Child Wellbeing and Safety Policy

Section 1 - Purpose

(1) The purpose of this Policy is to demonstrate Melbourne Polytechnic's commitment to provide a safe environment that ensures the care, safety and wellbeing of all children and young people, that seeks to protect them from all forms of harm and abuse.

Section 2 - Scope

(2) This Policy applies to:

a. Melbourne Polytechnic Board members, employees, students, representatives and volunteers, including both Whittlesea and Banyule Nillumbik Tech Schools;
b. contractors, tenants, licensees or lessees, and service providers where there is a connection with Melbourne Polytechnic, or when attending Melbourne Polytechnic campuses;
c. customers and visitors when engaged in activities with or for Melbourne Polytechnic, or when attending Melbourne Polytechnic campuses; and
d. partner organisations or people acting for or on behalf of Melbourne Polytechnic in relation to our students and staff.

Section 3 - Policy

Policy Statement

(3) Melbourne Polytechnic is committed to promoting a safe environment for staff and students. All children and young people at Melbourne Polytechnic have the right to feel safe and be safe. The wellbeing of all students enrolled at or visiting Melbourne Polytechnic is our first priority and abuse or harm in any form is not tolerated. We ensure those who identify as having a disability, those from Aboriginal and Torres Strait Islander backgrounds, culturally and linguistically diverse backgrounds, gender diverse, and those whose who identify as a member of the LGBTIQA+ community are safeguarded.

(4) Melbourne Polytechnic has students aged under 18 years, has childcare centres located on campus and hosts visiting children and young people. Additionally, teaching programs may also consist of a mix of students both under and over 18 years within the same class or activity. Melbourne Polytechnic seeks to maintain a child safe organisation where all children and young people feel safe, valued, respected, encouraged and empowered to reach their full potential.

(5) Melbourne Polytechnic has a duty of care to take reasonable measures to protect all children and young people from foreseeable risks and injuries and provide a safe environment, and recognises the need for safety and wellbeing to provide positive and nurturing learning experiences. This Policy reflects the requirements of the current Victorian Child safe Standards.

Policy Principles

(6) This Policy is guided by the following values and principles, which underpin our commitment to child safety:

a. Melbourne Polytechnic has zero tolerance of child abuse;
b. All children and young people deserve, as a fundamental right, safety and protection from all forms of abuse;
c. Everyone has a responsibility to care for and positively promote the wellbeing of children and young people whilst displaying appropriate workplace behaviour, and to protect them from any kind of harm or abuse (refer Appendix 1 - Appropriate Workplace Behaviour Towards Children and Young People);
d. All staff and volunteers are provided with appropriate information and training on the Child Safe Standards;
e. Melbourne Polytechnic is committed to proactively managing risks to child safety through identifying and assessing risks, and implementing processes to reduce or remove those risks; and
f. Melbourne Polytechnic has robust human resources and recruitment practices to reduce the risk of child abuse by new and existing staff and volunteers.

(7) Melbourne Polytechnic acknowledges it has legal and mandatory reporting obligations to CCYP and Child Protection Services.

(8) Melbourne Polytechnic has policies and procedures that support compliance with the Child Safety Standards.

(9) Melbourne Polytechnic has a Child Safety Officer and designated staff to support and assist students who have complaints and/or concerns and assist staff with understanding Melbourne Polytechnic's reporting process and mandatory reporting obligations. The Childsafety Officer provides secondary consultations and support to staff relating to matters of child safety.

Policy topics

Identifying Child Abuse

(10) A person may have reasonable grounds for believing a child or young person may be experiencing child abuse, if any one or more of the circumstances arise ([1]Further examples defined by the World Health Organisation relating to types of child abuse can be found at the Australian Institute of Family Studies):

a. reasonable concerns about harm to them;
b. physical signs of abuse, including any non-accidental or unexplained injury;
c. a disclosure of sexual abuse, or a combination of factors suggesting the likelihood of sexual abuse, such as them exhibiting concerning behaviours;
d. grooming and sexual misconduct, where they are under 16 years of age by a person aged 18 years or older;
e. emotional or psychological abuse and ill treatment impacting on their stability and development;
f. persistent neglect, poor care or lack of appropriate supervision where there is a likelihood of significant harm, or risk to their stability and development;
g. persistent family violence or parental substance misuse, psychiatric illness or intellectual disability where there is a likelihood of significant harm, or risk to their stability and development;
h. actions or behaviour that may place them at risk of significant harm and the parents or caregivers are unwilling, or unable to protect them; and/or
i. indications that they been abandoned, or where the child's parents or caregivers are deceased or incapacitated and no other person is caring properly for the child.

Equity and Diversity

(11) Melbourne Polytechnic acknowledges the cultural diversity of all children and young people and is sensitive to how this may affect student safety issues. We also recognise gender diversity in providing a safe environment and consider these needs in creating that environment.

(12) Melbourne Polytechnic also pays particular attention to the needs of children and young people with a disability, those from culturally and linguistically diverse backgrounds, as well as non-binary and gender diverse individuals, including those who identify as lesbian, gay, bisexual, transgender, intersex and queer/questioning.

Cultural Safety

(13) Melbourne Polytechnic is committed to cultural safety by creating a nurturing environment where all children and young people, including those who are Aboriginal and Torres Strait Islander, who come from culturally and/or linguistically diverse backgrounds and who have a disability are respected, their voices heard, they feel safe and are safe, through pastoral care and support.

(14) Melbourne Polytechnic provides services through the Yurrongi Centre (formerly Koorie Services). These services include Koorie Liaison and Support Officers, academic tutors, cultural programs and celebrations to support the safety, wellbeing, participation and inclusion of Indigenous children and young people. This service also provides resources and referrals to external ATSI agencies.

Empowerment, Rights and Decision-making

(15) Melbourne Polytechnic is committed to ensuring all children and young people are informed of and are aware of the process to report any concerns of abuse and empowering them by taking their views seriously and addressing any concerns that they raise.

(16) Melbourne Polytechnic is committed to providing children and young people with the necessary skills and knowledge to understand and maintain their personal safety and wellbeing.

(17) Melbourne Polytechnic staff engages with, and listens to, the views of parents and carers about our child-safety practices, policies and procedures.

Physical and Online Environments

(18) Melbourne Polytechnic is committed to the safety of children and young people on campus by providing facilities that ensure physical safety and promote wellbeing.

(19) Melbourne Polytechnic understands that the online world provides everyone with many opportunities; however, it can also present risks and challenges. Melbourne Polytechnic supports the online safety of children and young people by:

a. building their awareness of cybersecurity and online safety through induction and learning modules;
b. having in place clear and robust procedures to enable Melbourne Polytechnic to respond appropriately to any incidents of inappropriate online behaviour, whether by an adult or a young person; and
c. reviewing and updating the security of Melbourne Polytechnic's information systems regularly.

People and Culture

(20) Melbourne Polytechnic ensures all new and existing staff are aware of their responsibilities to comply with the Code of Conduct, Child Safe Standards and legal reporting requirements. We listen to concerns voiced by employees, volunteers, contractors, children and young people; about keeping them safe from harm and abuse.

(21) Melbourne Polytechnic provides additional information and supports to staff responsible for programs where there are high numbers of students that are under 18 years. These include secondary consultation and advice from support staff and professional teaching practice.

(22) All Melbourne Polytechnic staff are required to hold a Victoria Working with Children (WWC) Check and a National Police to minimise the risk of harm to children and young people as detailed in the Employment Checks Policy.

(23) Melbourne Polytechnic has robust human resources, and recruitment and procurement practices for all staff, contractors and volunteers that have contact with children, including:

a. recruitment is based on selection criteria and clearly demonstrates our commitment to child safety to ensure the most appropriate staff are employed.
b. Selection policies and guidelines, including pre-screening activities, reflect an understanding of, and commitment to, a child safe environment;
c. all people engaged in child-related work, including volunteers and contractors, are required to hold a WWC Check and to provide evidence of validity at all times whilst engaged at Melbourne Polytechnic; and
d. all staff working with children and young people are provided with appropriate ongoing and refresher training in accordance with the Child Safety requirements.

Volunteer Recruitment

(24) All Volunteer positions are required to hold a valid Victorian Working with Children (WWC) Check to minimise the risk of harm to children and young people and undertake a National Criminal History Record Check prior to commencement and be able to provide evidence of its validity at all times whilst employed by Melbourne Polytechnic.

Child Safety Reporting Requirements

(25) All Melbourne Polytechnic staff have legal obligations to report allegations of child abuse or harm to Child Protection Services and/or Victoria Police and/or CCYP.

(26) Melbourne Polytechnic Victorian Institute of Teaching Registered Teachers must report any concerns for the wellbeing of children and young people to the appropriate authorities and to a Child Safety Officer.

(27) Any abuse or misconduct towards children and young people by a Melbourne Polytechnic staff member or volunteer will be dealt with by Melbourne Polytechnic in accordance with the applicable laws (outlined below). Concerns regarding suspected or actual abuse of a child or young person must be reported promptly via the reporting protocal.

Reportable Conduct Scheme Requirements

(28) Any allegations of abuse or misconduct towards children and young people by a Melbourne Polytechnic staff member, volunteer or contractor will be dealt with in accordance with the CCYP Reportable Conduct Scheme, Melbourne Polytechnic's Code of Conduct which includes reporting the allegation to the Police or Child Protection authorities as required.

(29) The Reportable Conduct Scheme includes five types of 'reportable conduct':

a. sexual offences committed against, with or in the presence of a child;
b. sexual misconduct committed against, with or in the presence of a child;
c. physical violence against, with or in the presence of a child;
d. any behaviour that causes significant emotional or psychological harm to a child; and
e. significant neglect of a child.

(30) On becoming aware of an allegation of Reportable Conduct against a child or young person, the Chief Executive (or nominee) must:

a. within three (3) business days, notify the allegation to CCYP; and; and
b. within thirty (30) days, provide CCYP detailed information about the allegation and any action Melbourne Polytechnic has taken.

Failure to Disclose Offence

(31) All adults who have a reasonable belief that an adult (a person 18 year or older) has committed a sexual offence against a child under the age of 16 has an obligation to report any information they have to the Victoria Police. Failing to report is a criminal offence.

(32) Where a reasonable belief exists that a child or young person is at risk, it must be reported as soon as practicable. Reasonable belief is a belief based on facts that would lead a reasonable person to think that reportable conduct may have occurred. A reasonable belief is more than suspicion. There must be some objective basis for the belief. However, it does not require certainty. For example, a person is likely to have a reasonable belief if they:

a. observed the conduct themselves;
b. heard from a child/young person that the conduct occurred; and/or
c. received information from another source (including another person who witnessed the reportable conduct or misconduct).

(33) It may not be an offence to fail to report if you have a reasonable excuse. A reasonable excuse may include fear for your safety or the safety of another person (other than the person believed to have committed the sexual offence), or belief on reasonable grounds that the information has already been disclosed to the Victoria Police and/or Child Protection authorities.

(34) If you are charged with the failure to disclose offence, a court or jury may consider whether it was reasonable for you not to report to police in the circumstances. You will not be guilty of an offence if you have a reasonable excuse for not reporting.

Failure to Protect Offence

(35) Melbourne Polytechnic ensures it takes immediate action to ensure a child or young person's safety where a substantial threat or risk exists. Where Melbourne Polytechnic considers, on a reasonable basis, that the child or young person is at immediate risk, Melbourne Polytechnic will seek to ensure their immediate safety. This includes protecting the child or young person from any further risk or harm by removing the alleged staff member, volunteer or other adult from having further contact with them.

Implementation, Monitoring and Review

(36) Melbourne Polytechnic is committed to monitoring and continuously reviewing and improving its systems to protect children and young people from all types of abuse.

(37) The Child Safety Officer conducts quarterly meetings with specially trained staff to provide feedback, review and implement changes as needed, and reports to the Executive Leadership Committee on child safety issues and continuous improvement.

Complaints Process

(38) Melbourne Polytechnic takes all complaints seriously and has a structured complaint handling process that can be accessed online. Complaints can also be submitted via email to feedback@melbournepolytechnic.edu.au or with

support of our Student Complaints Liaison Officer and/or Student Hub staff. Specific information is provided to children and young people in relation to the complaints process and the resources available.

Privacy

(39) Students, staff and volunteers must respect confidentiality and comply with relevant privacy policies when dealing with suspected child abuse. Details of the case and the identity of the child or young person and their family will be recorded and will only be discussed with those directly involved in the management of their situation and to meet the reporting obligations set out in this policy and in the legislation.

Section 4 - Responsibility and Accountability

(40) The Chief Executive and Executive Directors will oversee and deliver strategies and initiatives to embed child safety in Melbourne Polytechnic's organisational culture by promoting effective leadership arrangements, and championing child safe practices by leading through example.

(41) The Chief Executive is also responsible for meeting the obligations of the Reportable Conduct Scheme and is the nominated head for Melbourne Polytechnic's compliance.

(42) The Executive Director People and Student Success will provide supervision, training, screening and other robust staff recruitment processes that minimise the risk of child abuse.

(43) The Child Safety Officer will facilitate an annual ongoing training program to, provide information and support, and advise on mandatory reporting requirements for staff and students. They are also responsible for receiving, responding to and reviewing incidents and outcomes.

(44) The Manager Student Services will provide children and young people with access to tailored supports and services.

(45) The Student Wellbeing Adviser, Counsellors and Koori Liaison and Support Officers will provide students with pastoral care and appropriate support assessed on an individual basis, and/or provide referral to external agencies where appropriate.

(46) All staff and volunteers working at Melbourne Polytechnic must comply with the Child Safety Standards and requirements to respond to incidents, disclosures and suspicions of child abuse.

Section 5 - Associated Procedure

(47) Child Wellbeing and Safety Procedure

Section 6 - Definitions

(48) For the purpose of this Policy the following definitions apply:

a. Age of Consent: means the age at which the law says a person can agree to sexual activity. In Victoria, the age of consent is 16.
b. Associate/s: means contractors, consultants, volunteers and visitors to any Melbourne Polytechnic campus.
c. CCYP: means the Commission for Children and Young People.
d. Child / Young Person: means any person under the age of 18 years
e. Child Abuse: is defined in the Child Wellbeing and Safety Act 2005 (Vic) and includes any act committed against

a child involving physical violence, sexual offences, serious emotional or psychological harm and serious neglect

f. Children from culturally and/or linguistically diverse backgrounds: means a child who identifies as having particular cultural or linguistic associations 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
g. Children with a disability: includes a child with any physical, sensory, neurological disability, acquired brain injury, intellectual disability, or developmental delay that affects their ability to undertake everyday activities
h. Child Safety: are measures to protect children from all forms of child abuse, managing the risk of child abuse and responding to incidents or allegations of child abuse
i. Child Safety Officer: a designated role within Melbourne Polytechnic who supports and assists staff and students with understanding their reporting obligations and Melbourne Polytechnic's child safety processes and procedures.
j. Child Protection Services: means the Department of Families, Fairness and Housing's child protection services.
k. Contact with Children: refers to working on an activity with children that involves or may involve contact, either under the position description or due to the nature of the work environment.
l. Cultural Safety: Is an environment, which is safe for children, where there is no assault, challenge or denial of their identity, of who they are and what they need.
m. Grooming: is a criminal offence which concerns predatory conduct undertaken to prepare a child for sexual activity at a later time. The offence applies where an adult communicates, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvement in sexual conduct, either with the groomer or another adult.
n. LGBTIQA+: means an evolving acronym that describes people who identify as Lesbian, Gay, Transgender, Intersex, Queer/Questioning or Asexual.
o. Mandatory Reporting: is the legal requirement placed on Victorian Registered Teachers to report suspected cases of child abuse.
p. Personnel: are those either employed by Melbourne Polytechnic, or engaged by an organisation connected with Melbourne Polytechnic on a subcontract basis, or engaged in a voluntary or unpaid basis.
q. Reportable Conduct Scheme: means the reportable conduct scheme established by the Child Wellbeing and Safety Act 2005 (Vic). For detailed information about the Reportable Conduct Scheme refer to:https://ccyp.vic.gov.au/reportable-conduct-scheme/.

Status and Details

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Policy Owner	Cathy Frazer Executive Director People and Student Success
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