

CHILD PROTECTION AND SAFETY POLICY

Statement of Commitment to Child Safety

Peninsula Grammar is committed to providing a child safe and child friendly environment, where children and young people feel safe, and are able to actively participate in decisions that affect their lives.

At Peninsula 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.

Aim of the Peninsula Grammar Child Protection and Safety Policy

Peninsula Grammar has developed the following policy as an overarching document that provides key elements of our approach to protecting children from abuse and reinforcing our zero tolerance for child abuse.

This policy forms the foundation of the School's procedures, practices, decision-making processes and ultimately the School's culture with respect to child safety.

The School's Child Protection and Safety Policy has been approved and endorsed by the School's Board of Directors and is reviewed on an annual basis or following any developments in Child Protection and Safety best practices.

Content of the Peninsula Grammar Child Protection and Safety Policy

This policy includes:

- Child Safe Standards
- Mandatory Reporting Obligations
- Reportable Conduct
- Child Protection and Safety Officers
- Staff Obligations

This policy replaces the following policies, which are now redundant:

- Child Safe Policy
- Child Protection and Mandatory Reporting Policy
- Reportable Conduct of Staff, Volunteers and Others
- Reporting a Child Abuse Concern

Definition of Child Abuse

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

Grooming refers to when a person engaged in predatory conduct to prepare a child or young person for sexual activity at a later date. Grooming can include communicating and/or attempt to befriend or establish a relationship or other emotional connection with the child and/or their parent/carer.

Definition of Staff Member



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For the purposes of the Child Wellbeing and Safety Act 2005 (Vic), 'employee' is defined as a person aged 18 years or over who is:

- Employed by the School whether or not that person is employed in connection with any work or activities of the School that relate to children; or
- Engaged by the School to provide services, including as a volunteer, contractor, office holder or officer, whether or not the person provides services to children.

A minister of religion or a religious leader is also an employee.

Of relevance to the School, the following people are considered to be employees:

- Board of Directors;
- The Principal;
- Staff members;
- Volunteers (Direct** and Indirect Contact***);
- Third Party Contractors; and
- External Education Providers.

For the purposes of this policy, all of the above are referred to collectively as "staff" or "staff members".

***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

****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.*

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

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 Safe Code of Conduct and Staff Policies that provide detailed guidance for all staff and volunteers on how to maintain professional boundaries between students and adults at Peninsula Grammar.
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, volunteers and external education providers who have direct contact with children.
8. Child safety and protection is everyone's responsibility.



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9. Child protection training is mandatory for all Staff.
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.

PENINSULA GRAMMAR CHILD SAFE CODE OF CONDUCT

A Child Safe 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.

The Peninsula Grammar Child Safe Code of Conduct can be found on our website [here](#).

All staff must provide agreement to behave in accordance with the Child Safe Code of Conduct before commencing work with Peninsula Grammar.

MANDATORY REPORTING

Under the Child, Youth and Families Act 2005 (Vic), mandatory reporters must make a report to the Department of Health and Human Services if in the course of carrying out their duties, form a reasonable belief that a child is in need of protection from physical harm or sexual abuse.

Mandatory reporters are defined as:

- Teachers registered to teach or who have permission to teach pursuant to the Education and Training Reform Act 2006 (Vic);
- Principals of Government and Non-Government Schools;
- Registered Medical Practitioners;
- Nurses;
- All members of the Police Force.

The School will adopt a three-phase approach with respect to Mandatory Reporting:

A. Education

To ensure that staff are aware of and understand their obligation under the Act the school undertakes annual Professional Development for staff relating to identifying child abuse, forming a belief that a child is at risk and reporting obligations and procedures.

This policy will be publicly available to ensure community awareness with respect to child abuse, its characteristics and the school's programs and response.

With respect to students, Counselling staff will work to educate students on unacceptable behaviours towards them and encourage them to disclose unsafe behaviour to appropriate staff.

B. Intervention – Reporting Obligations & Procedures

1. Mandatory Reporting Legislation

- As noted above, legislation requires all mandatory reporters whom, in the course of carrying out their duties, who form a reasonable belief that a child is in need of protection from physical harm or sexual abuse, and that the child's parents are unwilling or unable to protect the child, must report that belief to the DHHS, Child Protection Division as soon as possible after forming the belief.
- All mandatory reporters should also alert a member of the School Executive and Head of Wellbeing.



- In the event that subsequent to an initial report a mandatory reporter becomes aware of further information that is relevant to their belief the child is at risk, they must make an additional report on each and every occasion.

- The mandatory reporter must assess whether, if provided with the same information, a reasonable person would form a belief the child is at risk. A 'reasonable belief' is more than mere rumour or speculation but may be less than having proof.

2. Criminal Offences – Failure to disclose, failure to protect & grooming offences

- Any staff member who forms a reasonable belief that a sexual offence has been committed by an adult against a child must disclose that information to police. Failure to disclose the information to the Police is a Criminal Offence and applies to all adults in Victoria.

- Any staff member who becomes aware that an adult associated with the School poses a risk of sexual abuse to a student must take all reasonable steps to reduce or remove that risk. Failure to take reasonable steps to protect a student from the risk of sexual abuse from an adult associated with the School is a Criminal Offence.

- Any staff member who becomes aware of predatory or "grooming" behaviour must disclose that information to the Police.

3. Specific Requirements of Peninsula Grammar

- In the event there is a life-threatening danger to a student, Staff are to contact Triple Zero (000) and call the School's Emergency Number 666 (9788 7666)

- Staff are to keep records of all concerns regarding Student Wellbeing and to inform the Principal and the Deputy Principal when they believe a student is at risk.

- Staff must not make a promise to a student to withhold information from relevant persons, including DHHS and Police, if a student makes a disclosure to them.

- Staff may seek assistance from Counselling staff in the event they have formed a belief a child is at risk.

- Staff must be aware that their Mandatory Reporting obligation is not discharged by a report to the Principal and/or the Deputy Principal.

C. Post Incident Review

- School Executive will undertake a review of staff responses to specific incidents to ensure compliance with the policy.

- All staff and students involved will be offered ongoing support (see 'Support for Affected Students')

- School Executive will seek guidance from appropriate authorities as to the School's response to specific incidents and any recommendations they may have.

REPORTABLE CONDUCT OF STAFF, VOLUNTEERS AND OTHERS

The Child Wellbeing and Safety Act 2005 (Vic) (the Act) requires School to investigate and report to the Commission for Children and Young People (Commission) allegations of 'employee' reportable conduct or misconduct that may involve reportable conduct.

The Reportable Conduct obligation covered under the Act is separate and distinct from the:

- Mandatory Reporting obligation under the *Children, Youth and Families Act 2005 (Vic)*;



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- Obligation to Report a Sexual Offence obligation under the *Crimes Act 1958 (Vic)*; and
- Conduct that is Reportable to the Victorian Institute of Teaching under the *Education and Training Reform Act 2006 (Vic)*.

The threshold for reporting allegations of reportable conduct is a 'reasonable belief', which is much lower than these other reporting obligations. The Commission states that reasonable belief is more than suspicion. There must be some objective basis for the belief, however, it is not the same as proof, and certainty is not required.

Any allegations of criminal conduct, including physical violence, significant emotional or psychological abuse, sexual offences and significant neglect must be reported to the Victorian Police as the first priority.

What must be notified?

Under the Act, the School must notify the Commission of a reportable allegation against a staff member.

Reportable allegation is defined in the Act to mean any information that leads a person to form a reasonable belief that an employee (member of staff) has committed:

- Reportable conduct; or
- Misconduct that may involve reportable conduct - whether or not the conduct/misconduct is alleged to have occurred in the course of the person's employment at the School.

Reportable conduct is defined in the Act to include:

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

"Sexual misconduct" includes:

- Behaviour, physical contact or speech or other communication of a sexual nature, for example 'sexting';
- Inappropriate touching or physical contact;
- Grooming behaviour; and
- Voyeurism.

"Sexual offence" for the purposes of the Reportable Conduct Scheme means a serious sexual offence as set out in clause 1 of Schedule 1 of the *Sentencing Act 1991 (Vic)*, which includes rape, attempted rape, sexual assault, incest, indecent act with a child, persistent sexual abuse of a child, grooming and the production or possession of child pornography.

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

Our Child Safe Code of Conduct, together with Internal staff policies, outlines expected standards of behaviour of staff members at the School when interacting with children and young people. Conduct which breaches the Child Safe Code of Conduct will constitute reportable conduct under this policy.

Who must notify?

Under the Act, any person may disclose a reportable allegation to the Commission (section 16L).



At the School, the 'head' of the 'entity' must also notify the Commission (section 16M). At the School, the head is the Principal. The Principal may delegate parts of their responsibility to facilitate the implementation of this policy.

CHILD PROTECTIONS & SAFETY OFFICERS

Peninsula Grammar has appointed Stuart Johnston as the School's Senior Child Protection and Safety Officer. The Senior Child Protection Officer has an important role in the promotion and maintenance of our child protection culture at the School. Reporting directly to the Principal, the School's Senior Child Protection and Safety Officer must provide timely reports on any Child Protection concerns.

The Senior Child Protection Officer is contactable by phone on 9788 7705 or by emailing principal@pgs.vic.edu.au.

In addition to the Senior Child Protection and Safety Officer Peninsula 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.

The School's Child Protection Officers are your first point of contact for reporting child protection issues within the School.

Please note that reporting the matter to one of our Child Protection and Safety Officers does not release you from other legal and regulatory reporting obligations you may have.

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

SCHOOL CHILD PROTECTION OFFICERS – 2020			
NAME	POSITION	CONTACT No	EMAIL
Stuart Johnston	Principal	9788 7705	principal@pgs.vic.edu.au
TBD	School Operations Manager		
Louise Nicholls-Easley	Head of Junior Years	9788 7831	lnichollseasley@pgs.vic.edu.au
Muriel Bakker	Head of Middle Years	9788 7723	mbakker@pgs.vic.edu.au
Phillip Henniker	Head of Pre Senior Year 9	9788 7790	phenniker@pgs.vic.edu.au
Mark Barnes	Acting Head of Senior Years	9788 7638	mbarnes@pgs.vic.edu.au
Tim Wallis	Head of Jaffray House	9788 7708 9788 7727	twallis@pgs.vic.edu.au
Madeline Dwyer	Indigenous Student Coordinator	9788 7713	mdwyer@pgs.vic.edu.au

SUPPORT FOR AFFECTED STUDENTS



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Ensuring a student feels safe and supported following an incident is of paramount importance to the School. In addition to immediate contact with our Student Wellbeing team, the School will also work closely with the student, parents, carers or guardians to determine any additional support services that may be available to provide appropriate support.

Whilst each matter will be dealt with on a case by case basis to ensure the student is provided with support they require as an individual, such action may include:

- Referral to School Counselling services;
- Referral to external agencies;
- Family Counselling;
- Academic Support.

CHILD PROTECTION PROGRAM REVIEW

Peninsula 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.

Peninsula Grammars' Child Protection and Safety Policy has been approved and endorsed by the School's Board of Directors.

RESPONSIBILITIES

Child protection is everyone's responsibility. At Peninsula Grammar all Board directors 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:

- **Board of Directors:** 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 Leadership Team accountable for effective implementation.
- **The Principal:** is responsible, and will be accountable for taking all practical measures to ensure that this Child Safe 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.
- **Staff Members:** must 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 and Safety Officers.
- **Volunteers, Contractors & External Education Providers:** must 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.

REVIEW OF POLICY

This policy is to be reviewed, approved and endorsed annually.

Last review May 2021.

Review is to be undertaken prior to September 2021.