



## Child Safe Environments Policy May 2017

### Summary:

This information applies to all Ethnic Schools of South Australia.

**Table 1: Document Details**

|                              |  |
|------------------------------|--|
| <b>Policy Number</b>         | ES01   |
| <b>Related Policies</b>      | All Ethnic Schools policies and procedures   |
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| <b>Created by</b>            | Policy Officer: Kate Quane   |
| <b>Reviewed by</b>           | Executive Officer: Darryl Buchanan   |
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| <b>Approved By Executive</b> | ESASA Executive Committee  |
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| <b>Notes:</b>                |  |

**Table 2: Revision Record**

| Date                       | Version | Revision Description  |
|----------------------------|---------|---|
|                            | 1       | Existing Policy   |
| February 2017              | 2       | Formatting; update to screening checks sections to reflect changes made to Department for Communities and Social Inclusion; added section on Child Safe Environments Requirements, removed background section                             |
| 7 <sup>th</sup> April 2017 | 2.1     | Added ESASA policies to Child Safe Environments – risk management plan section<br>Add child wise resource<br>Change Families SA to Department of Child Protection<br>Addendum to page 5 – staff and volunteer recruitment process – added |



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|                                |     |  |
|--------------------------------|-----|--|
|                                |     | reference to Visitor and Parental Volunteer Policy |
| 31 <sup>st</sup> April<br>2017 | 2.1 | Formatted key words, added key words               |

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## HUNGARIAN COMMUNITY SCHOOL, ADELAIDE INC.

### Child Safe Environments Policy

#### Introduction

Hungarian Community School, Adelaide Inc. believes that it is the fundamental right of all students and personnel in the school to have a safe, caring and protected environment. Personnel working at Hungarian Community School, Adelaide Inc. provide languages and cultural services to children under 18 therefore the school has adopted Child Safe Environments Policy. This policy uses information from the Children's Protection Act 1993; The Department of Child Protection – Child Protection Initiatives.

#### Purpose

The purpose of this policy is to establish the Child Safe Environment requirements which includes but is not limited to provisions for Screening and Background Checks and Child-Safe Environments – Reporting Child Abuse and Neglect training for personnel in Hungarian Community School, Adelaide Inc.

This policy clearly outlines the responsibilities of all personnel in Hungarian Community School, Adelaide Inc. in relation to Children's Protection and the importance of child safe environments in organisations.

Section 8C of the Children's Protection Act 1993 sets out the obligations of organisations like Hungarian Community School, Adelaide Inc., which provide an education service wholly or partly to children, to take steps to establish and maintain a safe environment for children.

Hungarian Community School, Adelaide Inc. owes a duty of care to children who are under 18 while they are under the care or supervision of personnel. This duty of care requires Hungarian Community School, Adelaide Inc. to take all reasonable steps to protect children from foreseeable risks. To achieve this all personnel in Hungarian Community School, Adelaide Inc. must ensure they:

- Promote the safety and welfare of all children under 18 and
- Provide a safe, caring and protected environment when undertaking activities in school.

#### Definitions:

Throughout this Policy the following terms are used:

**Children/child** refers to any person under the age of 18 years

**Abuse or neglect** can be Sexual abuse of the child; or physical or emotional abuse of the child, or neglect of the child, to the extent that – the child has suffered, or is likely to suffer, physical or psychological injury detrimental to the child's well-being; or the child's physical or psychological development is in jeopardy, and including a reasonable likelihood of the child being killed, injured, abused or neglected by a person with whom the child resides.

**Relevant personnel in Ethnic Schools** refers to all employees, teachers, administrators and relevant volunteers who work directly or in close proximity with children under 18 or have access to children's records.

**Teacher** refers to anyone involved in education and training environments.



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**Volunteer** refers to an individual who receives no remuneration for the work they do except out-of-pocket expenses; and the work fulfils a charity or community service good.

**Out-of-pocket expenses** this means it is important to keep receipts or logbooks for recording the amount the volunteer is receiving reimbursement and for what reasons e.g. petrol, phone calls etc.

**Natural Justice** applies when a person's rights are likely to be affected. It refers to the person's right to have an unbiased decision made after being given an opportunity to present his or her case to the decision maker

**Screening and Background Check** assesses the suitability of individuals to work with children.

**Safe environment** refers to a place where adults take reasonable measures to ensure that children are protected from harm and know that adults will act on their behalf

### Policy

The well-being of children is the responsibility of our entire community. Children and young people have the right to be safe and protected at all times, including when accessing services to the community.

A Child Safe Environment is a safe and friendly setting where children feel respected, valued and encouraged to reach their full potential. Hungarian Community School, Adelaide Inc. provides a Child Safe Environment by:

- taking preventative, proactive and participatory stance on child protection issues,
- valuing and embracing the opinions and views of children and young people
- assisting children and young people to build skills that will assist them to participate in society
- focusing on the protection of children and young people and taking action to protect them from harm
- providing parents, guardians or carers evidence of their child safe policies and procedures when requested

This policy is based upon the following principles for children under 18:

- their safety is the paramount consideration and shall not be overridden by any other interests
- they are the most vulnerable members of our society
- they need to know and believe that they have the right to be safe at all times
- they are entitled to basic human rights regardless of special needs, cultural, or socioeconomic factors
- they are people in their own right deserving of respect, care and protection
- they are entitled to the support of a person to act as an advocate on their behalf.

Hungarian Community School, Adelaide Inc. acknowledges that children are entitled to:

- be free from threat of danger, harm or loss
- have their rights upheld and welfare promoted
- protection against physical, sexual and psychological harm or neglect.



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### Child Safe Environments Requirements

Hungarian Community School, Adelaide Inc. has developed the following policies and procedures to ensure the school has met the criteria to provide a Child Safe Environment:

- **Risk Management Plan:** Hungarian Community School, Adelaide Inc. has developed a separate **Risk Management Policy ES02** as well as policies where risks to children may occur. These policies include:
  - *Excursion and Incursion Policy ES36*
  - *Emergency and Critical Incidence Policy ES08*
  - *Immunisation and Infection Control Policy ES47*
  - *School Safety and Security Policy ES22*
  - *Work Health and Safety ES23*
  - *Behaviour Management Policy ES35*
  - *Anti-Bullying Policy ES38*
  - *Cyber-Safety Policy ES39*
  - *Hot Weather Policy ES45*
  - *SunSmart Policy ES46*
  - *Screening DVDs and Movies ES53*
- **Procedure for conducting relevant history assessments:** Hungarian Community School, Adelaide Inc. has outlined the procedures for Screening and Background Checks within this document
- **A Code of Conduct Document:** Hungarian Community School, Adelaide Inc. has developed a *Code of Conduct for Staff* which outlines the professional boundaries, ethical behaviour and unacceptable behaviour. The school has also developed a *Student Code of Conduct*.
- **Procedures for dealing with personal and sensitive information:** Hungarian Community School, Adelaide Inc. has developed a separate *Data and Information Management Policy* that outlines the procedures to ensure that personal information is protected and securely managed to protect against loss, unauthorised access, modification, disclosure or other use. Information of a personal nature is treated with respect for the privacy of individuals. Hungarian Community School, Adelaide Inc. has outlined procedures for handling sensitive information in the following policies
  - *Emergency and Critical Incidence Policy*
  - *Medication and First Aid Policy*
  - *Recruitment and Selection Process Policy*
- **Staff and Volunteer Recruitment process:** Hungarian Community School, Adelaide Inc. has developed a separate *Recruitment and Selection Process Policy* that outlines procedural fairness, conflicts of interest, eligibility, position descriptions and selection criteria and assessing relevant history. Hungarian Community School, Adelaide Inc. has a detailed Visitor and Parental Volunteer Policy that outlines the procedures required by all volunteers.
- **Supervision and Professional Development:** Hungarian Community School, Adelaide Inc. has a separate *Supervision of Students Policy* that outlines the procedures that the school will use before, after and during breaks. Staff will regularly participate in Professional Development that is offered through The Ethnic Schools Association or through other education providers
- **Procedures for reporting suspected child abuse or neglect:** Hungarian Community School, Adelaide Inc. has outlined the procedures for reporting suspected child abuse or neglect within this document. Hungarian Community School, Adelaide Inc. is also committed to ensuring all staff attend regular Child Safe Environment training every three years.



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- **Procedure for dealing with breaches of your child safe policy:** Hungarian Community School, Adelaide Inc. has outlined the procedures for dealing with breaches of our child safe policy within this document. Hungarian Community School, Adelaide Inc. has also developed a *Grievance and Complaints Policy* which outlines the process for dealing with complaints or concerns.

### Responsibilities

Hungarian Community School, Adelaide Inc. personnel will act in a positive way to develop a safe environment for children under 18 involved in school. They are required to fulfil the following key responsibilities:

- be aware of the definitions of abuse and neglect as contained in the *Children's Protection Act, 1993*, Section 6
- report suspicion of child abuse and neglect as required by the *Children's Protection Act, 1993*, Section 11.
- Requirements of criminal history screening established under the '*Child Protection (Miscellaneous) Amendment Bill 2005*.

Copies of the above legislation can be downloaded at <http://www.parliament.sa.gov.au> or <http://www.austlii.edu.au>

To fulfil these responsibilities, all personnel working directly or in close proximity with children under 18 or have access to children's records in Hungarian Community School, Adelaide Inc., must undertake Criminal History Screening and Child Safe Environments Training.

### Screening and Background Check

All Ethnic Schools during the term of their funding agreement(s) with the Department for Education and Child Development agrees to employ only teachers/instructors who have provided an assessment of their relevant history including a clearance to work with children undertaken through the Department for Communities and Social Inclusion before they begin work with your school.

Child-related employment screening assesses whether a person may pose a risk to the safety of children, while engaged to act in certain types of position within an organisation as an employee or volunteer. All relevant personnel working directly or in close proximity with children under 18 or have access to children's records – paid or unpaid (voluntary) will be required to complete the Department of Communities and Social Inclusion (DCSI) Screening and Background Check.

Screening and Background checks assesses the suitability of individuals to work with children. Assessments consider the criminal history of applicants and other relevant information. The assessments are processed confidentially with the principles of natural justice in the decision making process. Criminal history screening considers a national summary of an individual's offender history. All information will be dealt with in the strictest confidence and in accordance with the relevant legislation and policies.

Hungarian Community School, Adelaide Inc. will use the following guiding principles when a Screening and Background Check has been conducted:

- The safety of children and young people is of paramount concern and shall not be overridden by any other interests





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- Persons must be suitable to work or volunteer with children and young people at all times
- Persons must be suitable to work or volunteer in close proximity to children and young people at all times
- A determination about a person's suitability to work or volunteer with or in close proximity to children and young people must be based on sufficient and relevant information
- The assessment of a person's suitability to work or volunteer with or in close proximity to children and young people is continuous
- The responsibility to monitor persons working or volunteering with or in close proximity to children and young people is continuous
- Risks to children and young people must be responded to whenever they become known or suspected
- Personal and sensitive information about a person's history must not be misused.

Every Incorporated Body must register on the Department of Communities and Social Inclusion online system at <https://www.dcsiscreening.sa.gov.au/> before individuals complete a Screening and Background Check. Hungarian Community School, Adelaide Inc. will only employ staff or accept volunteers who have a cleared Screening and Background Check.

### Recruitment of personnel

Hungarian Community School, Adelaide Inc. has a Staff Selection Procedures and Recruitment Policy that outlines the recruitment process that the Management Committee will use when employing staff. The recruitment of any personnel to work in any capacity at Hungarian Community School, Adelaide Inc. will undergo a rigorous process including an interview, confirmation of applicable qualifications and referee checks will be conducted. Before recruiting any person to work in Hungarian Community School, Adelaide Inc. the following will be considered:

- The Management Committees in Hungarian Community School, Adelaide Inc. will not recruit any person who has been convicted of any child related offence, including sexual offences.
- Any existing personnel in Hungarian Community School, Adelaide Inc. who have been convicted of any child related offence including sexual offences against a child will not be employed.

### Mandated Notifiers

All personnel in Hungarian Community School, Adelaide Inc. who fit into the following categories are mandated notifiers for the purposes of the *Children's Protection Act, 1993*, Section 11:

- *Management committee,*
- *Teacher,*
- *Volunteer who is engaged in direct contact with children.*

Relevant personnel who are mandated notifiers are obliged by law, under Section 11 of the *Children's Protection Act 1993*, to notify Department of Child Protection SA within the Department for Education and Child Development if they suspect on reasonable grounds that a child has been or is being abused or neglected. The Child Abuse Report Line (CARL) is a confidential state wide 24 hour service – phone number: 13 14 78. It is important to note that by law the suspicion is formed in the course of their work, paid or voluntary or in carrying out official duties.



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This necessitates ensure that they understand how the *Children's Protection Act 1993* defines abuse or neglect. Failure to notify is an offence under the Act and carries a maximum penalty of a \$10,000 fine. Registration with the ESA will require all personnel in Hungarian Community School, Adelaide Inc. to abide by legislative requirements as mandated notifiers who will be required to be trained.

### Child Safe Environments – Reporting Child Abuse and Neglect

The ESA has developed a Child Safe Environments – reporting abuse and neglect training program, which is approved by Department of Child Protection SA. This training program assists personnel in ethnic schools by raising awareness and understanding of their responsibilities as mandated notifiers.

Hungarian Community School, Adelaide Inc. personnel must attend this training according to the guidelines set out by Department of Child Protection SA.

Following is the description of the training and ESA activities.

*Two approved accredited Department of Child Protection SA mandated notification trainers must deliver the training.*

*Mandated notification training that will be provided:*

|   |   |
|---|---|
| <i>3.5 hour minimum Module training</i> | <i>is for all staff, volunteers, personnel who have not previously undergone mandated notification training or who have not done training more than three years ago</i> |
|---|---|

*The Child-Safe Environments training outlines how personnel in Ethnic Schools can:*

- *identify suspected child abuse or neglect*
- *use reporting procedures*
- *respond appropriately to disclosure*
- *take into account social and cultural factors associated with child abuse or neglect*
- *be aware of changes to legislative and departmental requirements.*

*The ESA will undertake to provide the following activities:*

- *provide access to ongoing training and development for employees and volunteers to enable them to fulfil their key responsibilities under the Children's Protection Act, 1993 and any further amendments to the Act.*
- *maintain processes for recording all personnel in Ethnic Schools who have completed the mandated notification training for statistical and compliance purposes*
- *maintain supportive procedures for fulfilling mandatory reporting obligations*
- *provide ongoing child protection and abuse prevention programs in Ethnic Schools*
- *monitor, evaluate and review their child protection and abuse prevention programs and any further amendments to the Act.*

### Procedures for dealing with Breaches

All staff and volunteers at Hungarian Community School, Adelaide Inc. have a responsibility for promoting and supporting the schools' values and standards of behaviour. When a staff member or volunteer is found to have acted outside of the Child Safe Environments Policy they will be subject to disciplinary action commensurate with the seriousness of their actions. This disciplinary action may take the form of a warning, counselling or dismissal from Hungarian Community School, Adelaide Inc. Breaches of this Policy will be investigated on a case by case basis.





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### **Guidelines for dealing with complaints against a member of school personnel**

It is the responsibility of all personnel at Hungarian Community School, Adelaide Inc. to be aware of the guidelines for dealing with complaints against a member of school personnel. The Ethnic Schools Association has produced guidelines for reporting an incident, injury, trauma and illness (category one). A category one incident can be managed at the school level. A category two incident involves the reporting of an allegation of abuse of a student. Refer to the following documents

- Guidelines for dealing with complaints against a member of school personnel – Form B1
- Guidelines for dealing with serious allegations against a member of school personnel – Form B2
- Incident, Injury, trauma and illness record – Form C

### **Dealing with complaints and concerns**

Hungarian Community School, Adelaide Inc. has a Complaints and Grievance Policy which outlines the procedures for dealing with complaints and concerns. The following is a summary of the policy. All staff are required to be familiar with the Complaints and Grievance Policy.

Complaints are an important way for Hungarian Community School, Adelaide Inc. to be accountable to the public, as well as providing valuable prompts to review organisational performance and the conduct of people that work within and for it.

A complaint is an “expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required”.

An effective complaint handling system provides three key benefits to an organisation:

- It resolves issues raised by a person who is dissatisfied in a timely and cost-effective way;
- It provides information that can lead to improvements in service delivery; and
- Where complaints are handled properly, a good system can improve the reputation of an organisation and strengthen public confidence in an organisation’s administrative processes.

### **Effective Complaint Handling System**

Where possible, complaints are best handled by teachers or volunteers or the person directly. These people should be able to resolve complaints at first contact and should log complaint details for further analysis. More serious complaints, or complaints that cannot be resolved by teachers or volunteers, should be referred to Hungarian Community School, Adelaide Inc. Principal.

### **Consent for Photographs and Publications of Students**

Hungarian Community School, Adelaide Inc. will obtain prior consent from parents at the beginning of each school year for the permission to use from time to time their child/children’s photos/video footage/other images or work. Consent will be obtained from parents on the annual enrolment form. Publications may include but are not limited to newsletters, magazines and publications which are produced by the school community, the Ethnic Schools Association of SA Inc., the Ethnic Schools Association and the Department of Education and Child Development (DECD).



The Ethnic Schools Association  
of South Australia Inc.

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DECD has two documents that relate to gaining consent for use of student photos and work:

- Administrative Instruction Guideline (AIGs) Section 1:86
- Fact Sheet 9 “How to stage an official event” (which includes an example consent form).

Copies of these can be obtained from the Ethnic Schools Association. It is the responsibility of all School Principals and Contact Persons to ensure that copies are available at their ethnic school and that consent forms are completed by parents each year.

Hungarian Community School, Adelaide Inc. is using ESA approved student enrolment forms that include section on consent for photographs and publications of students. Both parents/guardians must sign this form upon enrolling students in Hungarian Community School, Adelaide Inc.

### **Communicating our Child Safe Environment Policy and Procedures**

Hungarian Community School, Adelaide Inc. will communicate the Child Safe Environment Policy and Procedures to all staff, volunteers, members, families and children through the following:

- staff induction – all new staff will be given a copy of the policy and the policy will be discussed to ensure all staff are aware of their requirements
- a copy of the policy will be made available through the Manu Telugu Badi website
- a copy of the policy will be emailed to all families upon enrolment

For more details, refer to Hungarian Community School, Adelaide Inc. Communications Policy.

### **Other relevant Documents**

This policy builds on and complements the following state legislation and other documents:

Children’s Protection Act (1993)

‘Keeping them Safe,’ South Australian Government’s Child Protection Reform Program

‘Our Best Investment’ Robyn Layton QC, Child Protection Review

Teachers Registration and Standards Act 2004

Department of Child Protection: Reporting Child Abuse

<https://www.childprotection.sa.gov.au/reporting-child-abuse>

South Australian Inter-agency Guidelines for Child Protection

Department of Education and Child Development: Child Safe Environments

<https://www.decd.sa.gov.au/child-protection/child-safe-environments>

Child Wise: <https://www.childwise.org.au/page/39/fact-sheets>