff member who does not receive any payment for the services he or she provides is not eligible for the compensation under WorkCover compensation laws.

#### ***What Is a Compensable Injury?***

A compensable injury is any injury, which occurs at work or during one's employment. Therefore, employment must be a significant contributing factor to development of the injury.

#### ***What do you do if you are injured?***

If an employee suffers a work-related injury or illness, he or she must report it to their employer in writing within 30 days of becoming aware of it. If an employee does not report the injury, he or she might not be entitled to make a compensation claim.

***What types of WorkCover claims are there and how can they be lodged?***

Claim forms are available from any Post Office or the WorkCover Office. Claims fall into five categories as follows:

1. Claims for weekly compensation can be made by completing a weekly compensation claim form and providing a WorkCover medical certificate signed by the treating doctor. The claim form and medical certificate must be sent to the WorkCover Officer.
2. Claims lodged by dependants of a deceased employee must be submitted on the prescribed form and returned to the WorkCover Officer with a death certificate.
3. Claims for permanent disability must be also lodged on a prescribed form.
4. Claims for medical services are made only if no time has been lost from work.
5. Claims for Common Law damages are allowed if the employer can be proven negligent, and if these negligent actions caused harm to the employee.

Each type of the above claims is governed by various procedures, which are prescribed, by *the Accident Compensation Act 2004*. The claim process can be quicker and simpler if an injured employee attends the WorkCover Office to complete the relevant form. If the injured employee is not able to attend due to injury or hospitalisation, the School can help by sending one of their staff to help the injured employee.

***What happens when a valid claim is lodged?***

A decision as to whether the claim is accepted or rejected must be made within 28 days of the claim being received by the WorkCover Officer. If the claim is accepted, the employee will receive a letter notifying him or her of his or her rights, duties and entitlements. However, the employee must continue to give their employer valid medical certificates for as long as he or she is unable to work and require weekly benefits.

***Medical examinations***

It is not unusual for a medical examination to be arranged for an injured employee. He or she will be asked to attend an appointment with a medical practitioner who specialises in the type of injury that the employee has.

***Offer of suitable employment***

If the employee is away from work for some time because of a work-related injury, the School must hold open that position or one similar in nature for a period of 12 months. However, WorkCover benefits may be stopped if the employee refuses to participate in rehabilitation services or a return to work plan.

### 3.11 Rehabilitation Policy

Community languages schools are committed to preventing illness and injuries at the workplace by providing a safe and healthy working environment for all staff. It is recognised that injury or illness may still occur and therefore all incidents must be reviewed, and steps taken to prevent their recurrence.

Occupational rehabilitation is of benefit to everyone and should commence as soon as possible following an injury or illness. Furthermore, no person being rehabilitated will suffer financial loss or prejudice in any way.

**Rehabilitation** is defined as the restoration of injured employees from occupational ill-health to the fullest physical, mental, social, vocational and economic usefulness of which they are capable. It incorporates a multidisciplinary range of skills in addition to the medical management of an injury. Rehabilitation begins at the moment of injury or ill-health and continues until the employee is as fully rehabilitated as possible.

School Authorities under the law should help injured employees recover and return to work. The return to work process has three elements:

- A risk management program
- An occupational rehabilitation program
- Individual return to work plans for injured employees.

### 3.12 Smoke-Free Workplace Policy

In recognition of their obligation to provide a safe and healthy working environment for students, staff and visitors, community languages schools must not permit smoking on school premises.

### 3.13 Alcohol and Drugs in the Workplace

Alcohol is widely promoted and accepted as one of Australia's most used drugs. The effect of alcohol in the workplace includes absenteeism, poor performance, Occupational Health and Safety (OHS) costs due to accidents and health care costs. When a staff member consumes drugs or alcohol or any other substance that affects their safe performance at work, or affects the health and safety of other staff, students, or visitors, then the issue becomes management business. It is Management's responsibility under the section 21 of the *Occupational Health and Safety Act 2004* to provide a safe and healthy working environment.

#### **Community Languages Schools Policy on Alcohol and Drugs in the Workplace**

The consumption or possession of alcohol or drugs is prohibited. This means that alcohol and drugs cannot be brought onto or consumed at premises when a community language school is operating.

If, in the opinion of the School Leadership or other responsible person, a person is unfit to perform work because of the effect of drugs or alcohol, that person shall not be permitted to remain in the workplace.

Persons taking prescribed drugs or pharmaceutical drugs, which are likely to impair their judgment, or work performance, must advise their Manager or another responsible person of the likely effect of the medication so that appropriate work assignments can be given.

### **Procedures for Dealing with Drugs or Alcohol Affected Person**

When dealing with staff or other persons, whom a School Leader suspects to be under the influence of drugs or alcohol, they are essentially following a discipline procedure. For discipline to be effective, the procedure must have the following elements:

- (a) The policy must be clearly communicated, and all staff made aware of the expectations and consequences.
- (b) Clear behaviour evidence, which means if the staff member breaches the policy, it must be evidenced and reported.
- (c) The procedures below should be followed.

### **Procedures for Breaching Alcohol or Drug Policy**

For any discipline problem, the following procedures should be followed:

- A Verbal Warning given for the first breach with a statement of consequences;
- A Formal Written Warning given for the second breach, with a statement of consequences sent to the person concerned. The copy of the written warning should be kept in the staff member's personal file;
- Final Discipline Action taken for the third breach, which may involve carrying out the consequences such as dismissal, demotion or transfer.

It is possible to dismiss an employee for breach of policy if:

- (a) the policy is clearly communicated;
- (b) all employees are treated in the same way by the policy;
- (c) an employee who breaches the policy is given a reasonable opportunity to change; and
- (d) the above steps of the procedure are strictly followed.

In developing, implementing and maintaining a Drug and Alcohol Policy, community languages schools should ensure they display the Drug and Alcohol Policy on their notice board and communicate to staff about the prohibition of using drugs and alcohol in the workplace and discipline procedures that will be taken if a breach is registered.



### 3.14 First Aid

In line with the First Aid Regulation of the *Occupational Health and Safety Act, 2004*, community languages schools must have first aid policies and procedures that include the following components:

- **First Aid** which is the immediate treatment or care given to a person suffering from an injury or illness until more advanced care is provided or the person recovers.
- **First Aid Officer** who is a person who has successfully completed a nationally accredited training course or an equivalent level of training that has given them the competencies required to administer first aid.
- **First Aid Equipment** which includes first aid kits and other equipment used to treat injuries and illnesses.
- **First Aid Facilities** which includes first aid rooms, health centres, clean water supplies and other facilities needed for administering first aid.

The following policy in relation to First Aid applies to community languages schools:

- All Schools need to have a First Aid Policy and Procedures.
- All Schools must nominate a First Aid Officer **for each of their campuses**.
- All Schools must ensure that there is an adequate number of **trained First Aid Officers who have a current certificate on each School campus**. (For further training or information, community languages schools can contact CLA).
- The First Aid Officer is responsible for ensuring that a Register of Injuries and Treatment is maintained up-to-date. (See Appendix 5.1 for an example of an Accident Register).
- All Schools must ensure that First Aid Equipment, including a First Aid Kit, is stored **on each School campus**.
- The First Aid Officer is in charge of the Kit and must ensure it is properly maintained.
- All Schools must ensure they have a list of students with allergies and their allergy plan i.e. **Individual Anaphylaxis Management Plan**.
- All Schools must display well-recognised, standardised first aid signs to assist in easily locating First Aid Equipment and Facilities.

First Aid Kits should be kept in a prominent, accessible location and be able to be retrieved promptly. Access should also be ensured in security-controlled workplaces.

### 3.15 Security

In order to ensure the security of information relating to staff, students and parents, community languages schools should restrict access to authorised users in line with agreed protocols and limit to the minimum level necessary for each user as follows:

Computer security:

- Using access passwords.
- Deletion of files held on hard drives, where appropriate.

Paper record security:

- Keeping staff/student/school files in locked storage when not in use.
- Disposing of waste paper containing staff/student information by shredding.
- If possible, not leave personal information in an unattended car. If staff/student/school information is carried in a car, it should be locked in the boot so that it cannot be seen or easily accessed by an unauthorised person.

Staff/student/parent/school information sent by post or courier is secured by:

- Using registered mail so that delivery acceptance is recorded.
- Sealing envelopes and marking them, "Confidential: Attention X".

In the case of demonstrations or case studies, individuals must:

- take reasonable care to protect their own health and safety and the health and safety of others;
- cooperate with their employer in ensuring that the workplace is safe and healthy and report to their employer any situation that could constitute a hazard;
- follow the instructions and training provided by their employers;
- not interfere with anything set up in the interests of health and safety.

## **4.0 Staff – Parent - Student Grievance Procedure for Non Child Safe Concerns**

The following grievance procedure developed for community languages schools, specifies the procedures staff, parents and students can follow if they have a grievance.

### **Step 1**

Those with a complaint should approach an appropriate officer for discussion and advice on the issue. The discussion is confidential. The complaint can be face to face, by phone or email.

### **Step 2**

If the problem is not resolved in Step 1, the complainant may put the issue in writing (letter or email) and request that the issue be raised with the School Management Committee/School Leadership at the next Committee meeting. The School Management Committee/ School Leadership shall make a decision on the issue and advise the complainant within 7 days or let the complainant know of a time frame if it will be longer.

### **Step 3**

If the problem is not resolved in Step 2, the complainant may attend a meeting of the School Management Committee/ School Leadership and shall be entitled to address that meeting.

The complainant may be accompanied by a representative of their choice.

The complainant may request that the person against whom the complaint is being made not be present while they address the meeting. The School Management Committee/School Leadership shall make a decision on the issue and advise the complainant of their decision within 7 days.

A full report should be provided to the School Management Committee/School Leadership and the complainant.

If the matter is not resolved it should be forwarded to CLV.

In matters of curriculum and assessment the complainant may seek advice from the Victorian Regulations and Qualifications Authority (VRQA).

The following link provides CLA guidelines and a proforma to assist Schools deal with complaints from parents.

[http://www.education.vic.gov.au/Documents/school/teachers/teachingresources/discipline/languages/CLS\\_Parent\\_Complaints\\_Guidelines.docx](http://www.education.vic.gov.au/Documents/school/teachers/teachingresources/discipline/languages/CLS_Parent_Complaints_Guidelines.docx)

## **4.1 Appeal**

The Manager and School Management Committee/ School Leadership must ensure that their decisions are in line with the relevant Acts of Parliament, which govern the employment of staff or curriculum issues.

If a staff member feels that they have been unfairly treated, they may consult with the relevant Union or the Industrial Relations Commission of Victoria (or equivalent in their state or territory).

If a staff member feels that they have been unfairly discriminated against on the grounds of sex, race, etc. they may refer the issue to the Equal Opportunity Tribunal.

Staff should be made aware of their rights to consult with the Industrial Relations Commission of Victoria or the Equal Opportunity Tribunal (or equivalent in their state or territory).

## **4.2 Privacy**

Community languages schools must exercise appropriate processes and guidelines with respect to the privacy of staff, students and parents.

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, parents or children, unless there is a risk to someone's safety.

We have safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it.

CLV acknowledges that community languages schools must exercise appropriate processes and guidelines which respect the privacy of all staff and students. CLV considers any breach of privacy by schools to be a serious issue which will need to be investigated.

School Authorities should familiarise themselves with the Privacy Policy relevant to their state or territory:

A list of sites for Schools to access for this information is provided below.

- Australian Capital Territory: [Privacy and Data Protection Act 2014 \(2014 - \)](#)
- New South Wales: [A guide to privacy laws in NSW](#)
- Northern Territory: [Privacy: your rights](#)
- Queensland: [Information Privacy Act](#)
- South Australia: [Privacy law in South Australia](#)
- Tasmania: [Privacy Act \(1988 - \)](#)
- Victoria: [Privacy and Data Protection Act 2014 \(2014 - \)](#)
- Western Australia: [Privacy and confidentiality of records](#)

Each school **must** have its own Privacy Policy. More information can be found here:

[Privacy and Information Sharing: Policy | education.vic.gov.au](#)

## 5.0 Emergency Management Planning

All community languages schools are required to have an Emergency Management Plan **for each of their campuses** to ensure the safety of all staff, students, contractors and school visitors in the event of an emergency.

Schools must have a current Emergency Management Plan that contains a risk assessment that addresses hazards and protentional threats to the School and which covers the four components of ***Preparedness, Prevention, Response*** and ***Recovery***.

Schools must:

- ensure that staff, students and the school community have a clear understanding of the Emergency Management Plan and its procedures;
- ensure that staff, students and the School Management Committee are trained so that they know what they are required to do during an emergency;
- test emergency arrangements at regular intervals to ensure that procedures work and everyone learns emergency protocols.

Schools may seek advice from local emergency service providers and local councils where available to inform the content of the *Risk mitigation* and *offsite evacuation* sections of their Emergency Management Plan.

### Scope of Emergency Management Plan

This Emergency Management Plan applies to all staff, students, visitors and contractors at community languages schools.

### School Emergency Management Plan

This Emergency Management Plan applies to all staff, students, contractors and school visitors at community languages schools.

The School Emergency Management Plan should include:

- the range of emergencies covered;
- a site plan;
- a general description of the school and its environment;
- an assessment of risks and hazards facing the school;
- roles and responsibilities of staff and others;
- procedures for reporting emergencies;
- procedures to be followed by staff and students during an emergency;
- lockdown arrangements;
- evacuation arrangements;
- alternative evacuation assembly areas;
- Emergency Services contact numbers;
- measures to prevent or reduce the impact of emergencies that do occur;
- arrangements for establishing recovery programs following emergencies.

### Evacuation Procedures

Community languages schools are required to have an evacuation plan. For schools which use government buildings, the evacuation plan that has been prepared by that facility needs to be made known to all members of the school community. For schools whose buildings do not have an evacuation plan, it is the responsibility of the community language school to prepare a plan and familiarise the school community with the procedures by placing the evacuation plan in a strategically located position which is accessible to the entire school community.

Ideally, the evacuation plan would be exhibited on a main wall, which would allow School staff, students, contractors and school visitors to become familiar with the plan. Below is a template for use by community languages schools. The template should be edited to suit the location of each School.

|   |   |
|---|---|
| <b>Priority</b>   | Safety of students, staff, parents, members of the community and/or site visitors.  |
| <b>Reporting the emergency</b><br><i>Edit according to location</i> | <ul style="list-style-type: none"> <li>• Contact Emergency Services immediately on 000</li> <li>• Notify the Regional Director</li> </ul>   |
| <b>Evacuation</b><br><i>Edit to suit the location</i>               | Signal  |
|   | Procedure   |
|   | Special considerations  |
|   | Special responsibilities  |
| <b>Evacuation assembly</b><br><i>Edit to suit the location</i>      | Assembly area/s   |
|   | Assembly procedure<br>1. Class lists/rolls are checked.<br>2. Report all students/persons unaccounted for to the School Leader (or delegate).   |
| <b>Evacuation clearance</b><br><i>Edit to suit the location</i>     | 1. No person is to return to any area of the School until advised by the School Leader.<br>2. One blast on the alarm is the clearance signal.   |
| <b>General principles</b><br><i>Edit to suit the location</i>       | Evacuation procedures will be displayed on Emergency Evacuation maps in all rooms.<br>1. Priority is to the safety of students and persons in the school.<br>2. All staff, parents and visitors are automatically involved.<br>3. Visitors should sign the Visitors' book at the office.<br>4. All volunteers in the School should sign the 'Volunteers' book |

|   |   |
|---|---|
|   | <ol style="list-style-type: none"> <li>5. Visitors and volunteers must follow the Evacuation Procedures including bringing the sign on book.</li> <li>6. Parent helpers/tutors must follow the Evacuation Procedures.</li> <li>7. No person should be placed in a position of risk.</li> <li>8. The Evacuation drill will be conducted at least twice a year. Annual revision of the use of Fire Extinguishers will also be conducted.</li> <li>9. The School Leader or delegate is responsible for ensuring the electricity is turned off and that Emergency Services are contacted and given every assistance.</li> </ol> |
| <b>Communications</b><br><i>Edit to suit the location</i>   | If the evacuation goes for an extended time, then the Response Controller activates the Communications Phone Tree to inform the parents and stakeholders via the established formats.   |
| <b>Pre-arrangements</b><br><i>Edit to suit the location</i> | <ul style="list-style-type: none"> <li>• Site Emergency Evacuation Maps must be clearly displayed in all rooms.</li> <li>• Visitor sign-in registers maintained in the office.</li> <li>• Emergency class lists kept by exit door.</li> <li>• Relief staff provided with Evacuation summary.</li> </ul>   |

### On-site Evacuation/Relocation Procedure

When it is unsafe for students, staff and visitors to remain inside the facility's building the Chief Warden on-site will take charge and activate the School Response Team if necessary.

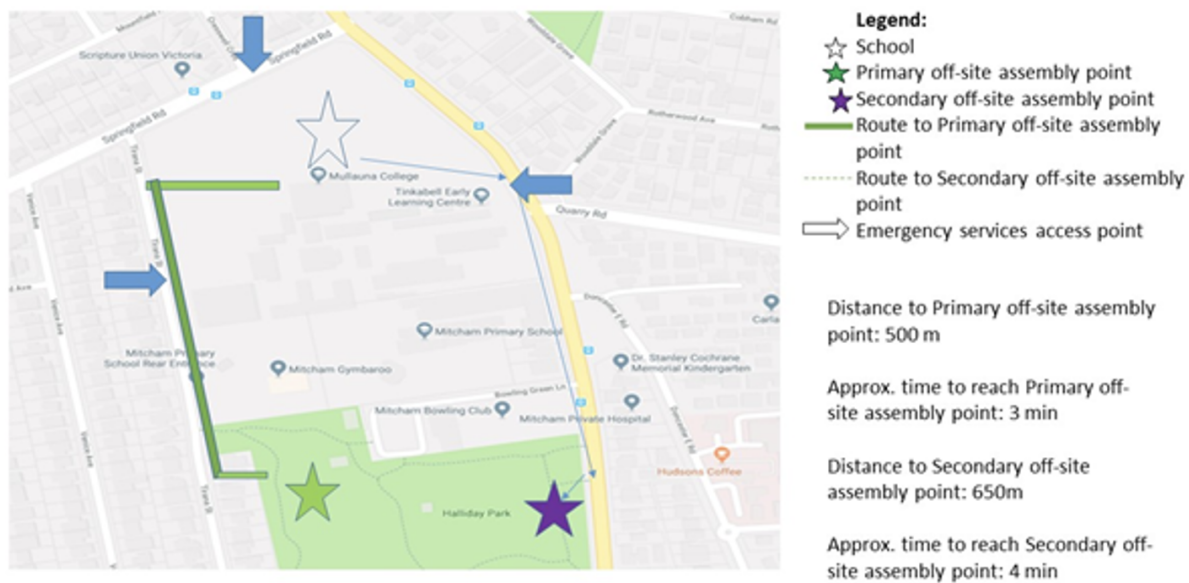
- Call 000 and inform Emergency Services of the nature of the emergency.
- Determine which of your facility's pre-identified on-site evacuation points is most appropriate to use.
- Assemble students, staff and visitors at your nominated on-site (insert the location of your site) evacuation assembly point/s.
- Take the student attendance list, staff attendance list, your Emergency Kit/First Aid Kit and this Plan.
- Once at the assembly point, check all students, staff and visitors are accounted for.
- Ensure communication with Emergency Services is maintained.
- Wait for Emergency Services to arrive or provide further information.
- Confirm with Emergency Services staff that it is safe to return to normal operations.
- Seek advice from your Approved Provider/Licensee or Person with Management or Control/Licensee Representative if required.
- Maintain a record of actions/decisions undertaken and times.
- Contact parents as required.

In an Emergency Schools must follow the following procedure.

| Call <b>Police, Ambulance, Fire Services</b>   | <b>000</b>  |
|--|---|
| For Advice call your Approved Provider/Licensee or Person with Management or Control/Licensee Representative | Insert your Approved Provider/Licensee or Person with Management or Control/Licensee Representative details |
| Convene your Incident Management Team  |   |

### School/Campus Area Map

A Sample Area Map is provided below.



### Sample Area Map and legend

|  |     |
|--|-----|
| Distance to off-site assembly point:           |     |
| Approx. time to reach off-site assembly point: |     |
| See the Legend                                 |     |
| Primary assembly point                         | ★   |
| Route to Primary assembly point                | —   |
| Off-site assembly point                        | ★   |
| Route to off-site assembly point               | --- |
| Emergency services access point                |     |



## Specific Emergencies – Response Procedures

The fields below contain example responses for guidance and should be edited to suit the location.

| EMERGENCY  | RESPONSE  |
|--|---|
| <b>Building Fire</b><br><i>Edit to suit the location</i>                                       | <p>&lt;As appropriate insert any additional mitigation steps relevant to your facility that you have identified in your risk assessment&gt;</p> <ul style="list-style-type: none"> <li>• Call 000 for emergency services and follow advice.</li> <li>• Activate the fire alarm.</li> <li>• Report the emergency immediately to the School Response Controller who will convene your School Response Team (SRT) if necessary.</li> <li>• Extinguish the fire (only if safe to do so).</li> <li>• If appropriate, follow the procedure for on-site evacuation.</li> <li>• Evacuate to the &lt;Insert the location of your assembly point/s&gt;, closing all doors and windows.</li> <li>• Check that all students, staff, visitors and contractors are accounted for.</li> <li>• Contact parents as required.</li> </ul>  |
| <b>Bushfire</b><br><i>Edit to suit the location</i>  | <p>&lt;As appropriate insert any additional mitigation steps relevant to your facility that you have identified in your risk assessment&gt;</p> <ul style="list-style-type: none"> <li>• Call 000 for Emergency Services and follow advice.</li> <li>• Report the emergency immediately to the School Response Controller who will convene the SRT if necessary.</li> <li>• Determine appropriate response strategy (evacuate or lockdown) in consultation with Emergency Services, if possible.</li> <li>• Provide advice to Emergency Services regarding any hazards within the School, e.g., gas cylinder location.</li> <li>• If evacuation is required and time permits before you leave: <ul style="list-style-type: none"> <li>◦ Make sure you close all doors and windows</li> <li>◦ Turn off power and gas.</li> </ul> </li> <li>• Check that all students, staff, visitors and contractors are accounted for.</li> <li>• Listen to TV or local radio on battery-powered sets for bushfire/weather warnings and advice.</li> <li>• Contact parents as required.</li> </ul> |
| <b>Major external emissions/spill (includes gas leaks)</b><br><i>Edit to suit the location</i> | <p>&lt;As appropriate insert any additional mitigation steps relevant to your facility that you have identified in your risk assessment&gt;</p> <ul style="list-style-type: none"> <li>• Call 000 for Emergency Services and follow advice.</li> <li>• Report the emergency immediately to the School Response Controller who will convene the School Response Team (SRT) if necessary.</li> <li>• Turn off gas supply.</li> <li>• If the gas leak is onsite, notify your gas provider.</li> </ul>  |

|   |   |
|---|---|
|   | <ul style="list-style-type: none"> <li>• If appropriate, follow the procedure for on-site evacuation.</li> <li>• Alternatively, this may need to be to an off-site location.</li> <li>• Check students, staff and visitors are accounted for.</li> <li>• Await 'all clear' advice from Emergency Services or further advice before resuming normal school activities.</li> <li>• Contact parents as required.</li> </ul>  |
| <b>Intruder</b><br><i>Edit to suit the location</i>                 | <p>&lt;As appropriate insert any additional mitigation steps relevant to your facility that you have identified in your risk assessment&gt;</p> <ul style="list-style-type: none"> <li>• Call 000 for Emergency Services and seek and follow advice.</li> <li>• Report the emergency immediately to the School Response Controller.</li> <li>• Do not do or say anything to the person to encourage irrational behaviour.</li> <li>• Initiate action to restrict entry to the building if possible and confine or isolate the threat from building occupants.</li> <li>• Determine whether evacuation or lock-down is required. Do this in consultation with the Police where possible.</li> <li>• Evacuation should only be considered if safe to do so.</li> <li>• Contact parents as required.</li> </ul>  |
| <b>Bomb or substance threat</b><br><i>Edit to suit the location</i> | <p>&lt;As appropriate insert any additional mitigation steps relevant to your facility that you have identified in your risk assessment&gt;</p> <ul style="list-style-type: none"> <li>• Call 000 for emergency services and seek and follow advice.</li> <li>• Report the threat to the School Response Controller.</li> <li>• Do not touch any suspicious objects found.</li> <li>• If a suspicious object is found or if the threat specifically identified a given area, then evacuation may be considered.</li> <li>• If appropriate under the circumstances, clear the area immediately within the vicinity of the object of students and staff</li> <li>• Ensure students and staff are not directed past the object</li> <li>• Ensure students and staff that have been evacuated are moved to a safe, designated location</li> <li>• Contact parents as required.</li> </ul> <p>If a bomb/substance threat is received by telephone:</p> <ul style="list-style-type: none"> <li>• Do not hang up.</li> <li>• If possible fill out the bomb threat checklist while you are on the phone to the caller.</li> <li>• Keep the person talking for as long as possible and obtain as much information as possible.</li> <li>• Have a co-worker call 000 for Emergency Services on a separate phone without alerting the caller and notify the School Response Controller.</li> </ul> <p>If a bomb/substance threat is received by mail:</p> <ul style="list-style-type: none"> <li>• Place the letter in a clear bag or sleeve.</li> </ul> |

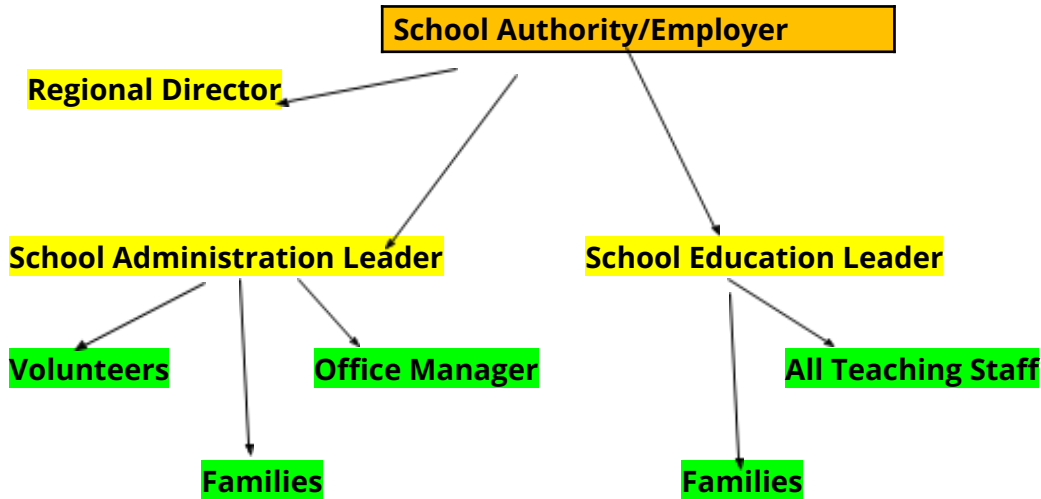
|   |   |
|---|---|
|   | <ul style="list-style-type: none"> <li>• Avoid any further handling of the letter or envelope or object.</li> <li>• Call 000 for Emergency Services and seek and follow advice.</li> <li>• Notify the School Response Controller.</li> </ul> <p>If a bomb/substance threat is received electronically or through the school's website:</p> <ul style="list-style-type: none"> <li>• Do not delete the message</li> <li>• Call 000 for Emergency Services and seek and follow advice</li> <li>• Notify the School Response Controller.</li> </ul>  |
| <b>Internal emission or spill</b><br><i>Edit to suit the location</i> | <p>&lt;As appropriate insert any additional mitigation steps relevant to your facility that you have identified in your risk assessment&gt;</p> <ul style="list-style-type: none"> <li>• Call 000 for Emergency Services and seek and follow advice.</li> <li>• Report the emergency immediately to the School Response Controller who will convene your SRT if necessary.</li> <li>• Move staff and students away from the spill to a safe area and isolate the affected area.</li> <li>• Seek advice regarding clean up requirements, and if safe to do so, the spill can be cleaned up by staff. Personal Protective Equipment should be worn as per the requirements of the Material Safety Data Sheet and Safety Work Procedure.</li> <li>• Contact parents as required.</li> </ul>  |
| <b>Severe Weather event</b><br><i>Edit to suit the location</i>       | <p>&lt;As appropriate insert any additional mitigation steps relevant to your facility that you have identified in your risk assessment&gt;</p> <p>Sudden event during operational hours</p> <ul style="list-style-type: none"> <li>• Call 000 if Emergency Services are needed and follow advice.</li> <li>• Advise the School Response Controller who will convene the SRT if necessary.</li> <li>• Before the storm, store or secure loose items external to the building, such as outdoor furniture and rubbish bins.</li> <li>• Disconnect electrical equipment – cover and/or move this equipment away from windows.</li> <li>• Secure windows (close curtains &amp; blinds) and external doors. If necessary, tape windows and glass entrances. Utilise boards and sandbags if required.</li> <li>• Instigate a lockdown.</li> <li>• During the severe storm: <ul style="list-style-type: none"> <li>– Remain in the building and keep away from windows</li> <li>– Restrict the use of telephone landlines to emergency calls only, particularly during a thunderstorm.</li> </ul> </li> <li>• Report any matter concerning the safety and wellbeing of students, staff and visitors to the School Response Controller.</li> <li>• Listen to local radio or TV on battery-powered sets for weather warnings and advice.</li> </ul> <p>Forecast imminent event (e.g. cyclone, floods)</p> <ul style="list-style-type: none"> <li>• If weather warnings and advice from the State Disaster Management Group indicate that the location will be impacted by a severe weather event, the School Response Controller will follow the decision-making process to determine if the school will be temporarily closed.</li> </ul> |

|  |  |
|--|--|
|  | <ul style="list-style-type: none"><li>• The SRT will be convened.</li><li>• If the school is to be temporarily closed, then all stakeholders will be advised including the Regional Director who will manage the School Closures advice.</li><li>• The Temporary Closure procedure needs to be implemented.</li><li>• After the event, if the school is situated in the impact zone, then Building and Asset Services (BAS) will determine if the site is safe for the School Response Controller to enter to undertake a Suitability Assessment to Re-open.</li></ul> |
|--|--|

## School Communications Details

### Phone tree

In a disaster or emergency event, the phone tree must be activated. *(See example below. Please adjust for your location.)*



### Staff Contact Details

List the names and contact details of all school staff

| Role | Name | Email(s) | Phone No.<br>(Day) | Phone No.<br>(After Hours) |
|------|------|----------|--------------------|----------------------------|
|      |      |          |                    |                            |
|      |      |          |                    |                            |
|      |      |          |                    |                            |
|      |      |          |                    |                            |
|      |      |          |                    |                            |

## External Emergency numbers

Prepare a list such as the one below of all external emergency contact numbers (adjust according to the location). Display a copy of this list next to your administration phone/s.

| Group  | Contact/details                             | Phone number                 |
|--|---|------------------------------|
| Police   | Life-threatening or time critical emergency | 000 – calling from land line |
|  | Non-life-threatening incident               | 131 444                      |
|  | Local Police Station                        |                              |
| Ambulance  |   | 000                          |
| Fire and Emergency Services (FES)                |   | 000                          |
| State Emergency Service (SES)                    |   | 132 500                      |
| Hospital/s                                       |   |                              |
| Electricity                                      | Local number                                |                              |
| Water Corporation                                | Local number                                |                              |
| Gas supplier                                     |   |                              |
| Building and Asset Services                      | Regional Manager                            |                              |
| Department of Community Safety (Regional Office) |   |                              |
| Child Safety Services                            |   |                              |

## Students/Staff Requiring Assistance to Evacuate

List the names of staff and students who will require assistance to evacuate in a table such as the one below.

\* Response – Evacuation, Lockdown or Temporary Closure.

| Name | Class/ Room | Condition | Response*/ Assistance required | Person responsible | Family/Care r contact & mobile |
|------|-------------|-----------|--------------------------------|--------------------|--------------------------------|
|      |             |           |                                |                    |                                |
|      |             |           |                                |                    |                                |
|      |             |           |                                |                    |                                |
|      |             |           |                                |                    |                                |
|      |             |           |                                |                    |                                |
|      |             |           |                                |                    |                                |

### Specialist Trained Staff

List the names, training (e.g. First Aid, Fire Warden, Child Sage officer etc) and the date qualification was obtained of all specialist trained staff in a table, such as the one below.

| Staff Member | Training | Date Qualified |
|--------------|----------|----------------|
|              |          |                |
|              |          |                |
|              |          |                |
|              |          |                |
|              |          |                |

### Evacuation Map

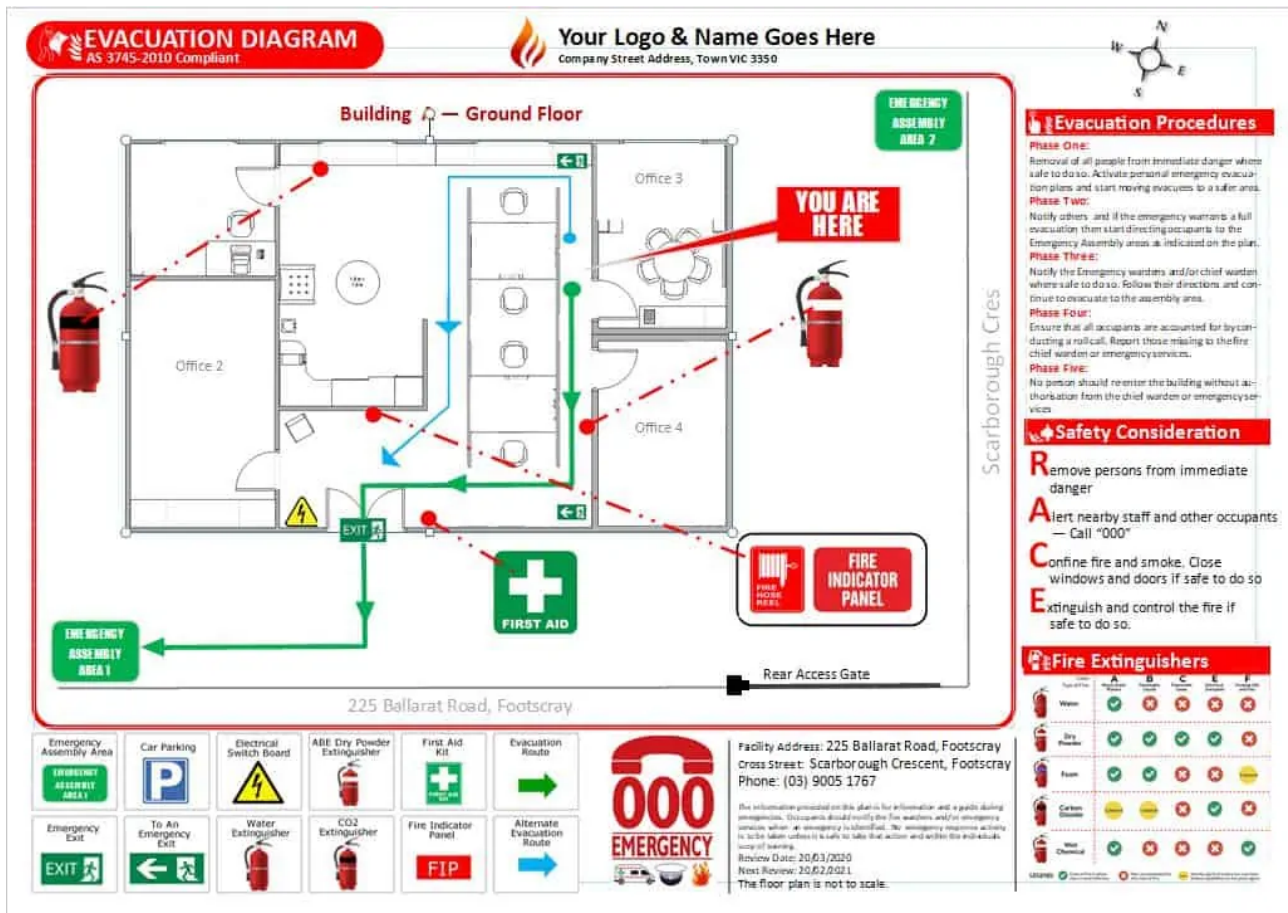
Insert a detailed evacuation map here. To access an online tutorial on how to create your own evacuation map go to: [Emergency management tutorials: Department of Education and Training | Victorian Government](#)

An example of an evacuation map and the date validated is provided below.

Please adjust for your location.

Date Evacuation Diagram Validated:

24/02/2022





## References

### Working with Children Act

- NSW:** [Child Protection \(Working With Children\) Act 2012](#)  
**ACT:** [Working with Vulnerable People \(Background Checking\) Regulation 2012](#)  
**QLD:** [Commission for Children and Young People and Child Guardian Act 2000](#)  
**SA:** [Children and Young People \(Safety\) Act 2017 | South Australian Legislation](#)  
**WA:** [Working with Children \(Criminal Record Checking\) Act 2004](#)  
**TAS:** [Children, Young Persons and Their Families Act 1997](#)  
**NT:** [Care and Protection of Children Act 2007](#)  
**VIC:** [Worker Screening Act 2020](#)

### Education and Training Reform Act

- NSW:** [Education Act 1990 No 8 - NSW Legislation](#)  
**ACT:** [Education Act 2004](#)  
**QLD:** [Education \(General Provisions\) Act 2006](#)  
**SA:** [Education and Children's Services Act 2019](#)  
**WA:** [School Education Act 1999](#)  
**TAS:** [Education Act 2016](#)  
**NT:** [Education Act 1990 No 8 - NSW Legislation](#)  
**VIC:** [Education and Training Reform Amendment Act 2010](#)

### Occupational Health and Safety Act

- NSW:** [Work Health and Safety Act 2011 No 10 - NSW Legislation](#) and  
[Occupational Health and Safety Act 2000 No 40 - NSW Legislation](#)  
**ACT:** [Work Health and Safety Act 2011](#)  
**QLD:** [Work Health and Safety Act 2011](#)  
**SA:** [Work Health and Safety Act 2012 | South Australian Legislation](#)  
**WA:** [Work Health and Safety Act 2020](#)  
**TAS:** [Work Health and Safety Act 2012](#)  
**NT:** [Work Health and Safety \(National Uniform Legislation\) Act 2011](#)  
**VIC :** [Occupational Health and Safety Act 2004](#)

## **WorkCover**

[WorkCover NSW](#)

[WorkSafe ACT](#)

[WorkSafe QLD](#)

[SafeWork SA](#)

[WorkSafe Western Australia](#)

[WorkSafe Tasmania](#)

[NT WorkSafe](#)

[WorkSafe Victoria](#)

## **Workers' Compensation Act**

**NSW:** [Workers Compensation Act 1987](#)

**ACT:** [Workers Compensation Act 1951](#)

**QLD:** [Workers' Compensation and Rehabilitation Act 2003](#)

**SA:** [Workers Rehabilitation and Compensation \(Employer Payments\) Amendment Act \(Commencement\) Proclamation 2012 | South Australian Legislation](#)

**WA:** [Workers' Compensation and Injury Management Act 1981](#)

**TAS:** [Workers Rehabilitation and Compensation Act 1988](#)

**NT:** [Workers Rehabilitation and Compensation Amendment Act 2008](#)

**VIC:** [Workers Compensation Act 1958](#)

## **Equal Opportunity Act**

**NSW:** [Anti-Discrimination Act 1977 No 48 - NSW Legislation](#)

**ACT:** [Discrimination Act 1991](#)

**QLD:** [Anti-Discrimination Act 1991](#)

**SA:** [Equal Opportunity Act 1984 | South Australian Legislation](#)

**WA:** [Equal Opportunity Act 1984](#)

**TAS:** [Anti Discrimination Act 1998](#)

**NT:** [Anti-Discrimination Act 1992](#)

**VIC:** [Equal Opportunity Act 2010](#)

## **Department of Human Services**

**NSW:** [Children, families and carers](#)

**ACT:** [Community and Family](#)

**QLD:** [Community support | Queensland Government](#)

**SA:** [DHS](#)

**WA:** [Department of Communities](#)

**TAS:** [Children, Youth and Families](#)

**NT:** [NT Health](#)

**VIC:** [Department of Health and Human Services Victoria](#)

## **The Children Youth and Families Act**

**NSW:** [Children and Young Persons \(Care and Protection\) Act 1998 No 157](#)

**ACT:** [Children and Young People Act 2008](#)

**QLD:** [Child Protection Act 1999](#) and  
[Commission for Children and Young People and Child Guardian Act 2000](#)

**SA:** [Children and Young People \(Safety\) Act 2017 | South Australian Legislation](#)

**WA:** [Family Court Act 1997](#)

**TAS:** [Children, Young Persons and Their Families Act 1997](#)

**NT:** [Care and Protection of Children Act 2007](#)

**VIC:** [Children, Youth and Families Act 2005](#)