

PROCEDURE

Procedure Title

Child Protection and Safety Procedure

Parent Policy

Child Protection and Safety Policy

Preamble

The procedure identifies the advice that is provided to Under 18 students on how and who they can report to if they themselves or other children are being subjected to abuse or if they have any personal safety concerns.

Definitions

Child

A child is any person aged from birth to eighteen years (UNICEF)

Child abuse

For the purposes of this policy, abuse constitutes any act committed against a child involving:

- physical violence
- sexual offences
- serious emotional or psychological abuse
- serious neglect.

Child Safety

In the context of the [Child Safe Standards](#), child safety means measures to protect children from abuse.

Child safe organisation

In the context of the [Child Safe Standards](#), a child safe organisation is one that meets the [Child Safe Standards](#) by proactively taking measures to protect children from abuse.

Reportable Matters

There are five types of conduct which are 'Reportable Matters' to be reported to the [Commission for Children and Young People](#):

- sexual offences committed against, with or in the presence of a child
- sexual misconduct committed against, with or in the presence of a child
- physical violence against, with or in the presence of a child
- any behaviour that causes significant emotional or psychological harm to a child
- significant neglect of a child.

Procedure

Responding to an Emergency – ENSURING IMMEDIATE SAFETY		
Ref	Steps	Responsibility
1	<p>If a child has just been abused, or is at immediate risk of harm you must take reasonable steps to protect them. These include:</p> <ul style="list-style-type: none"> • separating the alleged victim and others involved, ensuring all parties are supervised by a College staff member • arranging and providing urgent medical assistance where necessary by: <ul style="list-style-type: none"> • administering first aid assistance • calling 000 for an ambulance and following any instructions from emergency service officers/paramedics • calling 000 for urgent police assistance if the person who is alleged to have engaged in the abuse poses an immediate risk to the health and safety of any person (you should also identify a contact person at the College for future liaison with police). • Follow the Critical Incident Procedures (High Level) 	Staff Member
Responding to Concerns		
Ref	Steps	Responsibility
2.	<p>Following any incident, suspicion or disclosure of child abuse or any other reportable offence, you must make a report as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.</p> <p>You must also make a new report in any circumstance where you become aware of any further reasonable grounds for you beliefs of abuse. This is critical in enabling authorities to gain a clearer understanding of the risks.</p> <p>Once you form a reasonable belief that a child has been, or is at risk of being abused, your obligation to report is separate from the obligations or actions of other people unless you receive/witness the same information.</p> <p>In addition, it is important to consider that other people may not have access to the specific detail you have. The information you provide through your report may assist the relevant authority to take further action to protect the child.</p> <p>In instances where two staff members form different views about whether or not to make a report, if one staff member continues to</p>	Staff Member

	hold a reasonable belief that a child is in need of protection, then they are legally obliged to make a report.			
2.1	Gather information and forward immediately to appropriate manager. <ol style="list-style-type: none"> 1. Document issues by following questions on the Child Safe Incident Report form. 2. If incident is reported to you provide the reporter with advice that relevant staff need to be notified (i.e. immediate manager or Team Leader. 3. The Manager or Team leader notified must immediately forward Child Safe Incident Report to Guardianship / Student Engagement Manager and Student Safety Manager with cc to Director Student Services. <p>Please note that reporting internally does not mean that mandatory reporting obligations have been met. Student Services will report to the Victoria Police, informing the CEO of the report.</p>			Staff Member and relevant Head of studies or Team Leader
2.2	Assist student <ol style="list-style-type: none"> 1. Check on their welfare e.g. do they need to see medical or counselling services? 2. Provide student with appropriate support for their particular circumstances. 			Guardianship / Student Engagement Manager or Student Safety Manager
2.3	If it is a case of suspected child abuse <ol style="list-style-type: none"> 1. Follow up with child and complete a separate Child Safe Incident report. 2. Check on their welfare e.g. do they need to see medical or counselling services? 3. Provide student with appropriate support for their particular circumstances. 			Guardianship / Student Engagement Manager or Student Safety Manager
Escalation and Reporting				
4	Escalation <p>If the incident is deemed to be a 'Reportable Matter' under the definition in the Child Wellbeing and Safety Act 2005, the Director of Student Services must advise the CEO immediately and report to Police.</p> <p>If the alleged abuser:</p>			Director Student Services
	<i>Is a Monash College staff member, student, contractor, volunteer, or any other person</i>	<i>Is a Monash College student:</i> Director of Student Services advises relevant Executive	<i>Has no connection with Monash College:</i> If incident is sexual abuse (including	CEO will ensure the reporting of any form of offence to the Victorian Police.

	<p><i>representing Monash College:</i></p> <p>CEO will report any form of offence to the Victorian Police.</p>	<p>Director (or delegate) for follow-up under Non-Academic Suspension and Exclusion procedure.</p>	<p>grooming), or child is in danger of being harmed -</p> <p>Report matter to Victorian Police.</p> <p>Report the matter to Student Safety Manager.</p>	
5	Investigation			
	The CEO is responsible for overseeing the investigation into any allegation.			CEO
6	Mandatory Reporting to Commission for Children and Young People			
	<p>The Child Wellbeing and Safety Act 2005 requires the CEO to notify the Commission for Children and Young People (Victoria), a 'Reportable Matter' allegation in accordance with the following milestones:</p> <p>WITHIN 3 BUSINESS DAYS</p> <ul style="list-style-type: none"> • Initial advice on the nature of allegation • Name, Date of Birth of accused • Police Report • CEO name and Monash College contact details <p>30 CALENDAR DAY UPDATE</p> <ul style="list-style-type: none"> • Details of allegation and Monash College response • Details of any disciplinary action or other action proposed • Any written response from the accused <p>ADVICE ON INVESTIGATION AS SOON AS PRACTICABLE</p> <ul style="list-style-type: none"> • Name and contact details of investigator <p>OUTCOMES OF INVESTIGATION AS SOON AS PRACTICABLE</p> <ul style="list-style-type: none"> • Copy of findings and reasons for findings • Details about any disciplinary or other action proposed • Reasons for not taking any action 			CEO

Legislation and Standards	<p> <u>Child Wellbeing and Safety Amendment Act 2015 (Vic)</u> <u>Child Safety and Wellbeing Act 2005 (Vic)</u> <u>Children Legislation Amendment (Reportable Conduct) Act 2017</u> <u>Reportable Conduct Scheme</u> <u>Wrongs Act 1958</u> <u>Wrongs Amendment (Organisational Child Abuse) Act 2017</u> <u>Education and Training Reform Amendment (Child Safe Schools) Act 2015 (Vic)</u> <u>Education Training and Reform Act 2006 (Vic)</u> <u>Crimes Sexual Offences Act 2006</u> <u>Crimes Amendment (Sexual Offences) Act 2016 (Vic)</u> <u>Child Safe Standards</u> <u>Working with Children Act 2005</u> National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (National Code 2018) </p>
Reference Policies and Supporting Documentation	<p> <u>Monash College Privacy Policy</u> <u>Monash College Privacy Procedure</u> <u>Monash College Staff Personal and Professional Code of Conduct</u> <u>Monash College Employee Interaction with Students Code of Conduct</u> <u>Monash College Child Protection and Safety Policy</u> <u>Child Safe Incident Report Form</u> </p>
Responsibility for Implementation	<p>Monash College Senior Leadership Team</p>
Status	<p>Revised</p>
Key Stakeholders	<p> CEO Monash College Senior Leadership Team Director, People and Culture </p>
Approval Body	<p>Monash College Board</p>
Date Effective	<p>28/08/2018</p>
Next Review Date	<p>28/08/2021</p>

Owner Job Title	Director Governance
Procedure Author	Assistant Company Secretary
Contact	Director Governance

Change History

Version number	Approval date	Approved by	Brief outline of changes
1.0	23/03/2017	Senior Leadership Team	New Procedure
2.0	17 August 2017	Monash College Board Meeting 17 August	Changes to legislation and introduction of Reportable Conduct Scheme
2.1	1 March 2019	Senior Leadership Team	Minor changes to titles for reporting
2.2	11.12.2019	Director, Governance	Legislation update