NEWHAVEN COLLEGE

Student Safety and Wellbeing Policy

Last Review: Apr 26 v.3	**Constructed / Reviewed by:** Principal
Next Review: Nov 26 (and every two years thereafter in accordance with the College's review cycle, or more frequently as required)	**Approval Required:** Board
	Board Sign Off Date: 21 November 2024 **Implementation Date:** 20 January 2025

1 Statement of Context and Purpose

Newhaven College (**the College**) is committed to protecting its students from all aspects of harm, and has established strategies, practices, policies and procedures to uphold this public commitment.

All policies, protocols and procedures flow from the College's vision: Inspire young people with knowledge, empathy and curiosity to engage in their world with confidence and a sense of purpose.

The College takes a zero tolerance approach to any behaviours that jeopardise student safety and wellbeing (including child abuse and reportable conduct). The College regards its student safety and wellbeing responsibilities with the utmost importance as it delivers an educational program curriculum that promotes the College's values of Respect, Honesty, Empathy, Responsibility and Excellence.

In addition, the College has a pastoral, moral and legal responsibility to create an inextricable connection between student safety and learning, especially in a personalised learning environment where the College discovers what motivates and inspires its students, and focuses on their strengths and ambitions.

This connection will be the foundation of all decisions made, and actions taken by the College when delivering a quality education to its students. At all times, the ongoing safety of its students will be at the forefront of mind, and the College's paramount consideration.

The College treats seriously its reporting obligations in relation to student safety matters, including to CCYP, Child Protection and Victoria Police. The College recognises that whilst reporting obligations may differ depending on a person's position within the College, all staff are required to uphold the ethos of this policy by ensuring that student safety and wellbeing matters are reported internally, and externally where required.

As such, this policy sets out how the College will meet its responsibilities and commitment to student safety and wellbeing, and is a child safety policy made in accordance with *Ministerial Order No. 1359 – Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Colleges and Boarding Premises.*

2 Application

This policy applies to all Board members, the Principal, employees, volunteers, contractors, labour hire workers, secondees and other authorised personnel required to perform functions on the College's premises, or at school-organised activities and events. Collectively, these individuals are referred to as 'staff'.

This policy extends to any other person who is engaged in student-connected work at the College, or that otherwise has direct and regular contact with the College's students (whether supervised or not).

3 Related Documents

3.1 Legislation

- *Child Safety and Wellbeing Act 2005* (Vic)
- *Worker Screening Act 2020* (Vic)
- *Crimes Act 1958* (Vic)
- *Education and Training Reform Act 2006* (Vic)
- *Children, Youth and Families Act 2005* (Vic)
- Ministerial Order 1359

3.2 Schedules to this Policy:

- Schedule 1: Student Safety and Wellbeing Definitions
- Schedule 2: Student Safety and Wellbeing Responsibilities

3.3 Overview of Student Safety and Wellbeing policies and documents

Document	Overview
Student Safety and Wellbeing Policy	This policy sets out the College's overarching obligations and commitment to ensuring student safety and wellbeing, and summarises the College's strategies for achieving these. The policy also explains how the College's other student safety and wellbeing policies and procedures interact.
Student Safety and Wellbeing - Staff Code of Conduct	This code outlines staff behaviours align with the College's commitment to student safety and wellbeing, and what behaviours are unacceptable.
Student Safety and Wellbeing - Raising and Responding to Concerns Policy	This policy outlines how members of the school community may raise concerns about child abuse, reportable conduct and other student safety and wellbeing matters. This policy sets out how the College will respond to such concerns (including by complying with the College's mandatory reporting obligations).
Student Safety and Wellbeing – Record Retention Policy	This policy outlines the College's obligations with respect to keeping records relating to the care, safety and welfare of students, and adopts the Public Record Office Victoria Recordkeeping Standards.

3.4 Related policies and documents

- Working with Children Check Policy
- VIT Registration Policy (Staff)

The Principal and Chair of the Board will promptly report to the Board regarding any formal staff complaints, and staff-related legal action.

3.5 Fact sheets

- Grooming offence | Department of Justice and Community Safety Victoria
- Failure to disclose offence | Department of Justice and Community Safety Victoria
- Failure to protect: a new criminal offence to protect children from sexual abuse | Department of Justice and Community Safety Victoria

4 Overarching Values and Principles

The College's approach to student safety and wellbeing is guided by a number of overarching principles and values (which are set out below) that guide the development and regular review of strategies, practices, policies and procedures to uphold our commitment to protect students from all forms of harm:

4.1 All students at the College have a right to be safe and to feel safe.

4.2 The safety and wellbeing of students is the College's paramount consideration.

4.3 The safety and wellbeing of students is dependent upon the existence of a student safe culture.

4.4 Student safety and wellbeing is everyone's responsibility.

4.5 Student safety and wellbeing awareness is embodied, promoted and openly discussed within our school community.

4.6 Families can participate in decisions affecting their child and they, and the school community, are engaged and informed about the College's approach to student safety and wellbeing.

4.7 Staff have regard to a student's diverse circumstances, needs, and vulnerabilities so that they can provide support and respond to those who are vulnerable and to ensure equity is upheld in policy and practice.

5 Statement of Commitment to Student Safety and Wellbeing

Set out below, is the College's publicly available statement of commitment to student safety and wellbeing.

5.1 A Student Safety and Wellbeing Culture

Creating and maintaining a student safety and wellbeing culture requires input from the entire school community. Our aim is to provide a safe environment that aligns with the College's mission and values of Respect, Honesty, Empathy, Responsibility and Excellence.

To achieve this, we promote a progressive education model that motivates, nurtures and prepares each generation for the demands of its time.

Through our processes and practices, we also ensure that a student safety and wellbeing culture is championed and modelled at all levels of the College, from the top down to the bottom up. Accordingly, student safety and wellbeing are embedded in our school leadership, governance and culture. We do this by setting clear expectations regarding student safety and wellbeing to our school community (including staff and students), and ensuring that at all times, our governance arrangements facilitate the implementation of this policy (including by making student safety and wellbeing a standing agenda item and reviewing the College's student safety and wellbeing processes across all levels).

5.2 Support and Engagement of All Students

The College appreciates that a student safety and wellbeing environment looks different for every student, and in delivering this, supports and respects the cultural safety of Aboriginal and Torres Strait Islander students, students from culturally and/or linguistically diverse backgrounds, as well as students with a disability or who are otherwise vulnerable (including students who identify as LGBTQIA+ and those with challenging home situations).

The College also appreciates that a student safe environment is contingent on a culturally safe environment, which requires proactive and ongoing efforts to maintain.

Our primary focus in delivering personalised education and through decision-making, is that all students are safe, feel safe, and are able to create and develop a range of strategies and skills, which can be used flexibly to flourish in all aspects of their lives. As such, we support and encourage students to talk openly and share their views, particularly about matters that directly impact them.

The College will aim to ensure students (and their parents) are provided with the necessary skills and knowledge to understand and maintain a student's own personal safety and wellbeing, including:

(a) Understanding, identifying, discussing and reporting student safety and wellbeing matters.

(b) Standards of behaviour for students attending the College.

(c) Healthy and respectful relationships (including those relating to gender and sexuality).

(d) Resilience.

The College will aim to ensure that staff are provided with the necessary skills and knowledge to understand and maintain a student and culturally safe environment, including through:

(a) Actively supporting and encouraging Aboriginal and Torres Strait Islander students, students from culturally and/or linguistically diverse backgrounds and their families to:

  (i) Express their culture and enjoy their cultural rights.

  (ii) Facilitate participation and inclusion in all aspects of school life.

(b) Implementing and embedding strategies within the school community that acknowledge and appreciate the strengths of Aboriginal culture and understand its importance to the safety and wellbeing of Aboriginal children and students.

(c) Cultural training to improve understanding and respect (particularly with regard to Aboriginal and Torres Strait Islander culture), appreciation of culturally sensitive

issues, including using appropriate language when referring to individuals or communities, and to equip staff to build culturally safe environments for children and young people.

(d) Identifying, confronting and addressing incidences of racism seriously (noting it will not be tolerated), with the appropriate consequences and where appropriate with the involvement of Aboriginal and Torres Strait Islander students, students from culturally and/or linguistically diverse backgrounds, and their families.

(e) Ensuring that the College's strategies, practices, policies and procedures create a culturally safe and inclusive environment which values and respects the diverse and unique identities and experiences of Aboriginal and Torres Strait Islander children, young people and students, (including their families), as well as others from culturally and linguistically diverse backgrounds.

(f) Providing particular attention to the needs of students with a disability (or otherwise, additional needs), students from culturally and linguistically diverse backgrounds, international students, students who identify as LGBTQIA+ (or who are otherwise gender diverse) and those students who are unable to live at home.

(g) Providing particular attention to the needs of Aboriginal and Torres Strait Islander students to promote and provide a culturally safe environment for them.

The College will promote its student safety and wellbeing practices to students in ways that are readily accessible, easy to understand and user-friendly, including by:

(a) The appointment of Student Safety Officers and a senior Student Safety Officer who champion student safety and wellbeing (see below).

(b) Training staff to recognise the indicators of harm to students, including harm caused by not only adults but also other children and young people, and harm in an online environment.

(c) Collaborating with parents to ensure that they are provided with the information necessary to maintain consistent messaging about child abuse and reportable conduct.

(d) Encouraging students to identify safe and unsafe environments and situations (including in an online environment).

(e) Setting clear student safety and wellbeing standards so that staff, students and the school community are aware of the standards that are expected, and those which fall short of the College's expectations.

(f) Distributing child-friendly publications, including student safety and wellbeing posters (e.g. PROTECT poster).

(g) Clearly communicating where students can access support, make a report about safety or wellbeing concerns, or otherwise obtain information.

(i) Ensuring that students have identified safety and wellbeing, and support, networks to overcome any barriers that may prevent disclosure of safety or wellbeing concerns.

(ii) Ensuring staff are trained and supported to effectively implement this policy.

6 Raising and Responding to Student Safety and Wellbeing Concerns

The College takes all allegations or disclosures of suspected child abuse and reportable conduct seriously, and responds to such allegations and disclosures promptly and thoroughly.

All instances of suspected child abuse or reportable conduct, allegations of child abuse or reportable conduct, or student safety and wellbeing concerns and complaints must be reported to the Principal, a member of the College Leadership Team, or a Student Safety Officer, and will be treated very seriously and consistently according to the College's and individual staff member's internal and external reporting procedures and obligations.

The College has a *Student Safety and Wellbeing – Raising and Responding to Concerns Policy*, available on the College's website, which sets out:

- How concerns about actual and suspected child abuse and reportable conduct may be raised with the College.
- Who such concerns can be raised with at first instance (including the Principal, the College Leadership Team and the College's Student Safety Officers).
- How such concerns will be dealt with by the College (including by complying with any legislative reporting obligations, and the College's expectations of staff regarding information sharing and record keeping).
- How the College will support or assist students (and their families) who disclose such concerns, or who are otherwise linked to such concerns.

The College will ensure that the procedures contained in the *Student Safety and Wellbeing – Raising and Responding to Concerns Policy* is student-focused, and can be easily understood by the school community, in particular students.

If College staff believe a student is at immediate risk of child abuse, they must phone 000.

Other concerns may be raised by members of the school community in accordance with the *Grievance Policy (Student)* and *Grievance Policy (Community)*.

7 Reporting a Sexual Offence: Failure to Protect Offence

Failure by a person in authority to protect a child under the age of 16 from criminal sexual abuse is also an offence under section 49O of the Crimes Act.

This applies where there is substantial risk that a child under the care, supervision or authority of an organisation (including a student of a school) will become a victim of a sexual offence by an adult associated with the College.

The person in a position of authority may be guilty of an offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

The offence requires an associated person to reduce or remove a 'substantial' risk. It is not a criminal offence to fail to address every possible risk that a sexual offence may be committed against a child. However, there are a number of factors to assist associated persons in identifying risks which amount to 'substantial' risks. These include:

- The likelihood or probability that the child will become the victim of a sexual offence.
- The nature of the relationships between a child and the adult who may pose a risk to the child.
- The background of the adult who may pose a risk to the child, including any past or alleged misconduct.
- Any vulnerabilities particular to a child, which may increase the likelihood that they may become the victim of a sexual offence.

Any other relevant fact which may indicate a substantial risk of a sexual offence being committed against a child.

8 Student Safety and Wellbeing Employment Practices

We believe that the safety and wellbeing of students is dependent on the existence of a student safe culture. Establishing that culture requires effective staff recruitment, supervision and management practices.

All positions at the College that involve student-connected work will have a position description, which clearly sets out:

- The position's requirements, duties and responsibilities regarding student safety and wellbeing.
- The applicant's essential or relevant qualifications, experience and attributes in relation to education and student safety and wellbeing.

- The College's values and commitment in respect of student safety and wellbeing.
- How the College will support those who make disclosures.

Student safety and wellbeing is a paramount consideration during the recruitment process. All staff working with children and young people must be suitable and reflect the College's values and commitment to student safety and wellbeing in practice.

The College assesses the suitability of staff to undertake student-connected work through screening (including identity checks), qualification verifications, values-based interviews, work history checks and referee checks.

All prospective staff will be informed about the College's student safety and wellbeing practices (including but not limited to this policy, the Student Safety and Wellbeing - Staff Code of Conduct, the College's and individual staff member's record keeping, information sharing and reporting obligations), and be subject to student safety and wellbeing screening in accordance with the College's obligations under legislation (including Ministerial Order No. 1359 – Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Colleges and College Boarding Premises).

A successful applicant cannot commence at the College until written clearance in respect of student safety and wellbeing screening is obtained. A current VIT registration or WWCC (or equivalent) must be sighted and verified by the College, and appropriately recorded before staff can engage in student-connected work.

Appropriate and mandatory induction regarding the College's student safety and wellbeing practices (including policies and procedures) will follow any successful appointment or engagement.

The College requires that staff act professionally, and in a way that embodies the College's public commitment to student safety and wellbeing throughout their time at the College. The College has a Student Safety and Wellbeing - Staff Code of Conduct, available on the College's website, which provides guidelines for staff on expected behavioural standards and responsibilities, and sets out examples of appropriate and inappropriate behaviours. The College will take appropriate disciplinary action where a staff member is found to have acted contrary to that Code, or the College's other policies and procedures regarding appropriate standards of behaviour.

If for any reason, a staff member does not attend a mandatory student safety and wellbeing training or briefing, the College must direct the staff or Board member to the relevant material and resources (including this policy and the Student Safety and Wellbeing – Raising and Responding to Concerns Policy) which amongst other things, address mandatory reporting obligations.

If the training or briefing session is recorded, a copy of the recording and/or module will be provided to the staff member, who must confirm they have viewed and completed the content. Otherwise, the College must arrange for the staff member to complete the training or briefing on an alternate date, as soon as practicable.

At least annually, the College will ensure that appropriate guidance and training is provided to relevant staff (including the Board) engaged in student-connected work about:

- Individual and collective obligations and responsibilities for identifying and managing the risk of child abuse and reportable conduct.
- Child abuse and reportable conduct risks in the school environment (including the online environment).
- The College's current student safety and wellbeing standards and practices.
- The Risk and Compliance Manager is responsible for taking reasonable steps to ensure all staff complete the College's mandatory student safety and wellbeing training modules and briefings.

The College will ensure that privacy and employment law obligations are met when responding to student concerns and complaints.

Staff will otherwise be subject to regular supervision, training and periodic student safety and wellbeing checks, including to ensure their ongoing suitability for student-connected work.

9 Student Safety Officers

The College has appointed Student Safety Officers (SSOs) as a first point of contact to provide advice and support to students, parents, and staff regarding the safety and wellbeing of students at the College.

The following Student Safety Officers may be contacted to provide advice and support:

Name	Position	Contact details
Tony Corr	Principal	tony.corr@newhavencol.vic.edu.au Ph. 03 5956 7505
Karen Milkins- Hendry	Director of Learning	karen.milkins-hendry@newhavencol.vic.edu.au Ph. 03 5956 7505
Brett Torstonson	Head of Senior School	brett.torstonson@newhavencol.vic.edu.au Ph. 03 5956 7505
Ralph Arceo	Head of Middle School	ralph.arceo@newhavencol.vic.edu.au Ph. 03 5956 7505
Cath Huther	Head of Junior School	cath.huther@newhavencol.vic.edu.au Ph. 03 5956 7505
Wellbeing Team: Tahnee Brown Emma Gale Christina Aitken Sarah Derham	 Social Worker School Counsellor School Counsellor School Counsellor	 tahnee.brown@newhavencol.vic.edu.au emma.gale@newhavencol.vic.edu.au christina.aitken@newhavencol.vic.edu.au sarah.derham@newhavencol.vic.edu.au * All available on 5956 7505

Student Safety Officers are able to act as a source of support, advice and expertise to staff on matters of student safety and wellbeing and liaise with the Principal and the College Leadership Team to maintain the visibility of student safety and wellbeing.

Staff are encouraged to speak with one of the Student Safety Officers should they hold any concerns relating to student safety and wellbeing.

Staff, students and parents can contact the Student Safety Officer for further information regarding student safety and wellbeing and for any questions or concerns or reports of suspected or alleged child abuse or reportable conduct.

10 Risk Management

The College will develop and implement risk management strategies regarding student safety and wellbeing online and in the physical school environment without compromising a student's right to privacy, access to information, social connections and learning opportunities.

These strategies will identify, control, remove and otherwise focus on preventing and reducing, the risk(s) of child abuse, reportable conduct and otherwise, risks to student safety and wellbeing by taking into account the nature of the environment, the activities expected to be conducted in that environment (including the provision of services by contractors or outside organisations), and the characteristics and needs of all students expected to be present in that environment.

In addition, these strategies will place a positive responsibility on ensuring that student safety and wellbeing is actively promoted at school.

Where the College identifies risks of actual or suspected child abuse or reportable conduct occurring in the online or physical school environment, it will make a written record of those risks and determine the action(s) it will take to remove or otherwise reduce the risks (risk controls and risk treatments).

The College will monitor, review and evaluate the effectiveness of the implementation of its risk controls and risk treatments annually, and update these where required.

The College will ensure it creates, maintains and disposes of any records about student safety and wellbeing in line with the Public Record Office Victoria Recordkeeping Standards, including minimum retention periods regarding these obligations. In addition, the College will detail its information sharing and record-keeping processes and ensure all staff (including volunteers) understand their relevant obligations.

11 Student Participation and Empowerment

The College recognises that a student safe culture is also contingent upon the participation and empowerment of students themselves.

Consistent with this understanding, the College will ensure:

- That our physical, virtual and online environments are friendly and welcoming to all students.
- That students are included in decisions that affect them. This includes decisions about organisational planning, delivery of services, management of facilities, and learning and assessment environments.
- That students are informed about all their rights, including to safety, information and participation (for example, those in the United Nations Convention on the Rights of the Child).
- To actively seek to understand what makes students feel safe in our College and regularly communicate with students about what they can do if they feel unsafe.
- That the importance of friendships is recognised and support from peers is encouraged to help students feel safe and be less isolated.
- Where relevant, that students are offered access to child abuse (including sexual abuse) and reportable conduct prevention programs and other relevant information in an age-appropriate way.
- Staff are attuned to the signs of harm (including that caused by child abuse and reportable conduct) and facilitate child-friendly ways for students to express their views, participate in decision making and raise their concerns.
- The College has strategies and curriculum planning documents in place to develop a culture that facilitates participation and is responsive to the input of students.
- The College provides opportunities for students to participate and are responsive to their contributions, thereby strengthening confidence and engagement.

12 Parent, Family and Community Engagement

The College recognises that parents have the primary responsibility for the upbringing and development of their children, and that families and relevant communities (Aboriginal and Torres Strait Islander communities, culturally and linguistically diverse communities, other communities that make up our Staff and student cohort, and the local community in which our College operates) play an important role in the lives of our students.

Consistent with this understanding, the College will ensure:

- That parents participate in decisions affecting their children.

- That families and relevant communities are aware of the College's operations, codes and policies, including this *Student Safety and Wellbeing Policy*, record keeping practices, risk management, and grievances processes.

- That it will actively seek to include families and relevant communities in decisions about organisational planning, delivery of services, management of facilities, and learning and assessment environments.

- That cultural safety at the College is built through partnerships with Aboriginal and Torres Strait Islander communities, as well as with culturally and linguistically diverse communities that make up our staff and student cohort.

- That the specific strategies that we have adopted to promote the engagement of parents, families, and relevant communities in child safety and wellbeing at the College, to make information about child safety and wellbeing available and accessible, and to implement all of the above obligations, are set out in this *Student Safety and Wellbeing Policy*.

13 Reflection and Continuous Improvement

The College is committed to continual improvement that is responsive to emerging thinking, evidence and practice, so as to eliminate (where practicable) the possibility of student safety risks occurring in the first place. Where the College can improve, it will strive to do so. The College will report on the outcomes of any relevant review to the school community.

14 Student Safety and Wellbeing Responsibilities

Society as a whole shares responsibility for promoting the safety and protection of students from child abuse and reportable conduct. In the College context, all members of the school community have a role to play.

However, specific responsibilities in respect of student safety and wellbeing are assigned to:

- The Board.
- The Principal.
- The College Leadership Team.
- Student Safety Officers.
- Staff.
- Students and parents/guardians.

For further information, please refer to **Schedule 2: Student Safety and Wellbeing Responsibilities.**

15 Breach of this Policy

The College emphasises the need for staff to fully comply with the requirements of this policy.

Staff found to be in breach of the requirements of this policy may be subject to disciplinary action, up to and including termination of employment or engagement (as the case may be). Breaches may also result in notifications to appropriate authorities and/or the Police.

16 Communication and Implementation

16.1 Communication

This policy is made publicly available on the College's website.

This policy is available to staff as part of the College's and the Board's internal policies and procedures. Aspects of (and updates to) the College's student safety and wellbeing framework, including this policy will be addressed in the College's professional development updates, training programs, bulletins and newsletters.

16.2 At Board / Principal Level

To properly implement this policy:

(a) The Board and Principal will review this policy and the College's student safety and wellbeing practices at least every two years (or more frequently after a significant student safety and wellbeing incident) and implement improvements where applicable.

(b) Families and the school community will be afforded the opportunity to contribute to the review and development of the College's student safety and wellbeing policies and practises (including this policy).

(c) Periodic training and refresher sessions on this policy are provided to all staff.

(d) The Principal is responsible for monitoring staff compliance with this policy. All staff must ensure that they abide by this policy and assist the College implementing this policy.

Schedule 1: Student Safety and Wellbeing Definitions

1 Introduction

This Schedule sets out the key definitions used in the College's student safety and wellbeing policies.

2 Definitions

Behaviour that causes **emotional or psychological harm to a child** includes sexual offences, sexual misconduct, physical violence and significant neglect. However, other types of behaviours can also cause emotional or psychological harm including, for example, severe or sustained instances of verbal abuse; coercive or manipulative behaviour; hostility towards, or rejection of, a child; and humiliation, belittling or scapegoating.

CCYP means Commission for Children and Young People.

Child means a child under the age of 18 years, except in the case of certain mandatory reporting obligations which may define a child to be under a different age.

Child abuse means all forms of child abuse defined in the ETR Act and includes:

- Any act committed against a child involving a sexual offence or grooming.
- The infliction on a child, of physical violence or serious emotional or psychological harm.
- Serious neglect of a child.

College means Newhaven College.

College community means all those who are directly and indirectly involved with the College, including students, parents, carers and alumni, as well as businesses, charitable organisations and locals that are affiliated with the College.

College Leadership Team refers to the Principal, Head of Senior School, Head of Middle School, Head of Junior School, Director of Learning and Director of Business.

CWS Act means the *Child Wellbeing and Safety Act 2005* (Vic), as amended from time to time.

CYF Act means the *Children, Youth and Families Act 2005* (Vic), as amended from time to time.

DFFH means the Department of Families, Fairness and Housing, which is the department responsible for Child Protection.

ETR Act means the *Education and Training Reform Act 2006* (Vic), as amended from time to time.

Grooming is defined in the *Crimes Act 1958* (Vic) and refers to communication, by words or conduct, between an adult and a child with the intention of facilitating the commission of a sexual offence involving the child. Grooming may be identified by attempts being made at establishing an intimate relationship with, befriending or influencing a child (or, in some circumstances, members of the child's family). In this respect, grooming involves psychological manipulation that is usually very subtle, drawn out, calculated, controlling and premeditated (Victorian Parliamentary Inquiry 2013).

Mandatory reporter has the meaning given to it by section 182 of the CYF Act. It includes but is not limited to registered teachers (including early childhood teachers), staff with post-secondary qualifications employed in the care, education or minding of children, school principals, registered nurses, students in training to become teachers (who have been granted permission to teach under relevant legislation), registered psychologists, out of home care workers, early childhood workers and any other person referred to in section 182 of the CYF Act.

Neglect refers to an individual's failure to meet their obligations and responsibilities to keep a child safe and well, and can include:

- Supervisory neglect, which is the absence or inattention of a staff member which places the child at risk of physical harm or injury, sexual abuse or allows other criminal behaviour to occur.
- Physical neglect, which is the failure to provide basic physical necessities for a child, such as adequate food, clothing, housing or medical attention.

Parent includes a guardian or carer, and 'parents' has a corresponding meaning.

Physical violence includes an act that causes physical injury or pain. Examples of physical violence can include:

- Hitting, kicking and punching.
- Pushing, shoving, grabbing, throwing and shaking.
- Using an object to hit or strike.

- Using inappropriate restraint/excessive force.

Physical violence does not include lawful behaviour. For example:

- Reasonable steps taken to protect a child from immediate harm, such as taking their arm to stop them from going into oncoming traffic.
- Medical treatment given in good faith by an appropriately qualified staff member, such as a senior first aid officer administering first aid.

Threats of physical violence that do not cause physical injury or pain may still amount to behaviour that causes emotional or psychological harm.

Reasonable belief means a belief that would lead a reasonable person in the same position as you, and with the same information as you to form a belief that child abuse (including sexual abuse) or reportable conduct is occurring or may occur. There must be some objective basis for the belief. However, it is not necessary to have proof to form a reasonable belief, nor do you need to make a judgement about the truth of an allegation. However, a reasonable belief is more than suspicion, mere rumour or speculation.

For example, a 'reasonable belief' about a sexual offence might be formed when:

- A student states that they have been sexually abused.
- A student states that they know someone who has been sexually abused (because sometimes the student may be talking about themselves).
- Someone who knows a student states that the student has been sexually abused.
- Professional observations of the student's behaviour or development leads a professional to form a belief that the student has been sexually abused.
- Signs of sexual abuse lead to a belief that the student has been sexually abused.

It is permissible to ask a person raising a concern with you, sufficient questions to establish a reasonable belief. However, care should be taken not to ask the person any suggestive or leading questions.

Staff who are not sure whether they have a reasonable belief must consult with a SSO or a member of the College Leadership Team.

Reportable allegation means any information that leads a person to form a reasonable belief that an employee has committed reportable conduct, or misconduct that may involve reportable conduct, whether or not the conduct or misconduct that is alleged to have occurred was within the course of the person's employment or engagement with the College.

In the above definition, 'employee' has the meaning given in the CWS Act.

Reportable conduct means:

- A sexual offence committed against, with or in the presence of, a child.
- Sexual misconduct, committed against, with or in the presence, of a child.

- Physical violence committed against, with or in the presence of, a child.
- Any behaviour that causes significant emotional or psychological harm to a child.
- Significant neglect of a child.

In the above definition, 'child' has the meaning given in the CWS Act.

Sexual misconduct includes behaviour, physical contact or speech or other communication of a sexual nature (including inappropriate touching, grooming behaviour and voyeurism).

Other examples of sexual misconduct include:

- Developing an intimate relationship with a student, for example, through regular contact with the student without the knowledge or approval of the College;
- Inappropriately discussing sex and sexuality with a student; or
- Other overtly sexual acts that could lead to the College taking disciplinary or other action.

Sexual offence means a sexual offence set out in clause 1 of Schedule 1 to the *Sentencing Act 1991* (Vic), and includes sexual assault (including rape and attempted rape), indecent acts, possession of child abuse material, exposure to pornography, and grooming.

Any sexual activity between a child and an adult can be a sexual offence. In certain circumstances, sexual activity between children can also be a sexual offence, and also between two adults (particularly when one is a student).

Significant, in relation to harm or neglect, means that the harm is more than trivial or insignificant, but need not be as high as serious and need not have a lasting permanent effect.

SOCIT means the Victoria Police Sexual Offences and Child Abuse Investigation Team.

SSO means a Student Safety Officer.

Staff and staff members include Board members, the Principal, employees, volunteers, contractors, labour hire workers, secondees and other authorised personnel required to perform functions on the College's premises, or at school-organised activities and events.

Student means a child under 18 years of age, and any student at the College over 18 years of age, and 'students' has a corresponding meaning.

Student-connected work means work authorised by the College and performed by an adult in a school environment while children or young people are present or reasonably expected to be present.

Victimisation means treating a person unfairly or unreasonably because they, or someone associated with them, has made, or intends to raise a concern about student safety or student wellbeing, or who is otherwise involved or participates in the College's, or an external body's investigation of the concern.

VIT means the Victorian Institute of Teaching.

VRQA means the Victorian Registration & Qualifications Authority.

WSA Act means *Worker Screening Act 2020* (Vic), as amended from time to time.

WWCC means Working with Children Check.

Schedule 2: Student Safety and Wellbeing Responsibilities

1 Introduction

This Schedule is part of the College's student safety and wellbeing framework, and sets out how the College allocates responsibility for meeting its public commitment to student safety and wellbeing.

2 Responsibilities

2.1 The Board

The Board is the governing body for the legal entity which operates the College, and as such is ultimately responsible for ensuring that student safety and wellbeing (and in particular the care, safety and welfare of children and young people) is the College's paramount consideration.

Without limiting that responsibility, the Board:

- Acquires guidance and information on student safety and wellbeing matters, and keeps up-to-date with its student safety and wellbeing obligations through engaging in professional development.
- Satisfies itself that the College has strategies (reflected through policies, procedures, words and actions) to embed a culture of student safety and wellbeing in the governance, operations and culture of the College, which comply with the Board's obligations under *Ministerial Order No. 1359 – Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Colleges and Boarding Premises*.
- Delegates roles and responsibilities to the Principal, for achieving the College's student safety and wellbeing strategies.
- Satisfies itself that the Principal has allocated appropriate roles and responsibilities to the College Leadership Team, and to staff, for achieving the College's student safety and wellbeing strategies.
- Satisfies itself that the school community is engaged and informed about the College's student safety and wellbeing strategies, and allocation of roles and responsibilities.
- Ensures that the College, and in particular the Principal, has adequate resources and support to achieve the College's student safety and wellbeing strategies.
- Keeps the Principal and, via the Principal keeps, all staff accountable for achieving the College's student safety and wellbeing strategies, sharing relevant information and ensuring adequate recordkeeping in accordance with the Public Record Office Victoria Recordkeeping Standards.

- Periodically reviews the effectiveness of the College's student safety and wellbeing strategies in practice (including by, if considered appropriate, revising those strategies).
- Ensures that student safety and wellbeing remains a regular Board agenda item for review, reflection and discussion as well as ensuring that the College reports on the outcomes of any relevant review to the school community.
- Ensures that privacy and employment law obligations are met when responding to student concerns and complaints.

2.2 The Principal

In accordance with good governance, the Board delegates responsibility for the day-to-day operation of the College – and in particular the care, safety, wellbeing and welfare of students – to the Principal.

The Principal is therefore responsible at a day-to-day level, and accountable to the Board, for taking all practical measures to ensure that:

- The College has a student safety and cultural safety culture (including in the online environment), and that this is promoted within the school environment – such as at assemblies and on posters in visible locations.
- The College's student safety and wellbeing strategies are achieved, both in policy and in practice.
- The College's student safety and wellbeing policies are communicated to parents, students and families, and that input is sought from them regarding policy development and review, and that the processes contained within are understood and culturally safe.
- Staff are enabled, prepared and supported when managing student safety and wellbeing complaints, including in their support of the student(s) involved (and, where appropriate, their families).
- Staff are educated, and complying with, their professional and statutory responsibilities regarding student safety and wellbeing.
- Staff are enabled, prepared and supported in identifying the risks to student safety and wellbeing, noting that indicators of harm may vary depending on the differences and needs of the student.
- Staff are enabled, prepared and supported to create, maintain and dispose of records about student safety and wellbeing in line with the Public Record Office Victoria Recordkeeping Standards.
- Staff champion and model compliance with safety and wellbeing policies and procedures.

- Concerns about student safety and wellbeing are dealt with seriously, promptly and thoroughly, and in accordance with the College's policies and procedures, and any statutory obligations and that the College co-operate with law enforcement agencies and relevant authorities as required.

- The Board receives timely reports regarding student safety and wellbeing concerns and risks, or any developments regarding the College's student safety and wellbeing obligations.

2.3 The College Leadership Team

The College Leadership Team is committed to 'leading from the front' and engaging in a preventative, proactive and participatory approach to student safety and wellbeing issues.

Where appropriate, the College Leadership Team will assist the Principal with discharging the student safety and wellbeing responsibilities outlined in this document, and as otherwise required by legislation and good practice.

2.4 Student Safety Officers

Key responsibilities for the College's SSOs include:

- Having a good working knowledge and appreciation of the College's student safety and wellbeing framework.
- Promoting student safety and wellbeing issues within the College community and responding to general queries with respect to the College's student safety and wellbeing framework.
- Being a point of contact for staff, or other members of the College community, raising student safety and wellbeing concerns within the College.
- Without replacing any legal reporting obligations any person may have, supporting the Principal in promptly managing the College's response to an allegation of actual or suspected child abuse or reportable conduct, and ensuring that the allegation is taken seriously and responded to appropriately and thoroughly.
- Ensuring the College's student safety and wellbeing strategies are clearly and regularly communicated to staff, students and other members of the school community.
- Ensuring the College's student safety and wellbeing strategies are being implemented effectively and are strengthened where required.
- Ensuring a strong and sustainable student safety and wellbeing culture is embedded within the College.

Key responsibilities for the College's Senior SSO include:

- Being a first point of contact for all student safety and wellbeing concerns or queries for the wider community ensuring that other Student Safety Officers understand and comply with their key responsibilities.
- Ensuring that all Student Safety Officers undergo appropriate annual training in the College's student safety and wellbeing framework, their legal responsibilities, and how to appropriately respond to concerns.
- Coordinating the College's response to concerns in consultation with the College Leadership Team.
- Ensuring that the College's student safety and wellbeing policies and procedures are effectively implemented and communicated to all relevant stakeholders.

2.5 Staff

All staff are required to comply with the College's student safety and wellbeing framework (including in particular this policy, *Student Safety and Wellbeing Policy*), as well as their legal and professional obligations with respect to the prevention and reporting of actual or suspected child abuse and reportable conduct.

It is each such staff member's individual responsibility to be aware of key risk indicators of child abuse or reportable conduct, to be observant, and to raise any concerns they may have with one of the Principal, the College Leadership Team, the College's SSOs (and/or with external agencies, where required). In this regard, staff are encouraged to voice their concerns, no matter how minor, trivial or insignificant.

All contractors, labour hire workers, secondees and volunteers involved in student-connected work are required to adhere to this policy and the *Student Safety and Wellbeing Staff Code of Conduct* and are responsible for contributing to the safety and wellbeing of students in the school environment. They too have obligations with respect to the reporting of actual or suspected child abuse or reportable conduct.

Again, it is the College's expectation that contractors, labour hire workers, secondees and volunteers are attuned to their individual responsibilities and act in accordance with their internal and external reporting obligations, and the College's policies and procedures.