The information contained in this document has been sourced from the Child Protection Program in Complispace.
Table of Contents

1 Child Protection Law and Regulation in Victoria - An Overview ................................................. 3
   1.1 Victorian Child Safe Standards .................................................................................. 4
   1.2 Prescriptive Legal & Regulatory Requirements ....................................................... 4
      1.1.1 The Children, Youth and Families Act 2005 .................................................... 4
      1.1.2 Child Wellbeing and Safety Act 2005 .............................................................. 4
      1.1.3 Education and Training Reform Act 2006 ......................................................... 4
      1.1.4 Working with Children Act 2005 ................................................................. 5
      1.1.5 Crimes Act 1958 ...................................................................................... 5
      1.1.6 Family Violence Protection Act 2008 ............................................................ 5
   1.3 Our Child Protection Program ..................................................................................... 5

2 The Victorian Child Safe Standards ....................................................................................... 6
   2.1 Principle of Inclusion ................................................................................................. 6

3 Child Protection and Safety Policy ..................................................................................... 8
   3.1 Our Child Protection and Safety Policy ................................................................... 8
      3.1.1 Statement of Commitment to Child Safety ....................................................... 8
      3.1.2 Child Safe Principles .................................................................................. 9
      3.1.3 Objectives .................................................................................................. 9
      3.1.4 Child Protection Program .............................................................................. 9
      3.1.5 Responsibilities ......................................................................................... 9
      3.1.6 Reporting Concerns .................................................................................... 11
      3.1.7 Related Policies and Procedures ................................................................. 11
      3.1.8 Policy & Program Review ........................................................................... 11
   3.2 Child Abuse - Definitions and Key Risk Indicators ................................................ 11
      3.2.1 Definition of Child Abuse and Family Violence ............................................ 11
   3.3 Who is Responsible for Child Protection? .................................................................. 16
   3.4 Disciplinary Procedures .......................................................................................... 19
   3.5 Continuous Improvement and Review .................................................................... 19

4 Child Safety Code of Conduct .......................................................................................... 20
   4.1 Our Child Safety Code of Conduct ........................................................................ 20

5 Procedures for Responding to and Reporting Allegations of Child Abuse .......................... 22
   5.1 Managing Your Initial Response to a Child Protection Incident .............................. 22
      5.1.1 Observation of Risk Indicators ................................................................... 22
      5.1.2 Private Disclosure by a Child ...................................................................... 22
      5.1.3 Public Disclosure by a Child ................................................................. 23
      5.1.4 Third Party Disclosure ............................................................................. 23
      5.1.5 Support Following Disclosure ................................................................... 24
   5.2 Reporting a Child Abuse Concern Internally ............................................................ 24
   5.3 General Legal Obligation to “Act to Protect” and to Report Child Sexual Abuse ........ 24
      5.3.1 The Obligation to Report a Sexual Offence .................................................. 24
      5.3.2 The Obligation to Act to Protect ............................................................... 26
   5.4 Mandatory Reporting ............................................................................................. 28
   5.5 Conduct that is Reportable to the Victorian Institute of Teachers (VIT) .................... 31
   5.6 Confidentiality and Privacy .................................................................................... 32
   5.7 Record Keeping ..................................................................................................... 33
      5.7.1 Documenting a suspicion or belief of abuse ............................................... 33
      5.7.2 Working with Children Check Documentation ........................................... 33
6 Creating and Maintaining a Child Safe Environment ........................................35

6.1 Our Child Protection Officers - Make a Report................................................35

6.2 Child Safety Related Human Resources Practices .............................................35

6.2.1 Child Safe Recruitment Practices .................................................................36

6.2.2 Working with Children Checks ......................................................................37

6.2.3 Child Protection Training ................................................................................40

6.2.4 Cultural Awareness of Child Protection Issues ................................................40

6.2.5 Staff and Student Professional Boundaries ......................................................40

6.3 Participation and Empowerment of Children ....................................................44

6.3.1 Pastoral Care - Child Protection ....................................................................44

6.3.2 Students with a Disability................................................................................45

6.3.3 Cultural Diversity ...........................................................................................45

7 Child Protection Risk Management .......................................................................46

7.1 Risk Management Strategies ................................................................................47

7.2 Bacchus Marsh Grammar’s Assurance System ....................................................47

8 Additional Resources ............................................................................................48

9 Appendices ...........................................................................................................0
Bacchus Marsh Grammar's Child Safety Standards

Child abuse includes sexual offences, grooming, physical violence, serious emotional or psychological harm, serious neglect and a child’s exposure to family violence.

Bacchus Marsh Grammar has zero tolerance for child abuse and is committed to the protection of all children from all forms of child abuse.

This Child Protection Program is made up of work systems, practices, policies and procedures designed to maintain a child safe environment and to embed an organisational culture of child safety within the School community. The Program deals specifically with child protection issues and is designed to ensure compliance with the Victorian Child Safe Standards and related child protection laws. Broader child safety issues arising from our common law duty of care are dealt with through our Student Duty of Care Program.

If you have a belief or suspicion that a child is being, or has been, subjected to any form of abuse you must ensure the incident is reported to the Victorian Child Protection Service or, where you need guidance on making a report or have questions regarding child safety, contact one of the School’s appointed Child Protection Officers. Click here for full contact details. Whenever there are concerns that a child is in immediate danger the Police should be called on 000.

1 Child Protection Law and Regulation in Victoria - An Overview

The legal and regulatory framework for child protection in Victoria is made up of a complex web of laws, regulations and guidance notes.

This diagram and the commentary below provides an overview of the framework.
1.1 Victorian Child Safe Standards

At the top of the diagram are the Victorian Child Safe Standards. These Standards are designed to improve the way all organisations that provide services to children, including schools, prevent and respond to child abuse. These Standards are 'principle based' laws which means that, whilst they have the force of law, how the Standards are applied in practice is open to interpretation and will depend largely on the size, nature and complexity of the organisation that is seeking to comply with the Standards.

To provide a higher level of guidance for schools the Minister of Education has published Ministerial Order 870 under the Education and Training Reform Act 2006 (Vic) that contains requirements that all registered schools must meet to comply with each of the Child Safe Standards. A copy of the Ministerial Order is available on the staff intranet portal and Complispace.

The next section of this program sets out each of the Victorian Child Safe Standards and how we comply with each Standard at Bacchus Marsh Grammar as required by the Minister of Education.

1.2 Prescriptive Legal & Regulatory Requirements

At the bottom of the diagram there are six separate pieces of legislation that work together to make up the legal and regulatory framework for child protection in Victoria. They are in summary:

1.1.1 The Children, Youth and Families Act 2005

The Children, Youth and Families Act has many functions including:
- establishing the “child’s best interests” principle;
- regulation of community services and care providers;
- the management of child protection responses;
- children in need of therapeutic treatment if exhibiting sexually inappropriate behaviour; and
- promoting stability in care arrangements.

For the purpose of our Child Protection Program the Children, Youth and Families Act is important because it establishes obligations with respect to Mandatory Reporting.

1.1.2 Child Wellbeing and Safety Act 2005

The Child Wellbeing and Safety Act is a companion piece of legislation to the Children, Youth and Families Act.

Its primary function is to provide for the establishment of various government bodies that oversee the Victorian child and family services system.

For the purpose of our Child Protection Program, the Child Wellbeing and Safety Act is important for two reasons:

- it provides the Statutory Definition of Child Abuse; and
- it is the Act through which the Victorian Child Safe Standards are created.

1.1.3 Education and Training Reform Act 2006

From a child safety perspective, the key functions of the Education and Training Reform Act are to:

- require schools to notify the Victorian Institute of Teaching (VIT) when a school has taken action against a teacher; and
• make compliance with the Victorian Child Safe Standards a requirement for registration of all Victorian schools.

1.1.4 Working with Children Act 2005

The Working with Children Act establishes a framework to screen the criminal records and the professional conduct of people who intend to work with or care for children.

People who are assessed as posing an unjustifiable risk to the safety of children will fail the Working with Children Check and the Act prohibits these people from working with children.

The Act imposes penalties for schools and individuals that do not comply with the Act.

1.1.5 Crimes Act 1958

The Crimes Act in Victoria sets out a number of child protection related offences including those relating to indecent acts and persistent sexual abuse.

Of key relevance to the Victorian child protection framework are the offences of:

• Grooming - which targets predatory conduct designed to facilitate later sexual activity with a child.
• Failure to Protect a Child - which requires people in authority within a school to take action to protect children where they know that a person associated with the school poses a substantial risk of sexually abusing a child.
• Failure to Disclose – which applies to all adults, not just professionals who work with children, and requires them to report to the Police where they hold a reasonable belief that a sexual offence has been committed by an adult against a child in Victoria.

1.1.6 Family Violence Protection Act 2008

Finally, the Family Violence Protection Act is designed to maximise safety for children and adults who have experienced family violence and forms a key part of the overall legal and regulatory framework for child protection in Victoria.

Critically the Act provides an extensive definition of “family violence” that includes behaviour that causes a child to hear, witness, or be exposed to the effects of such behaviour.

1.3 Our Child Protection Program

In order to comply with the Victorian Child Safe Standards as well as each of the six separate pieces of legislation noted above, Bacchus Marsh Grammar has established this Child Protection Program which sets out our work systems, practices, policies and procedures designed to not only ensure compliance, but also to develop a child safe culture.
2 The Victorian Child Safe Standards

The Victorian Child Safe Standards compromise seven (7) Standards and three (3) Principles.

The seven (7) Standards are as follows:

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

**Standard 2:** A child safe policy or statement of commitment to child safety.

**Standard 3:** A code of conduct that establishes clear expectations for appropriate behaviour with children.

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

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

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

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

In addition to the seven (7) Standards, the School is required to take into consideration the following three (3) Principles as part of our response to each Standard:

**Principle 1:** promoting the cultural safety of Aboriginal and Torres Strait Islander children;

**Principle 2:** promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds; and

**Principle 3:** promoting the safety of children with a disability.

To assist organisations interpret each of the Standards the Victorian Government has published a guide titled An overview of the Victorian Child Safe Standards. In addition, the Minister for Education has published Ministerial Order 870 that prescribes certain matters with which registered schools in Victoria must comply as part of their registration requirements.

Copies of “An overview of the Victorian Child Safe Standards” and the Ministerial Order are available on the staff intranet portal and Complispace.

Bacchus Marsh Grammar has established and implemented our Child Protection Program in accordance with the Victorian Child Safe Standards.

The table in appendix 1 below sets out each Standard with a summary of how we comply with that Standard.

2.1 Principle of Inclusion

In addition to implementing the Standards, the School implements principles of inclusion prescribed by the Standards and Ministerial Order 870 through our:

- Disability Discrimination Policy; and
- Cultural Diversity Policy.

These policies address the three (3) Principles in addition to our response to each Standard.
Bacchus Marsh Grammar is committed to ensuring that the needs of all students including but not limited to Aboriginal and Torres Strait Islander students, students from culturally or linguistically diverse backgrounds and students with disabilities or who are vulnerable are taken into account when the School develops and implements its Child Protection Program.

We understand that allegations of abuse that involve Aboriginal and Torres Strait Islander children, children from diverse backgrounds or children with disabilities will require varied and particular responses to ensure that appropriate action is taken. The School provides training for all of our School Child Protection Officers that specifically covers how to make a culturally appropriate and sensitive response to allegation of abuse in order to overcome any impairments or barriers culturally diverse students or students with a disability may face.
3 Child Protection and Safety Policy

Bacchus Marsh Grammar has developed the following Child Protection and Safety Policy. This policy is an overarching document that provides key elements of our approach to protecting children from abuse. It is designed to be communicated through our public website as well as through other mediums such as newsletters, our annual report and in induction and welcome packs for School Council members, staff and volunteers. A PDF version of Bacchus Marsh Grammar’s Child Protection and Safety Policy is available on the staff intranet portal and Complispace.

3.1 Our Child Protection and Safety Policy

3.1.1 Statement of Commitment to Child Safety

Child abuse includes sexual offences, grooming, physical violence, serious emotional or psychological harm, serious neglect and a child’s exposure to family violence. Bacchus Marsh Grammar is committed to the protection of all children from all forms of child abuse and demonstrates this commitment through the implementation of a comprehensive Child Protection Program designed to keep children safe.

At Bacchus Marsh Grammar we have a zero tolerance for child abuse and are committed to acting in children’s best interests and keeping them safe from harm. The School regards its child protection responsibilities with the utmost importance and as such, is committed to providing the necessary resources to ensure compliance with all relevant child protection laws and regulations and maintain a child safe culture.

3.1.2 Child Safe Principles

The School’s commitment to child safety is based on the following overarching principles that guide the development and regular review of our work systems, practices, policies and procedures to protect children from abuse.

1. All children have the right to be safe.
2. The welfare and best interests of the child are paramount.
3. The views of the child and a child’s privacy must be respected.
4. Clear expectations for appropriate behaviour with children are established in our Child Safety Code of Conduct and Staff and Student Professional Boundaries Policy.
5. The safety of children is dependent upon the existence of a child safe culture.
6. Child safety awareness is promoted and openly discussed within our School community.
7. Procedures are in place to screen all staff, Direct Contact Volunteers** third party contractors and external education providers who have direct contact with children.
8. Child safety and protection is everyone’s responsibility.
9. Child protection training is mandatory for all School Council members, staff and Direct Contact Volunteers.
10. Procedures for responding to alleged or suspected incidents of child abuse are simple and accessible for all members of the School community.
11. Children from culturally or linguistically diverse backgrounds have the right to special care and support including those who identify as Aboriginal or Torres Strait Islander.
12. Children who have any kind of disability have the right to special care and support.

**Direct Contact Volunteers are those volunteers that are involved in providing support, guidance and supervision directly to students and could potentially have direct unsupervised contact with students during the normal course of providing the volunteer service.

Examples of Direct Contact Volunteer activities may include volunteers involved in School camps and excursions, coaching sporting teams or assisting in learning activities.
3.1.3 Objectives

This policy provides the framework for:

- the development of work systems, practices, policies and procedures that promote child protection within the School;
- the creation of a positive and robust child protection culture;
- the promotion and open discussion of child protection issues within the School; and
- complying with all laws, regulations and standards relevant to child protection in Victoria.

3.1.4 Child Protection Program

Bacchus Marsh Grammar is committed to the effective implementation of our Child Protection Program and ensuring that it is appropriately reviewed and updated. We adopt a risk management approach by identifying key risk indicators and assessing child safety risks based on a range of factors including the nature of our School's activities, physical and online environments and the characteristics of the student body.

Our Child Protection Program relates to all aspects of protecting children from abuse and establishes work systems, practices, policies and procedures to protect children from abuse. It includes:

- clear information as to what constitutes child abuse and associated key risk indicators;
- clear procedures for responding to and reporting allegations of child abuse;
- strategies to support, encourage and enable staff, volunteers (direct and indirect), third party contractors, external education providers, parents and students to understand, identify, discuss and report child protection matters;
- procedures for recruiting and screening School Council members, staff and Direct Contact Volunteers;
- pastoral care strategies designed to empower students and keep them safe;
- policies with respect to cultural diversity and students with disabilities;
- a child protection training program;
- information regarding the steps to take after a disclosure of abuse to protect, support and assist children;
- guidelines with respect to record keeping and confidentiality;
- policies to ensure compliance with all relevant laws, regulations and standards (including the Victorian Child Safe Standards); and
- a system for continuous improvement and review.

As a part of Bacchus Marsh Grammar’s induction process, all staff and Direct Contact Volunteers are required to complete a selection of training modules on the content of our Child Protection Program.

All staff, Direct Contact Volunteers and School Council members are provided with additional, ongoing child protection training at least annually.

Staff, volunteers (direct and indirect), third party contractors and external education providers are supported and supervised by the School’s Child Protection Officers to ensure that they are compliant with the School’s approach to child protection.

3.1.5 Responsibilities

Child protection is everyone’s responsibility. At Bacchus Marsh Grammar all members of the School Council and staff, as well as direct and indirect volunteers, have a shared responsibility for contributing to the safety and protection of children. Specific responsibilities include:

**School Council**

Each member of the School Council is required to ensure that appropriate resources are made available to allow the School’s Child Protection and Safety Policy and the Child Protection Program to be effectively implemented within the
School and are responsible for holding the Principal and management/executive team accountable for effective implementation.

The Principal
The Principal is responsible, and will be accountable for, taking all practical measures to ensure that this Child Protection and Safety Policy and the School’s Child Protection Program are implemented effectively and that a strong and sustainable child protection culture is maintained within the School.

The School’s Child Protection Officers
Two senior staff members are nominated as the School’s Child Protection Officer; 1. Assistant Head of Junior School and 2. Assistant Head of Senior School. Our Child Protection Officers receive additional specialised training with respect to child protection issues. They are the first point of contact for raising child protection concerns within the School. They are also responsible for championing child protection within the School and assisting in coordinating responses to child protection incidents.

Staff Members
All staff are required to be familiar with the content of our Child Protection and Safety Policy and our Child Protection Program and their legal obligations with respect to the reporting of child abuse. It is each individual’s responsibility to be aware of key risk indicators of child abuse, to be observant, and to raise any concerns they may have relating to child abuse with one of the School’s Child Protection Officers.

Direct Contact Volunteers
All Direct Contact Volunteers, as defined in this policy, are required to be familiar with the content of our Child Protection and Safety Policy and our Child Safety Code of Conduct and their legal obligations with respect to the reporting of child abuse.

It is each individual’s responsibility to be aware of key risk indicators of child abuse, to be observant, and to raise any concerns they may have relating to child abuse with one of the School’s Child Protection Officers.

Indirect Contact Volunteers
Indirect Contact Volunteers (or ‘indirect volunteers’) are those volunteers who are involved in providing support and services whilst not directly assisting a specific group of students. Indirect contact volunteers are not responsible for supervising students and would not have “unsupervised” contact with students during the normal course of providing the volunteer service.

All indirect volunteers are responsible for contributing to the safety and protection of children in the School environment.

All indirect volunteers are required by the School to be familiar with our Child Protection and Safety Policy and our Child Protection Program.

Examples of Indirect Contact Volunteer activities may include assisting with School functions, or the School canteen and fundraising barbeques.

Third Party Contractors
All Third Party Contractors (service providers) engaged by the School are responsible for contributing to the safety and protection of children in the School environment.

All service providers engaged by the School are required by the School to be familiar with our Child Protection and Safety Policy and our Child Protection Program.

The School may include this requirement in the written agreement between it and the service provider.

External Education Providers
An external education provider is any organisation that the School has arranged to deliver a specified course of study that is part of the curriculum, to a student or students enrolled at the School.
The delivery of such a course may take place on School premises or elsewhere.

All external education providers engaged by the School are responsible for contributing to the safety and protection of children in the School environment.

All external education providers engaged by the School are required by the School to be familiar with our Child Protection and Safety Policy and our Child Protection Program.

Bacchus Marsh Grammar may include this requirement in the written agreement between it and the external education provider.

3.1.6 Reporting Concerns

Our Child Protection Program provides detailed guidance for members of the School Council, staff and Direct Contact Volunteers as to how to identify key risk indicators of child abuse and how to report child abuse concerns to one of our School's nominated Child Protection Officers. It also contains detailed procedures with respect to the reporting of child abuse incidents to relevant authorities.

Third party contractors, external education providers, indirect contact volunteers, students, parents/carers or other community members who have concerns that a child may be subject to abuse are asked to contact one of the School's Child Protection Officers.

Communications will be treated confidentially on a “need to know basis”.

Whenever there are concerns that a child is in immediate danger the Police should be called on 000.

3.1.7 Related Policies and Procedures

- Risk Management Program
- Compliance Program
- Human Resources Program
- Student Care Program
- Occupational Health & Safety Program
- Child Protection Staff Training
- Recruitment & Selection Procedures
- Induction Procedures

3.1.8 Policy & Program Review

Bacchus Marsh Grammar is committed to the continuous improvement of our Child Protection Program. The Program is regularly reviewed for overall effectiveness and to ensure compliance with all child protection related laws, regulations and standards.

3.2 Child Abuse - Definitions and Key Risk Indicators

3.2.1 Definition of Child Abuse and Family Violence

Child Abuse
Child abuse is defined in section 3 of the Child Wellbeing and Safety Act 2005 (Vic) as including:
• any act committed against a child involving a sexual offence or a grooming offence listed in the Crimes Act 1958 (Vic);
• the infliction of physical violence, serious emotional or psychological harm; and
• the serious neglect of a child.

A child is defined by the Act as a person who is under the age of 18 years.

Family Violence
Whilst the term “family violence” does not form part of the official definition of “child abuse”, the impact of family violence on a child is commonly referred to as a form of child abuse.

In Victoria section 5 of the Family Violence Protection Act 2008 (Vic) defines “family violence” as behaviour by a person towards a family member that is:

• physically or sexually abusive;
• emotionally or psychologically abusive;
• economically abusive;
• threatening;
• coercive; or
• in any other way controlling or dominating the family member and causes them to feel fear for their own, or other family member’s safety or wellbeing.

Behaviour that causes a child to hear, witness, or be exposed to the effects of such behaviour also falls within the definition of “family violence”.

Sexual Offences
A sexual offence occurs when a person involves a child in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to the child’s age and development. Children may be bribed or threatened physically and psychologically to make them participate in the activity.

Sexual abuse can involve a wide range of sexual activity and may include fondling, masturbation, oral sex, penetration, voyeurism and exhibitionism. It can also include exploitation through pornography or prostitution as well as grooming behaviour.

Possible Physical Indicators of Sexual Abuse:

• injury to the genital or rectal area, such as bruising or bleeding;
• vaginal or anal bleeding or discharge;
• discomfort in urinating or defecating;
• presence of foreign bodies in vagina and/or rectum;
• inflammation or infection of genital area;
• sexually transmitted diseases;
• pregnancy, especially in very young adolescents;
• bruising and other injury to breasts, buttocks or thighs;
• anxiety related illnesses such as anorexia or bulimia; or
• frequent urinary tract infections.

Possible Behavioural Indicators of Sexual Abuse:

• the student discloses sexual abuse;
• persistent and age inappropriate sexual activity, including excessive masturbation, masturbation with objects, rubbing genitals against adults, playing games that act out a sexually abusive event;
• drawings or descriptions in stories that are sexually explicit and not age appropriate;
• a fear of home, a specific place, a particular adult, or excessive fear of men or of women;
• poor or deteriorating relationships with adults and peers;
- poor self-care/personal hygiene;
- regularly arriving early at school and leaving late;
- complaining of headaches, stomach pains or nausea without physiological basis;
- frequent rocking, sucking or biting;
- sleeping difficulties;
- reluctance to participate in physical or recreational activities;
- regressive behaviour, such as bedwetting or speech loss;
- sudden accumulation of money or gifts;
- unplanned absences or running away from home;
- delinquent or aggressive behaviour;
- depression;
- self-injurious behaviour, including drug/alcohol abuse, prostitution, self-mutilation, or attempted suicide;
- sudden decline in academic performance, poor memory and concentration;
- wearing of provocative clothing, or layers of clothes to hide injuries; or
- promiscuity.

Grooming
Grooming refers to predatory conduct undertaken to prepare a child for sexual activity at a later time. It is a sexual offence under section 49B of the Crimes Act 1958 (Vic) carrying a maximum 10-year term of imprisonment.

Grooming behaviour typically involves a graduation from attention giving and non-sexual touching to increasingly more intimate and intrusive behaviour.

Grooming does not necessarily involve any sexual activity or even discussion of sexual activity. For example, it may only involve establishing a relationship with a child, a parent or carer for the purpose of facilitating sexual activity at a later time.

Certain behaviours or acts will not in isolation constitute grooming behaviour. However, where there is a repeating pattern of indicative behaviour, or several incidents of indicative behaviour, it may constitute grooming behaviour.

Indicators of Grooming Behaviours:

- persuading a child or group of children that they have a special relationship;
- asking a child to keep the relationship to themselves;
- inappropriately allowing a child to overstep the rules;
- testing boundaries, for example by undressing in front of a child;
- manoeuvring to get or insisting on uninterrupted time alone with a student;
- buying a student gifts;
- insisting on physical affection such as hugging, wrestling or tickling even when the student clearly does not want it;
- being overly interested in the sexual development of a student;
- taking a lot of photos of a student;
- engaging in inappropriate or excessive physical contact with a student;
- sharing alcohol or drugs with a student;
- making inappropriate comments about a student’s appearance or excessive flattery;
- using inappropriate pet names;
- making jokes or innuendo of a sexual nature;
- making obscene gestures or using obscene language;
- sending correspondence of a personal nature via any medium;
- inviting, allowing, or encouraging students to attend a staff member’s home without parental/carer permission;
- entering change rooms or toilets occupied by students when supervision is not required or appropriate;
- communicating with a child’s parent/step parent, legal guardian, teacher, religious official or spiritual leader with the intention of facilitating the child's involvement in sexual conduct;
- inappropriately extending a relationship outside of work; or
photographing, audio recording, or filming students via any medium without authorisation or having parental consent to do so.

What Is Not Grooming?

Not all physical contact between a student and a staff member or any person engaged by the school to provide services to children, including a volunteer, will be inappropriate and/or an indicator of possible grooming behaviour.

The following physical contact with students is not grooming behaviour:

- administration of first aid;
- supporting students who have hurt themselves;
- non-intrusive gestures to comfort a student who is experiencing grief, loss or distress, such as a hand on the upper arm or upper back; and
- non-intrusive touching i.e. shaking a student’s hand or a pat on the back to congratulate a student.

Physical Violence

Physical violence occurs when a child suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person. Physical violence can be inflicted in many ways including beating, shaking, burning or using weapons (such as belts and paddles).

Physical abuse does not mean reasonable discipline, though it may result from excessive or inappropriate discipline.

Possible Physical Indicators of Physical Violence:

- unexplained bruises
- bruises or welts on facial areas and other areas of the body, including back, bottom, legs, arms or inner thighs;
- any bruises or welts in unusual configurations, or those that look like the object used to make the injury, for example fingerprints, handprints, buckles, iron or teeth;
- burns that show the shape of the object used to make them, such as an iron, grill, cigarette, or burns from boiling water, oil or flames;
- fractures of the skull, jaw, nose or limbs, especially those not consistent with the explanation offered or with the type of injury probable/possible at the child’s age and development;
- cuts and grazes to the mouth, lips, gums, eye area, ears or external genitalia;
- human bite marks;
- bald patches where hair has been pulled out; and
- multiple injuries, old and new.

Possible Behavioural Indicators of Physical Violence:

- inconsistent or unlikely explanation for an injury;
- inability to remember the cause of an injury;
- fear of specific people;
- wearing clothes unsuitable for weather conditions (such as long sleeved tops) to hide injuries;
- wariness or fear of a parent/carer and reluctance to go home;
- no reaction or little emotion displayed when hurt;
- little or no fear when threatened;
- habitual absences from school without explanations (the parent/carer may be keeping the child away until signs of injury have disappeared);
- overly compliant, shy, withdrawn, passive and uncommunicative;
- fearfulness when other children cry or shout;
- unusually nervous or hyperactive, aggressive, disruptive and destructive to self and/or others;
- excessively friendly with strangers;
- regressive behaviour, such as bed wetting or soiling;
- poor sleeping patterns, fear of dark, nightmares;
- sadness and frequent crying;
- drug or alcohol misuse;
- poor memory and concentration;
- suicide attempts; or
- academic problems.

**Serious Emotional or Psychological Harm**

Serious emotional or psychological abuse may occur when a child is repeatedly rejected, isolated or frightened by threats or the witnessing of family violence. It also includes hostility, derogatory name-calling and put-downs, or persistent 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 harm 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.

Psychological or emotional abuse may occur with or without other forms of abuse.

Possible Physical Indicators of Serious Emotional or Psychological Harm:

- speech disorders;
- delays in emotional, mental or even physical development; or
- physical signs of self-harming.

Possible Behavioural Indicators of Serious Emotional or Psychological Harm:

- exhibiting low self-esteem;
- exhibiting high anxiety;
- overly compliant, passive or undemanding behaviour;
- extremely demanding, aggressive, or attention-seeking behaviour;
- anti-social, destructive behaviour;
- low tolerance or frustration;
- unexplained mood swings;
- self-harming;
- behaviours that are not age appropriate, for example, overly adult (parenting of other children), or overly infantile (thumb sucking, rocking, wetting or soiling);
- fear of failure, overly high standards and excessive neatness;
- depression, or suicidal thoughts;
- running away;
- violent drawings or writing; or
- contact with other students forbidden.

**Serious Neglect**

Serious neglect is the continued failure to provide a child with the basic necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child’s health, safety and/or development is, or is likely to be, jeopardised. 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.

Possible Physical Indicators of Serious Neglect:

- consistently dirty and unwashed;
- consistently inappropriately dressed for weather conditions;
- consistently without adequate supervision and at risk of injury or harm;
- consistently hungry, tired and listless, falling asleep in class, or malnourished;
- unattended health problems and lack of routine medical care;
- inadequate shelter and unsafe or unsanitary conditions;
• abandonment by parents; or
• poor hygiene.

Possible Behavioural Indicators of Serious Neglect:

• begging or stealing food;
• gorging when food is available;
• inability to eat when extremely hungry;
• alienated from peers, withdrawn, listless, pale, and thin;
• aggressive behaviour;
• delinquent acts, for example, vandalism, drug or alcohol abuse;
• little positive interaction with parent/carer;
• appearing miserable or irritable;
• poor socialising habits;
• poor evidence of bonding, or little stranger anxiety;
• indiscriminate with affection;
• poor, irregular or non-attendance at school or kindergarten/child care;
• staying at school long hours;
• self-destructive;
• dropping out of school;
• taking on an adult role of caring for a parent;
• misusing alcohol or drugs; or
• academic issues.

Family Violence
In Victoria “family violence” is a defined term under the Family Violence Protection Act 2008. It is a criminal offence.

When dealing with children it is important to remember that “family violence” extends to behaviour that causes a child to hear, witness, or be exposed to the effects of “family violence”.

As family violence can result in one or more forms of child abuse (being sexual offences, physical violence, serious emotional or psychological harm or serious neglect) the physical and behavioural indicators of these types of abuse may also be indicative of a family violence situation.

3.3 Who is Responsible for Child Protection?

Society as a whole shares responsibility for promoting the safety and protection of children from abuse. In the School context, all members of the School community have their role to play – teachers, staff, administrators, parents/carers, volunteers and students. That said, the school’s management/executive team are committed to leading from the front and engaging in a preventative, proactive and participatory approach to child protection issues.

Students are encouraged to take an active role in developing and maintaining a child safe environment at the School and are provided with opportunities to contribute and give feedback in the development of the School’s policies and practices. Students are also made aware of the avenues available to them to report or disclose abuse or concerns for their safety or the safety of others.

Key Roles & Responsibilities include:

School Council Responsibilities
The School Council is required to approve the School’s Child Protection and Safety Policy and to ensure the Child Protection Program is being effectively implemented. Each member must:

• acquire and keep up-to-date knowledge of child protection matters;
• have an understanding of the nature of the School's operations and the child protection risks associated with these operations;
• ensure that the School has appropriate resources to effectively implement its Child Protection and Safety Policy and Child Protection Program;
• ensure that the School has appropriate processes for receiving and considering information regarding child protection issues and is able to respond in a timely way to that information;
• ensure that the School has and implements processes to ensure that the School is complying with its legal and regulatory obligations with respect to child protection; and
• ensure that the School has and implements processes to ensure ongoing monitoring to verify the provision and use of the resources that have been allocated to the management of child protection issues within the School and their effectiveness.

The Principal's Responsibilities
The School Council delegates day-to-day management of the School to the Principal.

The Principal is ultimately responsible, and will be accountable for, taking all practical measures to ensure that:

• the School’s Child Protection and Safety Policy and Child Protection Program are implemented effectively with available resources effectively deployed;
• appropriate School Child Protection Officers are appointed and trained;
• a strong and sustainable child protection culture is maintained within the School;
• any child protection incidents arising are dealt with professionally and in a timely manner;
• the School’s Council receives regular reports with respect to child protection matters; and
• the School is complying with its legal and regulatory obligations with respect to child protection.

The School’s Child Protection Officers
A number of senior staff members are nominated as the School’s Child Protection Officers. The names, positions and contact details for all School Child Protection Officers are listed below:

1. Assistant Head of Junior School: Jan Loftus
2. Assistant Head of Senior School: Jenny Jovanovic

Key responsibilities for the School’s Child Protection Officers include:

• having a good working knowledge of the School’s Child Protection and Safety Policy and Child Protection Program;
• promptly managing the School’s response to an allegation or disclosure of child abuse, and ensuring that the allegation or disclosure is taken seriously;
• ensuring that the School’s Child Protection and Safety Policy is clearly communicated to all key stakeholders including students, parents, staff and volunteers (direct and indirect);
• ensuring that the School’s Child Protection Safety Policy and Child Protection Programs are being implemented effectively;
• ensuring that there are clear procedures to allow people to report child protection concerns within the School;
• review and assess the effectiveness of the School’s response to a child protection incident;
• promoting child protection issues within the School community and responding to general queries with respect to the School’s Child Protection and Safety Policy and Child Protection Program;
• acting as “Child Protection Champions” and ensuring a strong and sustainable child protection culture is embedded within the School;
• ensuring that all staff and Direct Contact Volunteers undertake child protection training so that they are able to identify signs of abuse, understand how to respond and when to make a referral either internally or to an external agency;
• being the first point of contact for staff, or other members of the School community, raising child protection concerns within the School;
• assisting the Principal and other senior staff members in coordinating appropriate responses to child protection incidents including liaising with the Police and other external agencies and responding to a child who makes, or is affected by, an allegation of child abuse; and
• ensuring the School’s Child Protection and Safety Policy and Child Protection Program are reviewed on a regular basis by an appropriate member of staff.

In the event that one of the School’s Child Protection Officers cannot perform their role, for example due to conflicts of interest or absence, these duties must be performed by either another School Child Protection Officer or the Principal.

Staff
All staff are required to be familiar with the content of our Child Protection and Safety Policy, our Child Protection Program and their legal obligations with respect to the reporting of child abuse.

It is each individual’s responsibility to be aware of key risk indicators of child abuse, to be observant, and to raise any concerns they may have relating to child abuse with one of the School’s Child Protection Officers and/or with external agencies where required.

Direct Contact Volunteers
Direct Contact Volunteers are those volunteers that are involved in providing support, guidance and supervision directly to students and could potentially have direct unsupervised contact with students during the normal course of providing the volunteer service.

Examples of Direct Contact Volunteer activities may include volunteers involved in School camps or excursions, coaching sporting teams or assisting in learning activities.

All Direct Contact Volunteers are required to be familiar with the content of our Child Protection and Safety Policy and our Child Safety Code of Conduct.

They must also be aware that they too have legal obligations with respect to the reporting of child abuse.

It is each individual’s responsibility to be aware of key risk indicators of child abuse, to be observant, and to raise any concerns they may have relating to child abuse with one of the School’s Child Protection Officers and/or with external agencies where required.

Indirect Contact Volunteers
Indirect Contact Volunteers are those volunteers who are involved in providing support and services whilst not directly assisting a specific group of students.

Indirect contact volunteers are not responsible for supervising students and would not have "unsupervised" contact with students during the normal course of providing the volunteer service.

Examples of Indirect contact volunteer activities may include assisting with School functions, or the School canteen and fundraising barbeques.

All indirect contact volunteers are responsible for contributing to the safety and protection of children in the School environment.

All indirect contact volunteers are required by the School to be familiar with our Child Protection and Safety Policy and our Child Protection Program.

Third Party Contractors
All Third Party Contractors (service providers) engaged by the School are responsible for contributing to the safety and protection of children in the School environment.
All service providers engaged by the School are required by the School to be familiar with our Child Protection and Safety Policy and our Child Protection Program.

The School may include this requirement in the written agreement between it and the service provider.

**External Education Providers**
An external education provider is any organisation that the School has arranged to deliver a specified course of study that is part of the curriculum, to a student or students enrolled at the School.

The delivery of such a course may take place on School premises or elsewhere.

All external education providers engaged by the School are responsible for contributing to the safety and protection of children in the School environment.

All external education providers engaged by the School are required by the School to be familiar with our Child Protection and Safety Policy and our Child Protection Program.

Bacchus Marsh Grammar may include this requirement in the written agreement between it and the external education provider.

### 3.4 Disciplinary Procedures

Where a staff member breaches any obligation, duty or responsibility within this Program, Bacchus Marsh Grammar may take disciplinary action, including in the case of serious breaches, summary dismissal.

Where any other member of the School community breaches any obligation, duty or responsibility within this Program, Bacchus Marsh Grammar may take appropriate action.

### 3.5 Continuous Improvement and Review

Bacchus Marsh Grammar is committed to continuous improvement in all its operations including this Child Protection Program.

It is the responsibility of the Principal to regularly review our Child Protection Program to ensure that it is working in practice and that the School is meeting its legal and regulatory obligations relating to child protection.
4 Child Safety Code of Conduct

A Child Safety Code of Conduct lists behaviours that are acceptable and those that are unacceptable. It provides a high-level statement of professional boundaries, ethical behaviour and acceptable and unacceptable relationships. For more detailed guidance refer to the School’s Staff and Student Professional Boundaries Policy.

When individuals are clear about behavioural expectations, they are much more likely to act appropriately with each other and with children. When everyone is educated about the Code of Conduct and the reasons it is so important to uphold, the School environment becomes much more transparent and people are accountable for their behaviour. Above all, a Child Safety Code of Conduct helps to protect children from harm.

The Child Safety Code of Conduct set out below is designed to stand alone. It can also be incorporated in whole or part into broader Codes of Conduct that are developed within the School, including other professional or occupational codes of conduct that regulate particular staff at the School. The Code is made available to all staff, volunteers, families and students. A PDF version of our Child Safety Code of Conduct is available on the staff intranet portal and Complispace.

4.1 Our Child Safety Code of Conduct

This Child Safety Code of Conduct outlines appropriate standards of behaviour for all adults towards students. The Code serves to protect students, reduce any opportunities for abuse or harm to occur, and promote child safety in the School environment. It provides guidance on how to best support students and how to avoid or better manage difficult situations. Where a staff member breaches the Code, Bacchus Marsh Grammar may take disciplinary action, including in the case of serious breaches, summary dismissal. The School revises the Code annually.

Bacchus Marsh Grammar has the following expectations of behaviours and boundaries for all adults interacting with students within our School community. This includes all teaching staff, non-teaching staff, Council members, volunteers (direct and indirect), third party contractors, external education providers and parents/carers.

**DO:**

- Behave as a positive role model to students.
- Promote the safety, welfare and wellbeing of students.
- Be vigilant and proactive with regard to student safety and child protection issues.
- Provide age appropriate supervision for students.
- Comply with guidelines published by the School with respect to child protection.
- Treat all students with respect.
- Promote the safety, participation and empowerment of students with a disability.
- Promote the cultural safety, participation and empowerment of linguistically and culturally diverse students.
- Use positive and affirming language toward students.
- Encourage students to ‘have a say’ and then listen to them with respect.
- Respect cultural, religious and political differences.
- Help provide an open, safe and supportive environment for all students to interact, and socialise.
- Intervene when students are engaging in inappropriate bullying behaviour towards others or acting in a humiliating or vilifying way.
- Report concerns about child safety to one of the School’s Child Protection Officers and ensure that your legal obligations to report allegations externally are met.
- Where an allegation of child abuse is made, ensure as quickly as possible that the student involved is safe.
- Call the Police on 000 if you have immediate concerns for a student’s safety.
- Respect the privacy of students and their families and only disclose information to people who have a need to know.
DO NOT:

- Engage in any form of inappropriate behaviour towards students or expose students to such behaviour.
- Use prejudice, oppressive behaviour or inappropriate language with students.
- Express personal views on cultures, race or sexuality in the presence of students or discriminate against any student based on culture, race, ethnicity or disability.
- Engage in open discussions of an adult nature in the presence of students.
- Engage in any form of sexual conduct with a student including making sexually suggestive comments and sharing sexually suggestive material.
- Engage in inappropriate or unnecessary physical conduct or behaviours including doing things of a personal nature that a student can do for themselves, such as toileting or changing clothes.
- Engage in any form of physical violence towards a student including inappropriately rough physical play.
- Use physical means or corporal punishment to discipline or control a student.
- Engage in any form of behaviour that has the potential to cause a student serious emotional or psychological harm.
- Develop ‘special’ relationships with students that could be seen as favouritism (for example, the offering of gifts or special treatment for specific students).
- Engage in undisclosed private meetings with a student that is not your own child.
- Engage in inappropriate personal communications with a student through any medium, including any online contact or interactions with a student.
- Take or publish (including online) photos, movies or recordings of a student without parental/carer consent.
- Post online any information about a student that may identify them such as their: full name; age; e-mail address; telephone number; residence; school; or details of a club or group they may attend.
- Ignore or disregard any suspected or disclosed child abuse.

Our Child Protection Program includes a Staff and Student Professional Boundaries Policy that provides detailed guidance for all staff and volunteers (direct and indirect) on how to maintain professional boundaries between students and adults at Bacchus Marsh Grammar.

Report any concerns

The Program also includes information for members of the School Council, staff and Direct Contact Volunteers as to how to identify key risk indicators of child abuse and how to report child abuse concerns to one of our School's nominated Child Protection Officers.

It also contains detailed procedures with respect to the reporting of child abuse incidents to relevant authorities.

Third party contractors, external education providers, indirect contact volunteers, students, parents or other community members who have concerns that a child may be subject to abuse are asked to contact one of the School's Child Protection Officers.

Communications will be treated confidentially on a ‘need to know basis’.

Whenever there are concerns that a child is in immediate danger, the Police should be contacted on 000.
5 Procedures for Responding to and Reporting Allegations of Child Abuse

Child abuse can take many forms. The abuser may be a parent, carer, staff member, volunteer, another adult or even another child. Unfortunately, the nature of child abuse is complex. The abuse may occur over time and potential risk indicators are often difficult to detect. Even our legal obligations for reporting allegations of child abuse can vary depending on the circumstances of the incident.

The School will take appropriate, prompt action in response to all allegations or disclosures of abuse, neglect, inappropriate behaviour or concerns about child safety by reporting all matters to the Victorian Child Protection Service or the Police, depending on the allegation or disclosure made.

Bacchus Marsh Grammar has established simple and accessible procedures for anyone to report a child abuse concern internally to one of the School’s Child Protection Officers.

Bacchus Marsh Grammar has developed and implemented procedures for Council members, staff and Direct Contact Volunteers for responding to allegations and disclosures of child abuse, or suspected child abuse, including procedures for support following a disclosure by a student.

Reporting procedures for third party contractors, external education providers, indirect contact volunteers, parents/carers and other community members are also included in our Child Protection and Safety Policy which is available on our public website.

Age appropriate reporting procedures for students are developed through our pastoral care program.

This section describes our work systems, practices, policies and procedures for responding to and reporting allegations of child abuse both internally and externally. These include:

5.1 Managing Your Initial Response to a Child Protection Incident

The following sections outline the four ways that you may become aware that a child may be experiencing abuse and strategies for managing each situation, and supporting and assisting children involved in the disclosure or report.

5.1.1 Observation of Risk Indicators

The different types of child abuse and their key risk indicators are set out in detail in the earlier section of this program Child Abuse – Definition and Key Risk Indicators.

The process of identifying child abuse purely through observation of risk indicators can be complex and may occur over time. The complexity is magnified by the fact that many of the key risk indicators described may also occur as a result of other factors, not related to child abuse.

If you form a concern that a child may be being abused, you should make written notes of your observations recording both dates and times. You should also report the matter internally to a School Child Protection Officer.

5.1.2 Private Disclosure by a Child

If a student discloses a situation of abuse or neglect to you privately, you should stay calm and not display expressions of panic or shock.

You should reassure and support the child. You can do this by:

- stating clearly that the abuse is not the child’s fault;
- reassuring the child that you believe them; and
- telling the child that disclosing the matter is the right thing to do.
You should be patient, and allow the child to talk at their own pace. When responding you should use the child’s language and vocabulary.

Sometimes a student may try to elicit a promise from you that you will not tell anyone about the allegation. You must not make this promise, as you are responsible for reporting the matter.

Finally remember that your role is not to investigate the allegation. You should not interrogate the child and pressure them to tell you more than they want to.

Once a disclosure is made you must report the matter internally to a School Child Protection Officer as soon as possible. You should also make written notes of the circumstances of the disclosure recording both dates and times.

Following a disclosure of abuse or neglect by a student, staff should follow the steps set out in the School’s Support Following Disclosure policy.

5.1.3 Public Disclosure by a Child

Public disclosure occurs where you observe a child disclosing abuse to another child, or group of children.

In this circumstance you should use a strategy of “protective interrupting”.

The aim of “protective interrupting” is to prevent a child from disclosing details of abuse in front of other children, whilst at the same time providing the child with the opportunity to disclose later, in a safe and confidential manner.

You can do this by:

- asking the child if you can talk privately; and
- moving the child away from the other students to a quiet space,

and then following the guidelines with respect to managing a private disclosure.

Following a disclosure of abuse or neglect by a student, staff should follow the steps set out in the School’s Support Following Disclosure policy.

5.1.4 Third Party Disclosure

A third party such as a friend of the child, a relative or another parent may provide you with information relating to child abuse.

In this situation you should:

- listen to the person’s concerns seeking clarification where required;
- thank the person for raising their concern;
- advise the person that we have procedures for dealing with situations like this; and
- advise the person that you will discuss their concerns with the relevant authorities.

As with Private Disclosure you should reassure and support the person providing the information.

Sometimes a person may try to elicit a promise from you that you will not tell anyone about the allegation. You must not make this promise, as you are responsible for reporting the matter.

Finally remember that your role is not to investigate the allegation. You should not interrogate the third party and pressure them to tell you more than they want to.

Once a third party disclosure is made you must report the matter internally to a School Child Protection Officer as soon as possible. You should also make written notes of the circumstances of the disclosure recording both dates and times.
5.1.5 Support Following Disclosure

You should take the following steps to support and assist a child after a disclosure of child abuse or neglect is made.

The range of measures employed will depend on:

- the degree of severity of the situation;
- the risk of harm to the child; and
- the capability and willingness of the parent to protect the child from harm.

After a disclosure is made:

- do not promise the child that you will not tell anyone about the allegation;
- reassure the child that it was the right thing to do to tell an adult;
- tell the child what you plan to do next;
- do not confront the person believed to be the perpetrator;
- report the matter to one of the School's Child Protection Officers who will be able to assist you in developing additional support strategies; and
- whenever there are concerns that a child is in immediate danger the Police should be called on 000.

5.2 Reporting a Child Abuse Concern Internally

Child abuse situations can be very complex, not only from the perspective of ascertaining whether abuse has occurred but also in understanding what steps to take to protect a child.

It is important to remember at all times that the safety and welfare of the child are paramount.

Therefore, if you have a concern that a child may be experiencing abuse, whether or not you have formed a belief on reasonable grounds that the abuse has occurred, you should immediately raise your concerns with one of the School's Child Protection Officers. The School's Child Protection Officers will be able to assist you in clarifying your concerns and managing the next steps.

Contact details for our Child Protection Officers are set out here;

1. **Assistant Head of Junior School: Jan Loftus**
2. **Assistant Head of Senior School: Jenny Jovanovic**

Please note that reporting the matter internally does not release you from other legal and regulatory reporting obligations you may have, namely:

- The Obligation to Report a Sexual Offence
- The Obligation to Act to Protect; and
- The Obligation to Make a Mandatory Report.

5.3 General Legal Obligation to “Act to Protect” and to Report Child Sexual Abuse

In Victoria there are specific criminal offences which impose general obligations on persons:

- aged 18 years or over to report any belief that a sexual offence has been committed, against a child under the age of 16 years, by a person over the age of 18 years (Crimes Act (Vic) s327); and
- in authority within a school to act to remove or reduce a substantial risk that a sexual offence will be committed against a child (Crimes Act (Vic) s49C).

Details of these obligations are set out in detail in the following sections:

5.3.1 The Obligation to Report a Sexual Offence
Source of Obligation
Under the Crimes Act 1958 (Vic) (s 327), anyone aged 18 years or over must make a report to the Police if they form a reasonable belief that a sexual offence has been committed against a child under the age of 16 years, by a person aged 18 years or over. Failure to make a report without reasonable excuse is an offence and carries a prison term.

If a report is made to the Department of Health and Human Services (DHHS) in accordance with mandatory reporting requirements, an additional report to the Police will not usually be required unless further information is obtained.

This obligation applies to anyone aged 18 years or over, including all non-teaching staff, volunteers (direct and indirect), and students aged 18 and over. The legislation also applies to teaching staff if not already covered by the mandatory reporting obligation.

What Must Be Reported?
Any person aged 18 or over who forms a reasonable belief that a sexual offence has been committed by an adult (a person aged 18 years or over) against a child under 16 has an obligation to report that information to the Police.

What is a Sexual Offence?
The Crimes Act sets out what constitutes a "sexual offence". This includes:

- rape;
- indecent assault;
- incest;
- sexual penetration; and
- grooming a child for sexual conduct.

A "sexual offence" includes an attempted sexual offence.

What is a Reasonable Belief?
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 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 the child states that the child has been sexually abused; and
- signs of sexual abuse leads to a belief that the child has been sexually abused.

Exceptions - Failure to Disclose
If you fail to disclose a sexual offence against a child to the Police, you will not be held liable where your reason for not reporting is that:

- you fear on reasonable grounds for the safety of any person (other than the offender), and a failure to report is reasonable;
- the victim told you about the sexual offence (directly or indirectly), the victim was over 16 years old when he or she told you about the sexual offence, and the victim requested that the information not be disclosed (unless the victim has an intellectual disability and does not have the capacity to make an informed decision about this);
- you believe on reasonable grounds that the information has already been disclosed to the Police by another person (such as to the DHHS as part of mandatory reporting) and you have no further information.

Unacceptable reasons for not reporting include if you are concerned with the interests (including the reputation, legal liability or financial status) of:

- the person involved in the sexual offence; or
• any organisation (such as the School).

A report made under the Children, Youth and Families Act 2005 (Vic) mandatory reporting obligations may constitute a 'reasonable excuse' if you believe that you have no further information to provide to the Police.

5.3.2 The Obligation to Act to Protect

Source of obligation
Where a person in a position of authority at the School becomes aware that a staff member, volunteer (direct or indirect), contractor, or other person associated with the School poses a substantial risk of committing a sexual offence against a student or students, the person has a duty to take immediate action to ensure that the student or students are protected from that risk.

The School has a duty of care which entails protecting all students from foreseeable risks while at school or engaging in School activities.

In addition, under section 49C of the Crimes Act 1958 (Vic) (Crimes Act) a person who:

a) by reason of the position they occupy at the School, has the power or responsibility to reduce or remove a substantial risk that a relevant child (under the age of 16) will become the victim of a sexual offence committed by a person of or over the age of 18 years who is associated with the School; and

b) knows that there is a substantial risk that the person will commit a sexual offence against a relevant child, must not negligently fail to reduce or remove that risk.

Who is responsible for acting to protect the student/s?
The person responsible for taking steps to remove or reduce the risk to the student will depend upon the source of the risk. In a normal school context usually a member of the school leadership team would have the necessary degree of supervision, power and authority to remove or reduce the risk. On tours, excursions, or camps a teacher or a volunteer coach could have the requisite power and responsibility.

Examples of people in a position of authority include:

• School Council members;
• the Principal;
• members of the School leadership team;
• teachers; and
• volunteers where they are in a position of supervision.

When should action be taken?
A person in a position of authority at Bacchus Marsh Grammar is required to act if they know that there is a substantial risk that a student or students may become the victim of a sexual offence, and the risk is caused by a person associated with the School.

Knowledge is more than holding a tentative belief or mere suspicion.

If a person in authority has a suspicion or belief that students are at risk of harm they must take steps to follow up on that suspicion or belief by investigating further and should raise the issue with a School Child Protection Officer.

The duty to act extends to situations where the students at risk or the person in authority is outside of Victoria.

What is a substantial risk?
A risk will be a substantial risk if a reasonable person would have judged the risk of a sexual offence being committed against the student as being substantial.

It is not necessary to prove that a sexual offence was committed in order for the substantial risk to exist i.e. a person in a position of authority should not wait for a student to be harmed before acting.
A number of factors will contribute to determining if a risk is a substantial risk, including:

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

What is a sexual offence?
Action must be taken where there is a substantial risk of sexual offences occurring, including:

- rape;
- indecent assault;
- incest;
- sexual penetration;
- grooming a child for sexual conduct; and
- an attempted sexual offence or an assault with intent to commit a sexual offence.

Who is “a person associated with the school”?
A person associated with the School is an adult and can be a:

- School Council members;
- Principal;
- teacher;
- boarding house supervisor;
- employee;
- volunteer (including parents); and
- contractor.

A person will not be considered to be associated with the School purely because they receive services from the School.

Procedure to reduce or remove a substantial risk
Where any staff member, volunteer, or other person in a position of authority at the time, becomes aware of a risk of a sexual offence against a student or students under their care, they should immediately:

- take reasonable steps which would remove or reduce the risk to the student or students, which may include immediately removing the person from contact with the student or students;
- report the matter to a School Child Protection Officer, and the Principal, as soon as practicable;
- conduct an investigation unless this relates to a Mandatory Reporting situation; and
- make the appropriate report.

Appropriate action to be taken may include, for example:

- a current employee who is known to pose a risk to a student or students should be immediately removed from contact with students and reported to authorities and investigated.
- a parent 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.

Whenever there are concerns that a child is in immediate danger call the Police on 000.
5.4 Mandatory Reporting

Source of Obligation
The Children, Youth and Families Act 2005 (Vic) (CYFA) requires that mandatory reporters must make a report to the Department of Health and Human Services (DHHS) Child Protection when they believe that a child (aged under 17) is in need of protection from significant harm from physical injury or sexual abuse.

If a report is made by mandatory reporters in accordance with CYFA mandatory reporting obligations, an additional report to the Police under s 327 Crimes Act may not be required unless you have further information.

This policy must be read in conjunction with the Child Abuse Key Risk Indicators and The Obligation to Report a Sexual Offence.

Who Must Make a Mandatory Report?
Mandatory reporters are defined by the CYFA and include:

- teachers;
- the Principal;
- medical practitioners; and
- nurses.

It is the responsibility of other staff, volunteers or members of the school community to check whether they are Mandatory Reporters under child protection legislation.

Reporting by Non-Mandated Staff
If you are not a Mandatory Reporter, you still have the option of making a report to DHHS under the CYFA if you believe on reasonable grounds that a child is in need of protection.

The CYFA states that any person who believes on reasonable grounds that a child is at risk of harm should report their concerns to DHHS Child Protection.

All School staff who have concerns that a student may be in need of protection or may have been the victim of a sexual offence, should notify a School Child Protection Officer as soon as possible to discuss their concerns. Also refer to The Obligation to Report a Sexual Offence.

What Gives Rise to a Mandatory Report?
A mandatory report must be made when you form a belief on reasonable grounds that a child is in need of protection where the child has suffered, or is likely to suffer, significant harm as a result of:

- physical injury; or
- sexual abuse;

and the child's parents have not protected, or are unlikely to protect, the child from harm of that type.

- Reasonable Grounds
The concept of 'reasonable grounds' requires you to consider whether another person, when faced with similar information, would also draw the same conclusion. It does not mean reporters are required to be certain, but rather reporters should ensure their concerns are well founded and based on information from a reliable source. There may be reasonable grounds for forming such a belief if:

- a child states they have been physically or sexually abused;
- a child states that they know someone who has been physically or sexually abused;
- someone who knows the child states that the child has been physically or sexually abused;
- a child shows signs of being physically or sexually abused;
- the staff member is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on a child's safety, stability or development;
- the staff member observes signs of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision; or
- a child’s actions or behaviour may place them at risk of significant harm and the child’s parents are unwilling or unable to protect the child.

Grounds for belief include matters of which a person has become aware and any opinions based on those matters.

- **Significant**
  
  ‘Significant’ means that which is sufficiently serious to warrant a response by a statutory authority irrespective of a family’s consent.

What is ‘significant’ is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child’s safety, welfare or wellbeing.

Significant harm can result from a single act or omission or an accumulation of these.

- **Physical Injury or Sexual Abuse**
  
  To assist in identifying physical injury or sexual abuse, refer to the School’s information relating to Child Abuse - Definitions and Key Risk Indicators.

- **Parents Have Not Protected, or Are Unlikely to Protect, the Child From Harm of That Type**
  
  The meaning of this phrase is not defined by legislation, but some examples may assist.

A parent who ‘has not protected, or is unlikely to protect that child from harm of that type’ includes a parent who wants to protect his or her child from harm, but lacks the means to.

It also includes a parent who has the means to protect his or her child from harm, but does not want to.

A parent may be rendered ‘unlikely to protect’ that child for many reasons. For example:

that parent does not, or refuses to recognise that harm is occurring;
- that parent or child may be subject to domestic violence; and
- that parent’s partner may be abusive or harmful to the child.

‘Parent’ includes:
- the child’s father;
- the child’s mother;
- the spouse of the mother or father of the child;
- the domestic partner of the father or mother of the child;
- a person who has custody of the child;
- a person who is named as the father on the child’s birth certificate;
- a person who acknowledges that he is the father of the child by an instrument under the Status of Children Act 1974 (Vic); and
- a person in respect of whom a court has made a declaration or a finding or order that the person is the father of the child.

**What to Report and When**

A report becomes mandatory as soon as is practicable after forming the belief.

A report must include details of the belief, and the reasonable grounds of that belief.

Additional reports must be made on each occasion where you become aware of any further reasonable grounds for the belief.

Refer to the Victorian Department of Education’s Guide to Making a Report to Child Protection or Child FIRST (Child and Family Information, Referral and Support Team) for guidance on making a decision on whether to report.
How is a Report/Referral Made?
Whenever there are concerns that a child is in immediate danger the Police should be called on 000.

A report to DHHS Child Protection should be considered if the staff member forms the view the child is in need of protection because:

- 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 safety, stability and development; or
- the child’s parents cannot or will not protect the child from harm.

To report concerns about the immediate safety of a child within their family unit, call the 24-hour Child Protection Crisis Line 13 12 78.

Concerns that require immediate attention should be made to the local or regional Human Services Child Protection office, or the After Hours Child Protection Emergency Services on 131 278.

What If I Don’t Have a Reasonable Belief?
If you don’t have a reasonable belief about a child, but still have concerns, you can refer the matter to a School Child Protection Officer.

There is also the option to refer the matter to Child FIRST.

A referral to Child FIRST should be considered if a staff member forms the view that the concerns have a low-to-moderate impact on the child and the immediate safety of the child is not compromised.

A referral can be made when the following factors may affect a child:

- significant parenting problems;
- family conflict;
- a family member’s physical or mental illness, substance abuse, disability or bereavement;
- isolated or unsupported families; and
- significant social or economic disadvantage.

To contact Child FIRST, refer to their website.

What Happens After a Report/Referral is Made?
After receiving a report, DHHS Child Protection may seek further information, usually from professionals who may also be involved with the child or family, to determine whether further action is required. In most cases, DHHS Child Protection will inform the reporter of the outcome of the report.

After receiving a referral, Child FIRST may consult an experienced community-based Child Protection practitioner in their assessment. The assessment may lead to the involvement of a local family services organisation.

In most cases, Child FIRST will inform the referrer of the outcome of the referral.

Child FIRST must report the matter to DHHS Child Protection if they form the view the child is in need of protection.

Reports made to the Police will be dealt with in accordance with Police practice.
5.5 Conduct that is Reportable to the Victorian Institute of Teachers (VIT)

Reportable Conduct
The School has a duty of care to investigate and act on allegations of employee misconduct or conviction which relate to their ability to perform their functions.

Under the Education and Training Reform Act 2006 (Victoria), the School must notify the Victorian Institute of Teaching (VIT) once the School has taken action against a registered teacher. The VIT then has powers to investigate and take further action.

Reportable Conduct & Mandatory Reporting
The Reportable Conduct obligation covered in this policy is separate and distinct from the Mandatory Reporting obligation under the Children, Youth and Families Act 2005 (Victoria) (refer to Mandatory Reporting).

Internal Reporting of Allegations of Staff Misconduct
Any allegation of staff misconduct must be immediately reported to the Principal, or the Chair of the School Council should the allegation involve the Principal.

Internal Investigation of Allegations of Misconduct
Once an allegation of misconduct has been made (which does not require reporting to Department of Health and Human Services (DHHS) Child Protection under the Mandatory Reporting obligations) an internal investigation, lead by the Principal, or the Chair of the Council if the allegation relates to the Principal, will be conducted in such a manner as the particular circumstances demand.

It is important to note that an internal investigation must not be conducted in relation to an allegation that is the subject of Mandatory Reporting until clearance is given by the relevant authorities (Police or DHHS Child Protection).

Reporting Obligation to the VIT
The School must notify the VIT if the School has taken action against a registered teacher in response to:

- allegations of serious misconduct;
- serious incompetence;
- fitness to teach (which relates to character, reputation and conduct, and whether the teacher is physically and mentally able to teach); or
- a registered teacher's ability to practice as a teacher is seriously detrimentally affected or likely to be seriously affected because of an impairment.

The School must also notify the VIT if the School becomes aware that a teacher:

- has been charged with or committed for trial for a sexual offence, (including grooming and child pornography offences);
- has been convicted or found guilty of an indictable offence (offences detailed in the Crimes Act and the Wrongs Act, including offences which carry prison sentences of 5 years or more or penalties over a threshold level).

The School should also notify the VIT if a teacher takes action against them in another forum such as the Fair Work Commission.

What "Action" Must Be Reported
"Actions" which will be reported by the School to the VIT include (but are not limited to):

- disciplinary action taken by the School; or
- where a teacher resigns after being advised by the School that it is inquiring into allegations.

When to Notify the VIT
The VIT should be notified of the action taken against a teacher once the process initiated by the School has been initiated.

VIT Response
On receiving the notification, the VIT has the power to:

- ensure that it has obtained all relevant information from the School, and may request further information;
- decide whether the matter does not reach the threshold required for it to proceed;
- conduct an investigation, an informal hearing, or a formal hearing; or
- summarily suspend the teacher on an interim basis pending an investigation, if the VIT forms a reasonable belief that the teacher poses an unacceptable risk of harm to children and believes that suspension is necessary to protect children.

A formal hearing may result in findings which can result in cautions, reprimands, conditions imposed including counselling and further education, suspension, cancellation of registration and/or a period of disqualification.

Impact on Working With Children Check
Where an employee, volunteer, or contractor has been charged with or found guilty of a serious sexual, violent or drug-related offence (including grooming and child pornography offences) (Category 1 or Category 2 offence in the Working with Children Act 2005) their Working with Children card will be revoked and they will not be able to work, or volunteer to work with children.

5.6 Confidentiality and Privacy

Confidentiality of Information Relating to Child Protection Matters
Anyone who has access to information regarding a case of suspected child abuse must keep such information confidential and secure and must only disclose or discuss this information with those involved in managing the situation.

You must not provide undertakings that are inconsistent with their reporting obligations in the School’s Child Protection Program. In particular, you must not promise a student that you will not tell anyone about the student’s disclosure.

Students and any other parties who become involved in the investigation (this may include other students) should be informed of the reporting process and be required to maintain confidentiality.

Inappropriate disclosure will be subject to disciplinary action.

Protection of Reporter’s Identity
Reports or referrals made to DHHS Child Protection or Child FIRST are confidential and the reporter’s identity is generally protected by law. Exceptions include if:

- the reporter chooses to inform the child or family of the report;
- the reporter consents in writing to their identity being disclosed;
- a court or tribunal decides it is necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child; or
- a court or tribunal decides the reporter is required to attend court to provide evidence.

The identity of the person who makes a report to the Police, including reports under s 327 of the Crimes Act (Obligation to Report a Sexual Offence), will remain confidential unless:

- the person themselves discloses their identity or they consent in writing to their identity being disclosed; or
- a court or tribunal decides that it is necessary in the interests of justice for the person’s identity to be disclosed.
**Reporter Liability**
A person who makes a mandatory report in accordance with the Children, Youth and Families Act will not be held liable for the eventual outcome of any investigation.

If a report is made in good faith it does not constitute a breach of professional ethics on the part of the reporter and the reporter cannot be held legally liable in respect of the report.

**Protection of Staff’s WWCC Status**
The School will only be informed of whether an individual passes or fails the Check. None of the information gathered for the Check, such as criminal or professional records, will be passed on to Bacchus Marsh Grammar.

**Protection of Personal Information**
How Bacchus Marsh Grammar handles the information we collect about individuals (referred to in the Privacy Act as personal information) is very important, as the people we deal with expect us to handle their personal information properly and we have a legal obligation to do so. Personal information is information, or an opinion, about an identified individual, or an individual who is reasonably identifiable:

- whether the information, or opinion, is true or not; and
- whether the information, or opinion, is recorded in a material form or not.

The Privacy Act only applies to personal information that is captured in a record.

### 5.7 Record Keeping

#### 5.7.1 Documenting a suspicion or belief of abuse

Where a staff member, Council member or Direct Contact Volunteer forms the belief on reasonable grounds that a student is in need of protection, written and dated notes of their observations and concerns should be recorded to assist in a referral/report of child abuse.

All verbal and written communications regarding child protection matters (including notes of observations, student disclosures, meetings and telephone calls) must be properly documented. The documented records should include dates and times and enough detail to record key conversations, especially those relating to the student’s disclosure.

The records of child protection must be stored securely.

#### 5.7.2 Working with Children Check Documentation

It is the responsibility of the School Principal to verify the status of all School staff and non-parent volunteers’ Working with Children Checks (WWC Checks).

Bacchus Marsh Grammar maintains records (electronic or hard copy format) of child-related workers including:

- Full name;
- WWC Check Application Receipt Number;
- WWC Check Card Number;
- Date and outcome of WWC Check clearance;
- Notices sent by the Department of Justice; and
- Expiry date.

Records must be readily available if required for audit and monitoring purposes.

All of the School’s procedures for reporting and responding to allegation of child abuse are designed and implemented taking into account the diverse characteristics of the School community.
A summary of these procedures are made publicly available on the School’s website through our Child Protection and Safety Policy and are accessible to all children, school staff and the wider community.

The School will respond to all allegations of child abuse in an appropriate manner including:

- informing the appropriate authorities and fully cooperating with any resulting investigation;
- protecting any child connected to the allegation until it is resolved and providing ongoing support to those affected;
- taking particular measures in response to an allegation that concerns a culturally diverse child or a child with a disability; and
- securing and retaining records of the allegation and the School’s response to it.
6 Creating and Maintaining a Child Safe Environment

Bacchus Marsh Grammar has adopted a number of key strategies as controls for identifying and removing child protection risks and to promote the participation and empowerment of children. These are as follows:

Child Safe Human Resources Practices

- Child Safe Recruitment Practices
- Working with Children Checks
- Child Protection Training
- Cultural Awareness of Child Protection Issues
- Staff and Student Professional Boundaries

Participation and Empowerment of Children

- Pastoral Care - Child Protection
- Students with a Disability
- Cultural Diversity

6.1 Our Child Protection Officers - Make a Report

Bacchus Marsh Grammar has appointed the people listed below as the School's Child Protection Officers. Each Child Protection Officer is available to answer any questions that you may have with respect to our Child Protection and Safety Policy and the Child Protection Program.

Child Protection Officers
- 1. Assistant Head of Junior School: Jan Loftus
- 2. Assistant Head of Senior School: Jenny Jovanovic

The School's Child Protection Officers are the first point of contact for reporting child protection issues within the School. They receive special training that allows them to deal with child protection concerns both sensitively and effectively.

‘Child Abuse’ includes:

- sexual offences;
- grooming;
- physical violence;
- serious emotional or psychological harm;
- serious neglect; and
- family violence, or exposure to family violence.

If you have any concern that a child may be experiencing any form of abuse, whether or not you have formed a belief on reasonable grounds that the abuse has occurred, you should immediately raise your concerns with one of our Child Protection Officers.

The welfare and best interests of the child are paramount. Whenever there are concerns that a child is in immediate danger the Police should be called on 000.

6.2 Child Safety Related Human Resources Practices

In addition to ensuring Working With Children Checks are completed in accordance with our legal obligations, Bacchus Marsh Grammar is committed to ensuring that newly recruited and existing staff, Council members and Direct Contact...
Volunteers understand the importance of child safety, are aware of all relevant policies and procedures, and are trained to minimise the risk of child abuse.

This is done through various human resources work systems, practices, policies and procedures designed to protect children from abuse and create a child safe culture. These include:

6.2.1 Child Safe Recruitment Practices

At Bacchus Marsh Grammar we are committed to ensuring that our recruitment practices create a safe environment for our students. To this end we have established policies and procedures for recruiting employees, Council members and Direct Contact Volunteers and for assessing their suitability to work with children.

Our recruitment processes are designed to select appropriate staff, Council members and Direct Contact Volunteers and discourage inappropriate people from working within the School.

Each job description for staff involved in child-connected work has a clear statement that sets out the requirements, duties and responsibilities regarding child protection for those in that role and the occupant’s essential qualifications, experience and attributes in relation to child protection.

All applicants for child-connected work at the School are informed about these requirements and the School’s child protection practices prior to commencing work at the School.

It is our policy that all new staff and members/directors of the School Council undergo screening including:

- a Working with Children Check clearance status;
- personal identity verification and background checking;
- verification of professional or other qualifications relevant to the job;
- an examination of their history of child-connected work; and
- reference checking that addresses the person’s suitability for the job and working with children.

Direct Contact Volunteers

With the exception of parents/carers volunteering in an activity that their child is participating in, all of the School’s Direct Contact Volunteers undergo the following screening prior to their engagement by the School:

- personal identity verification and background checking;
- verification of professional and other qualifications if relevant to their role;
- an examination of their history of child-connected work; and
- reference checking that addresses the person’s suitability for the job and working with children.

In line with the School’s risk-based approach to child safety and protection, where parent volunteers are volunteering at large off-site activities, such as overnight excursions or camps, the School requires that these parent volunteers undergo a Working with Children Check clearance as a matter of best practice.

All School Council members, employees and Direct Contact Volunteers are also subject to rigorous interview procedures.

Probationary periods apply to all new staff members and Direct Contact Volunteers to monitor their compliance with the School’s child protection policies and procedures.

Performance and development reviews are undertaken regularly for all staff and include consideration of performance against the School’s Child Safety Code of Conduct and the requirements of the Child Protection Program. For example, ensuring that a staff member has not breached any of the School’s reporting procedures or the Child Safety Code of Conduct.
6.2.2 Working with Children Checks

Source of Obligation
The Working with Children Act 2005 (Victoria) (the Act) aims to protect children from harm by ensuring that people who work with, or care for, them have their suitability to do so checked by a government body.

The Act aims to prevent those who pose a risk to children from working or volunteering with them.

Who Needs a WWC Check?
Subject to the exemptions referred to below, any worker who engages in child-related work that involves direct contact (being physical, face to face or physically being within eyeshot) with a child (being a person under 18 years of age) needs a Working with Children Check (WWC Check).

A WWC Check will apply to any person who is engaged by Bacchus Marsh Grammar, as an employee, a Council member, self-employed person, independent contractor, a volunteer, a supervisor of child employees, part of practical training through an educational or vocational course, unpaid community work under a court order, a minister of religion or performing duties of a religious vocation, an officer of a body corporate, a member of a committee of management of an unincorporated body or a member of a partnership.

What is Child Related Work?
Child-related work is paid or unpaid work involving regular direct and unsupervised contact with a child or caring for children in any of the occupational categories listed in the Act.

The following are considered to be child-related work:

- Mentoring and counselling services for children;
- Direct provision of child health services;
- Clubs, associations, movements, societies or other bodies (including bodies of a cultural, recreational or sporting nature);
- Educational and care services, child care centres, nanny services and other child care;
- Coaching and tuition services for children;
- Any religious organisation where children form part of the congregation;
- Boarding houses or other residential services for children and overnight camps for children;
- Transport services specifically for children, including school bus services and taxi services for children with a disability and supervision of school road crossings;
- Commercial photography services for children unless they are merely incidental to or in support of other business activities;
- Commercial talent competitions for children unless they are merely incidental to or in support of other business activities; and
- Commercial entertainment or party services for children unless they are merely incidental to or in support of other business activities.

What is Not Considered to be Child Related Work

The following types of work are not considered to be child-related:

- Work as a referee, umpire, linesperson, other sporting official or grounds person is not child-related work, if the work does not ordinarily involve contact with children for extended periods without other adults being present; and
- Providing food or equipment at or for a sporting, cultural or other entertainment venue.

Key Exemptions
People engaged in the following types of work are not required to have a WWC Check:

- Teachers registered with the Victorian Institute of Teaching (VIT).
- Victorian or Australian Federal Police officers.

In line with the School's risk-based approach to child safety and protection, where parent volunteers are volunteering at large off-site activities, such as overnight excursions or camps, the School requires that these parent volunteers undergo a Working with Children Check clearance as a matter of best practice.

**How to Apply for a WWC Check?**
A worker who engages in child related work is responsible for applying for his or her own WWC Check. An employer can not apply on behalf of a worker.

To apply:
1. Fill out an online application form at www.workingwithchildren.vic.gov.au;
2. Upon completion of the application, you will be provided with an online receipt.
3. Take application summary and printed receipt, a passport-sized photo and proof of identity to a participating Australia Post retail outlet.
4. If the WWC Check is for paid work, a fee is payable for a five-year clearance. [OPTIONAL: Bacchus Marsh Grammar will reimburse this fee for staff on presentation of a valid receipt.]
5. If applying outside Victoria, the following must be posted to the Victorian Department of Justice:
   - An application summary and receipt or the completed paper form signed in front of a certifying officer.
   - A signed statement by a certifying officer confirming they have witnessed your signature.
   - Certified true copies of your identification documents.
   - 2 passport-sized photos, one certified on the back by the certifying officer and the other attached to the application summary or paper form.
   - A bank cheque or money order for the fee if you are a paid worker.

Mail to: Working With Children Check Unit, Department of Justice, GPO Box 1915, Melbourne VIC 3001

**What is Checked?**
The WWC Check obtains applicants' national criminal histories including:
- Convictions (spent or unspent);
- Acquittals because of mental impairment;
- Guilty pleas;
- Juvenile records from when you were under 18 years of age;
- Findings of courts, Corrections Victoria, the Department of Human Services and information from employers or any other source considered relevant;
- Formal findings of guilt; and
- Pending charges.

The criminal offences relevant to a WWC Check are:
- Serious sexual offences;
- Serious violent offences;
- Serious drug-related offences;
- Offences against the Working with Children Act 2005 (Victoria); and
- Offences linked to the safety of children.

**Outcome of the WWC Check**

*Clearance*
There are only two results for a WWC Check – a clearance to work with children or a Negative Notice barring an applicant from working with children.

Where the outcome is a clearance, the applicant will receive a text message on their mobile phone confirming they have passed the Check and will then receive a WWC Check Card in the mail.
An Employee WWC Check Card allows workers to engage in any paid or voluntary child-related work. A Volunteer WWC Check Card can only be used for voluntary child-related work. The card, which is valid for five years, has the worker’s name, signature, photograph, card number and expiry date.

Cleared applicants will be subjected to ongoing monitoring for relevant new records which could lead to the card being suspended or revoked before the five-year expiry date.

**Negative Notice**
Where an applicant has failed the Check, they will be issued with a Negative Notice. The Notice will bar an applicant from engaging in child-related work, even if they are directly supervised, from the date of notice. A copy of the Notice will be sent to all the organisations listed in the application but they will not be notified of the reasons for the Notice.

Once issued with a Negative Notice, an applicant cannot reapply for a WWC Check for five years, unless their circumstances have changed, which can include: a pending charge being withdrawn or dismissed by a court; being found not guilty of a pending charge; being no longer required to report under the Sex Offenders Registration Act 2004 (Victoria); being no longer subject to an extended supervision or detention order under the Serious Sex Offenders Monitoring Act 2005 (Victoria) or Serious Sex Offenders (Detention and Supervision) Act 2009 (Victoria).

Applicants can appeal a Negative Notice by making an application to the Victorian Civil and Administrative Tribunal within 28 days of the decision.

**Worker Obligations**
Upon receiving clearance, it is compulsory that the worker show their WWC Check Card to Bacchus Marsh Grammar and provide their Card and Application Receipt numbers.

The worker must notify the Victorian Department of Justice within 21 days of any changes to their name, residential address, birth date or phone numbers provided in the application.

The worker must notify the Department of the details of a new organisation they are starting child-related work with within 21 days.

The worker must stop working with children immediately if their WWC Check Card has been suspended during a reassessment.

The worker must not let another person use their WWC Check Card for child-related work and must lodge a renewal form before the Card expires.

**Bacchus Marsh Grammar’s Obligations**
Bacchus Marsh Grammar must:

- Not engage anyone in child-related work who does not have a WWC Check Card;
- Not allow anyone who has a Negative Notice to undertake child-related work, even if they are directly supervised or exempt;
- Set up a process to ensure new staff and volunteers notify the Department within 21 days of commencing child-related work with Bacchus Marsh Grammar; and
- Ensure workers engaged in paid work have an Employee WWC Check Card and not a Volunteer Card.

**Penalties**
It is an offence to work with children without a valid WWC Check Card or Application receipt while your Check is being processed. It is an offence for anyone to apply for or engage in child-related work if they have been issued a Negative Notice. The maximum penalty is two years’ imprisonment, a fine or both.

The School must take reasonable steps to ensure they do not engage or continue to engage a person in child-related work who does not hold a valid WWC Check Card. The penalty for organisations is a significant fine.
Record Keeping Obligations
For the School’s record keeping obligation relating to WWC Checks, refer to Record Keeping.

6.2.3 Child Protection Training
Bacchus Marsh Grammar recognises that without training and education of our staff, Council members and Direct Contact Volunteers, our policies and procedures will not operate to effectively keep our students safe and protect them from abuse.

Bacchus Marsh Grammar staff, Council members and Direct Contact Volunteers receive child protection training when they first commence their role at the School and are required to complete ongoing training on child protection issues at least annually.

All staff, School Council members and Direct Contact Volunteers are required to undertake role-appropriate training through our Child Protection Training course which consists of the following modules:

Module 1 - An Overview of Our Child Protection Program
Module 2 - The Meaning of Child Abuse and its Key Risk Indicators
Module 3 - The Legal and Regulatory Framework for Child Protection in Victoria
Module 4 - Victorian Child Safe Standards
Module 5 - Our Child Protection and Safety Policy and Child Safety Code of Conduct
Module 6 - How to Respond to a Child Protection Incident
Module 7 - Child Protection Reporting
Module 8 - Working with Children Checks
Module 9 - Staff and Student Professional Boundaries

The School’s Child Protection Officers, and other selected staff, undertake additional training as considered appropriate to their roles.

6.2.4 Cultural Awareness of Child Protection Issues
At Bacchus Marsh Grammar we believe that the safety of children is dependent on the existence of a child safe culture within our School community. We have developed the following work systems, practices, policies and procedures designed to create a child safe culture including:

- a holistic approach to child protection through this Child Protection Program;
- the appointment of the School’s Child Protection Officers;
- establishing key child protection principles in our Child Protection and Safety Policy;
- establishing clear expectations for appropriate behaviour with students through our Child Safety Code of Conduct;
- educating our staff and Direct Contact Volunteers through our Child Protection Training;
- clear procedures for reporting alleged or suspected incidents of child abuse;
- recognition that children from culturally diverse backgrounds have the right to special care and support including Aboriginal and Torres Strait Islander children;
- recognition that children who have any kind of disability have the right to special care and support; and
- clearly defining the roles and responsibilities of personnel involved in protecting children.

6.2.5 Staff and Student Professional Boundaries
This policy applies to all teaching staff, non-teaching staff, Council members, volunteers (direct and indirect), third party contractors and external education providers (together, known as "staff" for the purposes of this policy only).

Bacchus Marsh Grammar staff hold a unique position of influence, authority, trust and power in relation to students at the School. As such, it is their duty, at all times, to maintain professional boundaries with students.

The following policy and guidelines are designed to raise awareness of situations where professional boundary violations may occur and some strategies to minimise the risk of boundary violations.
The practicing of protective behaviours at all times will also reduce the possibility of vexatious claims being brought against staff.

**Bacchus Marsh Grammar’s Policy**

Bacchus Marsh Grammar is committed to providing a safe physical and emotional environment where all of our students are respected and treated with dignity in an appropriate professional and caring manner where the risk of child abuse is minimised and a safe and supportive child safe environment is maintained.

It is our policy that:

- staff exercise their responsibilities in a way that recognises professional boundaries with regard to their relationships with students at all times;
- staff identify, discourage and reject any advances of a sexual nature initiated by a student;
- staff interaction with students is professional at all times, including inside and outside of school hours;
- conflict of interest issues must be reported to the Principal as soon as practicable;
- equal learning opportunities are given to each student without discrimination; and
- appropriate consequences will be applied to staff who breach professional boundaries.

**What are Professional Boundaries?**

Professional boundaries are parameters that describe the limits of a relationship in circumstances where one person (a student) entrusts their welfare and safety to another person (a staff member), in circumstances where a power imbalance exists.

The fact that School staff are in a unique position of trust, care, authority and influence with students means that there is always an inherent power imbalance that exists between them. It also means that professional boundaries must be established, maintained and respected at all times.

In most cases this power imbalance is clear, however sometimes it may be more difficult to recognise especially for younger staff members who may only be a few years older than their students.

The following guidelines are not exhaustive, and given that sometimes “grey areas” may occur, it is expected that all staff (no matter their age or experience) use their own good judgment, think very carefully of the implications and potential consequences of engaging in certain behaviours with students, and always err on the side of caution.

When unsure about whether professional boundaries are being, or have been, breached, ask yourself:

- Would I modify my behaviour if a colleague was present?
- How would I feel about explaining my actions at a staff meeting?
- Am I sharing information for the student’s benefit, or for my benefit?
- Am I dealing with this student differently from others in similar circumstances?
- Is my language or demeanor different from normal when dealing with this particular student?

**Intimate Relationships**

Staff must not initiate or develop a relationship with any student that is or can be misinterpreted as having a romantic or sexual, rather than professional basis. This is regardless of whether the relationship is consensual, non-consensual or condoned by parents/carers.

Such relationships have a negative impact on the teaching and learning of students and colleagues, and may carry a serious reputational risk for the staff member and, in turn, the School.

The professional relationship of staff and students may be breached by:
• flirtatious behaviour or dating;
• development of an intimate personal relationship;
• sexual relations;
• the use of sexual innuendo, inappropriate language and/or material with students;
• unwarranted and inappropriate touching;
• unwarranted and inappropriate filming or photography;
• deliberate exposure to sexual behaviour of others (e.g. pornography);
• having intimate contact without a valid context via written or electronic means (e.g. email, letters, telephone, text messages, social media sites or chatrooms);
• going out, whether alone or in company, to social events such as the movies or dinner; and
• exchanging gifts of a personal nature that encourages the formation of an intimate relationship.

Staff should also be aware that developing or encouraging romantic or sexual relationships with recent former students (over 18 years of age) may violate professional boundaries and are strongly discouraged from doing so.

The imbalance of power and authority that exists in the staff/student relationship does not suddenly disappear after the student finishes their schooling. Staff should not assume that they will be protected from disciplinary action by claiming that a relationship began only after the student left the School as there may be a reasonable belief that the emotional intimacy of the relationship developed while the staff/student relationship existed.

Personal Relationships
Staff must not initiate or develop a relationship with any student that is or can be perceived or misinterpreted as having a personal rather than professional element. This is regardless of whether the relationship is consensual, non-consensual or condoned by parents or carers.

It is the student's perception of staff behaviour and not the intention of the staff member that is important.

An established and expected professional relationship between staff and students may be compromised by staff:

• attending parties or socialising with students outside of organised School events (without parental/carer permission);
• sharing personal details about their private lives with students; or
• meeting with students outside of school hours without permission from the School.

Staff must recognise at all times that their role is not to be a “friend” or “parent” to a student.

Fair Learning Opportunities
The main focus of teaching is effective student learning and as such, teachers are expected to support their students with their professional expertise so as to offer them the best education in their individual circumstances. The quality of teaching and learning between teachers and students characterises their relationship.

Teachers should demonstrate their commitment to student learning by:

• maintaining a safe and challenging learning environment that promotes mutual respect;
• recognising and developing each student’s abilities, skills and talents by catering to their individual abilities and respecting their individual differences;
• encouraging students to develop and reflect on their own values;
• interacting with students without bias;
• not engaging in preferential treatment;
• not discriminating against any student on the basis of race, sex, sexuality, disability or religious or political conviction; and
• always making decisions in students’ best interests.

Electronic Communications between Staff & Students
It is expected that all staff at the School will adhere to the following guidelines:
all use of technology should be for educational purposes or for the organisation of co-curricular activities;

all email communication between staff and students should be via the School email system and reflect a professional staff/student relationship;

staff should not communicate with students via text message where it is not in a professional context;

staff should not give out their personal telephone numbers or social media contact details;

staff are not to accept or request students as 'friends' on social media or otherwise use social media to communicate in any way that is not condoned or approved by the School;

staff should not exchange personal pictures with a student;

teachers are not expected or encouraged to respond to concerns of parents/carers or students on holidays, weekends or in the evening; and

any student personal contact numbers or other personal contact details made available to the School should only be used for School communications.

Physical Contact with Students
All staff should be aware that situations may arise that can be perceived in a manner that was not intended. For this reason, all staff at the School should adhere to the following guidelines for contact with students both in and outside of School grounds:

- staff should avoid unnecessary physical contact with students;
- minimal, non-lingering, non-gratuitous physical contact in the context of the situation is acceptable (e.g. congratulatory pat on the back or handshake); and
- contact for sport, drama and dance instruction is acceptable in a class situation but not in a 1:1 situation. If physical contact is required for specific technical instructions, it must be brief and only with the consent of the student. Note that a student may withdraw consent for this contact either verbally or gesturally and staff must remain vigilant whilst engaging in necessary contact situations. Once consent has been withdrawn no further contact can be or should be made.

Off-Campus Excursions and Camps
During off-campus excursions or camps, the same physical contact guidelines apply as well as the following:

- checking of sleeping arrangements, or supervising of students changing should be done, where possible, with another staff member present and always in a manner that respects students' privacy and personal space;
- always knock and advise of presence prior to entering a bedroom or dormitory; and
- ensure that while in a bedroom or dormitory a strict staff/student relationship is upheld and that inappropriate behaviour, such as sitting on a student's bed, is not undertaken.

Managing Conflicts of Interest
Where personal relationships with students such as family relationships and close friendship networks exist, questions of conflicts of interest may arise.

This may be more prevalent in close or rural communities where professional boundaries may be tested due to the nature and size of the community. In these circumstances, staff need to be far more diligent in developing and maintaining these boundaries.

Where a staff member feels that a conflict of interest may exist, they should notify the Principal, or the Chair of the Council if the conflict involves the Principal, and arrangements should be implemented to avoid the conflict situation if possible. For example, teaching of students by a staff member with a conflict should be avoided.

Any significant decisions relating to these students in the School (such as the appointment of classes or selection in sports teams) should be referred to another staff member and endorsed by a supervisor.

Disclosure of Staff/Student Interactions
It is Bacchus Marsh Grammar's policy that all staff are encouraged to declare any interactions with students outside school hours. These interactions may include instances where the staff member is:

- related to the student;
• friends with the student’s parents or family; or
• given parental consent to interact with the student for academic purposes outside of school hours and has notified the School.

Bacchus Marsh Grammar maintains records of all declarations made by staff members related to their interactions with students, or relationships with students, that exist outside of school hours or School premises.

These records are kept for a period of seven years.

**Staff Responsibilities**

All staff are to:

• follow the guidelines as set out in this policy;
• immediately report any conflicts of interest; and
• remove themselves from decision making where a conflict has been identified.

Where a staff member breaches this policy Bacchus Marsh Grammar may take disciplinary action, including in the case of serious breaches, summary dismissal.

**Implementation**

These guidelines are implemented through a combination of:

• staff training and development in professional conduct;
• student and parent/carer education and information;
• effective management of teachers engaging in inappropriate relationships with students;
• effective management of conflicts of interest;
• effective communication and incident notification procedures;
• effective record keeping procedures; and
• initiation of corrective actions where necessary.

6.3 Participation and Empowerment of Children

Children often do not report abuse because they feel uncomfortable, or they do not know how to raise their concerns or allegations of abuse. Bacchus Marsh Grammar recognises that in order to achieve a child safe environment at the School which meets students’ intellectual, physical, social, emotional and moral needs, students need to be involved in the creation and maintenance of such an environment.

It is our policy that we have simple and accessible processes in place to assist children (including those from diverse cultural backgrounds and those with a disability) to develop appropriate knowledge and skills to identify and communicate when they do not feel safe.

This is done through various work systems, practices, policies and procedures. These include:

6.3.1 Pastoral Care - Child Protection

Pastoral care is the support given to students for their development as a person. It relates to the total care of students and involves tending to both the academic and non-academic needs of students including spiritual, emotional and social wellbeing. Bacchus Marsh Grammar’s complete Pastoral Care Policy can be found here.

Bacchus Marsh Grammar is committed to providing a safe, supportive and social environment where students feel nurtured as they learn.

To this end, we have developed, and continue to develop, a comprehensive range of pastoral care policies and procedures that are designed to promote the social and emotional wellbeing of our students, and to deliver age appropriate education to all students about:

• healthy and respectful relationships;
- child abuse awareness and a child’s right to be safe;
- a child’s right to make decisions about their body and their privacy;
- how they can raise concerns about abuse;
- resilience and coping with adversity;
- the fact that any concerns they do raise will be taken seriously and responded to appropriately;
- our Child Protection and Safety Policy and Child Safety Code of Conduct; and
- standards of behaviour for students.

We are committed to ensuring that child abuse reporting procedures are age appropriate, simple, and accessible for all children including children from culturally diverse backgrounds and children with a disability.

Information about these topics, as well as other child safety and wellbeing topics, is made available to all students through various age appropriate pastoral care initiatives. Child safety and wellbeing topics are also incorporated into the School’s curriculum.

### 6.3.2 Students with a Disability

The School has an obligation to students with a disability to ensure that they are afforded the same level of educational and pastoral care as any other student at the School and considers how each policy and procedure the School establishes and implements may affect students with a disability.

Bacchus Marsh Grammar is committed to ensuring that we fulfil our legal obligations including those related to discrimination and disability standards (refer to our Disability Discrimination Policy).

The School recognises that students with a disability will not only require additional assistance to participate and engage in School activities in a safe and supportive manner, but also that there are specific child protection risks that arise in relation to students with a disability. This may include for example, stricter screening procedures and training for staff who assist students who require help with personal activities such as toileting or dressing.

As a result, the School has implemented specific risk controls in relation to the safety of students with disabilities. These include:

- specific screening and training for staff/volunteers that will have direct contact with students with a disability;
- written guidelines for staff and volunteers working with students with a disability;
- express, written permission from the parent/carer of a student with a disability where physical contact is required as part of their care; and
- alternative reporting avenues to suit the needs of students with a disability at the School.

Students with a disability at the School may also require varied reporting avenues or systems to students without a disability and the School has considered this when creating and implementing its Procedures for Responding to and Reporting Allegations of Child Abuse.

### 6.3.3 Cultural Diversity

Children from culturally diverse backgrounds are children who identify as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents’ identification on a similar basis. They include children of Aboriginal or Torres Strait Islander descent that identify as being Aboriginal or Torres Strait Islander.

Bacchus Marsh Grammar values and respects the racial and cultural diversity of our students and is committed to ensuring that the backgrounds of all students are sensitively recognised, catered for, celebrated and valued so that racial and cultural differences do not compromise a student’s safety and wellbeing.

It is our policy that:
• we identify children from culturally diverse backgrounds when they are enrolled in the School;
• we employ appropriate strategies to ensure the safety of these children as required;
• we encourage participation and empowerment of these children in the development of these strategies;
• we consider these children when developing and implementing policies and procedures related to child protection at the School; and
• we educate our staff about these cultural differences and the strategies and procedures we have employed.

7 Child Protection Risk Management

Child Protection Risk Management

The School has adopted a risk management approach to child protection by developing and implementing strategies to identify and mitigate our child protection risks based on:

• the nature of all School environments;
• the activities students undertake at the School (including the provision of services by contractors or outside the School’s physical environment);
• physical and online environments that exist at the School; and
• the characteristics and needs of all of our students.

7.1 Risk Management Strategies

Bacchus Marsh Grammar has implemented the following risk mitigation strategies to ensure that the School maintains a proactive approach to our duty of care in protecting children from harm and comply with our legal and regulatory obligations:

• this Child Protection Program, including our Child Protection and Safety Policy and our Child Safety Code of Conduct:
• a comprehensive Staff and Student Professional Boundaries Policy, implemented through training and communicated publicly;
• induction and ongoing training provided to staff, Council members and Direct Contact Volunteers, at least annually, about identifying risks of child abuse in the School environment, their obligations and responsibilities for managing these risks, how to report and respond to child protection incidents, and the School’s current child safety standards;
• the appointment of the School’s Child Protection Officers who are “Child Protection Champions” at the School and receive specialised, additional training to ensure that any concerns about child safety and protection in the School environment held by students, staff, volunteers and parents may be discussed in a safe and supportive environment;
• extensive policies and procedures relating to excursions and camps ensuring that child protection risks specific to excursions and overnight stays are identified and controls are put in place;
• ongoing, periodic reviews of all physical School environments to eliminate physical isolation risks, such as solid classroom doors or rooms with no windows, or implement procedural controls where elimination is not possible;
• specific procedures for verifying the Working with Children Check status of all external providers and third party contractors, who may have direct unsupervised contact with students, to ensure that students remain safe in all School environments both internal and external to the School grounds; and
• a system of assurance through which risks of child abuse, and actions taken to reduce or remove these risks (risk controls), are recorded. The system is also used to monitor risk controls and to evaluate their overall effectiveness on a regular basis.

7.2 Bacchus Marsh Grammar’s Assurance System

The School has developed and implemented an online Assurance system as one strategy to manage the risk of child abuse in School environments.

Our Assurance system is an online risk and compliance workflow management tool that integrates with our Child Protection Program to provide a system of risk management, compliance and continuous improvement based on international standards.

Through this system, key compliance obligations are captured and converted into plain English questions that are assigned via email to responsible individuals for action. Each individual is provided with a calendar view of their compliance performance via an online browser. Unactioned tasks are escalated and reported to allow the School to monitor its compliance performance in real time.
8 Additional Resources

The following resources provide further information on Child Protection matters.

The Victorian Child Safe Standards

- Department of Health & Human Services, Child Safe Standards Home Page, 2015
- Department of Health & Human Services, Child Safe Standards Resources Page, 2015

**Mandatory Reporting**

- Department of Education and Early Childhood Development and Department of Human Services protocol, Protecting the safety and wellbeing of children and young people
- Department of Education and Training, Child Protection – Reporting Obligations
- Victorian Institute of Teaching, Resources and support for principals
- Victorian Institute of Teaching, The Victorian teaching Profession Code of Conduct

**Working with Children Checks**

- Department of Justice and Regulation, Working With Children Check website

**General Obligation to Report**

- Department of Justice and Regulation, Failure to Disclose Offence Fact Sheet, 2015

**Duty to Protect Students from Abuse**

- Department of Justice and Regulation, Failure to protect: a new criminal offence to protect children from sexual abuse, 2015

**Child Related HR Practices**

- Department of Health & Human Services, Human resources practices for child safe organisations, 2016
- Department of Health & Human Services, Recruitment practices for child safe organisations, 2016
<table>
<thead>
<tr>
<th>Standard</th>
<th>Short Description</th>
<th>How Bacchus Marsh Grammar Applies this Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Organisational culture of child safety, including through effective leadership arrangements</td>
<td>Bacchus Marsh Grammar complies with this Standard in a number of ways including: the development of this Child Protection Program, our <a href="#">Child Protection and Safety Policy</a> and <a href="#">Child Safety Code Of Conduct</a>; the appointment of senior staff members as the School’s Child Protection Officers who act as “Child Protection Champions” and are tasked with the overall responsibility for embedding an organisational culture of child protection in the School; each Council member, staff member and Direct Contact Volunteer having to complete <a href="#">Child Protection Training</a> which provides information with respect to key risk indicators of child abuse and reporting procedures; establishing <a href="#">clear guidelines for reporting</a> child abuse concerns; and creating an environment supportive of children from culturally diverse backgrounds and children with disabilities.</td>
</tr>
<tr>
<td>2</td>
<td>A child safe policy or statement of commitment to child safety</td>
<td>Bacchus Marsh Grammar has developed and implemented a <a href="#">Child Protection and Safety Policy</a> that describes the key elements of our approach to child protection as well as an overarching set of principles guiding the development of policies and procedures to protect children from child abuse. Our Child Protection and Safety Policy is published through various mediums including our public website.</td>
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<tr>
<td>3</td>
<td>A code of conduct that establishes clear expectations for appropriate behaviour with children</td>
<td>Bacchus Marsh Grammar has created a plain English <a href="#">Child Safety Code of Conduct</a> which specifies appropriate standards of behaviour for adults towards students in all School environments, including outside of school hours.</td>
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<tr>
<td>4</td>
<td>Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel</td>
<td>Bacchus Marsh Grammar has created child safe human resources practices including those relating to: •Recruitment, Selection &amp; Screening •Our Working with Children Checks Policy •Child Protection Training •Cultural Awareness of Child Protection Issues</td>
</tr>
<tr>
<td>5</td>
<td>Procedures for responding to and reporting allegations suspected child abuse</td>
<td>Bacchus Marsh Grammar has established simple and accessible procedures for anyone to report a child abuse concern internally to one of the School’s Child Protection Officers. Bacchus Marsh Grammar has developed and implemented procedures for Council *members, staff and Direct Contact Volunteers for responding to allegations and disclosures of child abuse, or suspected child abuse, including procedures for support following a disclosure by a student. Refer to our <a href="#">Procedures for Responding to and Reporting Allegations of Child Abuse</a>. Reporting procedures for third party contractors, external education providers, indirect contact volunteers, parents/carers and other community members are included in our <a href="#">Child Protection and Safety Policy</a> which is available on our public website. Age appropriate reporting procedures for students are developed through our pastoral care program.</td>
</tr>
<tr>
<td>6</td>
<td>Strategies to identify and reduce or remove the risk of abuse</td>
<td>The School has adopted a risk management approach to child safety. <a href="#">Key risk indicators of child abuse</a> are documented in our Child Protection Program and also included in our <a href="#">Child Protection Training</a>. The School has developed a number of strategies, policies and procedures to create a risk-based approach to child safety and protection. Refer to <a href="#">Child Protection Risk Management</a>.</td>
</tr>
<tr>
<td>7</td>
<td>Strategies to promote the participation and empowerment of children</td>
<td>Bacchus Marsh Grammar has developed strategies to promote the participation and empowerment of children including policies and procedures related to age appropriate pastoral care and supporting children with disabilities and children from culturally diverse backgrounds.</td>
</tr>
</tbody>
</table>