



Executive Summary

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

This Child Safety 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 Bairnsdale Christian College community. The Program deals specifically with child safety issues and is designed to ensure compliance with the Victorian Child Safe Standards and related child safety laws. Broader child safety issues arising from our common law duty of care are dealt with through our Student Duty of Care policies and procedures.

This Child Safety Program is designed to ensure compliance with the Victorian Child Safe Standards, Ministerial Order No. 870 (which sets out particular requirements for Victorian schools that must be complied with as part of our ongoing registration), as well as a range of other Victorian laws and regulations that relate to child safety.

If you have a belief or suspicion that a child is being, or has been, subjected to any form of abuse you must contact Child Protection or, where you need guidance on making a report or have questions regarding child safety, contact one of the Bairnsdale Christian College's appointed Child Protection Officers. Whenever there are concerns that a child is in immediate danger the Police should be called on 000.

Quick Access Documents:

Department of Education and Training and Department of Health and Human Services Child Protection, Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse, 2018

Department of Education and Training and Department of Health and Human Services Child Protection, [Responding to Suspected Child Abuse: A Template for all Victorian Schools, 2018](#)

School Specific Procedures

Child Safety Risk Assessment - June 2022

https://bairnsdale.sandbox.csassurance.trycomplispace.com/refdoc_atts/fbf9a070-d00f-013a-a105-02533b1dee62

Child Safety Concerns - Reporting Summaries & Trees

https://bairnsdale.sandbox.csassurance.trycomplispace.com/refdoc_atts/7a934aa0-d019-013a-a106-02533b1dee62

Do you have a child safety concern?

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

Child Protection Officers are selected based on a number of considerations, namely:

- their personal attitudes, experiences and beliefs, for example, a person who is non-judgmental, calm, resilient and demonstrates a high degree of integrity and respect for confidentiality
- their role within the Bairnsdale Christian College, for example, a person who has seniority and experience working with complex student and family issues at the Bairnsdale Christian College and someone who is readily accessible and available to all members of the Bairnsdale Christian College community
- their personal profile within the Bairnsdale Christian College, for example, a person who is approachable, who students and staff trust and who is willing and able to respond to issues personally and sensitively.

The Bairnsdale Christian College's Child Protection Officers can be your first point of contact for reporting child safety issues within the Bairnsdale Christian College.

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. Please be aware that consulting with a Child Protection Officer does not change any obligation you have under legislation to report to an external authority. Refer to our [Procedures for Responding to and Reporting Allegations of Child Abuse](#).

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.

Our Child Protection Officers are:

- Carolanne Flowers
- Jessica Fry
- Rhys Harris

Our Senior Child Protection Officer

Bairnsdale Christian College has appointed Kim McKenzie as the Bairnsdale Christian College's Senior Child Protection Officer. The Senior Child Protection Officer has an important role in the promotion and maintenance of our child safety culture at the Bairnsdale Christian College.

The Senior Child Protection Officer is identified in our publicly available [Child Safety Policy](#) as a contact for the wider community when they have child safety concerns relating to the Bairnsdale Christian College.

The Senior Child Protection Officer is contactable by phone on (03) 5153 0079 or by emailing principal@bccs.vic.edu.au.

Child Safety Policy

Bairnsdale Christian College has developed this Child Safety Policy as an overarching document that provides key elements of our approach to protecting children from abuse. It forms the foundation of the Bairnsdale Christian College's procedures, practices, decision-making processes and ultimately the Bairnsdale Christian College's culture with respect to child safety.

The Bairnsdale Christian College's Child Safety Policy has been approved and endorsed by the Bairnsdale Christian College's Board and is regularly reviewed by the Board.

Objectives

This Policy provides the framework for:

- the development of work systems, practices, policies and procedures that promote child safety within the Bairnsdale Christian College
- the creation of a positive and robust child safe culture
- the promotion and open discussion of child safety issues within the Bairnsdale Christian College
- compliance with all laws, regulations and standards relevant to child safety in Victoria.

Statement of Commitment to Child Safety

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

At Bairnsdale Christian College 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 Bairnsdale Christian College regards its child safety responsibilities with the utmost importance and as such, is committed to providing the necessary resources to ensure compliance with all relevant child safety laws and regulations and maintain a child safe culture.

Child Safe Values and Principles

The Bairnsdale Christian College'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 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 Bairnsdale Christian College 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 safety training is mandatory for all Board 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 Bairnsdale Christian College community.
11. Children from culturally or linguistically diverse backgrounds, Aboriginal or Torres Strait Islander Children and other children who are vulnerable (such as children in out-of-home care or children of diverse sexuality) have the right to special care and support.
12. Children who have any kind of disability have the right to special care and support.

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

The Worker Screening Act 2020 (Vic) defines "direct contact" as any contact between a person and a child (aged under 18) that involves:

- *physical contact;*
- *face to face contact;*
- *contact by post or other written communication;*
- *contact by telephone or other oral communication; or*
- *contact by email or other electronic communication.*

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

Child Safety Program

Bairnsdale Christian College is committed to the effective implementation of our Child Safety 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 Bairnsdale Christian College's activities, physical and online environments and the characteristics of the student body.

Our Child Safety 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, Third Party Contractors, External Education Providers, parents/carers and students to understand, identify, discuss and report child safety matters

- procedures for recruiting and screening Board members, staff, Direct Contact Volunteers, Third Party Contractors and External Education Providers
- procedures for reporting reportable conduct and/or misconduct
- pastoral care strategies designed to empower students and keep them safe
- policies with respect to cultural diversity and students with disabilities
- a child safety 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)
- a system for continuous review and improvement.

As a part of Bairnsdale Christian College's induction process, all staff and Direct Contact Volunteers are required to complete a selection of training modules on the content of our Child Safety Program.

Ongoing child safety training is provided at least annually.

Staff, Volunteers, Third Party Contractors and External Education Providers are supported and supervised by the Bairnsdale Christian College's Child Protection Officers to ensure that they are compliant with the Bairnsdale Christian College's approach to child safety.

Responsibilities

Child safety is everyone's responsibility. At Bairnsdale Christian College, the Board and staff, as well as Volunteers, have a shared responsibility for contributing to the safety and protection of children. Specific responsibilities include:

Board

Each member of the Board is required to ensure that appropriate resources are made available to allow the Bairnsdale Christian College's Child Safety Policy and the Child Safety Program to be effectively implemented within the Bairnsdale Christian College and are responsible for holding the Principal and the Leadership 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 Safety Policy and the Bairnsdale Christian College's Child Safety Program are implemented

effectively and that a strong and sustainable child safety culture is maintained within the Bairnsdale Christian College.

The Bairnsdale Christian College's Child Protection Officers

A number of staff members have been nominated as the Bairnsdale Christian College's Child Protection Officers. Our Child Protection Officers receive additional specialised training with respect to child safety issues. They are the first point of contact for raising child safety concerns within the Bairnsdale Christian College. They are also responsible for championing child safety within the Bairnsdale Christian College and assisting in coordinating responses to child safety incidents.

Staff Members

All staff are required to be familiar with the content of our Child Safety Policy and our Child Safety 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 Bairnsdale Christian College'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 Safety Program, particularly this Child Safety Policy and our Child Safe 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 Bairnsdale Christian College's Child Protection Officers.

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.

All Indirect Contact Volunteers are responsible for contributing to the safety and protection of children in the Bairnsdale Christian College environment.

All Indirect Contact Volunteers are required by the Bairnsdale Christian College to be familiar with our Child Safety Policy and our Child Safe Code of Conduct.

Examples of Indirect Contact Volunteer activities may include assisting with Bairnsdale Christian College administrative functions.

Third Party Contractors

All Third Party Contractors engaged by the Bairnsdale Christian College are responsible for contributing to the safety and protection of children in the Bairnsdale Christian College environment.

Third Party Contractors include, for example, maintenance and building personnel, consultants, casual teachers, tutors, sports coaches and Bairnsdale Christian College cleaners.

This also includes music teachers and other extra-curricular teachers and instructors who are engaged by students and their families directly, rather than the Bairnsdale Christian College, but have an agreement with the Bairnsdale Christian College to use the Bairnsdale Christian College's facilities.

All Third Party Contractors engaged by the Bairnsdale Christian College are required by the Bairnsdale Christian College to be familiar with our Child Safety Policy and our Child Safe Code of Conduct.

The Bairnsdale Christian College may include this requirement in the written agreement between it and the Third Party Contractor.

External Education Providers

An External Education Provider is any organisation that the Bairnsdale Christian College has arranged to deliver a specified course of study that is part of the curriculum, to a student or students enrolled at the Bairnsdale Christian College.

The delivery of such a course may take place on Bairnsdale Christian College premises or elsewhere.

All External Education Providers engaged by the Bairnsdale Christian College are responsible for contributing to the safety and protection of children in the Bairnsdale Christian College environment.

All External Education Providers engaged by the Bairnsdale Christian College are required by the Bairnsdale Christian College to be familiar with our Child Safety Policy and our Child Safe Code of Conduct.

Bairnsdale Christian College may include this requirement in the written agreement between it and the External Education Provider.

Reporting Child Abuse Concerns

Our Child Safety Program provides detailed guidance for the Board, 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 Bairnsdale Christian College's nominated Child Protection Officers. It also contains detailed procedures with respect to the reporting of child abuse incidents to relevant authorities.

Staff, Third Party Contractors, External Education Providers, Volunteers, students, parents/carers and other community members who have concerns that a child may be subject to abuse or grooming are asked to contact the Bairnsdale Christian College's Senior Child Protection Officer, Kim McKenzie, by phoning (03) 5153 0079 or emailing principal@bccs.vic.edu.au.

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.

Policy and Program Review

Bairnsdale Christian College is committed to the continuous improvement of our Child Safety Program. The Program is regularly reviewed for overall effectiveness and to ensure compliance with all child safety related laws, regulations and standards.

Child Safe Code of Conduct

This Child Safe 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 Bairnsdale Christian College 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, Bairnsdale Christian College may take disciplinary action, including in the case of serious breaches, summary dismissal. The Bairnsdale Christian College revises the Code annually.

The Bairnsdale Christian College's Board has endorsed this Child Safe Code of Conduct.

The Code applies to:

- all staff members, including non-teaching staff and temporary or casual staff
- Volunteers

- parents and carers
- Third Party Contractors
- External Education Providers
- the Board
- teaching students on placement at the Bairnsdale Christian College
- visitors.

This Child Safe Code of Conduct set out below is designed to stand alone. It can also be incorporated, in whole or in part, into broader codes of conduct that are developed by the Bairnsdale Christian College.

Certain staff members, Volunteers and Contractors at the Bairnsdale Christian College may have professional or occupational codes of conduct that regulate their profession or occupation. These codes of conduct must also be complied with. In the event that the staff member, Volunteer or Contractor considers that there is a conflict between these codes of conduct and the Child Safe Code of Conduct in a particular matter, the relevant staff member, Volunteer or Contractor must seek advice from their profession or occupational body and/or a Child Protection Officer and must advise the Principal of their proposed course of action.

This Child Safe Code of Conduct is made available to all Staff, Volunteers, Contractors, families and students via our public website.

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 Bairnsdale Christian College with respect to child safety.
- Treat all students with respect.
- Promote the safety, participation and empowerment of students with a disability and other children who are vulnerable (such as children in out-of-home care or children of diverse sexuality).
- Promote the cultural safety, participation and empowerment of linguistically and culturally diverse students and Aboriginal or Torres Strait Islander children.
- Use positive and affirming language towards students.
- Encourage students to 'have a say' and participate, 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 any breaches of this Child Safe Code of Conduct.
- Report concerns about child safety to one of the Bairnsdale Christian College'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, other than expressly outlined in the Bairnsdale Christian College's [Restraint of Students Policy](#).
- 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 meetings with a child that is not your own, outside of school hours and without permission from the Bairnsdale Christian College and the child's parent.

- 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 Safety Program includes a [Staff and Student Professional Boundaries](#) policy that provides detailed guidance for all adults at the Bairnsdale Christian College on how to maintain professional boundaries between students and adults at Bairnsdale Christian College.

Agreement to the Child Safe Code of Conduct

A copy of this Child Safe Code of Conduct is provided to all Staff, Direct Contact Volunteers and Direct Contact Contractors at induction, or otherwise prior to them commencing work at the Bairnsdale Christian College. It is also communicated via refresher training at regular intervals for all Staff, Direct Contact Volunteers and relevant Contractors.

All Staff and Direct Contact Volunteers must sign an agreement to adhere to this Child Safe Code of Conduct prior to commencing work at the Bairnsdale Christian College.

This Child Safe Code of Conduct forms part of the contract between the Bairnsdale Christian College and Direct Contact Contractors. Therefore, all Direct Contact Contractors are deemed to have agreed to adhere to the Child Safe Code of Conduct upon signing the contract or upon commencing work at the Bairnsdale Christian College.

Consequences for Breach of the Child Safe Code of Conduct

Staff, including the Leadership Team and Principal, Volunteers and Contractors who breach this Child Safe Code of Conduct may be subject to disciplinary actions that may result in a range of measures including (depending on the severity of the breach):

- remedial education
- counselling
- increased supervision
- the restriction of duties
- appointment to an alternate role

- suspension
- in the case of serious breaches, termination of employment, contract or engagement.

Where any other member of the Bairnsdale Christian College Community breaches any obligation, duty or responsibility within the Child Safe Code of Conduct, Bairnsdale Christian College will take appropriate action.

Report Any Concerns

The Program also includes information for members of the Board, 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 Bairnsdale Christian College'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 Bairnsdale Christian College'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.

Staff and Student Professional Boundaries

This policy applies to all teaching staff, non-teaching staff, the Board, Volunteers, Third Party Contractors and External Education Providers (together, known as "**Staff**" for the purposes of this policy only).

Bairnsdale Christian College Staff hold a unique position of influence, authority, trust and power in relation to students at the Bairnsdale Christian College. As such, it is their duty, at all times, to maintain professional boundaries with students.

The Crimes Act 1958 (Vic) includes certain offences for persons, including teachers, whose position places them in a position of care, supervision or authority, with a student. Refer to Encouraging a Child to Engage in Sexual Activity.

Teachers registered with the Victorian Institute of Teaching (VIT) must also comply with principles set out in [The Victorian Teaching Profession's Code of Conduct](#) (VIT Code of Conduct).

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 practice of protective behaviours at all times will also reduce the possibility of vexatious claims being brought against Staff.

Bairnsdale Christian College's Policy

Bairnsdale Christian College is committed to providing a safe physical, virtual 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
- 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 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 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 about 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 demeanour 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 Bairnsdale Christian College.

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
- exchanging gifts of a personal nature that encourages the formation of an intimate relationship.

Relationships with Former Students

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 Bairnsdale Christian College as there may be a reasonable belief that the emotional intimacy of the relationship developed while the Staff/student relationship existed.

For registered teachers, it is a breach of the VIT Code of Conduct for a teacher to have a sexualised relationship with a former student:

- within two years of the learner completing their senior secondary schooling or equivalent; and
- in all circumstances, the former student must be at least 18 years old before a relationship commences.

In addition, if any Staff member engages in a romantic/sexual relationship with a person who was previously a student at the Bairnsdale Christian College, this may generate concerns that the Staff member previously crossed professional boundaries whilst the former student was under the care of the Staff member. In particular, concerns may arise that that the Staff member engaged in grooming behaviour while the person was still a student.

The Bairnsdale Christian College will investigate any complaint that a Staff member has abused their position and acted unprofessionally by engaging in a relationship with a former student. In considering whether there has been a breach of professional boundaries, the Bairnsdale Christian College may take the following factors into account:

- the nature of the relationship, including its closeness, dependence and significance
- the length of the relationship while the former student was attending the Bairnsdale Christian College
- any conduct the Staff member undertook which gives cause for concern
- the length of time that has passed between when the person was a student at the Bairnsdale Christian College and the commencement of the relationship.

By ensuring that their relationships with Bairnsdale Christian College students do not breach Staff and Student professional boundaries, a Staff member who subsequently forms a relationship with a former student will be less likely to be considered to have breached professional boundaries in relation to that former student, provided that the former student is at least 18 years old and at least two years has passed between the time when the former student concluded their senior secondary schooling and the commencement of the relationship.

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 Bairnsdale Christian College events (without parental/carer permission)
- sharing personal details about their private lives with students
- meeting with students outside of school hours without permission from the Bairnsdale Christian College.

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
- always making decisions in students’ best interests.

Electronic Communications between Staff and Students

It is expected that all Staff at the Bairnsdale Christian College 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 Bairnsdale Christian College 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 Bairnsdale Christian College
- 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
- any student personal contact numbers or other personal contact details made available to the Bairnsdale Christian College should only be used for Bairnsdale Christian College 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 Bairnsdale Christian College should adhere to the following guidelines for contact with students both in and outside of Bairnsdale Christian College 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)
- 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
- 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 Board if the conflict involves the Principal, and arrangements should be implemented to avoid the conflict situation if possible. For example, the teaching of students by a Staff Member with a conflict should be avoided.

Any significant decisions relating to these students in the Bairnsdale Christian College (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 Bairnsdale Christian College'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
- given parental consent to interact with the student for academic purposes outside of school hours and has notified the Bairnsdale Christian College.

Bairnsdale Christian College maintains records of all declarations made by Staff related to their interactions with students, or relationships with students, that exist outside of school hours or Bairnsdale Christian College premises.

These records are kept for a period of seven years.

Staff Responsibilities

All Staff must:

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

Where a Staff Member breaches this policy, the Bairnsdale Christian College 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
- initiation of corrective actions where necessary.

Our Child Safe Culture

At Bairnsdale Christian College we believe that the safety of children is dependent on the existence of a child safe culture within our Bairnsdale Christian College 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 safety through this Child Safety Program
- the appointment of the Bairnsdale Christian College's Child Protection Officers and a Senior Child Protection Officer
- establishing key child safety principles in our Child Safety Policy
- establishing clear expectations for appropriate behaviour with students through our Child Safe Code of Conduct and Staff and Student Professional Boundaries policy
- educating our Board, staff and Direct Contact Volunteers through our Child Safety Training

- clear procedures for reporting alleged or suspected incidents of child abuse including reporting Reportable Conduct to the Commission for Children and Young People (CCYP)
- 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
- clearly defining the roles and responsibilities of personnel involved in protecting children
- establishing comprehensive child safety Record Keeping procedures to ensure that the Bairnsdale Christian College can evidence reasonable precautions taken to prevent abuse at the Bairnsdale Christian College in accordance with our Child Safety Risk Management strategies.

Child Safety Responsibilities

Society as a whole shares responsibility for promoting the safety and protection of children and young people from abuse. In the Bairnsdale Christian College context, all members of the Bairnsdale Christian College community have their role to play – teachers, staff, administrators, parents/carers, volunteers and students. That said, the Bairnsdale Christian College's Leadership Team are committed to 'leading from the front' and engaging in a preventative, proactive and participatory approach to child safety issues.

Students are encouraged to take an active role in developing and maintaining a child safe environment at the Bairnsdale Christian College and are provided with opportunities to contribute and give feedback in the development of the Bairnsdale Christian College'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.

Board Responsibilities

The Board is required to approve the Bairnsdale Christian College's Child Safety Policy and to ensure the Child Safety Program is being effectively implemented. Each member must:

- acquire and keep up-to-date knowledge of child safety matters
- have an understanding of the nature of the Bairnsdale Christian College's operations and the child safety risks associated with these operations
- ensure that the Bairnsdale Christian College has appropriate resources to effectively implement its Child Safety Policy and Child Safety Program

- ensure that the Bairnsdale Christian College has appropriate processes for receiving and considering information regarding child safety issues and is able to respond in a timely way to that information
- ensure that the Bairnsdale Christian College implements processes to ensure that the Bairnsdale Christian College is complying with its legal and regulatory obligations with respect to child safety
- ensure that the Bairnsdale Christian College implements processes to ensure ongoing monitoring to verify the provision and use of the resources that have been allocated to the management of child safety issues within the Bairnsdale Christian College and their effectiveness.

The Principal's Responsibilities

The Board delegates day-to-day management of the Bairnsdale Christian College to the Principal.

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

- the Bairnsdale Christian College's Child Safety Policy and Child Safety Program are implemented effectively with available resources effectively deployed
- appropriate Bairnsdale Christian College Child Protection Officers are appointed and trained
- a strong and sustainable child safety culture is maintained within the Bairnsdale Christian College
- any child safety incidents arising are dealt with professionally and in a timely manner
- the Board receives regular reports with respect to child safety matters
- the Bairnsdale Christian College is complying with its legal and regulatory obligations with respect to child safety.

Child Protection Officers' Responsibilities

A number of staff members have been appointed as the Bairnsdale Christian College's Child Protection Officers. The names, positions and contact details for all Bairnsdale Christian College Child Protection Officers can be found [here](#).

Key responsibilities for the Bairnsdale Christian College's Child Protection Officers include:

- having a good working knowledge of the Bairnsdale Christian College's Child Safety Policy and Child Safety Program
- without replacing any legal reporting obligations any person may have, promptly managing the Bairnsdale Christian College's response to an allegation or disclosure of child abuse, and ensuring that the allegation or disclosure is taken seriously
- ensuring that the Bairnsdale Christian College's Child Safety Policy is clearly communicated to all key stakeholders including students, parents/carers, staff and Volunteers
- ensuring that the Bairnsdale Christian College's Child Safety Policy and Child Safety Program are being implemented effectively
- ensuring that there are clear procedures for anyone to report child safety concerns and reportable conduct matters within the Bairnsdale Christian College
- promoting child safety issues within the Bairnsdale Christian College community and responding to general queries with respect to the Bairnsdale Christian College's Child Safety Policy and Child Safety Program
- acting as "*Child Safety Champions*" and ensuring a strong and sustainable child safety culture is embedded within the Bairnsdale Christian College
- being a first point of contact for staff, or other members of the Bairnsdale Christian College community, raising child safety concerns within the Bairnsdale Christian College
- assisting the Principal, Senior Child Protection Officer and other senior staff members in coordinating appropriate responses to child safety 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
- ensuring the Bairnsdale Christian College's Child Safety Policy and Child Safety Program are reviewed on a regular basis by an appropriate member of staff.

If a Child Protection Officer cannot perform their role, for example, due to conflicts of interest or absence, these duties must be performed by either another Bairnsdale Christian College Child Protection Officer, the Senior Child Protection Officer or the Principal.

Our Senior Child Protection Officer

The Bairnsdale Christian College has appointed Kim McKenzie as our Senior Child Protection Officer. The Senior Child Protection Officer has an important role in the implementation and operation of our Child Safety Program.

Key responsibilities of the Senior Child Protection Officer include:

- being a first point of contact for all child safety concerns or queries for the wider community

- ensuring that other Child Protection Officers understand and comply with their key responsibilities
- ensuring that all Child Protection Officers undergo appropriate annual training in the Bairnsdale Christian College's Child Safety Program, their legal responsibilities, and how to appropriately respond to child safety concerns and incidents
- coordinating the Bairnsdale Christian College's response to child safety incidents in consultation with the Bairnsdale Christian College's Principal and the Leadership Team
- developing an alternative procedure for responding to an allegation or disclosure of child abuse if a Child Protection Officer is not able to perform the role, for example if they are absent from school or have a conflict of interest
- reviewing and assessing the effectiveness of the Bairnsdale Christian College's response to a child safety incident
- ensuring that the Bairnsdale Christian College's Child Safety Program is effectively implemented and communicated to all relevant stakeholders.

Staff Responsibilities

All staff are required to comply with our [Child Safety Policy](#), our Child Safety 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 Bairnsdale Christian College's [Child Protection Officers](#) and/or with external agencies where required.

Volunteers' Responsibilities

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 contact with students during the normal course of providing the volunteer service.

The Worker Screening Act 2020 (Vic) defines "**direct contact**" as any contact between a person and a child (aged under 18) that involves:

- physical contact;
- face to face contact;

- contact by post or other written communication;
- contact by telephone or other oral communication; or
- contact by email or other electronic communication.

Direct Contact Volunteers may have:

- limited supervision by Bairnsdale Christian College staff in their role
- significant amounts of 1:1 time with students
- supervisory responsibility for a group of students with only broad and indirect oversight of a Bairnsdale Christian College staff member
- full supervisory responsibility for one or more students, such as in a sports coaching role or learning support role.

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

All Direct Contact Volunteers are required to adhere to our [Child Safety Policy](#), and our Child Safety Program. All Direct Contact Volunteers are required to have a valid Working with Children (WWC) clearance before commencing work at the Bairnsdale Christian College.

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 Bairnsdale Christian College's [Child Protection Officers](#) and/or with external agencies where required.

Indirect Contact Volunteers' Responsibilities

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

Examples of Indirect Contact Volunteer activities may include assisting with Bairnsdale Christian College administrative functions.

All Indirect Contact Volunteers are responsible for contributing to the safety and protection of children in the Bairnsdale Christian College environment.

All Indirect Contact Volunteers are required by the Bairnsdale Christian College to be familiar with our [Child Safety Policy](#) and our [Child Safe Code of Conduct](#).

Third Party Contractors' Responsibilities

All Third Party Contractors engaged by the Bairnsdale Christian College are responsible for contributing to the safety and protection of children in the Bairnsdale Christian College environment.

Third Party Contractors include, for example, maintenance and building personnel, consultants, casual teachers, tutors, sports coaches and Bairnsdale Christian College cleaners.

This also includes music teachers and other extra-curricular teachers and instructors who are engaged by students and their families directly, rather than the Bairnsdale Christian College, but have an agreement with the Bairnsdale Christian College to use the Bairnsdale Christian College's facilities.

In this Child Safety Program, Third Party Contractors are classified as either "Direct Contact Contractors" or "Indirect Contact Contractors".

Direct Contact Contractors

Direct Contact Contractors are:

- those who have direct contact with students during the normal course of their work
- those who may be in a position to establish a relationship of trust with a student
- any contractors that the Bairnsdale Christian College is legally required to screen.

The Worker Screening Act 2020 (Vic) defines "**direct contact**" as any contact between a person and a child that involves:

- physical contact;
- face to face contact;
- contact by post or other written communication;
- contact by telephone or other oral communication; or
- contact by email or other electronic communication.

All Direct Contact Contractors are required to adhere to our Child Safety Policy, and our Child Safety Program. All Direct Contact Contractors are required to have a valid Working with Children (WWC) clearance before commencing work at the Bairnsdale Christian College.

Indirect Contact Contractors

These are contractors who have no contact with students as part of their role or undertake roles where students are not reasonably expected to be present, for example, those contractors who

complete work during school holidays.

All Third Party Contractors engaged by the Bairnsdale Christian College are required by the Bairnsdale Christian College to be familiar with our Child Safety Policy and our Child Safe Code of Conduct. Where Third Party Contractors are engaged at short notice, making it impractical to undertake normal screening and/or briefing sessions, the Bairnsdale Christian College should take reasonable steps to ensure the protection of children at the Bairnsdale Christian College while the work is being completed.

The Bairnsdale Christian College may include this requirement in the written agreement between it and the Third Party Contractor.

External Education Providers' Responsibilities

An External Education Provider is any organisation that the Bairnsdale Christian College has arranged to deliver a specified course of study that is part of the curriculum, to a student or students enrolled at the Bairnsdale Christian College.

The delivery of such a course may take place on Bairnsdale Christian College premises or elsewhere.

All External Education Providers engaged by the Bairnsdale Christian College are responsible for contributing to the safety and protection of children in the Bairnsdale Christian College environment.

All External Education Providers engaged by the Bairnsdale Christian College are required by the Bairnsdale Christian College to be familiar with our Child Safety Policy and our Child Safe Code of Conduct.

Bairnsdale Christian College may include this requirement in the written agreement between it and the External Education Provider.

Child Safety Human Resources Management

Bairnsdale Christian College only engages people who are suitable to work with students at the Bairnsdale Christian College and has developed and implemented child safe human resources practices accordingly.

In addition to ensuring WWC Checks are completed in accordance with our legal obligations, Bairnsdale Christian College is committed to ensuring that newly recruited and existing staff, the

Board 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.

Child Safety Recruitment Practices

At Bairnsdale Christian College 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, Board members and Direct Contact Volunteers and for assessing their suitability to work with children.

Our recruitment processes are designed to select appropriate staff, Board members and Direct Contact Volunteers and discourage inappropriate people from working within the Bairnsdale Christian College.

Job Descriptions

Each job description for staff involved in child-connected work (being those persons with direct contact with children that is regular and no incidental to the work) has a clear statement that sets out the requirements, duties and responsibilities regarding child safety for those in that role and the occupant's essential qualifications, experience and attributes in relation to child safety.

All applicants for child-connected work at the Bairnsdale Christian College are informed about these requirements and the Bairnsdale Christian College's child safety practices prior to commencing work at the Bairnsdale Christian College.

Screening and Suitability Assessments

It is our policy that all new staff and Board members undergo screening including:

- verification of their WWC clearance or registration as a teacher
- 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
- reference checking that addresses the person's suitability for the job and working with children.

Application to Direct Contact Volunteers

All Direct Contact Volunteers must have a valid WWC clearance, unless they are exempt. For more information, refer to our [Working with Children Checks](#) policy.

With the exception of parents/carers volunteering in an activity that their child is participating in, all of the Bairnsdale Christian College's [Direct Contact Volunteers](#) may undergo the following additional screening (or modified versions of it, depending on their role) prior to their engagement by the Bairnsdale Christian College:

- 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
- reference checking that addresses the person's suitability for the job and working with children.

In line with the Bairnsdale Christian College'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 Bairnsdale Christian College requires that these parent volunteers have a valid WWC clearance as a matter of best practice.

All Board members, staff and Direct Contact Volunteers are also subject to rigorous interview procedures.

Supervision and Performance Monitoring

All new staff members and Direct Contact Volunteers are supervised regularly to ensure their behaviour towards children is appropriate and to monitor their compliance with the Bairnsdale Christian College's Child Safety Program.

Performance and development reviews are regularly undertaken for all staff and include consideration of performance against the Bairnsdale Christian College's Child Safe Code of Conduct and the requirements of the Child Safety Program. For example, ensuring that a staff member has not breached any of the Bairnsdale Christian College's reporting procedures or the Child Safe Code of Conduct.

Child Safe Recruitment and Other Legislation

Our recruitment practices are subject to state and federal anti-discrimination legislation and the requirements of the Privacy Act when obtaining, using, disclosing, and storing information from applicants and referees (refer to our [Privacy Policy](#)).

Working with Children Checks

Source of Obligation	<p>The Worker Screening Act 2020 (Vic) (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. This checking process is called the WWC (working with children) Check.</p> <p>The Act aims to prevent those who pose a risk to children from working or volunteering with them.</p> <p>The Victorian Registration Standards (sch 4 cl 5) (CECV Guidelines ref 5.2) states that the requirements of the Worker Screening Act 2020 must be complied with in respect of the employment of all staff at the Bairnsdale Christian College. This includes:</p> <ul style="list-style-type: none">• implementing ensure that all employees and volunteers required to do so by the Worker Screening Act 2020 have a current Working with Children clearance• maintaining a register of employees with a Working with Children clearance, which includes each employee's:<ul style="list-style-type: none">• name• card number• expiry date• implementing procedures for maintaining the register of employees with a Working with Children clearance.
Who Needs a WWC Clearance?	<p>Subject to the exemptions referred to below, any worker who engages in child-related work that involves direct contact with a child (being a person under 18 years of age) must hold a valid WWCC clearance.</p> <p>Section 3 of the Act defines “direct contact” as any contact between a person and a child that involves:</p> <ul style="list-style-type: none">• physical contact;• face to face contact;

- contact by post or other written communication;
- contact by telephone or other oral communication; or
- contact by email or other electronic communication.

This means that, unless an exemption applies, the following people must undergo a WWC Check and hold a valid WWC clearance to work or volunteer at the Bairnsdale Christian College: any person who is engaged by Bairnsdale Christian College as an employee, a Board member, a self-employed person, a Volunteer, a Third Party Contractor (who has or is likely to have direct contact with children), 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 defined in section 7 of the Act as voluntary or paid work, in any of the occupational categories listed in the Act, that usually involves direct contact with a child.

For the purposes of the Act work will not be “child-related work” by reason only of occasional direct work with children that is incidental to the work.

Child-Related Work for Ministers of Religion

The Act defines child-related work for ministers of religion more broadly than for other occupations. All ministers of religion are required to have a valid WWC clearance unless the contact they have with children is only occasional and always incidental to their work.

This would include for example having children in their congregation, attendance at schools or school camps even when contact with children is supervised. An example of when a minister of religion would not require a WWC clearance is a minister

conducting purely administrative roles within a church's bureaucracy.

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
- commercial entertainment or party services for children unless they are merely incidental to or in support of other business activities

Key Exemptions

The following groups of people are not required to have a WWC clearance to work or volunteer with children:

- teachers registered with the Victorian Institute of Teaching (VIT)
- parents or close relatives volunteering in an activity in which their child participates or normally participates
- students, aged 18 or 19, undertaking volunteer work organised by or held at Bairnsdale Christian College

	<ul style="list-style-type: none">• Victorian or Australian Federal Police officers• workers, who usually live in another state or territory, visiting Victoria to engage in child-related work (only up to 30 days within the same calendar year)• all children under the age of 18 <p>In line with the Bairnsdale Christian College'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 Bairnsdale Christian College requires that these parent volunteers undergo a WWC Check and hold a valid WWC clearance as a matter of best practice.</p>
How to Apply for a WWC Check	<p>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.</p> <p>To apply:</p> <ol style="list-style-type: none">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. Verify your identity either as part of your online application or in person at a participating Australia Post outlet:<ul style="list-style-type: none">• Online – you will need 2 primary proof of identity documents which are current and, when combined, show your full name, date of birth and photo• In person – when you finalise your application with Australia Post, bring 3 original proof of identity documents (1 primary and 2 secondary documents; 2 primary and 1 secondary document; or 3 primary documents).4. Finalise your application at a participating Australia Post outlet, bringing with you your application summary, one additional identity document if you verified your identity online or your 3 identity documents if you are verifying your identity in person, and any applicable fee.

	<p>5. If the WWC Check is for paid work, a fee is payable for a five year clearance (unless the applicant holds an NDIS clearance).</p> <p>6. If applying outside Victoria, the following must be posted to the Victorian Department of Justice:</p> <ul style="list-style-type: none">• 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• two 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 <p>Mail to: Working with Children Check Unit, Department of Justice, GPO Box 1915, Melbourne VIC 3001</p>
The WWC Check	<p>When you apply for a WWC Check, the following information is checked:</p> <ul style="list-style-type: none">• your criminal record in all Australian states and territories across your lifetime, including serious sexual, violent and drug offences you have previously been charged with, regardless of the outcome of those charges• your professional conduct, which is determined by:<ul style="list-style-type: none">• the Victorian Institute of Teaching (VIT)• the Suitability Panel, established under the Children, Youth and Families Act 2005 (Vic), which makes findings related to the suitability of registered out of home carers• the Commission for Children and Young People (CCYP) through the Reportable Conduct Scheme• your compliance (if applicable) with historical and current health practitioner legislation

	<ul style="list-style-type: none"> • your current or historical reporting obligations or orders under the Sex Offenders Registration Act 2004 (Vic), the Serious Sex Offenders Monitoring Act 2005 (Vic) or the Serious Offenders Act 2018 (Vic).
<p>Outcome of the WWC Check</p>	<p>There are only two results for a WWC Check: a WWC clearance to work with children or a WWC exclusion barring an applicant from working with children.</p>
<p>WWC Clearance</p>	<p>Where the outcome is a WWC clearance, the applicant will receive a text message on their mobile phone confirming they have passed the WWC Check and will then receive a WWC Check Card in the mail.</p> <p>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.</p> <p>Workers who have a WWC clearance 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.</p>
<p>WWC Exclusion</p>	<p>Where an applicant has failed the WWC Check, they will be issued with a WWC exclusion. The WWC exclusion 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 WWC exclusion.</p> <p>Once issued with a WWC exclusion, an applicant cannot reapply for a WWC Check for five years, unless their circumstances have changed, which can include:</p> <ul style="list-style-type: none"> • a pending charge being withdrawn or dismissed by a court • being found not guilty of a pending charge

	<ul style="list-style-type: none"> • being no longer required to report under the Sex Offenders Registration Act 2004 (Vic) • being no longer subject to a supervision order, a detention order or an emergency detention order. <p>In limited circumstances, applicants can appeal a WWC exclusion by making an application to the Victorian Civil and Administrative Tribunal within 28 days of the decision.</p>
<p>Workers' Obligations</p>	<p>Upon receiving clearance, it is compulsory that the worker show their WWC Check Card to Bairnsdale Christian College and provide their Card and Application Receipt numbers.</p> <p>The worker must notify the Victorian Department of Justice within 21 days of any changes to their name, residential address, electronic address, birth date or phone numbers provided in the application.</p> <p>The worker must notify the Department of the details of a new organisation they are starting child-related work within 21 days.</p> <p>The worker must stop working with children immediately if their WWC Check Card has been suspended during a reassessment.</p> <p>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.</p>
<p>Bairnsdale Christian College's Obligations</p>	<p>Bairnsdale Christian College must:</p> <ul style="list-style-type: none"> • not engage anyone in child-related work who does not have a WWC Check Card • not allow anyone who has a WWC exclusion 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

	<p>with Bairnsdale Christian College</p> <ul style="list-style-type: none"> ensure workers engaged in paid work have an Employee WWC Check Card and not a Volunteer WWC Check Card.
<p>Working with Children Check Register</p>	<p>The Bairnsdale Christian College maintains a Working with Children Check Register which includes all staff (teaching and non-teaching), volunteers and other persons at the Bairnsdale Christian College to whom the WWC Check scheme applies, including:</p> <ul style="list-style-type: none"> their full name WWC Check Application Receipt Number date and outcome of the WWC clearance verification their WWC Check Card Number WWC clearance expiry date. <p>The Register is maintained by the Office Administrator.</p>
<p>Penalties</p>	<p>It is an offence to work with children without a valid WWC Check Card (i.e. a without having a valid WWC clearance) or without a WWC Check Application Receipt number (i.e. without having applied for a WWC Check) unless you are exempt. It is an offence for anyone to apply for or engage in child-related work if they have been issued a WWC exclusion. The maximum penalty is two years' imprisonment, a fine or both.</p> <p>The Bairnsdale Christian College 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 clearance. The penalty for organisations is a significant fine.</p>
<p>Record Keeping Obligations</p>	<p>For the Bairnsdale Christian College's record keeping obligations relating to WWC Checks, refer to Child Safety Record Keeping.</p>

Child Safety Training

Bairnsdale Christian College recognises that without training and education of our staff, the Board and [Direct Contact Volunteers](#), our policies and procedures will not operate to effectively keep our

students safe and protect them from abuse.

The Board, staff and Direct Contact Volunteers receive child safety training when they first commence their role at the Bairnsdale Christian College as part of the induction process and are required to complete ongoing training on child safety issues at least annually.

All Mandatory Reporters undergo the Bairnsdale Christian College's Child Safety Training course when they first commence their role at the Bairnsdale Christian College as part of the induction process, as well as periodic refreshed training to ensure ongoing understanding of their obligations.

Our Child Safety Training Course consists of the following Modules:

Module 1 - An Overview of Our Child Safety Program

Module 2 - The Meaning of Child Abuse and its Key Risk Indicators

Module 3 - The Legal and Regulatory Framework for Child Safety in Victoria

Module 4 - Victorian Child Safe Standards

Module 5 - Our Child Safety Policy and Child Safe Code of Conduct

Module 6 - How to Respond to a Child Safety Incident

Module 7 - Child Safety Reporting

Module 8 - Working with Children Checks

Module 9 - Staff and Student Professional Boundaries

Child Safety Training Record Keeping

Through the Bairnsdale Christian College's online child safety training course, the Bairnsdale Christian College creates and maintains electronic records of completed child safety training.

Disciplinary Procedures

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

Where any other member of the Bairnsdale Christian College community breaches any obligation, duty or responsibility within this Program, Bairnsdale Christian College may take appropriate action.

Participation and Empowerment of Children

Children often do not report abuse because they:

- feel uncomfortable doing so
- do not recognise behaviours as abuse or grooming
- do not know who to raise their concerns or make a report.

Bairnsdale Christian College recognises that in order to achieve a child safe environment at the Bairnsdale Christian College 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.

It is our policy that relevant staff members are trained on methods of empowering children and encouraging their participation.

Pastoral Care - Child Safety

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.

Bairnsdale Christian College 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 (including sexuality)
- 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 Safety Policy and Child Safe Code of Conduct
- 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.

Students are encouraged to provide feedback about child safety and protection issues at the Bairnsdale Christian College and the Bairnsdale Christian College conducts student focus groups and organises student surveys about various safety issues at the Bairnsdale Christian College, including child safety. The Bairnsdale Christian College takes all student contributions seriously and actively looks for ways to implement improvements to its Child Safety Program to reflect these contributions.

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 as well as communications such as * Compass

- Email
- Website. Child safety and wellbeing topics are also incorporated into the Bairnsdale Christian College's curriculum.

Students with a Disability

The Bairnsdale Christian College 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 Bairnsdale Christian College and considers how each policy and procedure the Bairnsdale Christian College establishes and implements may affect students with a disability.

Bairnsdale Christian College 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 Bairnsdale Christian College recognises that students with a disability will not only require additional assistance to participate and engage in Bairnsdale Christian College activities in a safe and supportive manner, but also that there are specific child safety risks that arise in relation to students with a disability. Managing these risks 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.

Students with a disability at the Bairnsdale Christian College may also require varied reporting avenues or systems to students without a disability, and the Bairnsdale Christian College has considered this when creating and implementing our [Procedures for Responding to and Reporting Allegations of Child Abuse](#).

When supporting a student with a disability who has been impacted by child abuse, it is critical that the Bairnsdale Christian College considers:

- the chronological age, developmental age and cognitive function of the student in order to tailor developmentally appropriate support strategies
- the student's vulnerability to ongoing abuse when considering the need to make a further report and/or implement further risk mitigation strategies.

Culturally and Linguistically Diverse Students

Students from culturally and linguistically diverse backgrounds are those who identify as having 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 students of Aboriginal or Torres Strait Islander descent that identify as being Aboriginal or Torres Strait Islander.

Bairnsdale Christian College values and respects the racial, cultural and linguistic 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 and linguistically diverse backgrounds when they are enrolled in the Bairnsdale Christian College
- 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 safety at the Bairnsdale Christian College

- we educate our staff about these cultural differences and the strategies and procedures we have employed.

When supporting students from culturally and linguistically diverse backgrounds, including Aboriginal or Torres Strait Islander students, or those who identify as Aboriginal or Torres Strait Islander, it is critical that the Bairnsdale Christian College provides culturally appropriate support. Where possible the Bairnsdale Christian College will work with relevant cultural support groups, ensure that confidentiality of the family is maintained and engage an interpreter when communicating with the student's family.

Similarly, when supporting students from culturally and linguistically diverse backgrounds who have been impacted by abuse, the Bairnsdale Christian College will consider appropriate measures to be taken for the welfare of the students, including additional support where appropriate given that the student's family may not be present to provide support within the home environment.

Students from refugee backgrounds who have been impacted by abuse may also be experiencing trauma, dislocation and loss. Sensitive consideration should be given when determining how to support the student, and their family.

Child Safety Risk Management

The Bairnsdale Christian College has adopted a proactive risk management approach to child safety by developing and implementing strategies to identify and mitigate our child safety risks based on:

- the nature of all Bairnsdale Christian College environments including physical and online environments
- the activities students undertake at the Bairnsdale Christian College (including the provision of services by contractors or outside the Bairnsdale Christian College's physical environment)
- the characteristics and needs of all our students.

Risk Management Strategies

Bairnsdale Christian College has implemented the following risk mitigation strategies to ensure that the Bairnsdale Christian College maintains a proactive approach to our duty of care to protect children from harm and comply with our legal and regulatory obligations:

- this Child Safety Program, including our [Child Safety Policy](#) and our [Child Safe Code of Conduct](#)

- a comprehensive Staff and Student Professional Boundaries policy, implemented through training and communicated publicly
- induction and ongoing training provided to the Board, staff, and Direct Contact Volunteers, at least annually, about identifying risks of child abuse in the Bairnsdale Christian College environment, their obligations and responsibilities for managing these risks, how to report and respond to child safety incidents, and the Bairnsdale Christian College's current child safety standards
- the appointment of the Bairnsdale Christian College's Child Protection Officers who are "*Child Safety Champions*" at the Bairnsdale Christian College and receive specialised, additional training to ensure that any concerns about child safety and protection in the Bairnsdale Christian College environment held by students, staff, Volunteers and parents/carers may be discussed in a safe and supportive environment
- extensive policies and procedures relating to excursions and camps ensuring that child safety risks specific to excursions and overnight stays are identified and controls are put in place
- ongoing, periodic reviews of all physical Bairnsdale Christian College 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 WWC clearance of all External Education Providers and Third Party Contractors, who may have direct contact with students, to ensure that students remain safe in all Bairnsdale Christian College environments both internal and external to the Bairnsdale Christian College grounds
- clear procedures for reporting Reportable Conduct to the Commission for Children and Young People (CCYP) to ensure all risks specific to staff and Volunteer conduct are identified and controls are put in place
- identifying and recording all risks of child abuse in all Bairnsdale Christian College environments in a child safety risk register, and assessing the risks regarding the likelihood of the risk event occurring and the potential consequences if it was to occur
- 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.

Procedures for Responding to and Reporting Allegations of Child Abuse

The Bairnsdale Christian College 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 Department of Families, Fairness and Housing (Child Protection), the Commission for Children and Young People (CCYP), or the Police, depending on the allegation or disclosure made.

Bairnsdale Christian College has established simple and accessible procedures for anyone to report, if appropriate, a child safety and protection concern internally to one of the Bairnsdale Christian College's Child Protection Officers. Please be aware that consulting with a Child Protection Officer does not change any obligation you have under legislation to report to an external authority.

Bairnsdale Christian College has developed and implemented procedures for Board 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 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.

The Bairnsdale Christian College's policies and procedures for responding to and reporting allegations of suspected child abuse are made available to staff, students, parents/carers and the wider Bairnsdale Christian College community through * Compass

- Email
- Website and by request.

All of the Bairnsdale Christian College's procedures for reporting and responding to allegations of child abuse are designed and implemented taking into account the diverse characteristics of the Bairnsdale Christian College community.

A summary of these procedures is made publicly available on the Bairnsdale Christian College's website through our Child Safety Policy and is accessible to all children, Bairnsdale Christian College staff and the wider community.

The Bairnsdale Christian College 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
- securing and retaining records of the allegation and the Bairnsdale Christian College's response to it.

Documenting Your Observations and Actions

All teaching staff, non-teaching staff, Board members, Volunteers, Third Party Contractors and External Education Providers must keep clear and comprehensive notes relating to incidents, disclosures and allegations of child abuse. This information may be sought at a later date if the matter is the subject of court proceedings. Your notes may also assist you later if you're required to provide evidence to support your decisions regarding the handling of child safety incidents.

For more information about how to record observations, disclosures or allegations refer to the [Child Safety Record Keeping](#) section of this Program.

Preserving Evidence

When an incident of suspected child abuse occurs at the Bairnsdale Christian College, consider all of the following:

- environment: do not clean up the area, and preserve the sites where the alleged incident occurred
- clothing: take steps to ensure that the person who has allegedly committed the abuse and the child who has allegedly been abused remain in their clothing. If this is not possible, ensure the clothes are not washed, handled as little as possible and stored in a sealed bag.
- other physical items: ensure that items such as weapons, bedding and condoms are untouched
- potential witnesses: reasonable precautions must be taken to prevent discussion of the incident between those involved in the alleged incident

Managing Your Initial Response to a Child Safety Incident

Responding to an Emergency

All teaching staff, non-teaching staff, Board members, Volunteers, Third Party Contractors and External Education Providers must act as soon as they witness a child safety incident or form a reasonable belief that a child has been or is at risk of being abused.

If a child is at immediate risk of harm you **must** ensure their safety by:

- separating alleged victims and others involved
- administering first aid
- calling 000 for urgent medical assistance or Police assistance to address immediate health and safety concerns
- briefing the Senior Child Protection Officer to be the future liaison with the Police on the matter.

The following sections outline the 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.

Witnessing a Child Safety Incident

If you witness an incident where you believe a child has been subject to abuse you must take immediate action to protect the safety of the child or children involved.

Where there is an immediate risk to the health and/or safety of a child, follow the steps outlined in the Responding to an Emergency section of this Program.

The Bairnsdale Christian College's Procedures for Responding to and Reporting Allegations of Child Abuse should be followed after the health and safety of the child involved is ensured.

Observation of Risk Indicators

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

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 Bairnsdale Christian College Child Protection Officer.

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
- 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 or pressure them to tell you more than they want to.

Once a disclosure is made you must report the matter internally to a Bairnsdale Christian College 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 Bairnsdale Christian College's [Support Following Disclosure](#) policy.

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
- 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 Bairnsdale Christian College's [Support Following Disclosure](#) policy.

Third Party Disclosure

A third party such as a friend of the child, a relative or another parent/carer 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
- 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 Bairnsdale Christian College Child Protection Officer as soon as possible. You should also make written notes of the circumstances of the disclosure recording both dates and times.

Disclosure by a Former Student

A former student of the Bairnsdale Christian College may come forward to disclose past abuse from their time at the Bairnsdale Christian College. If you receive a disclosure from a former student about historical abuse, you must act.

If the former student is still of schooling age in Victoria and currently attending a Victorian school, you must follow the Procedures for Responding to and Reporting Allegations of Child Abuse in this

Program, specifically the obligations you may have under the following policies:

- [Failure to Protect](#)
- [Obligation to Report a Sexual Offence \(Failure to Disclose\)](#)
- [Mandatory Reporting](#)
- [Reportable Conduct](#)
- [Conduct that is Reportable to the Victorian Institute of Teaching](#)

If the former student is no longer of schooling age or attending a school in Victoria, you must still act. For example, if the disclosure includes an allegation against a current staff member or teacher at the Bairnsdale Christian College this may trigger obligations under our Failure to Protect policy to remove the risk of abuse to other students.

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
- 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 disclosure
- 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 Bairnsdale Christian College's [Child Protection Officers](#) who will be able to assist you in developing additional support strategies
- whenever there are concerns that a child is in immediate danger the Police should be called on 000.

Support for Staff and Volunteers

Witnessing a child safety incident or receiving a disclosure or allegation of abuse can be a stressful experience for staff and Volunteers involved. The Bairnsdale Christian College provides support to

impacted staff and Volunteers to access necessary support.

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 Bairnsdale Christian College's Child Protection Officers. Our 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, including our Senior Child Protection Officer are set out here.

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

- Obligation to Report a Sexual Offence (Failure to Disclose)
- Failure to Protect
- Mandatory Reporting
- Reportable Conduct

In addition, these reporting obligations apply even if the Principal or a Child Protection Officer advises you not to proceed with reporting suspected abuse.

The Obligation to Report a Sexual Offence (Failure to Disclose)

Source of Obligation	Under section 327 of the Crimes Act 1958 (Vic) (Crimes Act), 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. Failure to
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	<p>make a report without reasonable excuse is an offence and carries a prison term of 3 years.</p> <p>This obligation applies to anyone aged 18 years or over, including all non-teaching staff, Volunteers, and students aged 18 and over. The legislation also applies to teaching staff if not already covered by the mandatory reporting obligation.</p>
<p>What to Report</p>	<p>The information that led the person aged 18 or over to form 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 must be reported to the Police.</p>
<p>Scope of the Failure to Disclose Offence</p>	<p>For the purposes of the Failure to Disclose offence, it does not matter whether the child, the perpetrator of the offence, or the person who has information about a sexual offence against the child are themselves in Victoria or not, as long as the offence itself was committed in Victoria.</p> <p>For example:</p> <ul style="list-style-type: none"> • the criminal offence of grooming a child could occur “in Victoria” if a person who is in Victoria grooms a child who is located elsewhere, or if a child who is in Victoria is groomed by a perpetrator who is located elsewhere • a sexual offence against a child could occur in Victoria, but an adult could form a reasonable belief about it when they are themselves located elsewhere (for example, by receiving a disclosure while they are on an interstate camp or excursion).
<p>Definition of a Sexual Offence</p>	<p>The Crimes Act sets out what constitutes a "sexual offence". This includes:</p> <ul style="list-style-type: none"> • rape • indecent assault • incest • sexual penetration • an adult communicating, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or

	<p>authority of the child (e.g. the child’s parents) with the intention of facilitating the child’s involvement in sexual conduct, either with the groomer or another adult (grooming a child or grooming an adult with care, supervision or authority of a child)</p> <ul style="list-style-type: none"> • encouraging a child to engage in, or be involved in, sexual activity. <p>A "sexual offence" includes an attempted sexual offence.</p>
<p>Definition of a Reasonable Belief</p>	<p>A “reasonable belief” is formed if a reasonable person in the same circumstances would believe that an adult had sexually abused a child, for the same reasons that you believed this.</p> <p>A “reasonable belief” might be formed when:</p> <ul style="list-style-type: none"> • a student aged under 16 tells you that they are being or have been sexually abused • a student, or a former student, aged 16 or over tells you that they were sexually abused when under the age of 16 • a student tells you that they know someone who is being or has been sexually abused (sometimes the student may be talking about themselves) • someone who knows the student tells you that the student is being or has been sexually abused • signs of sexual abuse in a student lead to a belief that the student is being or has been sexually abused • you are a qualified professional who observes the child’s behaviour or development, which leads you to believe the child has been sexually abused. <p>Rumours or unfounded suspicions do not need to be reported.</p>
<p>Reasonable Excuse for Not Reporting to Police</p>	<p>You will not need to report to the Police if you have a reasonable excuse for not doing so. Under the Crimes Act, a reasonable excuse includes:</p> <ul style="list-style-type: none"> • fear for safety: you fear on reasonable grounds for the safety of any person (other than the offender), and do not disclose due to those circumstances

	<ul style="list-style-type: none"> • victim requests confidentiality: a victim, who is now aged 16 or over, told you about the sexual offence (directly or indirectly) and the victim requested that the information not be disclosed. This excuse does not apply if the victim has an intellectual disability and does not have the capacity to make an informed decision about confidentiality • information already disclosed: you believe on reasonable grounds that the information has already been disclosed to the Police (for example if you or someone else has made a Mandatory Report to Child Protection) and you have no further information to add. <p>Unacceptable reasons for not reporting include if you are concerned about the interests (including the reputation, legal liability or financial status) of:</p> <ul style="list-style-type: none"> • the person involved in the sexual offence • any organisation (such as the Bairnsdale Christian College).
<p>How to Make a Report to the Police</p>	<p>To report to the Police that a child is in immediate risk of being sexually abused, please call Triple Zero (000).</p> <p>Alternatively, you can contact your <u>local police station</u>.</p>
<p>Exceptions</p>	<p>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:</p> <ul style="list-style-type: none"> • 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 they 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 by Child Protection, in response to a Mandatory Report) and you have no further information.

	<p>Unacceptable reasons for not reporting include if you are concerned with the interests (including the reputation, legal liability or financial status) of:</p> <ul style="list-style-type: none"> • the person involved in the sexual offence • any organisation (such as the Bairnsdale Christian College). <p>Making a report made under the Children, Youth and Families Act 2005 (Vic) <u>Mandatory Reporting</u> obligations may constitute a 'reasonable excuse' if you believe that you have no further information to provide to the Police.</p>
<p>Record Keeping Obligations</p>	<p>For the Bairnsdale Christian College’s record keeping obligations relating to child safety incidents, refer to <u>Child Safety Record Keeping</u>.</p>

Failure to Protect

<p>Source of Obligation</p>	<p>The Bairnsdale Christian College has a duty of care which requires the protection of all students from foreseeable risks while at school or engaging in Bairnsdale Christian College activities.</p> <p>Under section 490 of the Crimes Act 1958 (Vic) (Crimes Act) a person commits an offence if:</p> <ul style="list-style-type: none"> • the person occupies a position within or in relation to a relevant organisation; and • there is a substantial risk that a child (aged under 16) under the care, supervision or authority of the organisation will become a victim of a sexual offence committed by an adult associated with the organisation; and • the person knows that the risk exists; and • by reason of their position, the person has the power or responsibility to reduce or remove that risk; and • the person negligently fails to reduce or remove that risk. <p>This criminal offence is commonly known as ‘Failure to Protect’, although its full title is “Failure by a person in authority to protect a child from a sexual offence”.</p>
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	<p>In the Bairnsdale Christian College context, the offence covers failures to protect a student aged under 16 from sexual offences committed by any adult Staff, Volunteer or Contractor at the Bairnsdale Christian College.</p> <p>Students aged 18 or over and parents/carers (other than parent volunteers), are not considered adults “associated with” the Bairnsdale Christian College for the purposes of the Failure to Protect offence. However, if a student aged 18 or over, a parent/carer and other family member of students poses a reasonably foreseeable risk of sexually abusing a student, the common law duty to protect students still applies.</p> <ul style="list-style-type: none"> •
<p>Who Must Act to Protect</p>	<p>Whether a person has the power or responsibility to take steps to remove or reduce the risk to the student will depend on their role at the Bairnsdale Christian College and the source of the risk.</p> <p>In a normal school context, the Principal and members of the Leadership Team would always have the necessary degree of supervision, power and authority to remove or reduce a risk posed by another adult working at the Bairnsdale Christian College.</p> <p>However, on a day-to-day basis, and on tours, excursions, or camps, others at the Bairnsdale Christian College could have the requisite power and responsibility.</p> <p>Examples of people who may have the power and responsibility, by reason of their position, to act could include:</p> <ul style="list-style-type: none"> • teachers • Volunteers where they are in a position of supervision, such as volunteer coaches • the Board
<p>When Action Should be Taken</p>	<p>The Failure to Protect offence means that any staff member, Volunteer or Contractor who has the requisite power or responsibility must act when they know that an adult associated with the Bairnsdale Christian College poses a substantial risk that a student or students may become the victim of a sexual offence.</p>

	<p>Action must be taken as soon as the risk becomes known.</p> <p>“Knowledge” is more than holding a tentative belief or mere suspicion.</p> <p>If a staff member, Volunteer or Contractor 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 Bairnsdale Christian College Child Protection Officer.</p> <p>The duty to act extends to situations where the students at risk or the person in authority is outside of Victoria.</p>
<p>Definition of a Substantial Risk</p>	<p>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.</p> <p>It is not necessary to prove that a sexual offence was committed in order for the substantial risk to exist - a person in a position of authority should not wait for a student to be harmed before acting.</p> <p>A number of factors will contribute to determining if a risk is a substantial risk, including:</p> <ul style="list-style-type: none"> • 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 • any other relevant fact which may indicate a substantial risk of a sexual offence being committed against a child.
<p>Definition of a Sexual Offence</p>	<p>Action must be taken where there is a substantial risk of sexual offences occurring, including:</p> <ul style="list-style-type: none"> • rape • indecent assault

	<ul style="list-style-type: none"> • incest • sexual penetration • grooming a child, or a person who has the care, supervision or authority of a child aged under 16, for sexual conduct with the child • encouraging a child to engage in, or be involved in, sexual activity • an attempted sexual offence or an assault with intent to commit a sexual offence.
<p>Definition of a Person Associated with the Bairnsdale Christian College</p>	<p>A person associated with the Bairnsdale Christian College is an adult and can be a:</p> <ul style="list-style-type: none"> • Principal • teacher • boarding house supervisor • employee • Volunteer (including parent/carer volunteers) • Third Party Contractor • Board member <p>A person is not considered to be associated with the Bairnsdale Christian College purely because they receive services from the Bairnsdale Christian College. Therefore, students aged 18 years or over, parents/carers and other family members of students who are not staff members, Volunteers or Contractors are not associated with the Bairnsdale Christian College for the purposes of the Failure to Protect offence.</p>
<p>Procedure to Reduce or Remove a Substantial Risk</p>	<p>Where any staff member, Volunteer or Contractor who has the requisite power or responsibility becomes aware of a risk of a sexual offence against a student or students under their care, they should immediately:</p> <ul style="list-style-type: none"> • 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 Bairnsdale Christian College Child Protection Officer, and the Principal, as soon as practicable • conduct an investigation unless this relates to a Mandatory Reporting situation

	<ul style="list-style-type: none"> • make the appropriate report. <p>Appropriate action to be taken may include, for example:</p> <ul style="list-style-type: none"> • 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 should not be allowed to attend overnight Bairnsdale Christian College camps as a parent helper. <p>Whenever there are concerns that a child is in immediate danger call the Police on 000.</p>
<p>Record Keeping Obligations</p>	<p>For the Bairnsdale Christian College’s record keeping obligations relating to child safety incidents, refer to Child Safety Record Keeping.</p>

Mandatory Reporting

<p>Source of Obligation</p>	<p>The Children, Youth and Families Act 2005 (Vic) (CYFA) (section 184) requires Mandatory Reporters to make a report to the Department of Families, Fairness and Housing 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.</p> <p>If a Mandatory Reporter ,makes a report in accordance with their Mandatory Reporting obligations under the CYFA, an additional report to the Police under section 327 Crimes Act 1958 (Vic) may not be required unless you have further information.</p> <p>This Policy must be read in conjunction with the Child Abuse Key Risk Indicators and the Obligation to Report a Sexual Offence (Failure to Disclose).</p>
<p>Definition of Mandatory Reporters</p>	<p>Mandatory Reporters are defined by the CYFA in section 182, and include:</p>

	<ul style="list-style-type: none"> • registered teachers and early childhood teachers • school principals • registered medical practitioners • nurses • midwives • registered psychologists • police officers • school counsellors • early childhood workers • out of home care workers (excluding voluntary foster and kinship carers) • youth justice workers • persons in religious ministry. <p>“Person in religious ministry” is defined by the CYFA to mean “a person appointed, ordained or otherwise recognised as a religious or spiritual leader in a religious institution.” This definition includes a chaplain, priest, pastor, minister, brother and nun.</p> <p>It is the responsibility of other staff, Volunteers or members of the Bairnsdale Christian College community to check whether they are Mandatory Reporters under child protection legislation.</p>
<p>Reporting by Non-Mandated Staff</p>	<p>If you are not a Mandatory Reporter, you still have the option of making a report to Child Protection under the CYFA if you believe on reasonable grounds that a child is in need of protection.</p> <p>The CYFA states that any person who believes on reasonable grounds that a child is at risk of harm should report their concerns to Child Protection.</p> <p>All Bairnsdale Christian College 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 Bairnsdale Christian College Child Protection Officer as soon as possible to discuss their concerns. Also refer to the <u>Obligation to Report a Sexual Offence (Failure to Disclose)</u>.</p>
<p>When to Make a</p>	<p>A Mandatory Report must be made when you form a belief on reasonable</p>

<p>Mandatory Report</p>	<p>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:</p> <ul style="list-style-type: none"> • physical injury; or • sexual abuse, <p>and the child's parents have not protected, or are unlikely to protect, the child from harm of that type.</p>
<p>Reasonable Grounds</p>	<p>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:</p> <ul style="list-style-type: none"> • 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 • 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.
<p>Significant</p>	<p>“Significant” means that which is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent.</p> <p>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</p>

	<p>safety, welfare or wellbeing.</p> <p>Significant harm can result from a single act or omission or an accumulation of these.</p>
<p><i>Physical Injury or Sexual Abuse</i></p>	<p>To assist in identifying physical injury or sexual abuse, refer to the Bairnsdale Christian College's information relating to <u>Definition and Key Risk Indicators of Abuse</u>.</p>
<p><i>Parents Have Not Protected, or Are Unlikely to Protect, the Child from Harm of That Type</i></p>	<p>The meaning of this phrase is not defined by legislation, but some examples may assist.</p> <p>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 their child from harm but lacks the means to.</p> <p>It also includes a parent who has the means to protect their child from harm but does not want to.</p> <p>A parent may be rendered “unlikely to protect” that child for many reasons. For example:</p> <ul style="list-style-type: none"> • that parent does not, or refuses to recognise that harm is occurring • that parent or child may be subject to domestic violence • that parent's partner may be abusive or harmful to the child. <p>“Parent” includes:</p> <ul style="list-style-type: none"> • 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) • 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.
<p>What to Report and</p>	

When	<p>A report becomes mandatory as soon as is practicable after forming the belief.</p> <p>A report must include details of the belief, and the reasonable grounds of that belief.</p> <p>Additional reports must be made on each occasion where you become aware of any further reasonable grounds for the belief.</p> <p>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.</p> <p>A Mandatory Reporter must still make a report if:</p> <ul style="list-style-type: none">• the Mandatory Reporter has discussed the matter with a Child Protection Officer or the Principal and the Child Protection Officer or the Principal does not share the Mandatory Reporter’s belief that a report must be made• another Mandatory Reporter, such as a Child Protection Officer or the Principal has undertaken to make the report but has not done so (for more information, refer to Making Additional Reports).
How to Make a Report/Referral	<p>Whenever there are concerns that a child is in immediate danger the Police should be called on 000.</p> <p>A report to Child Protection should be considered if the staff member forms the view the child is in need of protection because:</p> <ul style="list-style-type: none">• 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• the child’s parents cannot or will not protect the child from harm. <p>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.</p>

	<p>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 13 12 78.</p>
Reporters Without a Reasonable Belief	<p>If you don't have a reasonable belief about a child, but still have concerns, you can refer the matter to a Bairnsdale Christian College Child Protection Officer.</p> <p>There is also the option to refer the matter to Child FIRST.</p> <p>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.</p> <p>A referral can be made when the following factors may affect a child:</p> <ul style="list-style-type: none">• significant parenting problems• family conflict• a family member's physical or mental illness, substance abuse, disability or bereavement• isolated or unsupported families• significant social or economic disadvantage. <p>For more information, refer to Responding to Other Concerns About the Wellbeing of a Child.</p>
After a Report/Referral is Made	<p>After receiving a report, 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, Child Protection will inform the reporter of the outcome of the report.</p> <p>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.</p> <p>In most cases, Child FIRST will inform the referrer of the outcome of the referral.</p>

	<p>Child FIRST must report the matter to Child Protection if they form the view the child is in need of protection.</p> <p>Reports made to the Police will be dealt with in accordance with Police practice.</p>
Record Keeping Obligations	For the Bairnsdale Christian College’s record keeping obligations relating to child safety incidents, refer to Child Safety Record Keeping .

Reportable Conduct

At the Bairnsdale Christian College the “head” for the purposes of the Reportable Conduct Scheme is the Principal.

Source of Obligation	<p>The Child Wellbeing and Safety Act 2005 (Vic) (the Act) requires Bairnsdale Christian College to investigate and report to the Commission for Children and Young People (CCYP) allegations of “employee” reportable conduct or misconduct that may involve reportable conduct.</p> <p>The Bairnsdale Christian College has developed the following policy which sets out our systems for enabling persons to report reportable conduct and for such reports to be investigated and responded to. This policy is made available to all staff, Volunteers, Third Party Contractors, the Board, parents/carers and students via our public website and Policy Connect site.</p> <p>The CCYP’s website provides additional guidance and materials which assist the Bairnsdale Christian College to understand and meet their obligations under the Act.</p>
Definition of an Employee	<p>Section 3 of the Act defines “employee” as a person aged 18 years or over who is:</p> <ul style="list-style-type: none"> • employed by the Bairnsdale Christian College whether or not that person is employed in connection with any work or activities of the Bairnsdale Christian College that relate to children; or • engaged by the Bairnsdale Christian College to provide services, including as a volunteer, contractor, office holder or officer, whether or

	<p>not the person provides services to children.</p> <p>A minister of religion or a religious leader is also an employee.</p> <p>Of relevance to the Bairnsdale Christian College, the following people are considered to be employees:</p> <ul style="list-style-type: none">• the Principal• staff members• Volunteers• Third Party Contractors• External Education Providers• Board members <p>For the purposes of this policy, all of the above are referred to collectively as "Staff" or "Staff Members".</p>
<p>Definition of Reportable Conduct</p>	<p>Reportable conduct is defined in section 3 of the Act to mean:</p> <ul style="list-style-type: none">• a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded;• 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. <p>"Sexual misconduct" includes:</p> <ul style="list-style-type: none">• behaviour, physical contact or speech or other communication of a sexual nature, for example 'sexting'• inappropriate touching or physical contact• grooming behaviour• 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.

The CCYP has provided guidance on how to identify physical violence, behaviour that causes emotional or psychological harm to a child and neglect.

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

- hitting/kicking/punching
- pushing/shoving/grabbing/throwing/shaking
- using an object to hit or strike
- using inappropriate restraint/excessive force.

Physical violence does not include:

- reasonable steps taken to protect a child from immediate harm, such as taking a child's arm to stop them from going into oncoming traffic
- medical treatment given in good faith by an appropriately qualified person, such as a first aid officer administering first aid.

"Behaviour that causes emotional or psychological harm" to a child requires a clear link between the alleged conduct and the significant harm suffered (significant is defined above).

Signs that a child may have been emotionally or psychologically harmed may include:

- patterns of out-of-character behaviour
- regression in behaviour
- distress and anxious behaviours

- other physical symptoms, such as self-harm.

The exacerbation or aggravation of an existing mental health disorder may also cause emotional or psychological harm.

Examples of emotional or psychological harm may include:

- exposure to violence or threats of violence
- self-destructive behaviour
- antisocial behaviour
- persistent hostility/rejection
- humiliation/belittling
- scapegoating.

It will not be reportable conduct if:

- a person takes reasonable steps to protect a child from immediate harm
- a person with responsibility for discipline takes lawful and reasonable disciplinary action, such as sending a child to sit in 'time out' for a period of time (refer to our Student Discipline Policy)
- an appropriately qualified person gives medical treatment in good faith such as a first aid officer administering first aid.

"Neglect" occurs when a person does not meet their obligations and responsibilities to keep a child safe and well. The neglect:

- must be more than minor and insignificant
- does not need to have a lasting or permanent effect
- may be an ongoing situation or a one-off incident, as long as it is not minor in nature.

Refer to Definition and Key Risk Indicators of Abuse for more information about sexual offences, grooming, physical violence, emotional or psychological harm and neglect.

Our [Child Safe Code of Conduct](#) outlines expected standards of behaviour for all Staff, Volunteers and Third Party Contractors at the Bairnsdale Christian College. It is important to note that a breach of this Code will not

	<p>always be reportable conduct. Such breaches can often be dealt with at the Bairnsdale Christian College level and don't need to be reported to the CCYP. For example, reasonable discipline of a student would not amount to behaviour that causes emotional or psychological harm to a child and therefore is not reportable conduct.</p>
<p>What to Report to the CCYP</p>	<p>Under the Act, the Bairnsdale Christian College must notify the CCYP of a reportable allegation against a Staff Member.</p> <p>Reportable allegation is defined in section 3 of the Act to mean any information that leads a person to form a reasonable belief that a Staff Member has committed:</p> <ul style="list-style-type: none">• reportable conduct; or• misconduct that may involve reportable conduct – <p>whether or not the conduct/misconduct is alleged to have occurred in the course of the person's employment at the Bairnsdale Christian College.</p> <p>Guidance from the CCYP states that reasonable belief is more than a suspicion. There must be some objective basis for the belief. However, it is not the same as proof and does not require certainty.</p>
<p>Who Must Make the Notification</p>	<p>Any person may disclose a reportable allegation to the CCYP by using an online form available from the CCYP's website, by phone or by letter (section 16L of the Act).</p> <p>While any person <i>may</i> disclose a reportable allegation, the "head" of an entity to which the reportable conduct scheme applies <i>must</i> notify the CCYP of a reportable allegation (section 16M).</p> <p>The "head" for the purposes of the Reportable Conduct Scheme is defined under section 3(1) of the Act as:</p> <ul style="list-style-type: none">• the chief executive officer of the entity (however described); or• if there is no chief executive officer, the principal officer of the entity (however described); or

	<ul style="list-style-type: none"> • if there no chief executive officer or principal officer, a person, or the holder of a position in the entity nominated by the entity and approved by the CCYP. <p>At the Bairnsdale Christian College the “head” for the purposes of the Reportable Conduct Scheme is the Principal.</p> <p>The “head” of the Bairnsdale Christian College has distinct responsibilities under the Reportable Conduct Scheme.</p> <p>It is a criminal offence for the “head” of the Bairnsdale Christian College to fail to disclose a reportable allegation to the CCYP without a reasonable excuse. The Act does not define what a reasonable excuse may be, but section 16M(5) provides an exemption if they honestly and reasonably believed that another person had notified the CCYP.</p> <p>The “head” of the Bairnsdale Christian College must notify the CCYP using an online form available from the CCYP’s website.</p>
<p>Fulfilling the “Head” of the Bairnsdale Christian College’s Responsibilities</p>	<p>The “head” of the Bairnsdale Christian College is responsible for ensuring that the Bairnsdale Christian College complies with the reportable conduct obligations under the Act. However, the CCYP does not expect the “head” of the Bairnsdale Christian College to practically carry out their responsibilities alone. They may seek help from other people within the Bairnsdale Christian College. This may include creating and developing systems, sending approved notifications to the CCYP, or conducting investigations on the behalf of the “head” of the Bairnsdale Christian College.</p> <p>The “head” of the Bairnsdale Christian College cannot <i>delegate</i> their responsibilities under the Act – they are still solely responsible for ensuring the Bairnsdale Christian College’s compliance with the Reportable Conduct Scheme.</p> <p>The Principal has authorised the Board Chairperson to carry out physical or practical tasks such as making notifications to the CCYP, or liaising with the CCYP, when the Principal is unavailable.</p>
<p>Reportable</p>	

Conduct and Other Reporting Obligations	<p>The reportable conduct obligation covered in this policy is separate and distinct from the:</p> <ul style="list-style-type: none">• <u>Mandatory Reporting</u> obligation under the Children, Youth and Families Act 2005 (Vic)• <u>Obligation to Report a Sexual Offence (Failure to Disclose)</u> obligation under the Crimes Act 1958 (Vic)• <u>Conduct that is Reportable to the Victorian Institute of Teaching</u> under the Education and Training Reform Act 2006 (Vic). <p>The threshold for reporting allegations of reportable conduct is much lower than these other reporting obligations.</p> <p>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. A Police investigation will take priority over any investigation conducted by the Bairnsdale Christian College under this Policy.</p>
Internal Reporting of Reportable Allegations	<p>As soon as a person, including a Staff Member, forms a reasonable belief that a Staff Member at the Bairnsdale Christian College has engaged in reportable conduct or misconduct that may involve reportable conduct (a reportable allegation), the person must notify the Principal.</p> <p>Where the reportable allegation involves the Principal, the Staff Member must notify the Board Chair or the CCYP.</p> <p>The internal report may be made verbally or in written form using the Responding to an Incident, Disclosure or Suspicion of Child Abuse, available [PROTECT_Responding_TemplateSchools.pdf (education.vic.gov.au)] (https://www.education.vic.gov.au/Documents/about/programs/health/protect/PROTECT_Responding_TemplateSchools.pdf).</p> <p>This Template was created for reporting abuse, rather than reportable conduct, but it is an excellent way to record as much information about reportable allegations as is available.</p>

	<p>Where a verbal report is made by a Staff Member, it should be followed up with a written report provided to the Principal within 48 hours of the verbal report.</p>
Reporting to the CCYP	<p>When the “head” of the Bairnsdale Christian College (or other authorised person under this Policy) receives a reportable allegation from any person, including a Staff Member, they must notify the CCYP within three business days.</p> <p>Where the reportable allegation involved the Principal, the Board Chair will undertake the responsibilities of the “head” of the Bairnsdale Christian College for the purposes of reporting the reportable allegation to the CCYP.</p> <p>There are two stages of reporting.</p> <p>The CCYP must be notified in writing of:</p> <ul style="list-style-type: none">• the reportable allegation as soon as possible, and in any event within three business days of the “head” of the Bairnsdale Christian College (or other authorised person under this Policy) being notified of the reportable allegation (Stage One Report)• the proposed next course of action (see below), as soon as practicable, and within 30 days of becoming aware of the reportable allegation (Stage Two Report).
Stage One Report	<p>The report to the CCYP must state:</p> <ul style="list-style-type: none">• that a reportable allegation has been made against a Staff Member• the name (including any former name and alias, if known) and date of birth, if known, of the Staff Member• whether the Victoria Police has been contacted about the reportable allegation• the name, address and telephone number of the Bairnsdale Christian College• the name of the “head” of the Bairnsdale Christian College. <p>An online form available on the CCYP’s website must be used for the Stage One Report.</p>

	<p>If the Staff Member is a registered teacher and the misconduct involves a charge, conviction or finding of guilt of a sexual offence, the Bairnsdale Christian College must immediately notify the Victorian Institute of Teaching (VIT) under our <u>Conduct that is Reportable to the Victorian Institute of Teaching</u> policy. The timing of making a Stage One Report to the Commission under this Policy will coincide with the timing of a report made to the VIT.</p>
<p><i>Stage Two Report</i></p>	<p>The report to the CCYP must state:</p> <ul style="list-style-type: none"> • detailed information about the reportable allegation • whether or not the Bairnsdale Christian College proposes to take any disciplinary or other action in relation to the Staff Member and the reasons why it intends to take, or not to take, that action • any written submissions made to the “head” of the Bairnsdale Christian College (or other authorised person under this Policy) concerning the reportable allegation that a Staff Member wished to have considered in determining what, if any disciplinary or other action should be taken in relation to the Staff Member. <p>Any allegation of criminal conduct, including physical violence, significant emotional or psychological abuse, sexual offences or significant neglect, must be reported to the Victorian Police. A Police investigation will take priority over any investigation conducted by the Bairnsdale Christian College under this Policy.</p>
<p>What Happens After a Report to the CCYP is Made</p>	<p>After the Principal or the Board Chair has made a report to the CCYP, they must ensure that an appropriate investigation of the reportable allegation is conducted.</p> <p>The investigation can be conducted by the Principal or the Board Chair (if authorised by the Principal or the allegation involves the Principal). Alternatively, the Bairnsdale Christian College can appoint a regulator (for example the VIT) or an independent investigator. A regulator engaged by the Bairnsdale Christian College for the purposes of an investigation may also appoint an independent investigator.</p>

The Principal or the Board Chair must notify the CCYP of who will be conducting the investigation.

The investigation must be conducted in accordance with the rules of procedural fairness and natural justice. For example, the investigation should be conducted without bias and the person against whom the allegation is made should be given the right to respond. Refer to the CCYP's [Information Sheet 4 Investigation overview](#) for more information on what to consider when conducting an investigation.

A Police investigation into any matter takes priority over an investigation by the Bairnsdale Christian College. On becoming aware that the Police are investigating a reportable allegation:

- the Bairnsdale Christian College should consult with the Police before commencing an investigation to find out if the Police are, or will be, conducting an investigation
- the Bairnsdale Christian College's investigation should be put on hold until the Police investigation is complete.

The Principal or Board Chair must give the CCYP:

- a copy of the findings of the investigation and the reasons for those findings
- details of any disciplinary or other action that the Bairnsdale Christian College proposes to take in relation to the Staff Member and the reasons for that action
- if the Bairnsdale Christian College does not propose to take any disciplinary or other action in relation to the Staff Member, the reasons why no action is to be taken.

Under the Act, a Staff Member may seek a review by the CCYP of a finding made at the conclusion of an investigation.

Information Sharing: Children and Parents/Carers

Under the Act, the Principal or Board Chair may disclose:

- information about the progress of the investigation

	<ul style="list-style-type: none"> • the findings, reasons for the findings and the recommendations made at the conclusion of the investigation • an action taken in response to those findings <p>to:</p> <ul style="list-style-type: none"> • the child who is the subject of the reporting allegation • a parent • a carer • Child Protection if the child is under its care.
<p>Information Sharing: Schools, the CCYP and Others</p>	<p>Under the Act, the Principal or Board Chair may disclose information in relation to:</p> <ul style="list-style-type: none"> • a reportable allegation • a concern that reportable conduct has been committed • the investigation of a reportable allegation or concern about reportable conduct • the findings of an investigation and the reasons or recommendations made at the conclusion of the investigation • any action taken in response to those findings <p>to:</p> <ul style="list-style-type: none"> • the CCYP • the head of another entity governed by the Act, such as another school • a regulator • the Chief Commissioner of Police • if necessary, for the purposes of an investigation, an independent investigator • if necessary, for the purposes of a WWC Check, the Secretary to the Department of Justice and Regulation • a relevant Minister • a prescribed body under the Act.
<p>Publication of Information</p>	<p>The Bairnsdale Christian College must not publish information that would enable the identification of:</p> <ul style="list-style-type: none"> • a person or who notified the CCYP

	<ul style="list-style-type: none">• a child in relation to whom a reportable allegation was made or a finding of reportable conduct was made. <p>The Act provides more information on the meaning of “publish”, which includes making the information publicly available in writing or email.</p>
Powers of the CCYP	<p>The CCYP has broad powers under the Act in relation to investigating a reportable allegation at the Bairnsdale Christian College. The CCYP may visit the Bairnsdale Christian College, inspect documents and interview Staff or students involved in the reportable allegation.</p> <p>The Bairnsdale Christian College must assist the CCYP in all reasonable aspects of its investigation.</p>
Record Keeping	<p>The Bairnsdale Christian College maintains records of these reportable allegations, written reports and reportable conduct investigation findings indefinitely.</p> <p>Records relating to a child safety incident are only disposed of in accordance with our Record Keeping and Management Policy.</p>

Student Sexual Offending

All staff, Volunteers, Third Party Contractors and External Education Providers must take action if they suspect, or are witness to, student sexual offending.

The [Four Critical Actions for Schools: Responding to Student Sexual Offending](#) must be applied in any circumstance where there is an incident, allegation, or you form a suspicion that, a student is victim to a student sexual offence and/or a student has committed a sexual offence.

This includes suspected sexual offending that may have taken place outside of Bairnsdale Christian College grounds and hours.

What is student sexual offending?

Student sexual offending refers to sexual behaviour by a student at the Bairnsdale Christian College, over 10 years of age, which amounts to a sexual offence. Sexual offences are defined in the Crimes

Act 1958 (Vic) and include:

- rape
- sexual assault
- indecent acts
- other unwanted sexualised touching.

Sexual Behaviour in Children under 10 Years of Age

Under the Crimes Act children under the 10 years of age cannot commit a sexual offence, however children under 10 may display problem sexual behaviour. This is behaviour that is developmentally inappropriate and/or aggressive sexual behaviour and includes self-focused sexual behaviour. Such behaviour may include:

- frequent, repeated sexual behaviour, for example compulsive masturbation
- sexual behaviour between children who do not know each other well
- high-frequency occurrences of sexual behaviour that interfere with normal childhood activities
- sexual behaviour associated with emotional distress
- sexual behaviour between children of different ages and development levels
- aggressive, forced and/or coerced interaction between children
- behaviour that does not stop once the child is told to stop, or occurs in secrecy
- behaviour that causes harm to the child or other children.

If you suspect that a student under 10 years of age has engaged in concerning sexual behaviour, notify the Principal who will advise the parents/carers of the child. The Bairnsdale Christian College will work with the parents/carers to ensure that the child is aware that their behaviour is not appropriate in a school environment.

In the event of very concerning sexual behaviour advice should be sought from Child Protection on 131 278.

For any students affected by concerning sexual behaviour, the Bairnsdale Christian College will develop a Student Support Plan and offer Bairnsdale Christian College-based support or refer the student to appropriate external support services.

Responding to Incidents of Student Sexual Offending

There are four main ways to become aware of student sexual offending:

- witnessing an incident

- forming a suspicion through observing risk indicators
- receiving a disclosure from or about a current student
- receiving a disclosure from or about a former student

For more information about how to respond in the first instance refer to [Managing Your Initial Response to a Child Safety Incident](#).

When you become aware of, or suspect, student sexual offending, or that a student is at risk of perpetrating or suffering student sexual offending, you must follow the Four Critical Actions for Schools: Responding to Student Sexual Offending:

1. Responding to an Emergency
2. Reporting to Authorities
3. Contacting Parents/Carers
4. Providing Ongoing Support

Action 1: Responding to an Emergency

As soon as you become aware of student sexual offending, you must take steps to protect all affected students, including:

- separating the alleged victim and others involved, ensuring all affected students are supervised by a staff member
- arranging and providing any necessary urgent medical care by either administering first aid or calling 000 for an ambulance
- calling 000 for urgent Police assistance if the alleged student offender poses an immediate health or safety risk to any person at the Bairnsdale Christian College
- taking reasonable steps to preserve the environment, clothing, other items or potential witnesses until the Police arrive.

You must record all immediate action taken in the Student Sexual Offending Record Keeping Template available in the [Child Safety Record Keeping](#) section of this Program.

Action 2: Reporting to Authorities

Report to Victoria Police

After the immediate health and safety of all students involved has been addressed, you must report incidents, allegations, disclosures and suspicions of student sexual offending to Victoria Police on

000.

Report to Child Protection

Additionally, you must report the incident to Child Protection if you reasonably believe that:

- the victim's parents/carers are unable to protect the child
- the student who is alleged to have engaged in student sexual offending is:
 - over 10 and under 15 years of age and may be in need of therapeutic treatment (see below) to address their sexually abusive behaviours
 - displaying physical and behavioural indicators which lead you to reasonably believe that they may have been a victim of abuse, neglect or grooming.

When reporting to Child Protection, you must identify a contact person at the Bairnsdale Christian College for future liaison with Child Protection about the incident. This can be the Principal or the Senior Child Protection Officer for example. Additionally, you should seek advice from Child Protection about contacting parents/carers.

Report to the Principal and/or the Leadership Team

Following any incident, allegation, disclosure or suspicion of student sexual offending you must report the matter to the Principal and/or to the Leadership Team. When reporting to the Principal and/or the Leadership Team include:

- the details of the suspected student sexual offending, including the names of those involved
- any immediate actions taken to protect the safety of the students involved
- your report to Victoria Police and/or Child Protection
- possible steps that can be taken to contact parents/carers to support the students impacted by the incident, where appropriate.

If you have notified the Principal before making an external report to Victoria Police or Child Protection, and they advise you not to make an external report, you must disregard this advice if you have formed a reasonable belief that student sexual offending has occurred, and you must make a report to the Police and, where appropriate, Child Protection.

A failure to report student sexual offending may amount to a criminal offence under the Obligation to Report a Sexual Offence (Failure to Disclose).

If you decide not to report externally, you must record the reasons for this decision in the Student Sexual Offending Record Keeping Template available in the Child Safety Record Keeping section of

this Program.

The Principal has additional responsibilities in coordinating the Bairnsdale Christian College's response to the incident. Refer to the Principal's Checklist developed by Child Protection [here](#).

Child in Need of Therapeutic Treatment

Any person may report concerns to Child Protection about a child's (aged over 10 years and under 15 years) sexually abusive behaviour. Child Protection may then make an application to the Children's Court for a therapeutic treatment order if it assesses that the child is in need of therapeutic treatment, and the child, or the child's parents/carers, are unable or unwilling to access treatment.

Note that reporting to Child Protection in relation to a child in need of therapeutic treatment does not replace your requirement to report student sexual offending to Victoria Police. All instances of student sexual offending must be reported to the Police.

Making Additional Reports

Every report is critical to protecting a child by building evidence and providing more information to authorities. Therefore, you must make a new report in any circumstances where you become aware of any further incidents, allegations, disclosures, or form a new suspicion, of student sexual offending.

Even where Child Protection or Victoria Police have been involved or notified regarding the same incident, you must report all new information.

Your reporting obligations are separate from others' obligations, so even where you think that another person at the Bairnsdale Christian College might make a report about an incident based on their own information, you too must report your suspicion or knowledge of student sexual offending. It's important to remember that others may not have the specific detail that you have regarding the incident.

Where you and another staff member have formed a reasonable belief of student sexual offending involving the same child, based on the same events or information, you can discuss who is best placed to report the matter to Victoria Police or Child Protection, however the non-reporter must ensure that the report has been made.

Reporting Student Sexual Offending and Other Reporting Obligations

The obligation for staff, Volunteers, Third Party Contractors and External Education Providers to report student sexual offending to Victoria Police and, where appropriate, Child Protection is separate

and distinct from other legal reporting obligations.

However, there are times when more than one reporting obligation will apply.

For example, an incident of student sexual offending may give rise to the obligation to report to Victoria Police under these student sexual offending requirements, the Mandatory Reporting scheme and the Obligation to Report a Sexual Offence (Failure to Disclose).

The offence of Failure to Protect a child from a substantial risk of becoming a victim of a sexual offence committed by an adult associated with the Bairnsdale Christian College does not apply to student sexual offending, unless you form a reasonable belief that an adult associated with the Bairnsdale Christian College may have also engaged in the offence.

Action 3: Contacting Parents-Carers

Following an incident, allegation, disclosure or suspicion of student sexual offending, communicating with the parents/carers of students involved is critical.

However, it is equally important that before contacting parents/carers, advice is sought from Victoria Police and/or Child Protection to ensure that communication is the correct decision and also to confirm what should be communicated.

Sometimes communication with parents/carers is not appropriate because:

- a disclosure to the parent/carer may subject the child to abuse
- the student is an adult (aged 18 years or over) and has requested that their parent/carer not be notified
- the student is a mature minor (assessed to be sufficiently mature and intelligent to make such decisions on their own behalf) and has requested that their parent/carer not be notified (in these circumstances it is preferable that the child nominate another responsible adult to be contacted)
- contacting the parents/carers is likely to adversely affect a Victoria Police or Child Protection investigation of the student sexual offending.

If the Police or Child Protection have advised that it is appropriate to contact the parents/carers, remember to:

- remain calm, be empathetic, and acknowledge their concerns
- provide appropriate details of the incident of student sexual offending

- outline the action the Bairnsdale Christian College has taken to date, including who the incident has been reported to
- provide the name and contact number of the Police officer or Child Protection worker who is investigating the matter
- provide information on whether they are likely to be contacted by the Police or Child Protection
- inform them that the investigation may take some time and ask what further information or assistance the Bairnsdale Christian College can provide
- assure them that the Bairnsdale Christian College's wellbeing staff can provide support to the student.

All communication with parents/carers must be recorded using the Student Sexual Offending Record Keeping Template available in the [Child Safety Record Keeping](#) section of this Program.

Action 4: Providing Ongoing Support

Instances of student sexual offending can cause trauma and significantly impact on the mental health and wellbeing of students involved, and Bairnsdale Christian College community members.

In addition to reporting incidents of student sexual offending, and communication with parents/carers, the Bairnsdale Christian College must provide ongoing support to students, staff, Volunteers and other members of the Bairnsdale Christian College community affected by the incident.

Support for affected students (including victims of the offending, or those who engaged in the offending) can include direct support from wellbeing professionals including the Bairnsdale Christian College Principal, referral to external wellbeing professionals, support during any [Police or Child Protection interviews](#) with the student, and should also include the development of a Student Support Plan.

Where appropriate, this ongoing support should be provided in partnership with affected students' parents/carers.

Whilst a child's background should not impact on a decision to report alleged or suspected abuse, neglect or grooming, you should be sensitive to a child's individual circumstances when providing support and working with parents/carers impacted by abuse. Before creating a Student Support Plan, special consideration needs to be taken for students who:

- have a disability

- identify as Aboriginal or Torres Strait Islander
- are from culturally or linguistically diverse (CALD) backgrounds
- have refugee backgrounds

Support must also be provided to staff and Volunteers impacted by student sexual offending. Staff and Volunteers can contact Independent Schools Victoria on (03) 9825 7200 for more information about wellbeing support.

You must record the planned actions to be taken to support all students involved in the student sexual offending using the Student Sexual Offending Record Keeping Template available in the [Child Safety Record Keeping](#) section of this Program.

Responding to Other Concerns About the Wellbeing of a Child

If you have any concern about the wellbeing of a child or young person, regardless of whether or not it has been caused by abuse or neglect, your concern should be taken seriously and acted upon.

The Bairnsdale Christian College and its teaching staff, non-teaching staff, Board members, the Principal, Volunteers, Third Party Contractors and External Education Providers (**together, known as "Staff" for the purposes of this policy only**) owe a duty of care to all students at the Bairnsdale Christian College to ensure that they feel safe and are supported at Bairnsdale Christian College.

Concerns about the wellbeing of a child, that do not appear to be the result of abuse or neglect, may be reported to:

- Child FIRST
- the Victorian Police.

Child Protection should also be contacted if you believe a child is in need of protection.

Child FIRST

Child FIRST is a community-based referral point to Family Services in Victoria. In addition to reporting suspected abuse to the appropriate authorities in accordance with the Bairnsdale Christian College's Procedures for Responding to and Reporting Allegations of Child Abuse, all Staff should make a referral to Child FIRST if:

- you have significant concern for a child's wellbeing
- your concerns have a low-to-moderate impact on the child

- the child's *immediate* safety is not compromised
- you, or the Bairnsdale Christian College, have discussed the referral with the child's family and they are supportive of it.

Examples of concerns that staff should refer to Child FIRST include instances where a child's care or development is significantly impacted by:

- parenting problems
- family conflict or breakdown
- pressure due to a family member's physical/mental illness
- significant social or economic disadvantage.

Victoria Police

In addition to reporting suspected abuse to the appropriate authorities in accordance with the Bairnsdale Christian College's Procedures for Responding to and Reporting Allegations of Child Abuse, all Staff **must contact Victoria Police on 000** if:

- a child's immediate safety is compromised
- a child is partaking in any risk taking activity that is illegal or extreme in nature or poses a high risk to the child.

Child Protection

In addition to reporting suspected abuse to Child FIRST or the Police, the appropriate authorities in accordance with the Bairnsdale Christian College's Procedures for Responding to and Reporting Allegations of Child Abuse, all Staff should contact Child Protection if you believe a child is in need of protection.

Common grounds for protection include instances where:

- a child's parents have abandoned the child and after reasonable inquiries, the parents cannot be found, and no other suitable person can be found who is willing and able to care for the child
- a child's parents are dead or incapacitated and there is no other suitable person willing and able to care for the child
- a child is displaying extreme risk-taking behaviour, which has potentially severe or life-threatening consequences. For example, severe alcohol or drug use, unsafe sexual activity including prostitution, or violent or dangerous peer group activity. Staff should also report extreme risk-taking behaviour that is illegal to the Police.

- there is a threat of harm to an unborn child, including circumstances where a parent has previously demonstrated an inability to safely parent.

Record Keeping Obligations

For the Bairnsdale Christian College's record keeping obligations relating to child safety incidents or child wellbeing concerns, refer to [Child Safety Record Keeping](#).

Conduct that is Reportable to the Victorian Institute of Teaching

Purpose of this Policy	<p>Registered teachers in Victoria are exempt from holding a WWC clearance. This is because, in considering applications for registration or re-registration as a teacher, the Victorian Institute of Teaching (VIT) has similar information sharing requirements to and considers similar information and undertakes a similar assessment as WWC Checks.</p> <p>This Policy is designed to ensure that staff who are registered teachers and the Bairnsdale Christian College meet their responsibilities to notify the VIT of required information relevant to child safety. It is also designed to ensure that teaching staff who would fail the WWC Check (were they not exempt) are removed from employment or engagement at the Bairnsdale Christian College.</p>
Source of Obligation	<p>Under section 2.6.57 of the Education and Training Reform Act 2006 (Vic) (the Act), registered teachers must notify the VIT, and include in any application for registration or renewal of their registration, if they are committed for trial or been convicted or found guilty of certain criminal offences that accord with those relevant to WWC Checks.</p> <p>Registered teachers must also notify Working with Children Check Victoria (WWCCV) of all organisations in which they engage in child-related work (other than teaching).</p>

Under section 2.6.30 of the Act, the Bairnsdale Christian College must notify the VIT if the Bairnsdale Christian College has taken:

- any action against a registered teacher in response to allegations:
 - of serious incompetence;
 - of serious misconduct;
 - that the teacher is unfit to be a teacher;
 - that the teacher's ability to practice as a teacher is seriously detrimentally affected or likely to be seriously affected because of an impairment; or
- any other actions against a registered teacher that may be relevant to their fitness to teach.

The Bairnsdale Christian College must also immediately notify the VIT if it becomes aware that a teacher:

- has been charged with, or convicted or found guilty of, certain criminal offences that accord with those relevant to WWC Checks; or
- has been given a WWC exclusion in relation to the WWC Check.

Section 2.3.10 of the Act requires that the Bairnsdale Christian College dismiss or remove from its employment or engagement any teacher who has either:

- been convicted or found guilty of certain criminal offences that accord with those relevant to WWC Checks; or
- been given a WWC exclusion.

Staff Responsibilities

Registered teachers must meet their obligations under the Act and notify the VIT if they are committed for trial, or found guilty or convicted of, certain relevant offences, including:

- serious sexual offences
- serious violent offences
- serious drug-related offences

- offences against the Child, Youth and Families Act 2005 (Vic)
- other offences linked to the safety of children.

They must also notify WWCCV of all organisations in which they undertake child-related work (other than teaching) within 21 days of starting that child-related work, using the [Notification Form](#).

In addition, to enable the Bairnsdale Christian College to meet its obligations under the Act, it is the Bairnsdale Christian College's policy that:

- registered teachers must inform the Principal (or, if the person is the Principal, the Chair of the Board) if they are charged with, committed for trial for, or convicted or found guilty of any of the above offences or if they have been given a WWC exclusion in relation to a WWC Check
- all staff must immediately report to the Principal (or, if the incident or allegation involves the Principal, to the Chair of the Board) any incident or allegation that raises concerns about a teacher's fitness to teach, including:
 - serious incompetence
 - serious misconduct
 - that the teacher is unfit to be a teacher
 - that the teacher's ability to practice as a teacher is seriously detrimentally affected or likely to be seriously affected because of an impairment
 - that the teacher has been charged with, or has been convicted or found guilty of, any of the above offences.

Teacher Misconduct Reportable to the VIT and the Bairnsdale Christian College Child Safe Code of Conduct

The Bairnsdale Christian College Child Safe Code of Conduct outlines expected standards of behaviour for all staff at the Bairnsdale Christian College. Teachers in Victoria are also expected to comply with the Victorian Institute of Teaching's Victorian Teaching Profession's Code of Conduct. However, breaches of the Code of Conduct will not always constitute teacher misconduct that is reportable to the VIT.

	<p>Some breaches of our Child Safe Code of Conduct can be dealt with at the Bairnsdale Christian College level and the results of the investigation would not need to be reported to the VIT by the Bairnsdale Christian College. For example, a new teacher accepting a social media 'friend' request from a student on a single occasion would be a breach of our Child Safe Code of Conduct but may not amount to serious misconduct, the investigation outcome of which must be reported to the VIT.</p> <p>All breaches of Code of Conduct must still be reported internally.</p>
<p>The Bairnsdale Christian College's Obligations</p>	<p>Where the Bairnsdale Christian College becomes aware of any incident or allegation that raises concerns about a teacher's fitness to teach, the Principal (or, if the incident or allegation involves the Principal, the Chair of the Board) must conduct an internal investigation in such a manner as the circumstances demand, unless the incident or allegation is the subject of:</p> <ul style="list-style-type: none">• a report to Child Protection or Police, in which case the internal investigation may only occur with the consent of the relevant agency• an internal investigation under our <u>Reportable Conduct</u> policy, in which case that investigation constitutes the internal investigation under this policy. <p>Where the Bairnsdale Christian College becomes aware that a teacher has been:</p> <ul style="list-style-type: none">• convicted or found guilty of certain criminal offences that accord with those relevant to WWC Checks; or• given a WWC exclusion, <p>the Bairnsdale Christian College must dismiss or remove the teacher from its employment or engagement.</p> <p>In either case, the Bairnsdale Christian College must make the required notifications to the VIT.</p>

Who Notifies and What Must be Notified to the VIT	<p>The Principal (or, if the incident or allegation involves the Principal, the Chair of the Board) must notify the VIT if the Bairnsdale Christian College has taken “action” against a registered teacher, whether as a result of its internal investigation or otherwise.</p> <p>“Actions” which will be reported by the Bairnsdale Christian College to the VIT include (but are not limited to):</p> <ul style="list-style-type: none">• any final disciplinary actions taken by the Bairnsdale Christian College after investigation (i.e. decisions to stand a teacher down from duties during an investigation is not an “action” that must be notified), which may include:<ul style="list-style-type: none">• a formal warning or reprimand• a financial penalty• a reduction in classification• suspension or termination of employment• where a teacher resigns, or their employment ends by mutual agreement, after being advised by the Bairnsdale Christian College that it is inquiring into allegations. <p>The Bairnsdale Christian College should also notify the VIT if a teacher takes action against the Bairnsdale Christian College in another forum such as the Fair Work Commission.</p>
When to Notify the VIT	<p>The VIT should be notified, of actions taken against a teacher, after the investigation is finalised and:</p> <ul style="list-style-type: none">• one or more of the above allegations is found to be proven• action has been taken in relation to those allegations.
How to Notify the VIT	<p>Notifications to the VIT must be in writing and must include:</p> <ul style="list-style-type: none">• a description of the allegations found proved and the action taken• in cases where the teacher’s employment ceased prior to the Bairnsdale Christian College taking any action, a description of the concerns

- relevant documentation associated with the allegations, which may include:
 - statements of complainants and the identity of witnesses
 - complaints received by the Bairnsdale Christian College about the registered teacher (including from Staff, parents and students)
 - correspondence between the Bairnsdale Christian College and the registered teacher concerning the allegations
 - any statements or responses received from the registered teacher (or their representative)
 - the registered teacher’s letter of resignation
 - investigation reports and materials
- any other relevant information.

For more information, refer to the [‘Notifying us about teacher concerns’](#) section of the VIT’s website.

VIT Response to Notification

When it is notified that a teacher has been charged with, convicted or found guilty of a relevant offence, the VIT may, and in some cases must, refuse, cancel or suspend the teacher’s registration, depending on the kind of offence and on whether the teacher has been charged, convicted or found guilty.

For more information on what actions the VIT may or must take, refer to the Table in the VIT’s [Teacher Obligations Factsheet](#).

The VIT must then notify WWCCV if it has suspended (or revoked such a suspension) or cancelled a teacher’s registration.

On receiving other notifications regarding concerns about a teacher’s fitness to teach, the VIT has the power to:

- ensure that it has obtained all relevant information from the Bairnsdale Christian College, and may request further information

	<ul style="list-style-type: none"> • decide whether the matter does not reach the threshold required for it to proceed • conduct an investigation, an informal hearing, or a formal hearing • 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. <p>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.</p>
<p>VIT Notifications and Other Reporting Obligations</p>	<p>The internal reporting and VIT notification obligations covered in this policy are separate and distinct from obligations to report to Child Protection, obligations to report to and reporting obligations under the Reportable Conduct Scheme.</p>
<p>Record Keeping About VIT Notifications</p>	<p>For the Bairnsdale Christian College’s record keeping obligations relating to VIT Notifications, refer to Child Safety Record Keeping.</p>
<p>Key Definitions</p>	<p><u>Serious incompetence</u></p> <p>Registered teachers are required to achieve and maintain an acceptable level of competence in their practice.</p> <p>Serious incompetence refers to a situation where a teacher is failing to meet the Australian Professional Standards of Teaching (APST) to such a degree that their whole approach to teaching:</p> <ul style="list-style-type: none"> • is fundamentally flawed • defeats the cause of imparting knowledge to students. <p><u>Serious misconduct</u></p> <p>Serious misconduct generally involves a substantial departure from the accepted standards of the profession, including conduct</p>

that is found to be:

- infamous
- disgraceful
- dishonourable
- shameful.

In many (but not all) cases, breaches of the Child Safe Code of Conduct could meet this definition.

Unfit to be a teacher

Fitness to teach is defined as whether the character, reputation and conduct of a person are such that the person should be allowed to teach in a school.

A teacher's behaviour, whether in the practice of teaching or in their private lives, may demonstrate qualities of a kind that indicate that person is not fit to practice as a teacher. In many (but not all) cases, breaches of the Child Safe Code of Conduct could meet this definition.

Impairment

Impairment is defined as a:

- physical or mental impairment
- disability, condition or disorder (including substance abuse or dependence).

If a teacher's ability to practice as a teacher is seriously affected, detrimentally affected, or likely to be affected, due to an impairment, then they may be considered unfit to teach.

Communication with Parents-Carers

In many cases of suspected child abuse, or where it is suspected that a child is at risk of being abused, it is critical that the child's parents/carers are notified as soon as is practicable after a

notification has been made to the appropriate external authority. This enables the child's parents/carers to take steps to:

- prevent or limit their child's exposure to further abuse
- ensure that their child receives the support that is needed.

It is the Bairnsdale Christian College's policy that any notification made to parents/carers of a child suspected to have been abused, or is at risk of being abused, is made by the Principal or the Senior Child Protection Officer after a notification to either Child Protection or the Police has been made.

Before contacting parents/carers the Bairnsdale Christian College's Principal or a Child Protection Officer must seek advice from Child Protection and/or the Police, depending on who the report was made to. The Principal or a Child Protection Officer will be advised by an external authority not to contact the parents in circumstances where:

- the parents/carers are alleged to have engaged in the abuse
- a disclosure to the parents/carers may subject the child to further abuse
- the child is a mature minor (assessed to be sufficiently intelligent and mature to make such decisions on their own behalf) and has requested that the parents/carers not be contacted
- the notification is likely to have an adverse effect on an ongoing investigation into the incident.

The Principal may disclose information about an investigation into a reportable allegation to a parent or carer of the child in relation to which a reportable allegation has been made. Refer to [Reportable Conduct](#).

Support for Students Interviewed at the Bairnsdale Christian College

The Bairnsdale Christian College has certain legal requirements when a request is made by the Police or Child Protection workers to interview students regarding child safety incidents at the Bairnsdale Christian College. Students to be interviewed may include victims, witnesses or those alleged to have perpetrated abuse.

Support for Students

All students interviewed by the Police or Child Protection at the Bairnsdale Christian College must be supported. Where possible, the student's parents/carers should be present for any interview. Where this is not practicable, one of the following persons may provide support to the student during the interview, as appropriate:

- the Principal
- a Child Protection Officer
- in the case of Police interviews, an **independent support person** over the age of 18 who is not connected with the Bairnsdale Christian College, for example a social worker or nurse (independent supportive adult).

Consideration should be given as to whether there may be a conflict of interest between the independent supportive adult and the student being interviewed. For example, a situation may arise where the Principal or a Child Protection Officer is related to the perpetrator of the child safety incident, the student is a family member, or the Principal or a Child Protection Officer may be the perpetrator.

General Protocols

The Bairnsdale Christian College's Principal must:

- facilitate interviews requested by the Police or Child Protection workers
- advise students of their right to have an independent supportive adult, parent or carer present at such an interview
- arrange for the student to choose an independent supportive adult to be present
- balance their obligation to protect the rights of students with their obligation to assist the Police and Child Protection in their exercise of duty
- ensure there is someone acting as an independent supportive adult for students interviewed at school by the Police or Child Protection workers
- observe confidentiality at all times in the management of a mandatory reporting or criminal case.

Contacting Parents/Carers

Before contacting a student's parents/carers, the Principal **must** seek advice from the Police or Child Protection to determine if parents/carers should be present at the interview.

Where appropriate, parents/carers must be advised of the scheduling of an interview with the Police. Parents/carers should also be advised of interviews that have been scheduled with Child Protection where it is deemed to be appropriate, however Child Protection may conduct interviews with students without parental/carers knowledge or consent in exceptional circumstances.

Student as a Victim/Witness

When the Principal allows interviews involving students who may be victims or witnesses, they should:

- support and encourage the student to provide as much information as possible
- inform the student that a note of the circumstances and the content of the interview will be made and communicated to their parents/carers as soon as possible, unless doing so causes a risk of abuse.

Student as a Suspect

If Police need to speak with a student who has allegedly abused another child, or student at the Bairnsdale Christian College, this should preferably be done in the presence of the student's parents/carers, or another **independent supportive adult**.

Complying with Court Orders

A subpoena or witness summons is a court order that compels the Bairnsdale Christian College to produce documents or attend court and give evidence, or both. The Principal or a staff member will usually be issued with a subpoena or witness summons because a party to legal proceedings believes that the Bairnsdale Christian College, the Principal or a staff member has information or documents that are relevant to the proceeding.

The Bairnsdale Christian College will seek external legal advice and support relating to complying with subpoenas or witness summons.

Making Additional Reports

There are some circumstances in which you will be required to make an additional report to an appropriate external authority.

Reporting Further Grounds for Belief or Suspicion

If you hold a reasonable belief that a child has been, or is at risk of being abused, you must still make a report to the relevant external authority about a child even if:

- Child Protection or the Police have previously been involved or are currently involved with the child and/or their family
- you are aware that another party, such as another staff member, Volunteer, or family member, has raised concerns with the relevant authorities.

Every report is critical to protecting a child by building evidence and enabling external authorities to gain a clear understanding of the risks posed to the child.

Another Person Has Made a Report

There may be times when two or more staff members at the Bairnsdale Christian College (for example the Principal and a Child Protection Officer) has formed a belief about the same child on the same occasion and based on the same information.

In this situation, it is sufficient that only one of the staff members make a report to the relevant external authority, as the belief is based on the same information. However, the other staff member, who does not make the report, is obliged to ensure that the report has been made and that all grounds for their own belief were included in the report made to the authority.

If staff members do not agree on what should be reported, for example a staff member does not agree with the Principal's decision to make a report to an external authority, the staff member is legally obliged to make a report anyway.

Other Concerns About the Wellbeing of a Child

If you believe that a child has not been subjected to abuse or neglect but still hold significant concerns about the child's wellbeing, you still may be required to report your concerns to Child Protection, the Police or Child FIRST. For more information about reporting wellbeing concerns refer to the [Responding to Other Concerns About the Wellbeing of a Child](#) section of this Program.

Child Safety Complaints Management

The Bairnsdale Christian College has developed a [Complaints Handling Policy](#) to ensure that any child safety-related feedback, comments or complaints from Bairnsdale Christian College community members and relevant stakeholders are captured, analysed and acted upon where appropriate.

This may include feedback about certain staff members or volunteers, or the Bairnsdale Christian College's Child Safety Program.

When a complaint is made to the Bairnsdale Christian College it is important for the Bairnsdale Christian College to consider whether the complaint raises any concerns about unreported abuse and/or risk of abuse at the Bairnsdale Christian College.

The Board, staff including the Principal, Volunteers, Third Party Contractors and External Education Providers must follow the Bairnsdale Christian College's Procedures for Responding to and Reporting Allegations of Child Abuse if any information received with a complaint leads to new grounds for a reasonable belief or suspicion that a student may be subject to, or at risk of, any unreported abuse.

Confidentiality and Privacy

<p>Confidentiality of Information Relating to Child Safety Matters</p>	<p>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.</p> <p>You must not provide undertakings that are inconsistent with your reporting obligations in the Bairnsdale Christian College's Child Safety Program. In particular, you must not promise a student that you will not tell anyone about the student's disclosure.</p> <p>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.</p> <p>Inappropriate disclosure will be subject to disciplinary action.</p>
<p>Protection of Reporter's Identity</p>	<p>Reports or referrals made to Child Protection or Child FIRST are confidential and the reporter's identity is generally protected by law. Exceptions include if:</p> <ul style="list-style-type: none">• the reporter chooses to inform the child or family of the report• the reporter consents in writing to their identity being disclosed

	<ul style="list-style-type: none"> • 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 • a court or tribunal decides the reporter is required to attend court to provide evidence. <p>The identity of the person who makes a report to the Police, including reports under section 327 of the Crimes Act 1958 (Vic) (Obligation to Report a Sexual Offence), will remain confidential unless:</p> <ul style="list-style-type: none"> • the person themselves discloses their identity or they consent in writing to their identity being disclosed • a court or tribunal decides that it is necessary in the interests of justice for the person's identity to be disclosed.
<p>Reporter Liability</p>	<p>A person who makes a Mandatory Report in accordance with the Children, Youth and Families Act 2005 (Vic), or a report under the Child Wellbeing and Safety Act 2005 (Vic) (Reportable Conduct Scheme) will not be held liable for the eventual outcome of any investigation.</p> <p>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.</p>
<p>Protection of Staff's WWC Check Status</p>	<p>The Bairnsdale Christian College will only be informed of whether an individual passes or fails the WWC Check. None of the information gathered for the WWC Check, such as criminal or professional records, will be passed on to Bairnsdale Christian College.</p>
<p>Protection of Personal Information</p>	<p>How Bairnsdale Christian College handles the information we collect about individuals (referred to in the Privacy Act 1988 (Cth) as personal information) is very important, as the people we deal with expect us to handle their personal</p>

	<p>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:</p> <ul style="list-style-type: none">• whether the information, or opinion, is true or not• whether the information, or opinion, is recorded in a material form or not. <p>The Privacy Act 1988 (Cth) only applies to personal information that is captured in a record.</p>
Requests for Information	<p>If you receive a request from the Police, the Commission for Children and Young People (CCYP) or Child Protection for information relating to a student who has been impacted (or is suspected to have been impacted) by child abuse, you should:</p> <ul style="list-style-type: none">• obtain the request for information in writing; and• ensure that the written request includes:<ul style="list-style-type: none">• the name of the Police officer, the representative of the CCYP or Child Protection worker, the organisation they work for and their contact details• a description of the information and/or documents being sought• the reasons why the information and/or documents are being sought• what authority the officer/worker or the organisation believes that they have to access the requested information and documents. <p>When information and/or documents are requested in this way, you may be permitted to share the information. However, you are not compelled to do so.</p>

	<p>If you receive a request to share information under Part 6A of the Child Wellbeing and Safety Act 2005 (Vic), or under Part 5A of the Family Violence Protection Act 2008 (Vic), the request must be forwarded to the Principal (or to Board Chair if the requested Information relates to the Principal). For more information, refer to Information Sharing under Part 6A of the Child Wellbeing and Safety Act 2005 (Vic) and/or Information Sharing under Part 5A of the Family Violence Protection Act 2008 (Vic).</p>
Information Sharing with the Bairnsdale Christian College Community	<p>The Bairnsdale Christian College takes great care to assess the relevance and appropriateness of sharing information about a child safety incident before providing any information about child abuse to the Bairnsdale Christian College community because even the confirmation of an incident or allegation can lead to the identification of a victim.</p> <p>If you receive a request to share information under Part 6A of the Child Wellbeing and Safety Act 2005 (Vic), the request must be forwarded to the Principal, or to Board Chair if the requested Information relates to the Principal.</p>
Record Keeping Obligations	<p>For the Bairnsdale Christian College's record keeping obligations relating to child safety incidents, refer to Child Safety Record Keeping.</p>

Child Safety Record Keeping

Effective child safety record keeping is one of the Bairnsdale Christian College's key strategies in the management of its child safety obligations, including the fulfillment of our duty of care.

It is through such record keeping that the Bairnsdale Christian College can ensure that, should there ever be a need for evidence of the Bairnsdale Christian College's child safe culture or precautions and preventative measures taken in response to the risk of child abuse, the Bairnsdale Christian College has well-documented and easily-accessible records.

Documenting a Suspicion or Belief of Abuse

Where a staff member, Board member, Direct Contact Volunteer or other member of the Bairnsdale Christian College community 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 safety 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 safety must be stored securely. Refer to our Records Management Policy for information on how we store records.

How to Record Observations, Disclosures or Allegations of Abuse, Grooming or Student Sexual Offending

The Bairnsdale Christian College requires all members of the Bairnsdale Christian College community, including the Board, staff, Volunteers, Third Party Contractors and External Education Providers to use the [Responding to Suspected Child Abuse Template](#) or the [Student Sexual Offending Record Keeping Template](#) to record all observations, beliefs, suspicions, disclosures or allegations of abuse, grooming or student sexual offending.

The Templates are provided by the DET and Child Protection for all Victorian schools and are made available on the Bairnsdale Christian College's public website, Policy Connect site, and in hard copy at the Bairnsdale Christian College. Copies of the Templates are also available in the [Additional Resources](#) section of this Program.

The "Process of Review" section in the Templates must be completed between 4-6 weeks after an incident, suspicion or disclosure of abuse in conjunction with the Bairnsdale Christian College's Principal, a [Child Protection Officer](#) or a senior member of staff.

All completed Template reporting forms are to be given to the Bairnsdale Christian College's Principal, a Child Protection Officer or a senior member of staff. The Bairnsdale Christian College maintains records of these forms indefinitely. Child safety records are only disposed of subject to law or policy.

Records relating to a child safety incident are only disposed of in accordance with our Records Management Policy.

WWC Check Documentation

It is the responsibility of Office Administrator to verify the status of all Bairnsdale Christian College staff and non-parent volunteers' WWC clearance.

In line with the Bairnsdale Christian College'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 Bairnsdale Christian College requires that these parent volunteers hold a valid WWC clearance as a matter of best practice.

Bairnsdale Christian College 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
- expiry date.

Records of Teacher Registration and VIT Notifications

Under our Teachers' Requirements Policy, Bairnsdale Christian College maintains a register of the registration status of all teachers at the Bairnsdale Christian College. That register includes a record of the date and type of any notifications made to the Victorian Institute of Teaching (VIT) by the Bairnsdale Christian College about a registered teacher pursuant to Conduct that is Reportable to the Victorian Institute of Teaching.

It is the responsibility of the Administration Manager to ensure that the register of teachers is maintained up to date with relevant notifications.

Recording Child Safety Actions

Section 91 of the Wrongs Act imposes a duty of care on schools to take reasonable precautions to prevent the physical or sexual abuse of a child under its care, supervision or authority, by an individual associated with the school. If a school is involved in a proceeding under the Wrongs Act, the school is presumed to have breached its duty of care unless it can prove, on the balance of probabilities, that it took reasonable precautions to prevent the abuse.

Whether or not a school took reasonable precautions will be assessed by a court in accordance with considerations set out in the Wrongs Act and case law. The effective implementation of the Bairnsdale Christian College's risk management strategies in [Child Safety Risk Management](#) is an example of taking reasonable precautions to prevent the physical or sexual abuse of a child.

It is critical that the Bairnsdale Christian College maintains accurate and comprehensive records of these policies, procedures, work systems and strategies should the courts ever call on such evidence in relation to a claim against the Bairnsdale Christian College for damages in respect of child abuse.

For more information about the Bairnsdale Christian College's record keeping procedures refer to our Records Management Policy.

Information Sharing under Part 6A of the Child Wellbeing and Safety Act 2005

Background

The Bairnsdale Christian College may, or in some cases must, share information relating to the safety and wellbeing of children and young people with specific agencies or people.

Despite laws prohibiting or restricting the disclosure of personal information, organisations and services prescribed as an "information sharing entity" (ISE), including non-government schools, **must** share [confidential information](#) relating to the safety and wellbeing of a child or young person (Child Information) with other ISEs:

- when requested to do so by the ISE under Part 6A of the Child Wellbeing and Safety Act 2005 (Vic) (CWS Act); and/or
- to fulfil Reportable Conduct obligations and Mandatory Reporting/Reporting to Police obligations.

Part 6A of the CWS Act also permits ISEs to **voluntarily** disclose to other ISEs confidential information about any person, for the purpose of promoting the wellbeing or safety of a child or group of children.

It also permits ISEs to disclose confidential information to a child, or to a parent or carer of the child, for the purpose of managing a risk to the child's safety.

Together, the CWS Act and the Child Wellbeing and Safety (Information Sharing) Regulations 2018 (Vic) Child (Information Sharing Regulations) establish a statutory information sharing regime, called

the Child Information Sharing Scheme (CIS Scheme).

The CIS Scheme prioritises the sharing of Child Information, to ensure the protection and wellbeing of children and young people, over the protection of an individual's privacy and confidentiality.

The CIS Scheme does not affect reporting obligations created under other legislation, such as Mandatory Reporting.

It also does not prevent or limit the Bairnsdale Christian College from using or disclosing Child Information if it is required or permitted to do so by or under any other Act or law.

The Child Information Sharing Ministerial Guidelines and this policy set out how Staff must handle Child Information and how the Bairnsdale Christian College must apply the legislative principles of the CIS Scheme.

Source of Obligation

The Bairnsdale Christian College, as a non-government school, is a prescribed ISE under regulation 5 and Schedule 1 of the Child Information Sharing Regulations.

Mandatory Information Sharing with ISEs

Under section 41W of the CWS Act, an ISE may make a request for Child Information from another ISE for the purpose of promoting the wellbeing or safety of a child or group of children. The ISE to whom the request is made **must** disclose the requested Child Information (other than excluded Child Information) if:

- the disclosure is made for the purpose of promoting the wellbeing or safety of a child or group of children; and
- the ISE reasonably believes that the disclosure may assist the receiving ISE to carry out decisions, assessments, plans, an investigation, provide a service or manage risks to a child or group of children.

Voluntary Information Sharing with ISEs

Under section 41V, an ISE **may voluntarily** share Child Information with another ISE, on its own initiative, if:

- the disclosure of the Child Information is made for the purpose of promoting the wellbeing or safety of a child or group of children; and

- the Bairnsdale Christian College reasonably believes that the disclosure may assist the receiving ISE to carry out decisions, assessments, plans, an investigation, provide a service or manage risks to a child or children.

Information Sharing with the Child, their Parent/Carer and other People

Under section 41Y of the CWS Act, an ISE **may** disclose Child Information to a child, a person who has parental responsibility for the child or a person with whom the child is living, for the purpose of managing a risk to the child's safety.

The person to whom the Child Information has been disclosed must not use or disclose that Child Information except for the purpose of managing the risk to the child's safety.

Under privacy law, any person may seek their own personal information (including Child Information covered by this Policy) from Bairnsdale Christian College. In the usual circumstances, the Bairnsdale Christian College is required to give that person access to their own Child Information. However, under section 41ZF of the CWS Act, the Bairnsdale Christian College **may refuse** to give a person access to their Child Information if it believes on reasonable grounds that giving the person access to the Child Information would increase a risk to the safety of a child or group of children.

For more information about sharing Information with children and parents/carers, refer to [Communication with Parents/Carers](#) (about responding to and reporting allegations of child abuse), [Reportable Conduct](#) and our [Privacy Policy](#).

Interaction of the CIS Scheme and the Family Violence Information Sharing Scheme

The CIS Scheme and the Family Violence Information Sharing Scheme (FVIS Scheme) were designed to complement each other. Both Schemes enable certain organisations and services to share information to respond to the range of needs and risks facing children and families. Both Schemes prioritise the sharing of information to promote a child's safety over the privacy of any person.

As an ISE under both Schemes, the Bairnsdale Christian College must comply with both the FVIS Scheme and the CIS Scheme.

While the purposes for which information may be shared differ between the Schemes, when a child is affected by family violence there will be substantial overlap between the FVIS Scheme and the CIS Scheme. In these cases, it may be that the Bairnsdale Christian College will be sharing information with some ISEs under the CIS Scheme and with different ISEs under the FVIS Scheme, or it could be

that the Bairnsdale Christian College will be sharing different information with a single ISE under each Scheme.

Overlap between the Schemes is particularly likely when:

- a student who is aged under 18 is the victim of family violence (including by being exposed to family violence between other family members) (called a “child victim survivor” in the Ministerial Guidelines)
- a student who is aged under 18 is believed or suspected to be a perpetrator of family violence, whether against a family member or against a person (including another student) with whom they are or were in an intimate personal relationship (called an “adolescent who uses violence” in the Ministerial Guidelines).

For more information, refer to Information Sharing Under Part 6A of the Child Wellbeing and Safety Act 2005 (Vic) and Chapters 5 and 6 of the Family Violence Information Sharing [Ministerial Guidelines](#).

Child Information Sharing Scheme Principles

The legislative principles that guide the sharing of Child Information under the CIS Scheme are set out in section 41U of the CWS Act. They are that ISEs should:

1. give precedence to the wellbeing and safety of a child or group of children over the right to privacy
2. seek to preserve and promote positive relationships between a child and the child’s family members and people significant in the child’s life
3. seek to maintain constructive and respectful engagement with children and their families
4. be respectful of, and have regard to, a child’s social, individual and cultural identity, the child’s strengths and abilities and any vulnerability relevant to the child’s safety or wellbeing
5. promote the cultural safety and recognise the cultural rights and familial and community connections of children who are Aboriginal, Torres Strait Islander or both
6. seek and take into account the views of the child and the child’s relevant family members, if it is appropriate, safe and reasonable to do so
7. take all reasonable steps to plan for the safety of all family members believed to be at risk from family violence
8. only share confidential Child Information to the extent necessary to promote the wellbeing or safety of a child or group of children, consistent with the best interests of that child or those children
9. work collaboratively in a manner that respects the functions and expertise of each information sharing entity.

Key Definitions

Child Information/Confidential Information

The CIS Scheme permits the sharing of “confidential information” relevant to the safety or wellbeing of a child or group of children.

Section 3 of the CWS Act defines “confidential information” as:

- health information; or
- personal information; or
- sensitive information as defined in the Privacy and Data Protection Act 2014 (such as a criminal record); or
- unique identifiers; or
- identifiers as defined in the Health Records Act 2001.

For the purposes of this Policy, we refer to confidential information relevant to the safety and wellbeing of a child or group of children as “Child Information”.

Excluded Information

Under section 41Q of the CWS Act and the [Child Information Sharing Scheme Ministerial Guidelines](#), Child Information is “excluded information” if the collection, use or disclosure of the Child Information could be reasonably expected to do any of the following:

- endanger a person’s life or result in physical injury – this includes to the child, their family or any other person. For example, if sharing the location of a child could be reasonably expected to pose a threat to the life or physical safety of the child or another person, this Child Information must not be shared.
- prejudice the investigation of a breach or possible breach of the law or prejudice the enforcement or proper administration of the law. For example, Child Information that could unfairly influence or reveal details of a police investigation or Commission for Children and Young People investigation.
- prejudice a coronial inquest or inquiry. For example, Child Information that could unduly influence a witness expected to give evidence before a coronial inquest.
- prejudice the fair trial of a person or the impartial adjudication of a particular case. For example, Child Information that could unfairly influence the outcome of a proceeding.

- disclose the contents of a document, or a communication, that is of such a nature that the contents of the document, or the communication, would be privileged from production in legal proceedings on the ground of legal professional privilege or client legal privilege
- disclose or enable a person to ascertain the identity of a confidential source of information in relation to the enforcement or administration of the law. For example, Child Information could reveal or be used to reveal the name of a person who has confidentially provided information to police.
- contravene a court order or a provision made by or under the CWS Act or any other Act that prohibits or restricts the publication or other disclosure of information for or in connection with any proceeding, or requires or authorises a court or tribunal to close any proceeding to the public. For example, if Child Information is part of a closed court proceeding.
- be contrary to the public interest. For example, Child Information that could reveal covert investigative techniques.

For the purposes of this Policy, Excluded Child Information is Child Information that **must not** be shared by an ISE, whether in response to a request from another ISE or on its own initiative without a request.

The Bairnsdale Christian College's Policy

It is the Bairnsdale Christian College's policy to comply with all Part 6A requests for Child Information (other than Excluded Information) by other ISEs whenever the Bairnsdale Christian College has formed the required reasonable belief. For more information, refer to [Grounds for Sharing Information between ISEs](#).

It is the Bairnsdale Christian College's policy to voluntarily share Child Information (other than Excluded Child Information) with other ISEs under Part 6A of the CWS Act whenever the Bairnsdale Christian College has formed the required reasonable belief, and regardless of whether the other ISE has requested the Child Information. For more information, refer to [Grounds for Sharing Information between ISEs](#).

It is the Bairnsdale Christian College's policy to share Child Information (other than Excluded Information) with a child or their parent or carer whenever the Bairnsdale Christian College considers that doing so is necessary to manage a risk to the child's safety. For more information, refer to [Communication with Parent/Carers](#).

It is the Bairnsdale Christian College policy to refuse to disclose Child Information to a person (including a staff member, Volunteer, Contractor, student or a student's parent/carer) whenever the Bairnsdale Christian College reasonably believes that giving the person access to the Child Information would increase a risk to the safety of a child or group of children. For more information, refer to our [Privacy Policy](#).

It is the Bairnsdale Christian College's policy to follow the [Child Information Sharing Scheme Ministerial Guidelines](#) whenever Child Information is to be shared under this Policy.

Consent to Information Sharing under the Child Information Sharing Scheme

The Bairnsdale Christian College can share Child Information with, or seek Child Information from, another ISE under Part 6A of the CWS Act without the consent of the child or their family.

However, it is the Bairnsdale Christian College's policy that:

- wherever appropriate, safe and reasonable to do so, informed consent to the proposed information sharing is sought from the child or young person and/or their parents/carers
- where it is not possible to obtain informed consent, the child's and/or their parents/carers views will be sought prior to the proposed information sharing, provided that it is appropriate, safe and reasonable to do so
- at enrolment, parents/carers are informed that Child Information about students may be, or is, provided to other organisations.

It is the Bairnsdale Christian College's policy to follow the [Child Information Sharing Scheme Ministerial Guidelines](#) when seeking the informed consent, or otherwise seeking the views, of a child or family member about information sharing.

Who is authorised to share Child Information under the Child Information Sharing Scheme?

The Principal is the Bairnsdale Christian College's authorised representative for the purposes of sharing Child Information with, or requesting Child Information from, other ISEs on behalf of the Bairnsdale Christian College.

Where the Child Information relates to the Principal, the Board Chair is the Bairnsdale Christian College's authorised representative and is responsible for recording, investigating and managing requests for or proposals to share Child Information under this Policy. Therefore, any such requests or proposals should be directed to them.

References to the Principal in this Policy include the Board Chair when managing the sharing of Child Information that relates to the Principal.

Who is an ISE under the Child Information Sharing Scheme?

The list of ISEs prescribed under regulation 5 and Schedule 1 of the Child Information Sharing Regulations is extensive.

It includes services that work with children, young people and families, such as government and non-government schools, family violence services, alcohol and other drug services, homelessness services, mental health services, community health centres, registered general medical practitioners/nurses and out of home care services.

It also includes government agencies and regulatory bodies such as Child Protection, Youth Justice, Maternal and Child Health, Victoria Police, the Commission for Children and Young People, the Disability Services Commissioner, the Victorian Institute of Teaching and the Victorian Registrations and Qualifications Authority.

All ISEs can access an [online ISE list](#) which is a database that can be used to identify other ISEs. For information on how to use the online ISE list refer to the [ISE List User Guide](#).

For more information about ISEs, see Appendix 2 of the [Child Information Sharing Scheme Ministerial Guidelines](#).

Grounds for Sharing Child Information between ISEs

If the grounds for sharing Child Information are met, an ISE:

- **maymake a request** for Child Information to another ISE;
- **mustdisclose** relevant Child Information (other than [Excluded Information](#)) to another ISE, if requested; and
- **maydisclose** Child Information (other than [Excluded Information](#)) voluntarily (without a request) to other ISEs.

ISEs may share Child Information if:

1. where the ISE is requesting or disclosing Child Information about any person, the request or disclosure is made for the purpose of promoting the wellbeing or safety of a child or group of children; and

2. the disclosing ISE reasonably believes that sharing the Child Information may assist the receiving ISE to carry out one or more of the following activities:
 - making a decision, an assessment or a plan relating to a child or group of children;
 - initiating or conducting an investigation relating to a child or group of children;
 - providing a service relating to a child or group of children;
 - managing any risk to a child or group of children; and
3. the Child Information being disclosed or requested is not known to be Excluded Information (and is not restricted from sharing by another law).

Further guidance about the collection, use or disclosure of Child Information under Part 6A of the CWS Act can be found in Chapter 1 of the Child Information Sharing Scheme Ministerial Guidelines.

Information that Cannot be Shared

ISEs **must not**, under the CIS Scheme, disclose Excluded Information to another ISE or to a child or their parent/carer.

ISEs also **must not**, under the CIS Scheme, share Child Information that is known to be restricted under another law. For more information, refer to Chapter 4 of the Child Information Sharing Scheme Ministerial Guidelines.

Procedure for Making a Request for Child Information to an ISE

Where a staff member wishes to request Child Information from another ISE under section 41W of the CWS Act, the request must be made to the Principal, who will consider whether or not to make the request for Child Information to the other ISE.

The Principal must determine whether:

- they reasonably believe that obtaining the Child Information is for the purpose of promoting the wellbeing or safety of a child or group of children; and
- they reasonably believe that receiving the Child Information would assist the Bairnsdale Christian College to do one of the following:
 - make a decision, an assessment or a plan relating to a child or group of children;
 - initiate or conduct an investigation relating to a child or group of children;
 - provide a service relating to a child or group of children;
 - manage any risk to a child or group of children; and
- the Child Information being requested is Excluded Information or is otherwise restricted from sharing by another law.

If the Principal decides to request the Child Information from the other ISE then, before making the request, they should first try to contact the ISE by phone to discuss the ISE's information needs and ensure that the request is well targeted. Then, the Principal should request, in writing, that the Child Information be provided to the Bairnsdale Christian College. The written request must contain sufficient information to enable the ISE to consider the request.

The request for Child Information must be recorded. For more information, refer to [Record Keeping About Information Sharing Under the Child Information Sharing Scheme](#).

Procedure for Responding to a Child Information Request from an ISE

When a request for Child Information is received by the Bairnsdale Christian College from another ISE, the following steps must be followed:

- if the request is received by a person other than the Principal, the request must be forwarded to the Principal (or to the Board Chair if the requested Child Information relates to the Principal)
- the Principal must consider whether the request contains sufficient information to determine whether disclosing the Child Information is for the purpose of promoting the wellbeing or safety of a child or group of children, and whether they reasonably believe that the Child Information would assist the recipient of the Child Information to:
 - make a decision, an assessment or a plan relating to a child or group of children
 - initiate or conduct an investigation relating to a child or group of children
 - provide a service relating to a child or group of children
 - manage any risk to a child or group of children
- if sufficient information to make these determinations has not been given by the other ISE, the Principal may seek further information from the ISE or may decline the request
- if sufficient information has been given and the grounds for sharing the Child Information are met, the Principal must:
 - comply with the request and provide the Child Information to the ISE in accordance with section 41W(3); or
 - decline to comply with the request if the Child Information is [Excluded Information](#) or otherwise restricted from disclosure by another law.

If the Principal declines to provide Child Information in response to a request made under section 41W, they must record the request and why it was refused and provide these reasons to the requesting ISE in writing. For more information, refer to [Record Keeping About Information Sharing Under the Child Information Sharing Scheme](#).

If a determination is made that the Child Information must be shared, the Child Information may be shared verbally or in writing. The sharing of the Child Information must be recorded. For more information, refer to [Record Keeping About Information Sharing Under the Child Information Sharing Scheme](#).

Procedure for Providing Child Information to an ISE without a Request

If a staff member proposes that Child Information should be shared with another ISE without a request having been made, this proposal must be put to the Principal for their consideration and action.

The Principal must determine whether:

- they reasonably believe that disclosing the Child Information is for purpose of promoting the wellbeing or safety of a child or group of children; and
- they reasonably believe that the provision of the Child Information would assist the proposed recipient to do one of the following:
 - make a decision, an assessment or a plan relating to a child or group of children;
 - initiate or conduct an investigation relating to a child or group of children;
 - provide a service relating to a child or group of children; or
 - manage any risk to a child or group of children.

If the grounds for information sharing are met, it is the Bairnsdale Christian College's policy that the Principal must share the Child Information unless the Child Information is [Excluded Information](#) or otherwise restricted from disclosure by another law.

The Child Information may be shared verbally or in writing.

The sharing of the Child Information must be recorded. For more information, refer to [Record Keeping About Information Sharing Under the Child Information Sharing Scheme](#).

Procedure for Responding to a Request from an Individual for Their Own Child Information

Requests by a person (including a staff member, Volunteer, Contractor, student or a student's parent/carer) to access their own personal information are usually managed by the Administration Manager**. For more information, refer to our [Privacy Policy](#).

However, where a person requests access to personal information that is Child Information covered by this Policy, the request to access the Child Information must be referred to the Principal (or if the

request is made by the Principal, to the Board Chair) for a decision about whether or not the Child Information should be disclosed to the person.

If:

- the person seeking access is a student or their parent/carer; and
- the Principal reasonably believes that disclosing the Child Information:
 - is necessary to manage a risk to the child's safety; and
 - does not present a risk to the safety of a child or group of children,

it is the Bairnsdale Christian College's policy that the Principal **must** share the Child Information unless the Child Information is Excluded Information or otherwise restricted from disclosure by another law.

The Child Information may be shared verbally or in writing.

The sharing of the Child Information must be recorded. For more information, refer to Record Keeping About Information Sharing Under the Child Information Sharing Scheme.

If the Principal reasonably believes that giving a person access to their own Child Information would increase a risk to the safety of a child or group of children, it is the Bairnsdale Christian College's policy that the Principal **must** refuse to disclose the Child Information to the person. For more information, refer to our Privacy Policy.

If the Principal declines to give a person access to their own Child Information, they must record the request and why it was refused. For more information, refer to Record Keeping About Information Sharing Under the Child Information Sharing Scheme.

Complaints Under the Child Information Sharing Scheme

An ISE may make a complaint to another ISE about how the other ISE has undertaken any activities under the CIS Scheme, including where a request for Child Information has not been fulfilled.

Complaints from an ISE about the Bairnsdale Christian College's performance of its information sharing functions under the CWS Act are managed pursuant to our Complaints Handling Policy.

If such a complaint is made to the Bairnsdale Christian College, the Bairnsdale Christian College must record:

- the date the complaint was made and received

- the nature of the complaint
- any action that was taken to resolve the complaint
- any necessary action that has been taken to prevent, or lessen, the risk of further similar complaints by addressing the reasons for the complaint
- the time taken to resolve the complaint
- if the Bairnsdale Christian College was unable to resolve the complaint, what (if any) further action was taken by the Bairnsdale Christian College.

For more information about how the Bairnsdale Christian College manages and records complaints (including complaints about its information sharing functions under the CWS Act), refer to our [Complaints Handling Policy](#).

Protection from Liability

If any person who is authorised to share Child Information under Part 6A of the CWS Act, acting in good faith and with reasonable care, shares Child Information in accordance with Part 6A of the CWS Act, that person is not liable to any civil or criminal action, or any disciplinary action, for providing such Child Information. The person cannot be in breach of any code of professional etiquette or ethics or be considered to have departed from any accepted standards of professional conduct.

Generally, a person may be considered to have acted in good faith and reasonable care when they can demonstrate that they:

- shared the Child Information in accordance with their obligations, functions and authorisations
- intended for the Child Information to be shared for the purpose of promoting the wellbeing and safety of a child and not for another purpose
- did not act maliciously, recklessly or negligently when exercising their power to share information.

Restriction on Use of Child Information

If any Child Information is provided to the Bairnsdale Christian College under Part 6A of the CWS Act, the Bairnsdale Christian College must not, except as otherwise required or permitted by any law, use or disclose the Child Information for any purpose that is not associated with the safety, welfare or wellbeing of the child or young person (or class of children or young persons) to whom the Child Information relates.

Offences

Offences and penalties may apply if Child Information is shared in ways that are not permitted under Part 6A of the CWS Act:

1. The offence of unauthorised use or disclosure of confidential information includes a significant fine for a person or body corporate (section 41ZK). It is a defence if the person used or disclosed the Child Information in good faith and with reasonable care (section 41ZK(2)).
2. The offence of intentional or reckless unauthorised use or disclosure includes penalties of imprisonment of up to five years and/or a significant fine for an individual or a body corporate (section 41ZL).

These two offences do not apply in the following circumstances:

- to a child or their parents or people living with a child who has/have been provided with Child Information by an ISE for the purposes of managing a risk to the safety of the child under the scheme
- use or disclosure is made with the consent of the person to whom the Child Information relates
- if the person to whom the Child Information relates is incapable of giving consent to the use or disclosure, a use or disclosure made with the consent of the person's authorised representative
- disclosure made to a court or tribunal in the course of legal proceedings or made pursuant to an order of a court or tribunal
- a use or disclosure made to the extent reasonably required to enable the investigation or the enforcement of law
- disclosure made to an Australian legal practitioner for the purposes of obtaining legal advice or representation
- use or disclosure made as required or authorised by the CWS Act or any another Act

3. The offence of falsely claiming to be an ISE or an authorised representative of an ISE – or knowingly allowing someone else to believe that you are – includes a significant fine for a person or body corporate (section 41ZM). It is a defence if the person reasonably believes that there is authorisation by the ISE.

Record Keeping About Information Sharing Under the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme

Section 41ZC of the Child Wellbeing and Safety Act 2005 (Vic) requires that the Bairnsdale Christian College keeps records of information sharing requests to, and disclosures made by, the Bairnsdale

Christian College pursuant to the CIS Scheme. Section 7 of the Child Wellbeing and Safety Act 2005 (Vic) prescribe the specific information that must be recorded for this Scheme.

Section 144PB of the Family Violence Protection Act 2008 (Vic) requires that the Bairnsdale Christian College keeps records of information sharing requests to and disclosures made by the Bairnsdale Christian College pursuant to the FVIS Scheme. Part 3 of the Family Violence Protection (Information Sharing and Risk Management) Regulations 2018 (Vic) prescribe the specific information that must be recorded for this Scheme.

The recordkeeping requirements under both Schemes are similar.

Disclosure of Information to an ISE

The Bairnsdale Christian College must record the following information about disclosures of Information to information sharing entities (ISEs) under both the CIS Scheme and the FVIS Scheme:

- the ISE that requested the Information
- the Information that was requested
- the date on which the ISE made the request
- a record of the Information that was disclosed
- the date on which the Information was disclosed
- the ISE to which the Information was disclosed
- a copy of any family violence risk assessments or safety plans relevant to the disclosure
- for disclosures under the CIS Scheme or for disclosures of information relating to a child victim survivor under the FVIS Scheme:
 - whether the Bairnsdale Christian College sought and obtained the views of the child, or the views of that child's parent and, if not, the reason why
 - whether the child or that child's parent was informed that the Information was or would be disclosed.
- for disclosures under the FVIS Scheme:
 - where a relevant consent was required and was provided, a record of the consent
 - where a relevant consent was not provided and the Information was shared without consent:
 - the reason why consent was not obtained
 - whether the views of the person were sought and obtained, and if not the reasons why not
 - whether the person was informed that their Information was shared without their consent.

Refusal to Disclose Information to an ISE

If the Bairnsdale Christian College declines a request from an ISE for Information about any person, the Bairnsdale Christian College must record the:

- details of the request
- reason why the request was declined.

Refusal to Disclose a Person's Own Information to the Person

If the Bairnsdale Christian College declines a request from a person to access their own Information (under the CIS Scheme policy's [Procedure for Responding to a Request from an Individual for their Own Child Information](#) or the FVIS Scheme policy's [Procedure for Responding to a Request from an Individual for Their Own FV Information](#)), the Bairnsdale Christian College must record the:

- details of the request
- reason why the request was declined.

Requests by the Bairnsdale Christian College to Another ISE

When the Bairnsdale Christian College makes a request for Information to another ISE, the Bairnsdale Christian College should record the:

- date of the request
- ISE that the request was made to
- Information that was sought
- reason why the Information was sought.

Information Sharing Under Part 5A of the Family Violence Protection Act 2008 (Vic)

Background

The Family Violence Protection Act 2008 (Vic) (FVP Act) and the Family Violence Protection (Information Sharing and Risk Management) Regulations 2018 (Vic) (FV Information Sharing Regulations) establish a statutory information sharing regime, called the Family Violence Information Sharing Scheme (FVIS Scheme).

The FVIS Scheme prioritises the sharing of information to keep perpetrators of family violence in view and to promote the safety of victim survivors of family violence, over the privacy and confidentiality of perpetrators/alleged perpetrators. It also prioritises the safety of child victim survivors over the privacy and confidentiality of any adult.

The FVIS Scheme and the Child Information Sharing Scheme (CIS Scheme) complement each other. Under both Schemes, certain organisations and services are prescribed as “**information sharing entities**” (ISEs), which are similar for both Schemes. Non-government schools are an ISE under both Schemes.

Despite laws prohibiting or restricting the disclosure of personal information, under the FVIS Scheme ISEs must share confidential information about a victim survivor, perpetrator/alleged perpetrator of family violence or a linked person, that is relevant to assessing or managing a family violence risk, (FV Information) with other ISEs:

- when requested to do so by an ISE that is a Risk Assessment Entity (RAE), for family violence assessment purposes
- when requested to do so by another ISE, for family violence protection purposes

under Part 5A of the FVP Act.

Part 5A of the FVP Act also permits ISEs to **voluntarily** disclose to other ISEs FV Information about a victim survivor, perpetrator/alleged perpetrator or linked person, for the same purposes.

It also permits ISEs to disclose a perpetrator’s FV Information to a victim survivor (or, if the victim survivor is a child, to their parent provided they are not a perpetrator) for the purpose of managing a risk to the victim survivor’s safety.

The FVIS Scheme does not affect reporting obligations created under other legislation, such as Mandatory Reporting.

It also does not prevent or limit the Bairnsdale Christian College from using or disclosing FV Information if it is required or permitted to do so by or under any other Act or law.

The Family Violence Information Sharing Ministerial Guidelines (FV Ministerial Guidelines) and this policy set out how Staff must handle FV Information and how the Bairnsdale Christian College must apply the legislative principles of the FVIS Scheme.

In the Bairnsdale Christian College context, sharing FV Information under the FVIS Scheme is likely to mostly come up in situations where:

- a student is the victim of family violence , including by being exposed to family violence between other family members or by being subjected to family violence by a person (including another student) with whom the student is or was in an intimate personal relationship
- a student is believed or suspected to be a perpetrator of family violence, whether against a family member or against a person (including another student) with whom they are or were in an intimate personal relationship
- the Bairnsdale Christian College is concerned that giving a person access to their own personal FV Information would increase a risk to a student’s safety or that of their family members from family violence.

This Policy includes:

- [Source of Obligation](#)
- [Interaction of the FVIS Scheme and the Child Information Sharing Scheme](#)
- [FVIS Scheme Principles](#)
- [Key Definitions](#)
- [Complying with the FVIS Scheme – the Bairnsdale Christian College’s Policy](#)
- [Who is Authorised to Share Information Under the FVIS Scheme?](#)
- [Who is an ISE and Who is an RAE under the FVIS Scheme?](#)
- [Grounds for Sharing Information Under the FVIS Scheme](#)
- [Consent Thresholds for Information Sharing under the FVIS Scheme](#)
- [Procedure for Making a Request for Information to an ISE](#)
- [Procedure for Responding to an Information Request from an RAE/ISE](#)
- [Procedure for Providing Information to an ISE without a Request](#)
- [Procedure for Providing Information About a Perpetrator to a Student or Their Parent](#)
- [Procedure for Responding to a Request from an Individual for Their Own FV Information](#)
- [Record Keeping Requirements Under the FVIS Scheme](#)
- [Complaints Under the FVIS Scheme](#)
- [Protection from Liability](#)
- [Restriction on Use of Information](#)
- [Offences](#)

Source of Obligation

The Bairnsdale Christian College, as a non-government school, is a prescribed ISE under regulation 5 and Schedule 1 of the FV Information Sharing Regulations.

Mandatory Information Sharing With Other ISEs

Under section 144KB of the FVP Act, an ISE that is prescribed as an RAE may make a request for FV Information about a victim survivor, a **perpetrator**, an **alleged perpetrator** or a **linked person** to the Bairnsdale Christian College for a **family violence assessment purpose**.

Under section 144KC of the FVP Act, the Bairnsdale Christian College must disclose the requested FV Information if:

- the FV Information is not **Excluded Information**
- sharing the FV Information does not contravene another law; and
- relevant consent requirements are met.

Under section 144LB of the FVP Act, an ISE may make a request for FV Information about a victim survivor, a **perpetrator** or a **linked person** to the Bairnsdale Christian College, or the Bairnsdale Christian College may make such a request to another ISE, for a family violence protection purpose.

Under section 144LC of the FVP Act, the Bairnsdale Christian College, or the other ISE to whom the request was made by the Bairnsdale Christian College, **must** disclose the requested FV Information if:

- the Bairnsdale Christian College/other ISE reasonably believes that the disclosure of the relevant FV Information is necessary for a family violence protection purpose
- the FV Information is not **Excluded Information**
- sharing the FV Information does not contravene another law; and
- relevant consent requirements are met.

For more information about consent requirements, refer to Consent Thresholds for Information Sharing Under the FVIS Scheme in this Policy.

Voluntary Information Sharing with ISEs

Under sections 144KA and 144LA of the FVP Act, the Bairnsdale Christian College **may, on its own initiative, voluntarily** share FV Information with an RAE or another ISE if:

- the FV Information is not Excluded Information
- sharing the FV Information does not contravene another law
- relevant consent requirements are met
- and either
 - in the case of disclosing FV Information to an RAE, the disclosure is for a **family violence assessment purpose**; or

- in the case of disclosing FV Information to an ISE that is not an RAE, the disclosure is for a **family violence protection purpose**.

Information Sharing with Victim Survivors

Under section 144M of the FVP Act, the Bairnsdale Christian College may disclose the FV Information of a **perpetrator** (other than **Excluded Information** or where sharing the FV Information would contravene another law) to a victim survivor (or to the parent of a child victim survivor) for a **family violence protection purpose**.

The person to whom the FV Information has been disclosed must not use or disclose that FV Information except for the purpose of managing the risk to the victim survivor of being subjected to family violence.

For more information about sharing FV Information with students and parents/carers, refer to Communicating with Parents/Carers and our [Privacy Policy](#).

Restrictions on Sharing Information with Perpetrators and Alleged Perpetrators

Under privacy law, any person may seek access to their own personal information (including FV Information covered by this policy) from Bairnsdale Christian College. In the usual circumstances, the Bairnsdale Christian College is required to give that person access to their own FV Information.

However, under section 144QA of the FVP Act, the Bairnsdale Christian College **may refuse** to give a person access to their FV Information if it believes on reasonable grounds that giving the person access to the FV Information would increase a risk to a victim survivor's safety from family violence.

Under the FV Ministerial Guidelines, the Bairnsdale Christian College also must take steps to ensure that it does not inadvertently disclose FV Information to a perpetrator/alleged perpetrator. See page 40 of the [FV Ministerial Guidelines](#).

This obligation means that the Bairnsdale Christian College must verify the identity of a person who is requesting FV Information from the Bairnsdale Christian College on behalf of an ISE. The Bairnsdale Christian College must also ensure that any Staff, Volunteers or Contractors who have a conflict of interest (because they are related to or have a personal relationship with a victim survivor and/or a perpetrator/alleged perpetrator) are not able to access FV Information about the relevant victim survivor or perpetrator/alleged perpetrator. For more information, refer to our Conflict of Interest Policy.

Interaction of the FVIS Scheme and the Child Information Sharing Scheme

The FVIS Scheme and the CIS Scheme were designed to complement each other. Both Schemes enable certain organisations and services to share information to respond to the range of needs and risks facing children and families. Both Schemes prioritise the sharing of information to promote a child's safety over the privacy of any person.

As an ISE under both Schemes, the Bairnsdale Christian College must comply with **both** the FVIS Scheme and the CIS Scheme.

While the purposes for which information may be shared differ between the Schemes, when a child is affected by family violence there will be substantial overlap between the FVIS Scheme and the CIS Scheme. In these cases, it may be that the Bairnsdale Christian College will be sharing information with some ISEs under the CIS Scheme and with different ISEs under the FVIS Scheme, or it could be that the Bairnsdale Christian College will be sharing different information with a single ISE under each Scheme.

Overlap between the Schemes is particularly likely when:

- a student who is aged under 18 is the victim of family violence (including by being exposed to family violence between other family members) (called a "child victim survivor" in the FV Ministerial Guidelines)
- a student who is aged under 18 is believed or suspected to be a perpetrator of family violence, whether against a family member or against a person (including another student) with whom they are or were in an intimate personal relationship (called an "adolescent who uses violence" in the FV Ministerial Guidelines).

For more information, refer to [Information Sharing Under Part 6A of the Child Wellbeing and Safety Act 2005 \(Vic\)](#) and Chapters 5 and 6 of the FV Ministerial Guidelines.

FVIS Scheme Principles

The legislative principles that guide the sharing of FV Information under the FVIS Scheme are set out in section 144J of the FVP Act. They are that ISEs should:

1. work collaboratively to coordinate services in a manner that respects the functions and expertise of each ISE

2. give precedence to the right to be safe from family violence over the right to privacy
3. only collect, use or disclose a person's confidential FV Information to the extent necessary to:
 - assess or manage risk to the safety of a person from family violence
 - hold perpetrators of family violence accountable for their actions
4. collect, use or disclose the confidential FV Information of a person who identifies as Aboriginal or Torres Strait Islander in a manner that:
 - promotes the right to self-determination and is culturally sensitive
 - considers the person's familial and community connections
5. have regard to and be respectful of a person's cultural, sexual and gender identity and religious faith.

In addition, when collecting, using and disclosing FV Information relating to a child (a person aged under 18), ISEs should:

1. promote the agency of the child and other family members at risk of family violence by ensuring their wishes are taken into account (having regard to the appropriateness of doing so and the child's age and maturity)
2. if the collection, use and disclosure of the FV Information includes the confidential information of other family members at risk of family violence, take all reasonable steps to ensure that the FV Information is collected, used and disclosed in a way that:
 - plans for the safety of those family members
 - recognises the desirability of preserving and promoting positive relationships between those family members and the child.

Key Definitions

FV Information/Confidential Information

The FVIS Scheme permits the sharing of "confidential information" that is relevant to assessing or managing a family violence risk.

Section 144A of the FVP Act defines "confidential information" as:

- health information (which is defined in the Health Records Act 2001 (Vic)); or
- personal information, including sensitive information (which are defined in the Privacy and Data Protection Act 2014 (Vic)); or
- unique identifiers (which is defined in the Privacy and Data Protection Act 2014 (Vic)); or
- identifiers (which is defined in the Health Records Act 2001 (Vic)).

For the purposes of this policy, we refer to confidential information about a victim survivor, **perpetrator/alleged perpetrator** of family violence or a **linked person**, that is relevant to assessing or managing a family violence risk as “FV Information”.

Excluded Information

Under section 144C of the FVP Act, and as described in the [FV Ministerial Guidelines](#), FV Information is “excluded information” if it is prescribed as such by the FV Information Sharing Regulations, or if the collection, use or disclosure of the FV Information could be reasonably expected to do any of the following:

- endanger a person’s life or result in physical injury. For example, if sharing the address of a victim survivor with a particular ISE could alert a person, who is known to pose a threat, to the victim survivor’s whereabouts, then this FV Information should not be shared
- prejudice the investigation of a breach or possible breach of the law or prejudice the enforcement or proper administration of the law. For example, FV Information that could reveal details of a police investigation
- prejudice a coronial inquest or inquiry. For example, FV Information that could unduly influence a witness expected to give evidence before a coronial inquest
- prejudice the fair trial of a person or the impartial adjudication of a particular case. For example, FV Information that was cited in evidence during a closed session of court
- disclose the contents of a document, or a communication, that is of such a nature that the contents of the document, or the communication, would be privileged from production in legal proceedings on the ground of legal professional privilege or client legal privilege
- disclose or enable a person to ascertain the identity of a confidential source of information in relation to the enforcement or administration of the law. For example, where certain FV Information is known only to a particular person, their identity as a confidential source could be ascertained if that FV Information was shared
- contravene a court order or a provision made by or under the FVP Act or any other Act that prohibits or restricts the publication or other disclosure of information for or in connection with

any proceeding, or requires or authorises a court or tribunal to close any proceeding to the public. For example, FV Information about proceedings that took place in a closed court

- be contrary to the public interest. For example, FV Information that could reveal covert investigative techniques.

For the purposes of this policy, we refer to FV Information that **must not** be shared by an ISE, whether in response to a request from another ISE or on its own initiative without a request, as Excluded Information.

Family Violence

Under section 5 of the FVP Act, family violence is defined as behaviour by a person towards a family member of that person that:

- is physically or sexually abusive
- is emotionally or psychologically abusive
- is threatening
- is coercive
- in any way, controls or dominates the family member and causes the family member to feel fear for their safety or wellbeing or that of another person
- causes a child to hear or witness or otherwise be exposed to the effects of any of the above behaviours.

A family member is defined in section 8 of the FVP Act as a person who:

- is or has been the perpetrator's spouse or partner
- is or has been in an intimate personal relationship with the perpetrator
- is or has been a relative of the perpetrator
- is a child who normally or regularly resides with the perpetrator or who has previously resided with the perpetrator on a normal or regular basis
- is a child of a person who has or has had an intimate personal relationship with the perpetrator.

For more information, refer to [Definitions and Key Risk Indicators of Abuse](#).

Family Violence Assessment Purpose

Under the FVIS Scheme, an ISE that is prescribed as an RAE may seek from another ISE, or be voluntarily provided by another ISE with, FV Information about victim survivors, perpetrators, alleged perpetrators or linked persons for family violence assessment purposes.

A family violence assessment purpose is defined in section 144A of the FVP Act as the purpose of establishing or assessing the risk of:

- a person committing family violence; or
- a person being subjected to family violence.

This includes establishing who is the person committing the family violence and/or who is being subjected to family violence and assessing the risk of family violence being committed.

Family Violence Protection Purpose

Under the FVIS Scheme, an ISE may seek from another ISE, or be voluntarily provided by another ISE with, FV Information about victim survivors, perpetrators and linked persons for family violence protection purposes.

ISEs may also share a perpetrator's FV Information with a victim survivor (or a parent of a child victim survivor) for a family violence protection purpose.

A family violence protection purpose is defined in section 144A of the FVP Act as the purpose of managing a risk of:

- a person committing family violence, as well as an ongoing assessment of the risk of the person committing family violence
- a person being subjected to family violence, as well as an ongoing assessment of the risk of the person being subjected to family violence.

Linked Person

Under the FVIS Scheme, ISEs may share the FV Information not only of victim survivors, perpetrators and alleged perpetrators, but also of linked persons.

A linked person is defined in section 144A as any person whose confidential information is relevant to a family violence assessment purpose or a family violence protection person but who is not otherwise a victim survivor, a perpetrator or an alleged perpetrator.

Linked persons could include previous partners, friends, acquaintances, neighbours or associates of a victim survivor, perpetrator or alleged perpetrator.

Perpetrator/Alleged Perpetrator

It is important to understand the difference between perpetrators and alleged perpetrators, because ISEs may **only** share an **alleged perpetrator's** FV Information with an RAE and **only** for a family violence assessment purpose. ISEs may share a **perpetrator's** FV Information, on the other hand, with RAEs for family violence assessment purposes as well as with other ISEs for family violence protection purposes. A **perpetrator's** FV Information may also be shared with a victim survivor (or the parent of a child victim survivor) for family violence protection purposes.

The FV Ministerial Guidelines define a **perpetrator** as a person whom an ISE reasonably believes may commit family violence. This reasonable belief should be identified by undertaking a MARAM Framework risk assessment. In the FVP Act, a perpetrator is called a "person of concern".

The FV Ministerial Guidelines say that a person may be an alleged perpetrator if an ISE has limited information but there is a suspicion that the person poses a risk of committing family violence. This includes, but is not limited to, the following situations:

- where a victim survivor has physical injuries consistent with, but does not disclose that they are a result of, family violence
- where a victim survivor discloses family violence but does not identify the perpetrator
- where the Police apply for a family violence intervention order, even though the victim survivor wishes to revoke it and states that there is no family violence
- where an ISE suspects that a client (or, in the case of the Bairnsdale Christian College, a student or a family member of a student) is perpetrating family violence but the client/student/family member denies the use of violence
- where a person is acting in a controlling and aggressive manner towards a family member
- where some MARAM Framework risk factors have been identified but more information is needed
- where a child expresses fear of one or both of their parents, without providing further information.

In the FVP Act, an alleged perpetrator is called a "person who is alleged to pose a risk of family violence".

Complying with the FVIS Scheme – the Bairnsdale Christian College's Policy

It is the Bairnsdale Christian College's policy to comply with all Part 5A requests for FV Information (other than Excluded Information) by RAEs for a family violence assessment purpose, unless a

relevant consent is required and has not been given. For more information, refer to [Consent Thresholds for Information Sharing Under the FVIS Scheme](#).

It is the Bairnsdale Christian College's policy to comply with all Part 5A requests for FV Information (other than [Excluded Information](#)) by other ISEs for a family violence protection purpose, unless:

- the Bairnsdale Christian College reasonably believes that the disclosure of the relevant FV Information is not necessary for a family violence protection purpose. For more information, refer to [Grounds for Information Sharing Between ISEs](#).
- a relevant consent is required and has not been given. For more information, refer to [Consent Thresholds for Information Sharing Under the FVIS Scheme](#).

It is the Bairnsdale Christian College's policy to voluntarily share FV Information (other than [Excluded Information](#)) with other ISEs under Part 5A, regardless of whether the other ISE has requested the FV Information, whenever the Bairnsdale Christian College considers that doing so is necessary for a family violence protection purpose and has been given any required consents. For more information, refer to [Grounds for Information Sharing Between ISEs](#).

It is the Bairnsdale Christian College's policy to share FV Information about a [perpetrator](#) (other than [Excluded Information](#)) with a victim survivor (or the parent of a child victim survivor) whenever the Bairnsdale Christian College considers that doing so is necessary to manage a risk of the victim survivor being subjected to family violence.

It is the Bairnsdale Christian College's policy to refuse to disclose FV Information to a person (including a staff member, Volunteer, Contractor, student or a student's parent/carer) whenever the Bairnsdale Christian College reasonably believes that giving the person access to the FV Information would increase a risk to a victim survivor's safety from family violence. For more information, refer to our [Privacy Policy](#).

It is the Bairnsdale Christian College's policy to follow the [FV Ministerial Guidelines](#), and the [FVIS Scheme Principles](#), whenever Information is to be shared under this policy.

Who is Authorised to Share Information Under the FVIS Scheme?

The Principal is the Bairnsdale Christian College's authorised representative/s for the purposes of sharing FV Information with, or requesting FV Information from, other ISEs on behalf of the Bairnsdale Christian College.

Where the FV Information relates to the Principal, the Board Chair is the Bairnsdale Christian College's authorised representative and is responsible for recording, investigating and managing requests for, or proposals to share, FV Information under this policy. Therefore any such requests or proposals should be directed to them.

References to the Principal in this policy therefore include the Board Chair when managing the sharing of FV Information in relation to the Principal.

Who is an ISE and Who is an RAE under the FVIS Scheme?

The list of ISEs prescribed under regulation 5 and Schedule 1 of the FV Information Sharing Regulations is extensive.

It includes services that work with children, young people and families, such as government and non-government schools, family violence services, alcohol and other drug services, sexual assault services, homelessness services, mental health services, community health centres, registered general medical practitioners/nurses and out of home care services.

It also includes government agencies and regulatory bodies such as Child Protection, Child FIRST/the Orange Door, Department of Housing, Youth Justice, Maternal and Child Health, Victoria Police, the Commission for Children and Young People, and the Disability Services Commissioner.

A subset of ISEs are prescribed as RAEs. An RAE is an organisation or service that, as part of its functions, establishes or assesses the risk of a person committing family violence or a person being subjected to family violence.

RAEs include:

- state-funded specialist family violence services (such as refuges, Men's Behaviour Change Programs, family violence counselling and therapeutic programs)
- members of Risk Assessment and Management Panels
- state-funded sexual assault services
- Child Protection
- Child FIRST/the Orange Door
- Victoria Police
- the Victims Support Agency.

All ISEs can access an [online ISE list](#) which is a database that can be used to identify other ISEs. For information on how to use the online ISE list refer to the [ISE List User Guide](#).

For more information about ISEs and RAEs, see Chapter 2 of the [FV Ministerial Guidelines](#).

Grounds for Sharing Information Under the FVIS Scheme

Only FV Information that is relevant to assessing and/or managing a risk of family violence may be shared under the FVIS Scheme.

The [MARAM Framework](#) and Chapter 3 of the [FV Ministerial Guidelines](#) can assist in determining what FV Information may be relevant to assessing and/or managing a family violence risk.

Information Sharing with an RAE for a Family Violence Assessment Purpose

For the Bairnsdale Christian College to share FV Information with an RAE for a family violence assessment purpose, the following additional requirements must be met, regardless of whether the FV Information is being shared pursuant to a request or voluntarily:

- the FV Information must not be [Excluded Information](#); and
- any relevant consents must have been given.

When disclosing FV Information to an RAE voluntarily, the Bairnsdale Christian College must also consider that disclosing the FV Information is for a family violence assessment purpose.

Information Sharing with an ISE for a Family Violence Protection Purpose

If an ISE Has Made a Request for the FV Information

For the Bairnsdale Christian College to share FV Information with an ISE that has requested the FV Information for a family violence protection purpose, the following additional requirements must be met:

- the Bairnsdale Christian College must have a reasonable belief that disclosure of the requested FV Information is necessary for a family violence protection purpose;
- the FV Information must not be [Excluded Information](#); and
- any relevant consents must have been given.

If Sharing Voluntarily (Without a Request)

For the Bairnsdale Christian College to voluntarily share FV Information with an ISE (without a request), the following additional requirements must be met:

- the Bairnsdale Christian College must consider that disclosing the FV Information is for a family violence protection purpose;
- the FV Information must not be Excluded Information; and
- any relevant consents must have been given.

Information Sharing with a Victim Survivor for a Family Violence Protection Purpose

For the Bairnsdale Christian College to share a perpetrator's FV Information with a victim survivor (or the parent of a child victim survivor), the following additional requirements must be met:

- the Bairnsdale Christian College must consider that disclosing the FV Information is for a family violence protection purpose; and
- the FV Information must not be Excluded Information.

Consent Thresholds for Information Sharing under the FVIS Scheme

Whether or not the consent of the person whose FV Information is being shared is required depends on whose FV Information is being shared and whether or not the family violence risk relates to a child.

The Consent Flowchart on page 62 of the FV Ministerial Guidelines provides a useful overview of how to apply the consent thresholds when sharing FV Information under the FVIS Scheme.

Sharing Information About Perpetrators and Alleged Perpetrators

Consent is not required from a perpetrator or an alleged perpetrator to share FV Information about them:

- with an ISE, whether for a family violence assessment purpose or a family violence protection purpose; or
- with a victim survivor (or the parent of a child victim survivor) to manage a risk of them being subjected to family violence.

Sharing Information About an Adolescent Who Uses Violence

As a perpetrator/alleged perpetrator, consent is not required from a student aged under 18 who uses, or is suspected to be using, violence (whether against a family member or against a person, including

another student, with whom they are, or were, in an intimate relationship) to share FV Information about them:

- with an ISE, whether for a family violence assessment purpose or a family violence protection purpose; or
- with a victim survivor to manage a risk of them being subjected to family violence.

However, if the victim survivor of the adolescent's violence is an adult, that adult's consent may be required before sharing FV Information about them, as set out below.

Sharing Information About an Adult Victim Survivor

The consent of an adult victim survivor is usually required to share FV Information about them with an ISE, whether for a family violence assessment purpose or a family violence protection purpose.

However, under section 144NA of the FVP Act, the Bairnsdale Christian College may share FV Information about an adult victim survivor without their consent if it reasonably believes that sharing the FV Information is necessary to lessen or prevent a serious risk to an individual's life, health, safety or welfare. For more information about the serious threat exception, refer to Chapter 4 of the FV Ministerial Guidelines.

The Bairnsdale Christian College may also share FV Information about an adult victim survivor without their consent if the FV Information is relevant to assessing or managing family violence risks to a child, as set out below.

Most, but possibly not all, of the Bairnsdale Christian College's involvement in sharing FV Information about adult victim survivors under the FVIS Scheme will fall into this exception to the consent requirements.

Sharing Information About or Relevant to a Child Victim Survivor

Consent is not required from any person when the FV Information being shared is relevant to assessing or managing family violence risks to a child (including a risk of being exposed to family violence between other family members). Therefore, FV Information about adult victim survivors who are family members of the child may be shared without their consent.

However, it is the Bairnsdale Christian College's policy that:

- where the FV Information is about the child and/or other family members at risk of being subjected to family violence, the Bairnsdale Christian College will seek informed consent to the

proposed information sharing from the child and/or the relevant family member provided that it is safe, reasonable and appropriate to do so

- where it is not possible to obtain informed consent, the child's and/or the family members' views will be sought prior to the proposed information sharing, provided that it is safe, reasonable and appropriate to do so
- at enrolment, parents/carers are informed that FV Information about students may be, or is, provided to other organisations.

It is the Bairnsdale Christian College's policy to follow Chapter 9 of the [FV Ministerial Guidelines](#) when seeking the informed consent, or otherwise seeking the views, of a child or family member about information sharing under the FVIS Scheme.

Sharing Information About a Linked Person

The consent of a linked person is usually required to share FV Information about them with an ISE, whether for a family violence assessment purpose or a family violence protection purpose.

However, under section 144NB of the FVP Act, the Bairnsdale Christian College may share FV Information about a linked person without their consent if it reasonably believes that sharing the FV Information is necessary to lessen or prevent a serious risk to an individual's life, health, safety or welfare. For more information about when this may occur, refer to Chapter 4 of the [FV Ministerial Guidelines](#).

The Bairnsdale Christian College may also share FV Information about a linked person without their consent if the FV Information is relevant to assessing or managing family violence risks to a child, as set out above.

Information that Must Not be Shared

ISEs must not, under the FVIS Scheme, disclose [Excluded Information](#) to another ISE or to a victim survivor (or the parent of a child victim survivor).

ISEs also must not, under the FVIS Scheme, share FV Information that is known to be restricted under another law. Note, however, that the FVIS Scheme overrides some of the privacy and confidentiality provisions of other laws. Refer to Chapter 11 of the [FV Ministerial Guidelines](#) for information about which legislative privacy and confidentiality provisions have been overridden by the FVIS Scheme and which continue to apply.

Procedure for Making a Request for Information to an ISE

Where a staff member wishes to request FV Information from another ISE under section 144LB of the FVP Act, the request must be made to the Principal, who will consider whether or not to make the request for FV Information to the other ISE.

The Principal must determine whether:

- the FV Information being requested is relevant to, and being sought for, a family violence protection purpose
- the FV Information being requested is Excluded Information or is otherwise restricted from sharing by another law
- the informed consent of the relevant student, a family member (other than a person who is the perpetrator) or a linked person is required for the Bairnsdale Christian College to obtain the FV Information and:
 - if so, whether it has been given
 - if not, whether the views of the relevant student or of a family member (other than a person who is the perpetrator) should be sought and if so, what their views are.

If the Principal decides to request the FV Information from the other ISE then, before making the request, they should first try to contact the ISE by phone to discuss the ISE's information needs and ensure that the request is well targeted. Then, the Principal should request, in writing, that the FV Information be provided to the Bairnsdale Christian College. The written request must contain sufficient information to enable the ISE to consider whether sharing the FV Information with the Bairnsdale Christian College is necessary for a family violence protection purpose.

The request for FV Information must be recorded. For more information, refer to [Record Keeping About Information Sharing Under the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme](#).

Procedure for Responding to an Information Request from an RAE-ISE

When a request for FV Information is received by the Bairnsdale Christian College from another ISE, the request must be forwarded to the Principal (or to the Board Chair if the requested FV Information relates to the Principal).

The Principal must:

1. verify that the requesting entity is an ISE (and, if the request is for a family violence assessment purpose, that it is also an RAE) and:

- if it is not, consider whether the FV Information should be shared under other applicable laws (for more information, refer to pages 40-41 of the FV Ministerial Guidelines)

2. verify the identity of the person making the request on behalf of the RAE/ISE

3. determine whether:

- the FV Information being sought is relevant to assessing or managing a risk of family violence
- they reasonably believe that disclosure of the FV Information is necessary for a family violence protection purpose, if the request for FV Information was made by the ISE for a family violence protection purpose
- the FV Information being sought is Excluded Information or is otherwise restricted from sharing by another law
- the informed consent of the relevant student, a family member (other than a person who is the perpetrator) or a linked person is required (noting that consent is not required if the FV Information is relevant to assessing or managing a family violence risk to a child); and:
- if so, the Principal must either seek the relevant person's informed consent or determine whether the FV Information should be provided under the serious threat exception
- if not, whether the views of the relevant student or of a family member (other than a perpetrator/alleged perpetrator) should be sought, and if so, the Principal must seek the relevant student or family member's views.

If the requesting ISE is a RAE and is seeking the FV Information for a family violence assessment purpose, the Principal must comply with the request and must provide the FV Information to the RAE unless:

- the FV Information is Excluded Information or otherwise restricted from disclosure by another law; or
- a relevant consent has not been given.

If the requesting ISE is seeking the FV Information for a family violence protection purpose, the Principal must comply with the request and must provide the FV Information to the ISE unless:

- they reasonably believe that disclosure of the FV Information is not necessary for a family violence protection purpose
- the FV Information is Excluded Information or otherwise restricted from disclosure by another law; or
- a relevant consent has not been given.

If the Principal declines to provide the FV Information, they must record the request and why it was refused, and they must provide these reasons to the requesting RAE/ISE in writing.

If the Principal determines that the FV Information must be shared, the FV Information may be shared verbally or in writing. The sharing of the FV Information must be recorded.

Procedure for Providing Information to an ISE without a Request

If a staff member proposes that FV Information should be shared with an RAE/ISE without a request having been made, this proposal must be put to the Principal for their consideration and action.

The Principal must:

1. verify that the proposed receiving entity is an ISE (and, if the proposal is to share FV Information for a family violence assessment purpose, that it is also an RAE) and:
 2. if it is not, consider whether the FV Information should be shared under other applicable laws (for more information, refer to pages 40-41 of the FV Ministerial Guidelines determine whether:
 - the FV Information proposed to be shared is relevant to assessing or managing a risk of family violence
 - the FV Information proposed to be shared is Excluded Information or is otherwise restricted from sharing by another law
 - the informed consent of the relevant student, a family member (other than a person who is the perpetrator) or a linked person is required (noting that consent is not required if the FV Information is relevant to assessing or managing a family violence risk to a child); and:
 - if so, the Principal must either seek the relevant person's informed consent or determine whether the FV Information should be provided under the serious threat exception
 - if not, whether the views of the relevant student or of a family member (other than a perpetrator/alleged perpetrator) should be sought, and if so, the Principal must seek the relevant student or family member's views.
3. verify the identity of the person at the RAE/ISE to whom the FV Information should be provided.

If the grounds for information sharing are met, it is the Bairnsdale Christian College's policy that the Principal must share the FV Information unless the FV Information is Excluded Information or otherwise restricted from disclosure by another law.

The FV Information may be shared verbally or in writing.

The sharing of the FV Information must be recorded. For more information, refer to [Record Keeping About Information Sharing Under the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme](#).

Procedure for Providing Information About a Perpetrator to a Student or Their Parent

If the Principal reasonably believes that disclosing FV Information to a victim survivor (or to the parent of a child victim survivor) is necessary to manage a risk to the victim survivor's safety from family violence, it is the Bairnsdale Christian College's policy that the Principal **must** share the FV Information unless the FV Information is [Excluded Information](#) or otherwise restricted from disclosure by another law.

The FV Information may be shared verbally or in writing.

The sharing of the FV Information must be recorded. For more information, refer to [Record Keeping About Information Sharing Under the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme](#).

Procedure for Responding to a Request from an Individual for Their Own FV Information

Requests by a person (including a staff member, Volunteer, Contractor, student or a student's parent/carer) to access their own personal information are usually managed by the Administration Manager. For more information, refer to our [Privacy Policy](#).

However, where a person requests access to personal information that is FV Information covered by this policy, the request to access the FV Information must be referred to the Principal (or if the request is made by the Principal, to the Board Chair for a decision about whether or not the FV Information should be disclosed to the individual.

If the Principal reasonably believes that giving a person access to their own FV Information would increase a risk to a victim survivor's safety from family violence, it is the Bairnsdale Christian College's policy that the Principal must refuse to disclose the FV Information to the person. For more information, refer to our [Privacy Policy](#).

If the Principal declines to give a person access to their own FV Information, they must record the request and why it was refused. For more information, refer to [Record Keeping About Information Sharing Under the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme](#).

Record Keeping Requirements Under the FVIS Scheme

Section 144PB of the FVP Act requires that the Bairnsdale Christian College keeps records of requests for and disclosures of FV Information under the FVIS Scheme. Part 3 of the FV Information Sharing Regulations prescribe the specific information that must be recorded.

The Bairnsdale Christian College must take reasonable steps to protect these records against loss, misuse and unauthorised access, modification or disclosure. The Bairnsdale Christian College must also ensure that FV Information is managed securely to avoid the risk of intentional or unintentional privacy breaches. For more information, refer to [Confidentiality and Privacy](#).

Further guidance about information sharing record keeping is in Chapter 10 of [FV Ministerial Guidelines](#) and [Record Keeping About Information Sharing Under the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme](#).

Complaints Under the FVIS Scheme

An ISE may make a complaint to another ISE about how the other ISE has undertaken any activities under the FVIS Scheme, including where a request for FV Information has not been fulfilled.

Complaints from an ISE about the Bairnsdale Christian College's performance of its information sharing functions under the FVP Act are managed pursuant to our [Complaints Handling Policy](#).

If such a complaint is made to the Bairnsdale Christian College, the Bairnsdale Christian College must record:

- the date the complaint was made and received
- the nature of the complaint
- any action that was taken to resolve the complaint
- any necessary action that has been taken to prevent, or lessen, the risk of further similar complaints by addressing the reasons for the complaint
- the time taken to resolve the complaint

- if the Bairnsdale Christian College was unable to resolve the complaint, what (if any) further action was taken by the Bairnsdale Christian College.

For more information about how the Bairnsdale Christian College manages and records complaints (including complaints about its information sharing functions under the FVP Act), refer to our [Complaints Handling Policy](#).

Protection from Liability

If any person who is authorised to share FV Information under Part 5A of the FVP Act, acting in good faith and with reasonable care, shares FV Information in accordance with Part 5A of the FVP Act, that person is not liable to any civil or criminal action, or any disciplinary action, for providing such FV Information. The person cannot be in breach of any code of professional etiquette or ethics or be considered to have departed from any accepted standards of professional conduct.

Generally, a person may be considered to have acted in good faith and reasonable care when they can demonstrate that they:

- shared the FV Information in accordance with their obligations, functions and authorisations
- intended for the FV Information to be shared for a family violence assessment purpose or a family violence protection purpose and not for another purpose
- did not act maliciously, recklessly or negligently when exercising their power to share FV Information.

Restriction on Use of Information

If any FV Information is provided to the Bairnsdale Christian College under Part 5A of the FVP Act, the Bairnsdale Christian College must not, except as otherwise required or permitted by any law, use or disclose the FV Information for any purpose that is not associated with a family violence protection purpose.

Offences

Offences and penalties may apply if FV Information is shared in ways that are not permitted under Part 5A of the FVP Act:

1. The offence of **unauthorised use or disclosure of confidential information** includes a significant fine for a person or body corporate (section 144R). It is a defence if the person used or disclosed the FV Information in good faith and with reasonable care (section 144R(2)).
2. The offence of **intentional or reckless unauthorised use or disclosure** includes penalties of imprisonment of up to five years and/or a significant fine for an individual or a body corporate (section 144RA).

These two offences do not apply in the following circumstances:

- use or disclosure is made with the consent of the person to whom the FV Information relates or, if the person is a child, with the consent of the child's parent (other than a parent who is the perpetrator/alleged perpetrator)
- disclosure made to a court or tribunal in the course of legal proceedings or made pursuant to an order of a court or tribunal
- a use or disclosure made to the extent reasonably required to enable the investigation or the enforcement of law
- disclosure made to an Australian legal practitioner for the purposes of obtaining legal advice or representation
- use or disclosure made as required or authorised by the FVP Act or any another Act.

Child Safety Program Compliance, Review and Improvement

To ensure that the Bairnsdale Christian College is continuously complying with our legislative and regulatory requirements in Victoria, including the Child Safe Standards and MO 870, we have developed a series of policies and procedures relating to compliance, review and improvement of our Child Safety Program.

This section includes:

- [Child Protection Law and Regulation in Victoria – An Overview](#)
- [The Victorian Child Safe Standards](#)
- [Evidence of Compliance](#)
- [Continuous Review and Improvement](#)

Child Protection Law and Regulation in Victoria - An Overview

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

The commentary below provides an overview of the framework.

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' 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 No. 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 [here](#).

The next section of this Program sets out each of the Victorian Child Safe Standards and how we comply with each Standard at Bairnsdale Christian College as required by the Minister of Education.

Prescriptive Legal and Regulatory Requirements

There are seven separate pieces of legislation that work together to make up the legal and regulatory framework for child safety in Victoria. They are in summary:

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 safety responses
- children in need of therapeutic treatment if exhibiting sexually inappropriate behaviour
- promoting stability in care arrangements.

For the purpose of our Child Safety Program the Children, Youth and Families Act is important because it establishes obligations with respect to [Mandatory Reporting](#).

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 Safety Program, the Child Wellbeing and Safety Act is important for three reasons:

- it provides the Statutory Definition of Child Abuse
- it is the Act through which the Victorian Child Safe Standards are created
- it is the Act through which the Reportable Conduct Scheme in Victoria is established

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
- make compliance with the Victorian Child Safe Standards a requirement for registration of all Victorian schools.

Worker Screening Act 2020

The Worker Screening 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 WWC clearance 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.

Crimes Act 1958

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

Of key relevance to the Victorian child safety framework and the Bairnsdale Christian College environment are the offences of:

- Grooming - which targets predatory conduct designed to facilitate later sexual activity with a child
- Encouraging a Child to Engage in Sexual Activity – which is a broader preparatory sexual offence than grooming, and targets behaviour that encourages sexual activity of children
- Failure to Protect - which says that a person commits an offence if:
 - by reason of the position they occupy within or in relation to the Bairnsdale Christian College, they have the power or responsibility to **reduce or remove a substantial risk** that a relevant child (under the age of 16 who is, or may come under the care, supervision or authority of the Bairnsdale Christian College will become the victim of a sexual offence committed by a person (aged 18 years or over) who is **associated with the Bairnsdale Christian College**; and
 - they **know that there is a substantial risk** that the person will commit a sexual offence against a relevant child; and
 - they **negligently fail to reduce or remove that risk**.
- Failure to Disclose – which applies to all adults aged 18 years or over, not just professionals who work with children, and says that an adult commits an offence if they fail to report to the Police where they hold a reasonable belief that a sexual offence has been committed by another adult against a child in Victoria.

Family Violence Protection Act 2008

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 safety 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.

Wrongs Act 1958

The Wrongs Act is the principal legislation governing claims for damages for economic and non-economic loss arising from personal injury and death in Victoria, as a result of negligence or fault. It is through this Act that child abuse victims may claim compensation for loss arising from child abuse.

Section 91 of the Wrongs Act imposes a duty of care on schools to take reasonable precautions to prevent the physical or sexual abuse of a child under its care, supervision or authority, by an individual associated with the school. If a school is involved in a proceeding under the Wrongs Act,

the school is presumed to have breached its duty of care unless it can prove, on the balance of probabilities, that it took reasonable precautions to prevent the abuse.

Whether or not a school took reasonable precautions will be assessed by a court in accordance with considerations set out in the Wrongs Act and case law. The effective implementation of the Bairnsdale Christian College's risk management strategies in [Child Safety Risk Management](#) is an example of taking reasonable precautions to prevent the physical or sexual abuse of a child.

Our Child Safety Program

In order to comply with the Victorian Child Safe Standards and Ministerial Order No. 870, as well as each of the seven separate pieces of legislation noted above, Bairnsdale Christian College has established this Child Safety 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.

The Victorian Child Safe Standards

The Victorian Child Safe Standards comprise seven Standards and three Principles.

The seven Standards are as follows:

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

Standard 2: A Child Safety 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 Standards, the Bairnsdale Christian College is required to take into consideration the following three 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.

The Minister for Education has published Ministerial Order No. 870 that prescribes certain matters with which registered schools in Victoria must comply as part of their registration requirements.

Bairnsdale Christian College has established and implemented our Child Safety Program in accordance with the Victorian Child Safe Standards.

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

Standard	Short Description	How Bairnsdale Christian College Applies this Standard
1	Organisational culture of child safety, including through effective leadership arrangements	<p>Bairnsdale Christian College complies with this Standard in a number of ways including:</p> <ul style="list-style-type: none"> • the development of this Child Safety Program, our <u>Child Safety Policy</u> and <u>Child Safe Code of Conduct</u> • the appointment of senior staff members as the Bairnsdale Christian College's <u>Child Protection Officers</u> who act as "<i>Child Safety Champions</i>" and are tasked with the overall responsibility for embedding an organisational culture of child safety in the Bairnsdale Christian College • each Board member, staff member and Direct Contact Volunteer having to complete <u>Child Safety Training</u> which provides information with respect to key risk indicators of child abuse and reporting procedures • establishing <u>clear guidelines for reporting</u> child abuse concerns • creating an environment supportive of children from <u>culturally diverse backgrounds</u> and <u>children</u>

		<u>with disabilities.</u>
2	A Child Safety Policy or statement of commitment to child safety	<p>Bairnsdale Christian College has developed and implemented a <u>Child Safety Policy</u> that describes the key elements of our approach to Child Safety as well as an overarching set of principles guiding the development of policies and procedures to protect children from child abuse.</p> <p>Our Child Safety Policy is published through various mediums including our public website.</p>
3	A code of conduct that establishes clear expectations for appropriate behaviour with children	Bairnsdale Christian College has created a plain English <u>Child Safe Code of Conduct</u> which specifies appropriate standards of behaviour for adults towards students in all Bairnsdale Christian College environments, including outside of school hours.
4	Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel	<p>Bairnsdale Christian College has created <u>child safe human resources practices</u> including those relating to:</p> <ul style="list-style-type: none"> • Recruitment, Selection and Screening • Working with Children Checks • Child Safety Training • our Child Safe Culture
5	Procedures for responding to and reporting allegations of suspected child abuse	<p>Bairnsdale Christian College has established simple and accessible procedures for anyone to report a child abuse concern internally to one of the Bairnsdale Christian College's <u>Child Protection Officers</u>.</p> <p>Bairnsdale Christian College has developed and implemented procedures for Board 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 <u>Procedures for</u></p>

		<p><u>Responding to and Reporting Allegations of Child Abuse.</u></p> <p>Reporting procedures for Third Party Contractors, External Education Providers, Indirect Contact Volunteers, parents/carers and other community members are included in our <u>Child Safety Policy</u> which is available on our public website.</p> <p>Age-appropriate reporting procedures for students are developed through our pastoral care program.</p>
6	Strategies to identify and reduce or remove the risk of abuse	<p>The Bairnsdale Christian College has adopted a risk management approach to child safety. <u>Key risk indicators of child abuse</u> are documented in our Child Safety Program and also included in our Child Safety Training.</p> <p>The Bairnsdale Christian College has developed a number of strategies, policies and procedures to create a risk-based approach to child safety and protection. Refer to <u>Child Safety Risk Management</u>.</p>
7	Strategies to promote the participation and empowerment of children	<p>Bairnsdale Christian College has developed strategies to promote the participation and empowerment of children including policies and procedures related to age-appropriate <u>pastoral care</u> and supporting <u>children with disabilities</u> and <u>children from culturally diverse backgrounds</u>.</p>

Principle of Inclusion

In addition to implementing the Standards, the Bairnsdale Christian College implements principles of inclusion prescribed by the Standards and Ministerial Order No. 870 through our:

- Disability Discrimination Policy.
- Culturally and Linguistically Diverse Students policy.

These policies address the three Principles in addition to our response to each Standard.

Bairnsdale Christian College 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 Bairnsdale Christian College develops and implements our Child Safety 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.

Continuous Review and Improvement

Bairnsdale Christian College is committed to continuous improvement in all its operations including this Child Safety Program.

It is the responsibility of the * Principal

- BCC Board to regularly review our Child Safety Program to ensure that it is working in practice and that the Bairnsdale Christian College is meeting its legal and regulatory obligations relating to child safety.

Definitions and Additional Resources

This section of our Child Safety Program includes:

- [Key Definitions in Our Child Safety Program](#)
- [Definition of Child Abuse and Family Violence in Victoria](#)
- [Additional Resources](#)

Key Definitions in Our Child Safety Program

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

The Worker Screening Act 2020 (Vic) defines “**direct contact**” in section 3 as any contact between a person and a child (aged under 18) that involves:

- physical contact; or
- face to face contact; or
- contact by post or other written communication; or
- contact by telephone or other oral communication; or
- contact by email or other electronic communication.

Direct Contact Volunteers may have:

- limited supervision by Bairnsdale Christian College staff in their role
- significant amounts of 1:1 time with students
- supervisory responsibility for a group of students with only broad and indirect oversight of a Bairnsdale Christian College staff member
- full supervisory responsibility for one or more students, such as in a sports coaching role or learning support role.

Examples of Direct Contact Volunteer activities may include volunteers involved in Bairnsdale Christian College camps and excursions, coaching sporting teams, assisting in learning activities or administrative roles.

Refer to [Volunteers' Responsibilities](#) for more information.

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

Examples of Indirect Contact Volunteer activities may include assisting with Bairnsdale Christian College administrative functions.

Refer to [Volunteers' Responsibilities](#) for more information.

Where the term "**Volunteer**" is used, it captures both "Direct Contact Volunteers" and "Indirect Contact Volunteers".

Direct Contact Contractors are third party contractors who have direct contact with students during the normal course of their work or contractors who may be in a position to establish a relationship of trust. This also includes any contractors that the Bairnsdale Christian College is legally required to screen.

The definition of "**direct contact**" included under Direct Contact Volunteers applies to Direct Contact Contractors.

Examples of Direct Contact Contractor activities may include tutors, sports coaches and casual teachers.

Indirect Contact Contractors are third party contractors who are not Direct Contact Contractors.

An example of an Indirect Contact Contractor could include a regular maintenance worker or gardener.

Where the term "**Third Party Contractor**" is used, it captures both "Direct Contact Contractors" and "Indirect Contact Contractors". Refer to [Third Party Contractors' Responsibilities](#) for more information.

Bairnsdale Christian College Environment means any physical or virtual place made available or authorised by the Bairnsdale Christian College's governing body for use by a child during or outside school hours, including:

- a campus of the Bairnsdale Christian College
- online Bairnsdale Christian College environments (including email and intranet systems)
- other locations provided by the Bairnsdale Christian College for a child's use (including, without limitation, locations used for Bairnsdale Christian College camps, sporting events, excursions, competitions and other events).

Definition of Child Abuse and Family Violence in Victoria

Child Abuse

Child abuse is defined in section 3 of the Child Wellbeing and Safety Act 2005 (Vic), and therefore in section 1.1.3 of the Education and Training Reform Act 2006 (Vic), as including:

- any act committed against a child involving a sexual offence or a grooming offence under section 49M(1) of the Crimes Act 1958 (Vic);
- the infliction of physical violence or serious emotional or psychological harm; and
- the serious neglect of a child.

A child is defined by the Child Wellbeing and Safety Act 2005 (Vic) as a child or young person who is under the age of 18 years.

For more information about sexual offences that constitute child abuse, refer to [Sexual Offences](#).

Family Violence

Whilst the term “family violence” does not form part of the legislative 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 of the family member and causes them to feel fear for their own, or other family members’ 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”.

Definition of Care, Supervision or Authority

It is important to understand the definition of the legal phrase “care, supervision or authority” and its applicability to staff. The phrase is central to several offences under the Crimes Act 1958 (Vic).

Under section 37 of the Crimes Act the circumstances in which a person will have a child (under 18) under their care, supervision or authority include if the person is:

- the child’s parent or step-parent;
- the child’s teacher;
- the child’s employer;
- the child’s youth worker;
- the child’s sports coach;
- the child’s counsellor;
- the child’s health professional;
- a person with parental responsibility for the child;
- a religious or spiritual guide, or a leader or official (including a lay member) of a church or religious body, however any such guide, leader, official, church or body is described who provides care, advice or instruction to the child or has authority over the child; or
- a police officer acting in the course of their duty in respect of the child.

At the Bairnsdale Christian College persons in positions of care, supervision or authority over a child will include teaching staff, sports coaches, youth workers, counsellors, registered nurses and religious leaders or officials.

All members of the Bairnsdale Christian College community must be aware that if they engage in certain conduct in breach of this Program, their conduct may constitute a sexual offence under the Crimes Act. For those persons who have a child under their care, supervision or authority, additional offences may apply. Refer to our [Child Safe Code of Conduct](#) and [Staff and Student Professional Boundaries](#) policy.

Sexual Offences

A sexual offence occurs when a person involves a child (under 18) 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 or psychologically to make them participate in the activity. Sexual offences are outlined in section 35 of the Crimes Act 1958 (Vic).

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.

This Program addresses in more detail certain sexual offences which involve behaviour that is intended to prepare or facilitate a child's involvement in sexual activity or conduct. These are [grooming behaviour](#) and the [encouragement of a child](#) to engage in, or be involved in, sexual activity. This is because the breadth of these offences and the nature of professional boundaries between Bairnsdale Christian College staff and students means that staff must be aware that certain behaviours will not only breach [staff and student professional boundaries](#), but may also amount to a criminal offence.

Possible Physical Indicators that a Sexual Offence Has Occurred

- injury to the genital or rectal areas, such as bruising or bleeding
- vaginal or anal bleeding or discharge
- discomfort in urinating or defecating
- presence of foreign bodies in the vagina and/or the 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
- frequent urinary tract infections

Possible Behavioural Indicators that a Sexual Offence Has Occurred

- 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
- the 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
- the sudden decline in academic performance, poor memory and concentration
- wearing of provocative clothing, or layers of clothes to hide injuries
- promiscuity

Student Sexual Offending

Unwanted sexual behaviour towards a student by a child 10 years or over can constitute a sexual offence and is referred to as student sexual offending. All incidents, suspicions and disclosures of student sexual offending must be responded to in accordance with the Bairnsdale Christian College's Student Sexual Offending procedures.

Encouragement to Engage in Sexual Activity

It is a criminal offence for an adult to encourage a child to engage in, or to be involved in, sexual activity where the adult seeks or gets sexual arousal or sexual gratification from the encouragement or the sexual activity.

There are two “encouragement” offences in the Crimes Act 1958 (Vic):

- section 49K: encouraging a child under the age of 16 to engage in, or be involved in, sexual activity
- section 49L: encouraging a child aged 16 or 17 under care, supervision or authority to engage in, or be involved in, sexual activity

A section 49K offence carries a maximum 10 year term of imprisonment. A section 49L offence carries a maximum five year term of imprisonment.

The Crimes Act 1958 (Vic) defines “**encourage**” to include suggest, request, urge and demand. Examples of encouragement include offering money or gifts or threatening harm. It can be done in person or by electronic communication. An example of conduct prohibited by these offences is an adult asking a child to watch inappropriate material. Conduct which occurred outside Victoria or while the child was outside Victoria can still constitute an offence.

The encouragement offences cover conduct that is similar to grooming but are broader. Both the encouragement and grooming offences are ‘preparatory’ offences, but encouragement behaviour occurs at a later stage to grooming, or closer to the substantive sexual offence. The encouragement offence applies to sexual activity that would otherwise not be a criminal offence. For example, if a student was encouraged to watch inappropriate material in contravention of sections 49K or 49L, the act of watching is not a sexual offence, but the encouragement would amount to an offence.

Note: Both offences of grooming and encouragement to engage in sexual activity are sexual offences reportable under every adult’s Obligation to Report a Sexual Offence (Failure to Disclose).

Possible indicators of adult encouragement behaviour would include those that may indicate grooming however the pattern of behaviours would not be required. The encouragement would normally be more sexualised.

Grooming

Grooming is defined by the Royal Commission into Institutional Responses to Child Sexual Abuse as behaviours that manipulate and control a child, their family and other support networks, or institutions with the intent of gaining access to the child, obtaining the child's compliance, maintaining the child's silence and avoiding discovery of the sexual abuse.

Grooming by an adult of a child under 16, as well as grooming by an adult of a person who has the care, supervision or authority of a child aged under 16, are sexual offences under section 49M of the Crimes Act 1958 (Vic). They are therefore "child abuse" as defined in Ministerial Order No. 870

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 or a person who has care, supervision or authority for a child for the purpose of facilitating sexual activity at a later time. Conduct which occurred outside Victoria or while the child was outside Victoria can still constitute an offence.

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.

Online Grooming

The sexual offence of grooming under section 49M includes online grooming which occurs when an adult (18 years or over) uses electronic means to communicate with a child under the age of 16, or a person who has the care, supervision or authority of a child aged under 16, in a predatory fashion to try and lower the child's inhibitions, or heighten their curiosity regarding sexual behaviour or activity, with the aim of eventually meeting them in person for the purposes of sexual activity. This can include communications through social media, online chat rooms, sexting or emails.

Encouraging a Child to Engage in Sexual Activity

Sections 49K and 49L of the Crimes Act 1958 (Vic) outline offences relating to the encouragement of a child (under 18) to engage in, or be involved in, sexual activity. "Encourage" is defined in the Act to include suggest, request, urge and demand. The type of sexual activity a child may be encouraged to engage in, or be involved in, does not necessarily have to be sexual offence in its own right to be captured by these offences, for example encouraging a child to masturbate or watch pornography.

Section 49K does overlap with the grooming offence as both are preparatory offences against children, however not all grooming behaviour may be covered by the encouraging offence. Grooming goes further than the encouragement offence as it covers conduct that doesn't include active

encouragement but assists in the cultivation of a relationship where sexual offending is more likely. For example, building a relationship with a child's parent or carer to gain trust may be an act of grooming, but is not an act of encouragement for the child to engage in, or be involved in, a sexual activity under sections 49K and 49L.

Additionally, the encouragement offences differ from the grooming offence as they do not require proof that the perpetrator intended to encourage the child to engage in, or be involved in, a sexual activity (in that the perpetrator meant to encourage the child in that way), or that they intended the child to engage in, or be involved in, a sexual activity.

While the encouragement and grooming offences are distinct and separate, due to the possibility for overlap, the following possible risk indicators apply to both types of offending.

Possible Indicators of Grooming Behaviour in Adults

- 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
- photographing, audio recording, or filming students via any medium without authorisation or having parental consent to do so.

Indicators That a Child May Be Subject to Grooming

- developing an unusually close relationship with an adult
- displaying significant mood changes, including hyperactive, sensitive, hostile, aggressive, impatient, resentful, anxious, withdrawn or depressed behaviour
- using 'street' or different language they learned from a new or older 'friend'
- having new jewellery, clothing, expensive items or large amounts of money that were gifts from a new or older 'friend'
- using a new mobile phone excessively to make calls, videos or send text messages to a new or older 'friend'
- being excessively secretive about their use of social media or online communications
- frequently staying out late or overnight with a new or older 'friend'
- being dishonest about where they have been or who they were with
- drug and alcohol use
- being picked up in a car by a new or older 'friend' from home or school or 'down the street'.

Indicators That a Child May Be Subject to Online Grooming

- discovery of pornography on their computer or device
- receiving or making calls to unrecognised numbers
- increasing or excessive amount of time spent online
- increased secrecy in what they are doing online and efforts to try and hide what they are doing online
- evidence of people on their 'friends' list that are unknown and they have never met them offline.

What is not grooming?

Not all physical contact between a student and a staff member or any person engaged by the Bairnsdale Christian College 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
- 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 (under 18) 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
- 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
- academic problems

Serious Emotional or Psychological Harm

Serious emotional or psychological abuse may occur when a child (under 18) 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
- 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
- contact with other students forbidden

Serious Neglect

Serious neglect is the continued failure to provide a child (under 18) 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
- 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 for longer hours
- self-destructive
- dropping out of school
- taking on an adult role of caring for a parent
- misusing alcohol or drugs
- academic issues

Family Violence

In Victoria "family violence" is a defined term under section 5 of the Family Violence Protection Act 2008 (Vic). It is a criminal offence.

Family violence is behaviour towards a family member that may include:

- physical violence or threats of violence
- verbal abuse, including threats
- emotional or psychological abuse
- sexual abuse
- financial and social abuse.

It is important to remember that "family violence" extends to behaviour that causes a child (under 18) to hear, witness, or be exposed to the effects of "family violence". A child's exposure to family violence constitutes child abuse.

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.

Behavioural Indicators for Older Children and Young People

- moving away or running away from the family home
- entering a relationship early to escape the family home
- experiencing violence in their own dating relationships
- involvement in criminal activity
- alcohol and substance abuse

Change or Suppression of a Child's Sexual Orientation or Gender Identity

A "change or suppression practice" is defined under section 5 of the Change or Suppression (Conversion) Practices Prohibition Act 2021 (Vic) (Conversion Act) as a practice or conduct directed towards a person (with or without their consent) for the purpose of:

- changing or suppressing the sexual orientation or gender identity of the person; or
- inducing the person to change or suppress their sexual orientation or gender identity.

Section 4 of the Equal Opportunity Act 2010 (Vic) defines:

- **gender identity** as "a person's gender-related identity, which may or may not correspond with their designated sex at birth, and includes the personal sense of the body (whether this involves medical intervention or not) and other expressions of gender, including dress, speech, mannerisms, names and personal references"; and
- **sexual orientation** as "a person's emotional, affectional and sexual attraction to, or intimate or sexual relations with, persons of a different gender or the same gender or more than one gender".

Under section 5(3) of the Conversion Act, a change or suppression practice (whether directed towards a person in person, or remotely (including online)) includes, but is not limited to:

- providing a psychiatry or psychotherapy consultation, treatment or therapy, or any other similar consultation, treatment or therapy
- carrying out a religious practice, including but not limited to, a prayer based practice, a deliverance practice or an exorcism
- giving a person a referral for the purposes of a change or suppression practice being directed towards the person.

Under section 5(2) of the Conversion Act, the following practices or conduct is not a change or suppression practice if:

- it is supportive of or affirms a person's gender identity or sexual orientation including, but not limited to, a practice or conduct for the purposes of:
 - assisting a person who is undergoing a gender transition; or
 - assisting a person who is considering undergoing a gender transition; or
 - assisting a person to express their gender identity; or
 - providing acceptance, support or understanding of a person; or
 - facilitating a person's coping skills, social support or identity exploration and development;or
- it is a practice or conduct of a health service provider that is, in the health service provider's reasonable professional judgement, necessary:
 - to provide a health service; or
 - to comply with the legal or professional obligations of the health service provider.

Research on the impacts of sexual orientation and gender identity change or suppression practices notes that there is significant evidence that these are harmful to LGBTQI+ people and that they can lead to depression, anxiety, drug use, homelessness and suicide.

As sexual orientation and gender identity change or suppression practices can involve or result in one or more forms of child abuse (in particular, sexual abuse, physical abuse, emotional or psychological abuse or neglect) the physical and behavioural indicators of these types of abuse may also be indicative of a LGBTQI+ child being subjected to sexual orientation and gender identity change or suppression practices.

It is an offence under the Conversion Act for a person or organisation to:

- intentionally engage in change or suppression practice/s directed towards another person, which causes serious injury, and the person or organisation is negligent as to whether engaging in the practice/s will cause injury to the other person
- take a person outside of Victoria for the purpose of a change or suppression practice
- advertise a change or suppression practice.

Additional Resources

The Victorian Child Safe Standards

Commission for Children and Young People, [The Child Safe Standards](#), 2018

Minister for Education, Child Safe Standards – Managing the Risk of Child Abuse in Schools, [Ministerial Order No. 870](#), 2016

Mandatory Reporting

Department of Education and Training, [Your Reporting and Legal Obligations](#), 2018

Department of Health and Human Services, [Reporting child abuse](#), 2018

Responding to Child Safety Incidents

Department of Education and Training and Department of Health and Human Services Child Protection, [Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools](#), 2018

Department of Education and Training and Department of Health and Human Services Child Protection, [Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse](#), 2018

Department of Education and Training and Department of Health and Human Services Child Protection, [Responding to Suspected Child Abuse: A Template for all Victorian Schools](#), 2018

Department of Education and Training and Department of Health and Human Services Child Protection, [Responding to Student Sexual Offending](#)

Department of Education and Training and Department of Health and Human Services Child Protection, [Responding to Suspected Student Sexual Offending: Template for all Victorian Schools](#)

Working with Children Checks

Department of Justice and Regulation, [Working with Children Check website](#)

Reportable Conduct Scheme

Commission for Children and Young People, [Reportable Conduct Scheme](#), 2018

General Obligation to Report

Department of Justice and Regulation, [Failure to Disclose Offence Fact Sheet](#), 2018

Duty to Protect Students from Abuse

Department of Justice and Regulation, Failure to protect: a new criminal offence to protect children from sexual abuse, 2018

Child Related HR Practices

Commission for Children and Young People, Standard 4: human resource practices, 2018

Department of Education and Training, HR Practices for a Child Safe Environment, 2018