

CHILD SAFETY AND WELLBEING POLICY

1. PURPOSE

This policy demonstrates the school's commitment to creating and maintaining a child safe and child-friendly organisation, where children and young people are safe and feel safe.

This policy provides an overview of the school's approach to implementing Ministerial Order 1359 which sets out how the Victorian Child Safe Standards apply in school environments.

It informs our school community of everyone's obligations to act safely and appropriately towards children and guides our processes and practices for the safety and wellbeing of students across all areas of our work.

2. SCOPE

This policy:

- applies to all school staff, volunteers and contractors, whether or not they work in direct contact with students, including the School Board;
- applies in all physical and online school environments used by students during or outside of school hours, including other locations provided by for a student's use (for example, a school camp) and those provided through third-party providers;
- should be read together with the School's other child safety and wellbeing policies, procedures, and codes; and
- informs the school community of everyone's obligations to act safely and appropriately towards children and guides our processes and practices for the safety and wellbeing of students across all areas of our work.

3. OUR STATEMENT OF COMMITMENT TO CHILD SAFETY

The School is committed to the safety, participation, empowerment, and protection of all children/students in our care.

We are committed to providing environments where our students are safe and feel safe, where their participation is valued, their views respected, and their voices are heard about decisions that affect their lives. Our child safe policies, strategies and practices are inclusive of the needs of all children and students.

We have no tolerance for child abuse and take proactive steps to identify and manage any risks of harm to students in our school environments.

We promote positive relationships between students and adults and between students and their peers. These relationships are based on trust and respect.

We take proactive steps to identify and manage any risk of harm to students in our school environment and activities. When child safety concerns or allegations are raised or identified, we treat these seriously and respond promptly and thoroughly.

Particular attention is given to the child safety needs of Aboriginal and Torres Strait Islander students, those from culturally and linguistically diverse backgrounds, international students, students with disabilities, those unable to live at home, children and young people who identify as lesbian, gay,

bisexual, trans and gender diverse, intersex and queer (LGBTIQ+) and other students experiencing risk or vulnerability. Inappropriate or harmful behaviour targeting students based on these or other characteristics, such as racism or homophobia, are not tolerated at our school, and any instances identified will be addressed with appropriate consequences.

Child safety is a shared responsibility. Every person involved in our school has an important role in promoting child safety and wellbeing and promptly raising any issues or concerns about a child's safety.

We are committed to regularly reviewing our child safe practices, and seeking input from our students, families, staff, and volunteers to inform our ongoing strategies.

4. ROLES AND RESPONSIBILITIES

4.1 SCHOOL BOARD

The School Board have ultimate responsibility for ensuring that in accordance with Ministerial Order 1359:

- a strong child safety and wellbeing culture is embedded in School leadership, governance, and culture;
- child safety and wellbeing strategies, policies, practices, and codes of conduct are effectively developed, in place, communicated and adhered to;
- appropriate and effective child safety risk management and internal controls systems are in place and effective;
- child safety is a regular agenda item at school Board meetings and that the School Leadership Team report regularly to the School Board on child safety and wellbeing matters; and
- a child safe culture is championed and promoted with the broader community.

The School Board will:

- undertake annual training on child safety; and
- act in accordance with the School's Child Safety Code of Conduct.

4.2 PRINCIPAL

The Principal is responsible for:

- ensuring effective child safety and wellbeing governance, policies, procedures, codes of practice are in place, communicated to the school community and followed;
- modelling and championing a child safe culture that facilitates the active participation of students, families and staff in promoting and improving child safety, cultural safety and wellbeing;
- enabling inclusive practices where the diverse needs of all students are considered;
- reinforcing high standards of respectful behaviour between students and adults, and between students;
- promoting regular open discussion on child safety issues within the school community including at leadership team meetings, staff meetings and School Board meetings;
- facilitating regular professional learning for staff and volunteers (where appropriate) to build deeper understandings of child safety, cultural safety, student wellbeing and prevention of responding to abuse; and
- creating an environment where child safety complaints and concerns are readily raised, and no one is discouraged from reporting an allegation of child abuse to relevant authorities.

The School will:

- deal with and investigate reports of child abuse (to the extent allowed by law); and
- appoint appropriate Child Safety Officers to act as a clearly identifiable support network for all students, parents, staff, and anyone in our community who has a concern about the safety of children in our care.

4.3 CHILD SAFETY OFFICERS

The School has Child Safety Officers, supported by the Leadership and Wellbeing teams, to implement our child safety policies and practices, and who are the first point of contact for child safety concerns or queries and who co-ordinate responses to child safety incidents.

The School's Child Safety Risk Register is updated annually by the Child Safety Officers and reported annually to the OH&S Committee, Leadership Team, Wellbeing Team, and School Board.

Refer to the Child Safety Officer Role Description on inFintona for more details.

4.4 ALL STAFF AND VOLUNTEERS

This policy and related codes of practice guides our staff and volunteers on how to behave when working and interacting with children in our organisation.

All staff and volunteers will:

- participate in child safety and wellbeing induction and training provided by the School or the Department of Education and Training (Victoria), and always follow the School's Child Safety and Wellbeing Policy, Child Safety Code of Conduct and Child Safety Response and Mandatory Reporting Policy and Procedures;
- act in accordance with our Child Safety Code of Conduct as well as their legal obligations with respect to the reporting of child abuse;
- identify and raise concerns about child safety issues in accordance with our Child Safety Response and Mandatory Reporting Procedure, including following the [Four Critical Actions for Schools](#).
- ensure students' views are taken seriously and their voices are heard about decisions that affect their lives;
- support and assist children who disclose child abuse or are otherwise linked to suspected child abuse; and
- provide an environment that is supportive of all children's emotional and physical safety.

4.5 OTHER ROLES AND RESPONSIBILITIES

Child safety matters are discussed and managed as required at each Executive and Leadership Team meetings, and the Child Safety Officer meetings. All teams that meet regularly have standing agenda items related to child safety matters including concerns.

The Deputy Principal is responsible for monitoring the school's compliance with the Child Safety and Wellbeing Policy. Anyone in our school community should approach the Deputy Principal if they have any concerns about the school's compliance with the Child Safety and Wellbeing Policy.

The Marketing and Communications Manager is responsible for informing the school community about this policy and making it publicly available.

Other specific roles and responsibilities are named in other child safety policies and procedures, including the Child Safety Code of Conduct, Child Safety Response and Mandatory Reporting Policy and Procedure and the Reportable Conduct Scheme Policy.

4.6 CONTRACTORS

All contractors engaged by the School are responsible for contributing to the safety and protection of children in the School environment. Contractors include outsourced maintenance and building services, consultants, catering providers and school cleaners. This also includes individuals or organisations engaged to run after hours programs at the School for our students. All regular contractors engaged by the School are required to have a valid Working with Children Check clearance, be familiar with the Child Safety and Wellbeing Policy, Child Safety Code of Conduct and Child Safety Response and Mandatory Reporting Policy and Procedure and follow the Four Critical Actions for Schools when they have any child safety concerns.

The School will also include this requirement in its written agreement with third-party contractors.

4.7 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 the 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 and are required to be familiar with our Child Safety and Wellbeing Policy and the Child Safety Code of Conduct and report any reasonable beliefs to the appropriate authorities and to the Principal or Child Safety Officers. The School will include this requirement in its written agreement with external education providers.

5. CHILD SAFETY CODE OF CONDUCT

The School's Child Safety Code of Conduct sets the boundaries and expectations for appropriate behaviours between adults and students. It also clarifies behaviours that are not acceptable in our physical and online environments.

All staff, contractors and volunteers working directly with children are required to read, agree and abide by the School's Child Safety Code of Conduct.

We ensure that students also know what is acceptable and what is not acceptable so that they can be clear and confident about what to expect from adults in the School.

The Child Safety Code of Conduct also includes processes to report inappropriate behaviour.

6. MANAGING RISKS TO CHILD SAFETY AND WELLBEING

The School will identify, assess, and manage risks to child safety and wellbeing in our physical and online environments. These risks are managed through our child safety and wellbeing policies, procedures, and practices, and in our activity specific risk registers, such as those we develop for off-site overnight camps, adventure activities and facilities and services we contract through third party providers for student use.

We also identify and manage the risks in our online environments through our Responsible Digital Citizenship Policy and Protocols, Information Technology Acceptable Use Policy, Social Media and Networking Policy and school IT system controls and filtering. We inform students and their families about appropriate use of the school's technology, safety tools and how to seek help and report any concerns including any cyberbullying or online grooming.

Our Child Safety Risk Register is used to record any identified risks related to child abuse alongside actions in place to manage those risks. The Leadership Team will monitor and evaluate the effectiveness of the actions in the Child Safety Risk Register at least annually.

7. ESTABLISHING A CULTURALLY SAFE ENVIRONMENT

We are committed to establishing an inclusive and culturally safe school where the strengths of Aboriginal and Torres Strait Islander (First Nations) culture, values and practices are respected.

We think about how every student can have a positive experience in a safe environment. We will not tolerate any form of racism or behaviour targeting students and families based on differences or other characteristics.

For Aboriginal and Torres Strait Islander students, we recognise the link between their culture, identity and safety and actively create opportunities for Aboriginal and Torres Strait Islander students and the community to have a voice and presence in our school planning, policies and activities.

We celebrate culture, develop knowledge of, and support cultural safety in our school community. This includes:

- acknowledgement of Country at school events and gatherings;
- presentations and guest speakers from First Nations community including First Nations history and culture in our curriculum and co-curricular activities; and
- annual events (e.g., celebrating NAIDOC week, Sorry day, etc).

8. STUDENT PARTICIPATION AND EMPOWERMENT

To support child safety and wellbeing, we work to create an inclusive and supportive environment that encourages students and families to contribute to our child safety approach and understand their rights and their responsibilities.

Respectful relationships between students are reinforced and we encourage strong friendships and peer support to ensure a sense of belonging through our Student Wellbeing Program and the School's expectations and values.

We inform students of their rights through the wellbeing programs and provide them the skills and confidence to recognise unsafe situations with adults or other students and to speak up and act on concerns relating to themselves or their peers. We ensure our students know who to talk to if they are worried or feeling unsafe and we encourage them to share concerns with a trusted adult at any time, including the School Counsellor. Students and families can also access information on how to report concerns and grievances via inFintona, the student diary, parent handbook and our external website.

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

Our strategies that will inform, empower, and encourage student participation include:

- informing students of their rights and responsibilities in an age-appropriate way (including arranged age-appropriate education programs to inform students about sexual abuse prevention and related information);
- recognising the importance of friendships and support from peers is encouraged, to help children and young people feel safe and be less isolated; and
- providing students with opportunities to participate in a culture that is safe for them and their peers and is responsive to their contributions in a way that strengthens confidence and engagement (such

as, student wellbeing discussions and surveys, student leadership roles and programs that enables their voice to be heard on decisions that affect them).

9. FAMILY ENGAGEMENT

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

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

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

We do this by various methods, including:

- communicating our child safe policies and procedures and any significant updates on the School website, intranet (inFintona) and informing community via emails and Newsletter articles;
- informing parents about strategies or initiatives that the School is taking to ensure student safety and wellbeing via parent information sessions and seminars and listening to their feedback;
- direct conversations or email correspondence between parents and our School Staff and Child Safety Officers;
- seeking feedback from families and the community via the School Board, Fintona Parents' Association meetings and parent surveys; and
- reviewing concerns and complaints from parents and students.

10. DIVERSITY AND EQUITY

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

We recognise that every child has unique skills, strengths and experiences to draw on.

We pay particular attention to individuals and groups of children and young people in our community with additional and specific needs. This includes tailoring our child safety strategies and supports to the needs of:

- Aboriginal and Torres Strait Islander children and young people;
- children from culturally and linguistically diverse backgrounds;
- children and young people with disabilities;
- children unable to live at home or impacted by family violence;
- international students;
- children from same sex families; and
- children and young people who identify as LGBTIQ+ or gender diverse.

We do not tolerate any discriminatory practices and ensure to develop a learning environment that actively celebrates diversity and deepens understanding and acceptance of each person as an individual.

11. SUITABLE STAFF AND VOLUNTEERS

The School applies child safe recruitment, induction, training, and supervision practices to ensure that all staff, contractors, and volunteers are suitable to work with children. The School understands that when recruiting staff and volunteers we have ethical as well as legislative obligations.

11.1 RECRUITMENT

When recruiting school staff we develop recruitment, advertising and position descriptions for workers who engage in child-connected work that have a clear statement that sets out:

- the job's requirements, duties and responsibilities regarding child safety and wellbeing; and
- the job occupants' essential or relevant qualification, experience and attributes in relation to child safety and wellbeing.

All applicants for jobs involving child-connected work must be informed about the child safety practices of the School, including the Child Safety and Wellbeing Policy and the Child Safety Code of Conduct.

When engaging staff to perform child-related work, we sight, verify and record the person's Working with Children Check clearance, or equivalent background check such as a Victorian teaching registration, and collect and record:

- proof of the person's identity;
- information about essential or relevant professional or other qualifications;
- the person's history of working with children; and
- references that address suitability for the job and for working with children.

We carry out thorough reference checks and pre-employment screening to ensure that we are recruiting with child safety in mind.

11.2 INDUCTION

All newly appointed staff and volunteers will be expected to participate in our child safety and wellbeing induction program. The program will include a focus on:

- the Child Safety and Wellbeing Policy (this document);
- the Child Safety Code of Conduct;
- the Child Safety Response and Mandatory Reporting Procedure, which includes information sharing and record keeping obligations; and
- any other child safety and wellbeing information that school leadership considers appropriate to the nature of the role.

11.3 ONGOING SUPERVISION AND MANAGEMENT OF STAFF

All staff engaged in child-connected work will be supervised appropriately to ensure that their behaviour towards children is safe and appropriate.

Staff will be monitored and assessed to ensure their continuing suitability for child-connected work. This will be undertaken by an individual's direct report on an ongoing basis, after promotion to a new role and at the 3 and 6 month mark after commencement at the School.

The School promotes a culture of open discussion regarding child safety and suitable behaviours and the Leadership Team are regularly prompted to raise any staffing concerns they may have.

Inappropriate behaviour towards children and young people will be managed swiftly and in accordance with our school and department policies and our legal obligations. Child safety and wellbeing will be paramount.

11.4 SUITABILITY OF VOLUNTEERS

All volunteers are required to comply with our policies and procedures which describe how we assess the suitability of prospective volunteers and outlines expectations in relation to child safety and wellbeing induction and training, and supervision and management.

We do not distinguish between direct and indirect volunteers as all volunteers may have contact with students, giving rise to a duty of care to protect our students. Volunteers should not be left alone with students, but our policy and procedures will be designed assuming this may inadvertently occur. The School will ensure that volunteers are aware of the Child Safety Policy and Child Safety Code of Conduct.

12. CHILD SAFETY KNOWLEDGE SKILLS AND AWARENESS

Training and education are important to ensure that everyone at the School understands that child safety is everyone's responsibility.

Our school culture aims for all staff, contractors and volunteers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

New employees, volunteers and contractors are briefed on commencement and provided with information to ensure they understand the school's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate (please refer to the School's Child Safety Code of Conduct to further understand appropriate behaviour).

Ongoing training and education are essential to ensuring that staff understand their roles and responsibilities and develop their capacity to effectively address child safety and wellbeing matters. School staff will participate in a range of training and professional learning to equip them with the skills and knowledge necessary to maintain a child safe environment. Staff training will be delivered at least annually and will include guidance on:

- the School's child safety and wellbeing policies, procedures, codes of conduct and practices;
- completing the [Protecting Children – Mandatory Reporting and Other Obligations](#) online module annually;
- recognising indicators of child harm including harm caused by other children and students;
- responding effectively to issues of child safety and wellbeing and supporting colleagues who disclose harm;
- how to build culturally safe environments for children and students;
- information sharing and recordkeeping obligations; and
- how to identify and mitigate child safety and wellbeing risks in the school environment.

The training and awareness requirements for the School's volunteers will depend on the type and scope of volunteering. Training and awareness will be tailored where possible according to specific roles and responsibilities. All volunteers will be required to read and acknowledge the Child Safety and Wellbeing Policy, Code of Conduct and Response and Mandatory Reporting Policy and Procedure and nominated volunteers are required to complete the [Protecting Children – Mandatory Reporting and Other Obligations](#) online module annually.

The School Board have the ultimate responsibility for ensuring that in accordance with Ministerial Order 1359 the School meets its Child Safety obligations. To ensure the School Board are equipped with the knowledge required to make decisions in the best interests of student safety and wellbeing, and to identify and mitigate child safety and wellbeing risks in the school environment, they will be trained at least annually. Training includes:

- undertaking the Department of Education and Training [Protecting Children – Mandatory Reporting and Other Obligations](#) online training module annually;
- individual and collective obligations and responsibilities for implementing the Child Safe Standards, Ministerial Order 1359 and managing the risk of child abuse;
- child safety and wellbeing risks identified and how they are managed in the school environment; and
- the School's child safety and wellbeing policies, procedures code of conduct and practices.

13. COMMUNICATION

The School is committed to communicating our child safety strategies to the school community through:

- ensuring that key child safety and wellbeing policies are available on our website including the Child Safety and Wellbeing Policy (this document), Child Safety Code of Conduct, Child Safety Response and Mandatory Reporting Procedure and the Reportable Conduct Scheme Policy;
- displaying PROTECT [Four Critical Actions](#) posters for complaints and concerns relating to adult behaviour towards a child around the School;
- updates in our school newsletter, on our intranet inFintona and via emails; and
- ensuring that child safety is a regular agenda item at school Leadership Team meetings, staff meetings and School Board meetings.

14. COMPLAINTS AND REPORTING PROCESS

The School fosters a culture that encourages staff, contractors, volunteers, students, parents, and the school community to raise concerns and complaints. This makes it more difficult for breaches of the Code of Conduct, misconduct or abuse, to occur and remain hidden.

We have clear pathways for raising general complaints and concerns and responding and this is documented in the School's Grievance Policy.

If there is an incident, disclosure, allegation or suspicion of child abuse, all staff, contractors, and volunteers (including the School Board) must follow our Child Safety Response and Mandatory Reporting Policy and Procedure. The School's policy and procedures address complaints and concerns of child abuse made by or in relation to a child or student, school staff, volunteers, contractors, service providers, visitors or any other person while connected to the School.

Whenever there are concerns that a child is in immediate danger, please call 000 without delay.

As soon as any immediate health and safety concerns are addressed, and relevant school staff have been informed, we will ensure the School follows:

- the [Four Critical Actions](#) for complaints and concerns relating to adult behaviour towards a child
- the [Four Critical Actions: Student Sexual Offending for complaints and concerns relating to student sexual offending](#)

The School's Student Code of Conduct and Behaviour Management Policy cover complaints and concerns relating to student physical violence or other harmful behaviours.

Staff, students, parents and carers, external education providers, contractors, volunteers 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 Safety Officers.

The School's Child Safety Officers are the persons holding the following positions:

- School Counsellor
- Deputy Principal
- Head of Senior School
- Head of Middle School
- Head of Junior Campus

The School takes all allegations seriously and has practices in place to investigate in a timely manner.

Reporting to the School Child Safety Officer does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of abuse, neglect or that a child safety incident took place. Obligations, such as, under the mandatory reporting, failure to disclose an incident, and failure to protect, legal requirements, etc. (refer to the definitions section below).

14.1 SUPPORT FOR AFFECTED STUDENTS

Ensuring a student feels safe and supported following an incident is of critical importance to the School. The School will also ensure that appropriate assistance and support is provided to any child who discloses child abuse or is linked in any way to suspected child abuse. The School will work closely with the students, parents and carers, and our wellbeing team to provide support and access to support services. Each matter will be handled on a case-by-case basis. An individual may be supported with:

- referral to the School Counsellor;
- referral to external specialist agencies; and
- a School Wellbeing Plan and/or learning support.

14.2 FAIR PROCEDURES

The safety and wellbeing of children is always our primary concern. We are also fair and just to personnel. The decisions we make when recruiting, assessing allegations, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

15. PRIVACY AND INFORMATION SHARING

The School collects, uses, and discloses information about children and their families in accordance with privacy laws and other relevant laws. We have safeguards and practices in place to ensure any personal information is protected in accordance with our Privacy Policy and applicable legislation.

Where there is suspected abuse or misconduct, employees, volunteers and contractors must not disclose or make use of the information in a manner that breaches others privacy or confidentiality, other than to report and act consistent with the Child Safety Response and Mandatory Reporting Policy and Procedure, and relevant statutory or legal requirements.

16. RECORDS MANAGEMENT

We acknowledge that good records management practices are a critical element of child safety and wellbeing and manage our records in accordance with Public Records Office Victoria, Record keeping standards including minimum retention periods. All records are securely stored by the School Principal.

17. POLICY AND COMPLIANCE AND REVIEW

17.1 POLICY BREACH

A breach of this policy may lead to disciplinary action. All breaches, near misses and risks related to this policy should be reported to the Principal or a Child Safety Officer at the School.

17.2 REVIEW OF CHILD SAFE POLICIES AND PRACTICES

We will review and ensure ongoing improvement of our child safety policies, practices, and procedures by:

- reviewing this policy every 2 years or after any significant child safety event;
- analysing any complaints, concerns and safety incidents to improve our policy and practice; and
- acting with transparency and sharing pertinent learnings and review outcomes with school staff and the school community.

18. DEFINITIONS

The following terms in this policy have specific definitions:

Child	An individual who is under the age of 18 years and who is enrolled as a student at Fintona Girls' School (the School).
Child abuse	<p>Child abuse includes-</p> <ul style="list-style-type: none">(a) any act committed against a child involving-<ul style="list-style-type: none">(i) a sexual offence; or(ii) the offence of grooming; and(b) the infliction, on a child, of-<ul style="list-style-type: none">(i) physical violence; or(ii) serious emotional or psychological harm; and(c) serious neglect of a child.
Child-connected work	This is work that is authorised by the School and performed by an adult in the School environment while children are present or reasonably expected to be present.
Child-related work	<p>The <i>Worker Screening Act 2020</i> defines 'child-related work' as work which usually involves (or is likely to involve) direct contact with a child, irrespective of whether that contact is supervised or not, and in any of the child-related occupational fields listed in the Act.</p> <p>The definition of direct contact includes oral, written, or electronic communication as well as face-to-face and physical contact between a person and a child. 'Child-related work' may be either paid or unpaid (voluntary).</p> <p>There are exemptions from the Act including people under 18 years of age, parent volunteers whose child ordinarily participates in the activity, sworn police officers, teachers currently registered with the Victorian Institute of</p>

Teaching, and visiting workers who do not ordinarily reside and perform child-related work in Victoria, among others.

Child safety	Child safety encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.
Child Safety Officers	<p>The School Child Safety Team comprises:</p> <ul style="list-style-type: none">• School Counsellor• Deputy Principal• Head of Senior School• Head of Middle School• Head of Junior Campus
Failure to protect a child from a sexual offence	<p>The offence provides that a person who:</p> <ol style="list-style-type: none">a. by reason of the position, he or she occupies within a relevant organisation, has the power or responsibility to reduce or remove a substantial risk that a relevant child 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 relevant organisation; andb. 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.
Failure to disclose an offence	A person of or over the age of 18 years (whether in Victoria or elsewhere) who has information that leads the person to form a reasonable belief that a sexual offence has been committed in Victoria against a child under the age of 16 years by another person of or over the age of 18 years must disclose that information to a police officer as soon as it is practicable to do so, unless the person has a reasonable excuse for not doing so.
Grooming	<p>The offence of grooming for sexual conduct with a child under the age of 16 is found in section 49M of the <i>Crimes Act 1958</i>. That section provides:</p> <ol style="list-style-type: none">(1) A person (A) commits an offence if:<ol style="list-style-type: none">(a) A is 18 years of age or more; and(b) A communicates, by words or conduct (whether or not a response is made to the communication), with:<ol style="list-style-type: none">(i) another person (B) who is a child under the age of 16 years; or(ii) another person (C) under whose care, supervision or authority B is; and(c) A intends that the communication facilitate B engaging or being involved in the commission of a sexual offence by A or by another person who is 18 years of age or more.(2) A person who commits an offence against subsection (1) is liable to level 5 imprisonment (10 years maximum).(3) A does not intend to facilitate B engaging or being involved in the commission of a sexual offence by A or by another person who is 18 years of age or more if, were the conduct constituting the sexual offence to occur, A or the other person would satisfy an exception, or have a defence, to that sexual offence.

- (4) It is immaterial that some or all of the conduct constituting an offence against subsection (1) occurred outside Victoria, so long as B or C was, or B and C were, in Victoria at the time at which that conduct occurred.
- (5) It is immaterial that B or C was, or B and C were, outside Victoria at the time at which some or all of the conduct constituting an offence against subsection (1) occurred, so long as A was in Victoria at the time that conduct occurred.
- (6) It is immaterial that A, B and C were all outside Victoria at the time at which some or all of the conduct constituting an offence against subsection (1) occurred, so long as A intended that the sexual offence would occur in Victoria.
- (7) In this section:

communication includes an electronic communication within the meaning of the *Electronic Transactions (Victoria) Act 2000*;

sexual offence means:

- (a) an offence against a provision of Subdivision (8A), this Subdivision (other than section 49K(1) or this section), (8C), (8D), (8E), (8F) or (8FA); or
- (b) an attempt to commit an offence covered by paragraph (a); or
- (c) an assault with intent to commit an offence referred to in paragraph (a).

Further information can be obtained at: www.justice.vic.gov.au/safer-communities/protecting-children-andfamilies/grooming-offence

School environment	<p>The School environment is any physical, online or virtual places made available or authorised by the School for use by a child during or outside school hours, and includes:</p> <ul style="list-style-type: none"> • our Senior Campus on Balwyn Road, Balwyn • our Junior Campus (including ELC) on Balwyn Road, Balwyn • online or virtual school environments made available or authorised by the School for use by a student (including email, inFintona, software applications, collaboration tools and online or networked systems • other locations provided by the School for a child's use, including locations used for school camps, sporting events, excursions, competitions and other events.
School Staff	<p>An individual employed working in a school environment who is;</p> <ul style="list-style-type: none"> • Directly engaged or employed by the School management or Board, or • A contracted service provider (whether or not a body corporate or any other person is an intermediary) engaged by the School or School Board to perform child-related work, or • A minister of religion, a religious leader or an employee or officer of a religious body associated with the school.
Student	A person who is enrolled at or attends the School.
Volunteer	A person who performs work without remuneration or reward for the school or school boarding premises in the school environment

19. POLICY REVIEW AND APPROVAL

This policy will be reviewed on a two-yearly basis or more frequently, if required, following any significant incidents and to keep up-to-date with changes to laws and regulations. This policy is to be reviewed by the Deputy Principal with the Child Safety Officers and then the Principal and the Leadership Team. All updates and changes have to be reviewed and approved by the School Board.

20. RELATED SCHOOL POLICIES/DOCUMENTS

- SW03.00 Child Safe Response and Mandatory Reporting Policy and Procedure
- SW04.04 Child Safety Code of Conduct
- SW04.02 Child Safety Officer Role Description
- SW01.00 Information Technology Acceptable Use Policy
- SW06.00 Reportable Conduct Scheme Policy
- SE01.00 Recruitment and Selection Policy
- SG17.00 Risk Policy
- SW16.00 Responsible Digital Citizenship Policy and, Protocols
- SW02.00 Social Media and Networking Policy
- SW25.00 Student Code of Conduct and Behaviour Management Policy
- SW36.00 Working with Children Check Policy
- the [Four Critical Actions](#) for complaints and concerns relating to adult behaviour towards a child
- the [Four Critical Actions: Student Sexual Offending for complaints and concerns relating to student sexual offending](#)

21. REFERENCE POINTS/BACKGROUND PAPERS

- *Child Wellbeing and Safety Act 2005 (Vic)*
- *Education and Training Reform Act 2006 (Vic)*
- *Education and Training Reform Regulations 2017 (Vic)*
- Ministerial Order 1359 Implementing Child Safe Standards – Managing the Risk of Child Abuse in Schools

22. ACCESSIBILITY

This document is available on:

- Fintona website>About>Policies
- inFintona>Staff Services>Policies
- inFintona>Parent Services>Policies
- Fintona Board Portal