



Child Protection Policy

RTOPOL022

It is the intent of Educational Living to develop and deliver a quality education and training service that meets and/or exceeds our client's expectations. Educational Living has a zero tolerance approach to child abuse. We are committed to delivering our training in a safe environment. This also extends to providing cultural safety for Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds, and children with a disability. When working with children in a school setting, Educational Living staff cooperate fully with the school where the children are being taught to ensure Child Safe practices are adhered to. We believe this empowers a child to speak up if there is a concern, which is fundamental to a child's safety and wellbeing.

All decisions will be made having considered the following:

- The impact on the client/candidate
- The positive contribution to the wellbeing of our people
- The impact on our suppliers
- Best use of available resources
- The long-term wellbeing of the organisation

Policy Objective

Educational Living is committed to ensuring that all children (defined legally as under 18 years of age) that we would be providing learning, training and assessment for, are provided with a trainer/assessor who has undergone the necessary state/territory based working with children checks.

This policy has been established by Educational Living in anticipation of situations where we will be required to work, unsupervised, with children (persons being under the age of 18 years). This policy assists with ensuring that the best interests of children and young people are considered and incorporated into our day-to-day operations and that the various legislative and regulatory requirements that influence our conduct are made explicit. Further information regarding our obligations in a school setting can be found here:

https://www.education.vic.gov.au/Documents/about/programs/health/protect/ChildSafeStandard5_SchoolsGuide.pdf

Policy Scope

The Working with Children Check and/or other associated requirements applies to our employees and/or contractors who perform work that primarily involves direct contact with children where that contact is not directly supervised, and may include:

- Directors
- Trainers and assessors
- Managers/supervisors
- Administrative staff

Responsibility

- EL Directors acknowledge that they have a responsibility to work within set legislative and regulatory requirements that have been created at Commonwealth, State/Territory levels. We



will ensure that all representatives of this company are made aware of their responsibilities in regards to Child Protection legislative and regulatory requirements that affect the business.

- The Quality Assurance (QA) in consultation with the Human Resource (HR) department is responsible for ensuring processes comply with this policy and the Child Protection Procedure, developing and issuing or disseminating information and ensuring all information is filed appropriately.
- All employees are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children, as noted in the process below.
- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.¹
- **Failure to protect:** People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.²
- Any personnel who are **mandatory reporters** must comply with their duties.³

Process

We will, upon appointment of any staff and existing staff:

1. Recruitment-Potential/New Employees

- At recruitment stage all potential and new Educational Living employees are informed of the requirements to have a current working with children check (WWCC) and to provide evidence that this is the case. This extends to holding a current WWCC for any additional states outside of Victoria where the employee is working. Where a current WWCC is not held the employee agrees to undertake this process. This is specified in the terms and conditions of employment.
- A new employee is not to attend any client site with minors until Head Office has sighted the card or the letter confirming they have passed the check

2. Trainers/Assessors

All trainers/assessors will maintain the currency of their WWCC and forward any updated/renewed WWCC documents to head office. Where a trainer/assessor finds that they become declared as a 'prohibited person' then Educational Living will take steps to ensure that this person does not work with children and determine whether it is appropriate to continue to employ the person taking into consideration the checking process and other strategies we have in place, such as the advice from

¹ A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed.

Further information about the failure to disclose offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence) <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence>.

² Further information about the failure to protect offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence) <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence>.

³ Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

See the Department of Health and Human Services website for information about [how to make a report to child protection](https://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotectobligation.aspx). <https://www.education.vic.gov.au/school/principals/spag/safety/Pages/childprotectobligation.aspx> provides further information in the school setting.



the screening agency. Educational Living will also conduct a National Criminal Check on all employees.

This policy will be reviewed annually and circulated to all staff to maintain awareness.

All employees are required to observe the following principals as set out in the Child Safe Standards:

- adhering to Educational Living's child safe policy (and related policies) at all times & upholding our statement of commitment to child safety
- adhering to relevant school's child safe policy in addition to this policy
- taking all reasonable steps to protect children from abuse
- treating everyone with respect
- listening and responding to the views and concerns of children, particularly if they are telling you that they or another child has been abused and/or are worried about their safety or the safety of another
- promoting the cultural safety, participation and empowerment of Aboriginal children (for example, by never questioning an Aboriginal child's self-identification)
- promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination)
- promoting the safety, participation and empowerment of children with a disability (for example, during personal care activities)
- ensuring as far as practicable that adults are not left alone with a child
- reporting any allegations of child abuse to Educational Living's HR Manager, and ensure any allegation to reported to the police or child protection
- reporting any child safety concerns to Educational Living's HR Manager who will then follow the procedure as set out in the Child Safe Standards (<http://www.dhs.vic.gov.au>) (For more information and reporting procedures, refer to the Commission for Children and Young People page: <https://ccyp.vic.gov.au/reportable-conduct-scheme/reporting-and-investigating-allegations/>)
- if an allegation of child abuse is made, ensure as quickly as possible that the child(ren) are safe
- encouraging children to 'have a say' and participate in all relevant organisational activities where possible, especially on issues that are important to them

Staff must not:

- develop any 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children)
- exhibit behaviours with children which may be construed as unnecessarily physical (for example inappropriate sitting on laps)
- put children at risk of abuse (for example, by locking doors)
- do things of a personal nature that a child can do for themselves, such as toileting or changing clothes
- engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities)
- use inappropriate language in the presence of children
- express personal views on cultures, race or sexuality in the presence of children
- discriminate against any child, including because of culture, race, ethnicity or disability

- have contact with a child or their family outside of our organisation without our child safety officer's knowledge and/or consent (for example, no babysitting); accidental contact, such as seeing people in the street, is appropriate
- have any online contact with a child or their family (unless necessary, for example providing families with e-newsletters)
- ignore or disregard any suspected or disclosed child abuse


Related policies/procedures

RTOPRO041 Fit and Proper Person Requirements
 RTOPRO028 Child Protection
 SSPOL002 Privacy & Confidentiality Policy
 RTOPOL021 Records Management Policy

Related form/s

Statutory declaration documents
 Fit and Proper Person Requirements Declaration
 WWCC application/renewal forms/records
 NPC documents/records (where required)
 HR Forms/Files

End of Document

 L. Brodie
 (Signature of Directors)

06/2013
 (Date)