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Child Safety Program

Executive Summary

Broader child safety and wellbeing issues arising from our common law duty of care are dealt with through our Student Duty of Care policies and procedures.

If you have a belief of suspicion that a child has suffered, or is at risk of suffering, child abuse, neglect or grooming, contact the Advice and Referral Line on 1800 000 123.

All child protection concerns should also be reported internally to a Child Protection Officer or the Principal as soon as possible. Please note that informing a Child Protection Officer or the Principal does not relieve you of your legal obligation to make a mandatory report.

When there are concerns that a child or young person is in immediate danger, the Police should be called on 000.

Our Child Protection Officers – Make a Report

A number of senior staff members are nominated as the College’s Child Protection Officers. The names, positions and contact details for all the College’s Child Protection Officers can be found below.

Child Protection Officers are selected based on a number of considerations, including but not limited to:

- 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 College, for example, a person who has seniority and experience working with complex children, young people and family issues at the College and someone who is readily accessible and available to all members of the College community
- their personal profile within the College, for example, a person who is approachable, who children and young people and staff trust and who is willing and able to respond to issues personally and sensitively.

Our Child Protection Officers are available to answer any questions that you may have with respect to our Child Safe Policy, Child Safety Code of Conduct, and the Child Safety Program.

The College's Child Protection Officers are a **first point of contact for reporting child protection issues** within the College. They receive special training that enables them to deal with child protection concerns both sensitively and effectively.

Although mandatory reporters may consult with the Principal or one of the College's Child Protection Officers, mandatory reporters remain responsible for meeting their reporting obligations under the CYPF Act. For more information, refer to [Mandatory Reporting](#).

Child abuse or neglect include:

- sexual abuse
- physical injury
- emotional injury
- neglect.

Grooming is not a recognised form of abuse in Tasmania, but grooming behaviours are:

- a criminal offence under sections 125C and 125D of the Criminal Code Act 1924 (Tas); and
- an example of behaviour that can lead to sexual abuse, which must be reported under the CYPF Act (Tas).

The Criminal Code Act 1995 (Cth) also includes various offences which prohibit various types of grooming behaviours.

Grooming behaviours must be reported internally to a Child Protection Officer.

If you have any concern that a child or young person may be experiencing any form of abuse, neglect or grooming, whether or not you have formed a reasonable belief or suspicion that it has occurred,

you should immediately raise your concerns with one of our **Child Protection Officers**.

The welfare and best interests of children and young people are paramount.

Whenever there are concerns that a child or young person is in immediate danger the Police should be called on 000.

Our Child Protection Officers are:

- Ruth Ferguson (Acting Principal)
- NAME (Deputy Principal)
- Erin Crean (Social Worker)

Our Senior Child Protection Officer

Eastside Lutheran College has appointed Erin Crean as the College's Senior Child Protection Officer. The Senior Child Protection Officer has an important role in the promotion and maintenance of a child protection culture at the College.

The Senior Child Protection Officer is identified in our publicly available [Child Safe Policy](#) as an individual the wider community can initially contact when they have child protection concerns relating to the College.

The Senior Child Protection Officer is contactable by phone on 0475774988 or by emailing erin.crean@elc.tas.edu.au.

Child Safe Policy

Eastside Lutheran College has developed the following Child Safe Policy as an overarching statement that provides key elements of our approach to protecting children and young people from abuse, neglect and grooming and sets the tone for the College's entire Child Safety Program.

The Policy is designed to be Eastside Lutheran College's public statement of commitment to child safety and a demonstration of the College leaders' commitment to champion child safety in our College.

The College's Child Safe Policy has been approved and endorsed by the College's Board.

The Policy is reviewed at least annually, in light of experience, the effectiveness of procedures and the publication of relevant research.

The Policy is published on our public website as well as communicated through other mediums such as newsletters, our annual report and in induction and welcome packs for Board members, staff members, Volunteers and Third Party Contractors.

Policy Objectives

This Policy provides the framework for:

- the development of work systems, practices, policies and procedures that promote child safety, protection and wellbeing within the College
- the creation of safe and supportive College environments and a positive and robust child safety culture
- the promotion and open discussion of child protection issues within the College
- complying with all laws, regulations and standards relevant to child protection in Tasmania.

Our Statement of Commitment

Eastside Lutheran College is committed to providing education and care to children and young people to assist them to develop into high-achieving, supported students, positively connected to each other and to the communities in which they live and which they will serve.

The College is committed to ensuring the safety, protection and wellbeing of all children and young people at the College and in all College environments and is dedicated to protecting them from abuse, neglect and grooming.

At Eastside Lutheran College, we have a zero tolerance for child abuse, neglect and grooming.

The College regards its child protection responsibilities with the utmost importance, and as such is committed to providing the necessary resources to ensure compliance with all relevant child protection laws and regulations and to maintain safe and supportive College environments for all children and young people.

Our Child Safety Values and Principles

The 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.

I. All children and young people have the right to be safe.

2. The welfare and best interests of the child or young person are paramount.
3. The views of the child or young person and their privacy must be respected.
4. Clear expectations for appropriate behaviour with children and young people are established in our Child Safety Code of Conduct and Maintaining Professional Boundaries policy.
5. The safety of children and young people is dependent upon the existence of a child safety culture.
6. Child safety awareness is promoted and openly discussed within our College community.
7. Procedures are in place to screen all staff, Board members, Volunteers, Third Party Contractors and External Education Providers in accordance with the Registration to Work with Vulnerable People Act 2013 (Tas).
8. Child safety and protection is everyone's responsibility.
9. Child protection training is mandatory for all Board members, staff members, Direct Contact Volunteers and Direct Contact Contractors.
10. Procedures for responding to alleged or suspected incidents of child abuse, neglect or grooming are simple and accessible for all members of the College community.
11. Procedures are in place to ensure all College premises are designed to ensure the safety of children and young people.

Our Child Protection Officers

As part of our commitment to child safety and protection, Eastside Lutheran College has appointed a number of Child Protection Officers as honest, mature, ethical and experienced members of the College community who can deal with sensitive issues relating to child protection and safety.

Our Child Protection Officers are available to answer any questions that you may have with respect to our Child Safe Policy and the Child Safety Program.

Child and Young Person Protection Responsibilities

The College acknowledges that child and young person protection is everyone's responsibility.

At Eastside Lutheran College all members of the Board, staff members, Volunteers, Third Party Contractors and External Education Providers have a shared responsibility for contributing to the

safety and protection of children and young people. Specific responsibilities for each group of the College community are further explained in the [Child Safety Responsibilities](#) section of our Child Safety Program.

Reporting Child Protection Concerns

Our Child Safety Program provides detailed guidance for all members of the College community as to how to identify key risk indicators of child abuse, neglect and grooming and detailed procedures for staff, Volunteers and Contractors to report child abuse, neglect or grooming incidents to relevant external authorities. Following any mandatory report, the Principal or one of our College's nominated Child Protection Officers should be advised.

External Education Providers, Indirect Contact Volunteers, children and young people, parents/guardians and other community members who have concerns that a child may be subject to grooming are asked to contact the Principal or the Senior Child Protection Officer, Erin Crean on 0475774988 or erin.crean@elc.tas.edu.au.

Communications will be treated confidentially on a 'need to know basis' and can be made without threat of victimisation or punishment.

Whenever there are concerns that a child or young person is in immediate danger the Police should be called on 000.

Child Safety Program Review & Improvement

Eastside Lutheran College is committed to the continuous improvement of our Child Safety Program and to ensuring the College's compliance with Tasmanian child protection laws and regulations.

The Program is regularly reviewed for overall effectiveness and to ensure compliance with all child protection related laws, regulations and standards.

Child Safety Code of Conduct

A Child Safety Code of Conduct clearly outlines expected standards of behaviour for all stakeholders interacting with children and young people in our College environments, and the consequences if they fail to meet the College's expectations.

When individuals are clear about behavioural expectations, they are much more likely to act appropriately with each other and with children and young people. When everyone is educated about

the Code of Conduct and the reasons it is so important to uphold, the College environment becomes much more transparent and people are accountable for their behaviour.

Above all, a Child Safety Code of Conduct helps to protect children and young people from harm. College environments include both physical and online environments, as well as those outside the College's grounds where College-related activities are occurring.

This Code applies to:

- all staff members, including non-teaching staff and temporary or casual staff
- Volunteers
- children and young people
- parents and guardians
- Third Party Contactors and External Education Providers
- members of the Board
- teaching students on placement at the College
- visitors.

Our Child Safety Code of Conduct is published on the College's public website and the staff intranet.

The College's Board has approved and endorsed this Child Safety Code of Conduct.

In addition to our broad expectations for child-safe behaviour in all College environments, the College has developed a comprehensive [Maintaining Professional Boundaries Policy](#).

This Child Safety Code of Conduct outlines appropriate standards of behaviour for all adults towards children and young people. The Code serves to protect children and young people, reduce any opportunities for abuse or harm to occur, and promote child and young person safety in the College environments. It provides guidance on how to best support children and young.

Where a staff member breaches the Code, Eastside Lutheran College may take disciplinary action, including in the case of serious breaches, dismissal. The College revises the Code annually.

Eastside Lutheran College has the following expectations of behaviours and boundaries for all adults interacting with students within our College community. This includes all teaching staff, non-teaching staff, Board members, Volunteers, Third Party Contractors, External Education Providers and parents/guardians.

The College's Board has approved and endorsed this Child Safety Code of Conduct.

DO:

- Uphold Eastside Lutheran College's Child Safe Policy at all times.
- Behave as a positive role model to children and young people.
- Promote the safety, welfare and wellbeing of children and young people.
- Be vigilant and proactive with regard to children and young people safety and child protection issues.
- Provide age appropriate supervision for children and young people.
- Comply with guidelines published by the College with respect to child protection, specifically the College's Child Safe Policy and our Maintaining Professional Boundaries Policy.
- Treat all children and young people with respect.
- Promote the safety, participation and empowerment of children and young people with a disability.
- Promote the cultural safety, participation and empowerment of linguistically and culturally diverse children and young people.
- Use positive and affirming language towards children and young people.
- Encourage children and young people to 'have a say' and then listen to them with respect.
- Respect cultural, religious and political differences.
- Help provide open, safe and supportive environments for all children and young people to interact and socialise.
- Intervene when children and young people are engaging in inappropriate bullying behaviour towards others or acting in a humiliating or vilifying way.
- Report any breaches of this Child Safety Code of Conduct.
- Ensure that your legal obligations to report concerns about child safety or protection externally are met and that you also notify your concerns to the Principal or one of the College's Child Protection Officers.
- Where an allegation of child abuse is made, ensure as quickly as possible that the child or young person involved is safe.
- Call the Police on 000 if you have immediate concerns for a child or young person's safety.
- Respect the privacy of children and young people 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 children and young people or expose children and young people to such behaviour.
- ♦ Use prejudice, oppressive behaviour or inappropriate language with children and young people.

- Express personal views on cultures, race or sexuality in the presence of children and young people or discriminate against any child or young person based on culture, race, ethnicity or disability.
- Engage in open discussions of an adult nature in the presence of children and young people.
- Engage in any form of sexual conduct with a child or young person 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 child or young person can do for themselves, such as toileting or changing clothes.
- Engage in any form of physical violence towards a child or young person including inappropriately rough physical play.
- Use physical means or corporal punishment to discipline or control a student.
- Engage in any form of behaviour that has the potential to cause a child or young person serious emotional or psychological harm.
- Develop 'special' relationships with children and young people that could be seen as favouritism (for example the offering of gifts or special treatment for specific children and young people).
- Engage in undisclosed private meetings with a child or young person who is not your own child.
- Engage in inappropriate personal communications with a child or young person through any medium, including any online contact or interactions with a child or young person.
- Take or publish (including online) photos, movies or recordings of a child or young person without parental/guardian consent.
- Post online any information about a child or young person that may identify them such as their: full name; age; email 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 [Maintaining Professional Boundaries Policy](#) that provides detailed guidance for all staff, Volunteers, Third Party Contractors and External Education Providers on how to maintain professional boundaries between children, young people and adults at Eastside Lutheran College.

Disciplinary Procedures

Where a staff member breaches the Code, Eastside Lutheran College may take disciplinary action, including in the case of serious breaches, dismissal.

Where any other member of the College community breaches any obligation, duty or responsibility within our Child Safety Code of Conduct, Eastside Lutheran College will take appropriate action.

Report Any Child Protection Concerns

All breaches and suspected breaches of the Eastside Lutheran College's Child Safety Code of Conduct must be reported to the Principal or the Board.

Our Child Safety Program also includes information for staff members, Board members, Volunteers, Third Party Contractors and External Education Providers on how to identify key risk indicators of child abuse, neglect or grooming and how to report child abuse or grooming concerns to relevant external authorities.

It also contains detailed procedures with respect to the reporting of child abuse, neglect or grooming incidents to relevant authorities.

Communications will be treated confidentially on a 'need to know basis' and may be made without fear of victimisation or punishment. The victimisation of any person who discloses or alleges abuse or grooming, including where an allegation is unfounded, is strictly prohibited at the College and any such action is subject to Disciplinary Procedures.

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

Maintaining Professional Boundaries

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

Eastside Lutheran College staff hold a unique position of influence, authority, trust and power in relation to students at the College. As such, it is their duty, at all times, to maintain professional boundaries with children and young people.

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.

Eastside Lutheran College's Policy

Eastside Lutheran College is committed to providing safe environments where all of our children and young people are respected and treated with dignity in an appropriate professional and caring manner where the risk of child abuse or grooming is minimised, and a safe and supportive child safety 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 children and young people at all times
- staff identify, discourage and reject any advances of a sexual nature initiated by a child or young person
- staff interaction with children and young people 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 child and young person 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 child or young person) entrusts their welfare and safety to another person (a staff member), in circumstances where a power imbalance exists.

The fact that College 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 members who may only be a few years older than the children and young people under their care.

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 children and young people, 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 child or young person'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 child or young person?

Intimate Relationships

Staff must not initiate or develop a relationship with any child or young person 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/guardians.

Such relationships have a negative impact on the teaching and learning of children and young people and colleagues, and may carry a serious reputational risk for the staff member and, in turn, the College.

The professional relationship of staff and children and young people 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 children and young people
- 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.

Staff should also be aware that developing or encouraging romantic or sexual relationships with recent former students (over 18 years of age) may violate professional boundaries and are strongly discouraged from doing so. It is the College's policy that staff are not to add former students on social media, or accept requests from students on social media, for at least two years after the student has graduated Year 12 or equivalent.

The imbalance of power and authority that exists in the staff/child or young person relationship does not suddenly disappear after the child or young person finishes their schooling. Staff should not assume that they will be protected from disciplinary action by claiming that a relationship began only after the child or young person left the College as there may be a reasonable belief that the emotional intimacy of the relationship developed while the staff/child or young person relationship existed.

Personal Relationships

Staff must not initiate or develop a relationship with any child or young person 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 guardians.

It is the child or young person'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 children and young people may be compromised by a staff member:

- attending parties or socialising with students outside of organised College events (without parental/guardian permission)
- sharing personal details about their private lives with children and young people
- meeting with children and young people outside of school hours without permission from the College.

Staff must recognise at all times that their role is not to be a “friend” or “parent” to a child or young person.

Fair Learning Opportunities

The main focus of teaching is effective student learning and as such, teachers are expected to support children and young people 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 children and young people 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 child and young person’s abilities, skills and talents by catering to their individual abilities and respecting their individual differences
- encouraging children and young people to develop and reflect on their own values

- interacting with children and young people without bias
- not engaging in preferential treatment
- not discriminating against any child or young person on the basis of race, sex, sexuality, disability or religious or political conviction
- always making decisions in children and young people's best interests.

Electronic Communications between Staff & Children/Young People

All staff at the College must 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 children and young people should be via the College email system and reflect a professional staff/student relationship
- staff should not communicate with children and young people 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 College
- staff should not exchange personal pictures with a child or young person
- teachers are not expected or encouraged to respond to concerns of parents/guardians or children and young people on holidays, weekends or in the evening
- any child or young person personal contact numbers or other personal contact details made available to the College should only be used for College communications.

Physical Contact with Children and Young People

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 College should adhere to the following guidelines for contact with children and young people both in and outside of College grounds:

- staff should avoid unnecessary physical contact with children and young people
- 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 child or young person. Note that a child or young person may withdraw consent for this contact either verbally or gesturally and staff must remain vigilant

while 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 children and young people changing should be done, where possible, with another staff member present and always in a manner that respects children and young peoples' 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 child or young person'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 children and young people by a staff member with a conflict should be avoided.

Any significant decisions relating to these children and young people in the 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/Children and Young People Interactions

It is Eastside Lutheran College's policy that all staff are encouraged to declare any interactions with children and young people outside school hours. These interactions may include instances where the staff member is:

- ♦ related to the child or young person

- friends with the child or young person's parents or family
- given parental consent to interact with the child or young person for academic purposes outside of school hours and has notified the College.

Eastside Lutheran College maintains records of all declarations made by staff members related to their interactions with children and young people, or relationships with children and young people, that exist outside of school hours or College premises.

These records are kept for a period of seven years.

Staff Responsibilities

All staff are to:

- 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 Eastside Lutheran 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
- child and young person and parent/guardian education and information
- effective management of teachers engaging in inappropriate relationships with children and young people
- effective management of conflicts of interest
- effective communication and incident notification procedures
- effective record keeping procedures
- initiation of corrective actions where necessary.

Child Safety Responsibilities

Society as a whole shares responsibility for promoting the safety and protection of children and young people from abuse, neglect and grooming. In the College context, all members of the College community have their role to play – teachers, staff, administrators, parents/guardians, Volunteers,

Third Party Contractors, External Education Providers and children and young people. That said, the College's Executiveteam are committed to 'leading from the front' and engaging in a preventative, proactive and participatory approach to child safety and protection issues.

Children and young people are encouraged to take an active role in developing and maintaining a child safe environment at the College and are provided with opportunities to contribute and give feedback in the development of the College's policies and practices. Children and young people are also made aware of the avenues available to them to report or disclose abuse, neglect or grooming or concerns for their safety or the safety of others.

For more information about specific roles and responsibilities, refer to the subpages in this section.

Board Responsibilities

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

- acquire and keep up-to-date knowledge of child safety and protection matters
- understand the nature of the College's operations and the child safety and protection risks associated with these operations
- ensure that the College has appropriate resources to effectively implement its Child Safe Policy and Child Safety Program
- ensure that the College has appropriate processes for receiving and considering information regarding child safety and protection issues and can respond in a timely way to that information
- ensure that the College has developed and implemented processes to ensure that the College is complying with its legal and regulatory obligations with respect to child safety and protection
- ensure that the College has developed and implemented processes to ensure ongoing monitoring to verify the provision and use of the resources that have been allocated to the management of child safety and protection issues within the College and their effectiveness.

The Principal's Responsibilities

The Board delegates day-to-day management of the College and the Child Safety Program to the Principal.

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

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

College Child Protection Officers' Responsibilities

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

Key responsibilities for the College Child Protection Officers include:

- having a good working knowledge of the College's Child Safety Program
- being a point of contact for staff, or other members of the College community, to raise child safety and protection concerns within the College
- communicating the College's child safety and protection policies and procedures to all stakeholders including children and young people, parents/guardians, staff, Board members, Volunteers Third Party Contractors and External Education Providers
- ensuring that the College's Child Safe Policy and Child Safety Program are being implemented effectively
- ensuring that all staff, Board members, Direct Contact Volunteers and Direct Contact Contractors undertake child safety training so that they are able to identify signs of abuse, neglect and grooming, understand how to respond and when to make a referral either internally or to an external agency
- inducting and managing the training of new staff members, Board members, Direct Contact Volunteers and Direct Contact Contractors in the College's Child Safety Program, specifically our Procedures for Responding to and Reporting Child Protection Incidents
- providing all Board members, staff members, Volunteers, Third Party Contractors and External Education Providers with a copy of the College's Child Safe Policy

- where authority is delegated from the Principal, promptly managing the College's response to an allegation, disclosure or suspicion of abuse, neglect or grooming with the assistance of the Principal and senior staff members, and ensuring that the disclosure is taken seriously
- offering assistance and support when a member of the College community receives or makes a disclosure of abuse, neglect or grooming
- organising external support to assist parties following a disclosure or suspicion of abuse, neglect or grooming;
- developing processes for minor corrective issues that don't need to be reported to an outside authority.

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

Our Senior Child Protection Officer

The College has appointed Erin Crean as our Senior Child Protection Officer. The Senior CPO has an important role in the implementation and operation of our Child Safety Program.

Key responsibilities of the Senior CPO include:

- being a first point of contact for all child protection 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 both the College's Child Safety Program, their legal responsibilities, and how to appropriately respond to child safety and protection concerns and incidents
- coordinating the College's response to child safety and protection incidents in consultation with the Principal and the Board
- reviewing and assessing the Child Safety Program, specifically the Procedures for Responding to and Reporting Child Protection Incidents
- ensuring that the Child Safety Program is implemented effectively and communicated to all relevant stakeholders.

Staff Responsibilities

All staff are required to comply with our Child Safe Policy, Child Safety Code of Conduct, Maintaining Professional Boundaries Policy, and their legal obligations with respect to the reporting of child

abuse, neglect and grooming.

It is each individual's responsibility to be aware of key risk indicators of child abuse, neglect and grooming, to be observant, and to raise any concerns they may have relating to child abuse or grooming with one of the College's Child Protection Officers and/or with external agencies where required.

Staff, as a condition of employment at the College, must adhere to the College's Child Safety Code of Conduct and Maintaining Professional Boundaries Policy.

Direct Contact Volunteers' Responsibilities

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

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

All Direct Contact Volunteers are required to adhere to our Child Safe Policy and our Child Safety Program. All Direct Contact Volunteers must be registered in accordance with our Working with Vulnerable People Registration Policy.

They must also be aware that they too have legal obligations with respect to the reporting of child abuse, neglect and grooming behaviours.

It is each individual's responsibility to be aware of key risk indicators of abuse, neglect and grooming, to be observant, and to report child abuse or neglect concerns to relevant external authorities where required. Following any mandatory report, the Principal or one of our College's nominated Child Protection Officers should be advised.

Indirect Contact Volunteers' Responsibilities

Indirect Contact Volunteers are those volunteers who are involved in providing support and services while not directly assisting a specific group of children and young people.

Indirect Contact Volunteers are not responsible for supervising students and would not have contact with children and young people during the normal course of providing the volunteer service.

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

All Indirect Contact Volunteers are responsible for contributing to the safety and protection of children and young people in College environments.

Indirect Contact Volunteers may be required to be registered in accordance with our [Working with Vulnerable People Registration Policy](#).

It is each individual's responsibility to be aware of key risk indicators of child abuse, neglect and grooming, to be observant, and report child abuse or neglect concerns to relevant external authorities where required. Following any mandatory report, the Principal or one of our College's nominated [Child Protection Officers](#) should be advised.

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

Third Party Contractors' Responsibilities

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

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

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

Where the term **Third Party Contractor** is used, it captures both "Direct Contact Contractors" and "Indirect Contact Contractors".

Direct Contact Contractors are:

- ♦ those who have direct contact with children and young people during the normal course of their work; and
- ♦ those who may be in a position to establish a relationship of trust with a child or young person notwithstanding that access to children and young people would be rare (for example full-time maintenance personnel); and

- any contractors whom must be registered in accordance with our Working with Vulnerable People Registration Policy.

Indirect Contact Contractors are those contractors who do not meet the definition of a “Direct Contact Contractor”. These are contractors who have no contact with children and young people as part of their role or undertake roles where children and young people are not reasonably expected to be present e.g. those contractors who complete work during school holidays. This type of contractor also includes contractors who are engaged in emergencies where there is insufficient time to undertake relevant child-safety checks.

Indirect Contact Contractors are unlikely to require registration in accordance with our Working with Vulnerable People Registration Policy.

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

The 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 College has arranged to deliver a specified course of study that is part of the curriculum, to children and young people enrolled at the College. The delivery of such a course may take place on College premises or elsewhere.

All External Education Providers engaged by the College are responsible for contributing to the safety and protection of children and young people in the College environments. External Education Providers must be registered in accordance with our Working with Vulnerable People Registration Policy.

All External Education Providers engaged by the College are required by the College to adhere to our Child Safe Policy and Child Safety Code of Conduct, and are required to have appropriate child safety and protection policies and procedures within their organisation.

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

Creating and Maintaining Child-Safe Environments

Eastside Lutheran College has adopted several key strategies as controls for identifying and removing child protection risks and to promote the participation and empowerment of children and young people to ensure that children and young people feel safe and supported in all College environments.

This section includes:

- [Our Child-Safe Culture](#)
- [Child-Safe Human Resources Practices](#)
- [Participation and Empowerment of Children and Young People](#)

Our Child-Safe Culture

At Eastside Lutheran College we believe that the safety of children and young people is dependent on the existence of a child-safe culture within our 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 and protection through this Child Safety Program
- ♦ the appointment of the College's [Child Protection Officers](#)
- ♦ establishing key child protection values and principles in our [Child Safe Policy](#).
- ♦ establishing clear expectations for appropriate behaviour with students through our [Child Safety Code of Conduct](#) and [Maintaining Professional Boundaries Policy](#)
- ♦ educating our staff, Board members, Direct Contact Volunteers and Direct Contact Contractors through our [Child Safety Training](#)
- ♦ clear [procedures for responding to and reporting child protection incidents](#)
- ♦ recognition that children and young people from [culturally diverse backgrounds](#), including Aboriginal and Torres Strait Islander children and young people, have the right to special care and support
- ♦ recognition that children and young people 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 and young people.

Child-Safe Human Resources Practices

In addition to ensuring relevant people at the College have a valid Registration to Work with Vulnerable People in accordance with our legal obligations, Eastside Lutheran College is committed to ensuring that newly recruited and existing staff, Board members, Direct Contact Volunteers and Direct Contact Contractors understand the importance of child safety and protection, are aware of all relevant policies and procedures, and are trained to minimise the risk of child abuse, neglect and grooming.

This is done through various human resources work systems, practices, policies and procedures designed to protect children and young people from abuse, neglect and grooming and create a child-safe culture. This includes:

- Child-Safe Recruitment and Selection Practices
- Working with Vulnerable People Registration Policy
- Child Safety Training
- Management of Staff, Direct Contact Volunteers and Direct Contact Contractors
- Disciplinary Procedures

Child-Safe Recruitment and Selection Practices

At Eastside Lutheran College we are committed to ensuring that our recruitment practices create safe and supportive College environments for our children and young people. To this end, we have established policies and procedures for recruiting staff, Board members, Volunteers and Third Party Contractors, and for assessing their suitability to work with children and young people.

Our recruitment processes are designed to select appropriate staff, Board members, Volunteers and Third Party Contractors and discourage inappropriate people from working within the College.

Each job description for staff involved in child-related work has a clear statement that sets out the requirements, duties and responsibilities regarding child safety and protection for those in that role and the occupant's essential qualifications, experience and attributes in relation to child safety and protection. The job descriptions are regularly reviewed for ongoing performance improvement.

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

It is our policy that all new staff, members of the Board, Direct Contact Volunteers and Direct Contact Contractors undergo screening including:

- a Registration to Work with Vulnerable People online status check
- personal identity verification and background checking
- verification of professional or other qualifications relevant to the job
- an examination of their history of child-related work
- reference checking that addresses the person's suitability for the job and working with children and young people.

The requirement to have or obtain a Registration to Work with Vulnerable People must be stated in all role descriptions, job advertisements and or application packages. All other stakeholders are, at a minimum, subject to the requirements of the Working with Vulnerable People Registration Policy and may also be subject to additional screening procedures.

All other stakeholders including Indirect Contact Contractors, Indirect Contact Contractors and External Education Providers are, at a minimum, subject to the requirements of the Working with Vulnerable People Registration Policy and may also be subject to additional screening procedures.

Unless an exemption applies (refer to our Working with Vulnerable People Registration Policy), all of the College's Volunteers undergo the following screening prior to their engagement by the College:

- a Registration to Work with Vulnerable People online status check
- personal identity verification and background checking
- verification of professional and other qualifications if relevant to their role
- an examination of their history of child-related work
- reference checking that addresses the person's suitability for the job and working with children and young people.

Under the Registration to Work with Vulnerable People Act 2013 (Tas) and the Registration to Work with Vulnerable People Regulations 2014 (Tas), some volunteers are exempt in various scenarios (refer to Exemptions). The Explanatory Note in Standard Seven of the Non-government Schools Registration Board Guidelines for Re-registration of a Non-government School is interpreted to mean that **all volunteers in a school are required to have a RWVP.

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

Third Party Contractors

Where a Third Party Contractor will engage in child-related work as part of providing their services at the College they will require Registration to Work with Vulnerable People. These persons are normally Direct Contact Contractors but, in some cases, may also be Indirect Contact Contractors.

For more information, refer to [Third Party Contractors' Responsibilities](#) and our [Working with Vulnerable People Registration Policy](#).

Child-Safe Recruitment and Other Legislation

Child safety recruitment practices are subject to State and Federal anti-discrimination legislation (refer to our [Disability Discrimination](#) policy) and the requirements of the Privacy Act 1988 (Cth) when obtaining, using, disclosing, and storing information from applicants and referees.

Working with Vulnerable People Registration

Source of Obligation

The Registration to Work with Vulnerable People Act 2013 (Tas) (the Act) and the Registration to Work with Vulnerable People Regulations 2014 (Tas) (the Regulations) aim to protect children and other vulnerable people from harm by ensuring that people who work with, or care for them, have their suitability to do so checked by and registered with a government body. In Tasmania, this is referred to as a Registration to Work with Vulnerable People (RWVP).

Section 4A of the Act sets out five registration categories for a RWVP. The categories that are relevant to the College context are:

- child-related activity
- child and vulnerable adult-related activity
- child and vulnerable adult-related (NDIS endorsed) activity.

We refer to these registration categories respectively as:

- RWVP (Children)
- RWVP (Children and Adults)
- RWVP (NDIS).

A RWVP (Children) enables a person to work in child-related regulated activities.

A RWVP (Children and Adults) enables a person to work in child-related regulated activities as well as other regulated activities that relate to or involve other vulnerable people (other than NDIS participants).

A RWVP (NDIS) enables a person to work in child-related regulated activities as well as regulated activities that relate to or involve NDIS participants.

All school-based staff (including teachers), volunteers**, young people and others, such as Direct Contact Contractors and External Providers are required to be registered to have either a RWVP (Children), a RWVP (Children and Adults) or a RWVP (NDIS) unless they are exempt.

Under the Act and Regulations, some volunteers are exempt in various scenarios (refer to Exemptions). The Explanatory Note in Standard Seven of the Non-government Schools Registration Board Guidelines for Re-registration of a Non-government School is interpreted to mean that **all volunteers in a school are required to have a RWVP.

Key Definitions

Vulnerable Person

Section 4 of the Act defines a vulnerable person as a child (a person aged under 18 years) or an adult who is accessing a regulated activity.

Employer

For the purposes of the Act, and “employer” is any entity for whom a person **engages** in a **regulated activity**.

Examples of employers include:

- a principal contractor, who is the employer of a subcontractor
- a charitable organisation, which is the employer of a volunteer
- a religious organisation, which is the employer of a minister of religion.

Insert School Employer Name is the employer of all Staff, contractors and volunteers at the College for the purposes of the RWVP scheme.

Regulated Activity

Divisions 1 and 3 of the Regulations set out the kinds of activities that are prescribed to be regulated activities in respect of children. Relevant to the College, regulated activities include:

- ♦ government and non-government schools
- ♦ child-related services such as child care services, coaching or tuition services and child-related commercial services
- ♦ child-related religious activities

Engaged

Section 5 of the Act defines when a person is “engaged” in a regulated activity. A person engages in a regulated activity if that person has **contact** with a vulnerable person as part of taking part in the regulated activity.

Examples of the ways in which a person can engage in a regulated activity include as:

- an employee
- a contractor or subcontractor
- a consultant
- a volunteer
- a person on a work experience placement for an educational or vocational course (other than a school student undertaking work experience)
- a member of a management committee of an unincorporated body or association
- a minister of religious for a religious organisation such as a priest, rabbi, mufti or other like religious leader.

At Eastside Lutheran College, all staff, volunteers and contractors who:

- have **contact** with a child as part of their work at the College;
- provide services directed mainly towards children; or
- conduct activities that mainly involve children,

are engaged in a regulated activity.

Contact

Contact means contact between a person and a **vulnerable person** that:

- ♦ would reasonably be expected as a normal part of taking part in the regulated activity; and
- ♦ is more than incidental to taking part in the regulated activity; and

- is one or more of the following:
 - physical contact, including taking part in the regulated activity at the same place as the vulnerable person;
 - oral communication (whether face-to-face or by telephone); and
 - written communication (including electronic communication).

Who Needs a RWVP?

Subject to the exemptions referred to below, any **person** who **engages** in a **regulated activity** with a child (a person under 18 years of age) at the College must, by law, be registered to work with vulnerable people in either the RWVP (Children), RWVP (Children and Adult) or RWVP (NDIS) categories.

Examples of people engaged in a regulated activity at the College include:

- ♦ all teachers
- ♦ non-teaching staff who have contact with children, such as the front desk receptionist, all office staff and Eastside Lutheran College health staff
- ♦ staff and volunteers who assist with the canteen, uniform shop, library or College administration
- ♦ Board members
- ♦ volunteer members of a parent management committee
- ♦ members of other College committees
- ♦ mentors and tutors
- ♦ staff who assist with learning assistance programs (reading groups, music tuition, drama)
- ♦ staff, volunteers and contractors who provide or assist with sacramental programs
- ♦ staff and volunteers who billet, or assist with billeting, students
- ♦ parent volunteers who have contact with children other than their own child
- ♦ TAFE lecturers who have contact with children as part of their usual duties
- ♦ instructors or leaders of after-school activity programmes organised in conjunction with Eastside Lutheran College for its students and that take place at Eastside Lutheran College premises
- ♦ gardeners, cleaners, cooks etc. who are engaged by Eastside Lutheran College and who work during school hours
- ♦ school bus drivers
- ♦ school-crossing patrol officers.

While the Act exempts some people from needing to be registered to work or volunteer with vulnerable people, it allows the College to require a RWVP of people who are not, by law, required to have one.

It is the College's policy that:

- all staff
- all volunteers**
- Contractors
- External Education Providers

regardless of their level of contact with children must have a RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS).

**Under the Act and Regulations, some volunteers are exempt in various scenarios (refer to Exemptions). The Explanatory Note in Standard Seven of the Non-government Schools Registration Board Guidelines for Re-registration of a Non-government School is interpreted to mean that all volunteers in a school are required to have a RWVP.

A National Police Criminal History Check may also be required at the College's discretion.

Who Needs a RWVP (NDIS)

A RWVP (NDIS) is only required for people who are engaged by a registered NDIS provider to provide supports or services to an NDIS participant (a person with a disability receiving funding under the NDIS).

While NDIS participants may include staff, Direct Contact Volunteers, Direct Contact Contractors or students at the College, the College is not itself an NDIS Provider.

People who are engaged by a registered NDIS provider external to the College, to provider – to a student with a disability attending the College – assistance with daily personal activities, specialised transport to the College, specialist positive behaviour support, and early intervention support will need to obtain a RWVP (NDIS). This can only be done with the endorsement of the registered NDIS provider.

Exemptions

Section 15 of the Act exempts some people from needing to be registered to work or volunteer with vulnerable people. Additional exemptions are set out in Division 1 of the Regulations. These exemptions are set out below.

The following groups of people are not, **by law**, required to have a RWVP:

- a person who is a close relative of **each child** who is taking part in the regulated activity and with whom the person has contact
- a person who is engaged in the regulated activity as a volunteer and who is a close relative of a **child** who is taking part, or who normally takes part in the regulated activity, provided that a close relative of **each other child** taking part in the regulated activity is engaged, or is expected to be engaged, in the regulated activity (for example, a playgroup, a club sporting event for children at which a parent of each student is expected to be present, or a pottery class for children in which a parent of each child also takes part)
- a person who has only incidental physical contact with children while engaged in a regulated activity (other than an overnight camp, excursion or stay) for the College, provided they are so engaged for not more than seven days in any calendar year*
- a person who is engaged in a regulated activity (other than an overnight camp, excursion or stay) for the College and who:
 - has more than incidental physical contact with children; but
 - there is a registered person present; and
 - this is for not more than seven days in any calendar year*
- a person who is registered under another state's law and whose activity at the College is of a similar nature to the activity that they were already registered to engage in under a corresponding law and with a similar class of vulnerable persons
- a person doing the same activity as the child (e.g. playing together in the same sporting team)
- a school student on a work experience placement or doing practical training
- a police officer or a correctional officer
- a person who only has contact with a child by providing information to or receiving information from the child by telephone
- a person who only has contact with a child by working with a record of them (e.g. entering information about students into a College database)
- an emergency management worker dealing with an emergency
- a person who is a member of a class of persons prescribed by the Regulations to be exempt.

*Note that exemption timeframes are based on days not hours. Per day includes one event in a day. For example, where a parent volunteers as a helper at the College for one hour on one day, this will count as one day for the purposes of the exemption timeframe.

Other Activities That Do Not, By Law, Require a RWVP

A RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) is not, by law, required for the following activities, because they are not child-related regulated activities at the College:

- people dropping off or picking up students
- relatives (including parents) attending College events such as assembly, sports carnivals, concerts etc. where they are spectators only and are not directly participating in those events.

A RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) is also not, by law, required for the following activities, because they are not child-related regulated activities at the College:

- College cleaners where the cleaning takes place while the College is closed to students
- administration staff where the only contact they have with a child is working with a record of them
- registered health practitioners who visit Eastside Lutheran College to provide health services to children.

However, it is the College's policy that certain staff, volunteers and contractors (set out in Who Needs a RWVP? above) must have a RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) even though they are exempt under the law. Therefore, where staff, volunteers or contractors fall into the above categories, they may still be required to have a RWVP by the College.

Risk Management Plans for High Risk Activities and Special Events

The Regulations include further exemptions for persons who are not engaged in a child-related regulated activity but who may come into contact with children and young people during College excursions or activities. For example, lifesavers or suppliers of food or drink at a sporting, cultural or other entertainment venue, and performers in children's entertainment. Generally, those exemptions are based on the condition that such persons do not have direct physical contact with students while acting in their roles.

The College uses our [Risk Management Program](#) to ensure that all high risk activities and special events undergo a rigorous risk assessment process before they are approved by the College to go ahead. As part of this process, the College may determine that, in addition to the people set out in Who Needs a RWVP? above, persons who are exempt from needing a RWVP because they are not engaged in a child-related regulated activity, but who may come into direct physical contact with students during College activities, events or excursions, should obtain a RWVP (Children), and/or that a National Police Criminal History Check may be required, at the College's discretion.

How to Apply for/Renew a RWVP

If you are required, by law or by the College, to have a RWVP, you are responsible for applying for/renewing your own RWVP.

Applying for a RWVP (Children), RWVP (Children and Adults) or a RWVP (NDIS)

You must apply for the correct class of RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS): Volunteer or Employment/Volunteer.

If you are applying for a RWVP (NDIS), your NDIS employer must verify your work. Your application will not proceed without this verification. Your NDIS employer is **not** the College, even if you are engaged by an NDIS provider to provide NDIS-funded services to a student while they are attending the College.

There is a two-stage application process:

- First, an online application, available on the Consumer, Building and Occupational Services website, must be completed and the application fee paid online. An application receipt will be given, which must be used for the next stage of the process.
- Stage two of the application process requires attendance in person at a Service Tasmania Shop:
 - with the application receipt or reference number
 - proof of identity
 - payment, if not already done online.

For more information, and to apply for a RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) IS) visit the Consumer, Building and Occupational Services [website](#).

Eastside Lutheran College does not reimburse this fee for staff.

Renewing a RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS)

An application to renew an existing RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) must be made before it expires.

The application to renew can be made by logging into the [My Registration](#) portal on the Consumer, Building and Occupational Services website, completing the online renewal form and paying the required fee.

Eastside Lutheran College does not reimburse this fee for staff.

Online renewals are permitted from 30 days prior to the RWVP's expiry date until 30 days after the expiry date (although the person cannot work or volunteer with children once the RWVP has expired).

If more than 30 days have passed since expiry, a new application must be made, following the process outlined above.

For more information, refer to the Consumer, Building and Occupational Services factsheet [Renew My Registration](#).

Can I work while my application is being processed?

Under the Act, people who are required to have a RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) and have applied for it, but for whom a decision has not yet been made before they are to commence work or volunteer at the College, can engage in a regulated activity at or for the College if:

- the person applying has included the College as the named employer on the application for registration
- the College agrees
- the College ensures that the person is supervised, by a registered person, at all times while undertaking the regulated activity; and
- the College has a risk management plan in place that is specific to the person and their situation.

However, it is the College's policy that all staff, volunteers and contractors who are required to have a RWVP must have a valid RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) prior to commencing their engagement by the College, unless there are exceptional circumstances.

What is Checked?

The Registration to Work with Vulnerable People (Risk Assessment for Child-related Activities) Order 2014 (Ministerial Order) sets out how risk assessments are to be conducted and the matters to be taken into account, when a person applies for a RWVP (Children) or a RWVP (Children and Adults) to engage in a regulated activity in respect of a child.

The Registration to Work with Vulnerable People (Risk Assessment for NDIS Endorsed Activities) Order 2020 sets out how risk assessments are to be conducted and the matters to be taken into account, when a person applies for a RWVP (NDIS) to engage in a regulated activity, for an NDIS provider, in respect of a vulnerable person.

Risk assessments are conducted by the Registrar, who is a public servant in the Consumer, Building and Occupational Services' Working with Children Unit, on **all** applicants for a RWVP, regardless of the registration category.

The Registrar obtains applicants' national criminal histories including:

- convictions for all criminal offences (spent or unspent)
- pending charges (charges not yet decided by the court)
- non-conviction charges (those that have been finalised by the court but did not result in conviction)
- information from courts, government agencies, and corporations (including in other states and territories)
- information from employers or any other source considered relevant.

In addition to criminal offences, the Registrar considers:

- past reportable behaviour that indicates that a person poses a risk of harm to vulnerable persons, such as abuse, neglect or other conduct
- employment history, including information about misconduct or disciplinary proceedings
- relevant personal information about the applicant (such as multiple changes of name or address)
- any other matters considered relevant.

The outcome of the risk assessment will influence the outcome of the application for registration.

Further information about the Risk Assessment Process can be found in the Consumer, Building and Occupational Services factsheet [The Risk Assessment Process](#).

Negative Risk Assessments

Where, as a result of a risk assessment or a re-assessment, the Registrar considers that an applicant for registration or a registered person poses an unacceptable risk of harm to vulnerable persons generally (a negative risk assessment), it must notify the person in writing that it intends to refuse to register the person or to suspend or cancel the person's RWVP.

This is called a proposed Negative Notice (for applicants for registration) or an Intention to Suspend or Cancel Registration (for a person who already has a RWVP).

For more information, refer to Proposed Registration Decisions, Reconsiderations and Appeals, below.

Outcome of the RWVP

There are three outcomes for a RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) application, which are the same regardless of the RWVP category or the class of registration (Employment/Volunteer or Volunteer):

- registration to work with children (with conditions);
- registration to work with children (without conditions); and
- refusal of application to work with children (Negative Notice).

The outcome of a RWVP application is emailed or posted to the applicant.

Successful applicants also receive a RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) card in the mail. The card specifies the category of registration as well as the class of registration as either Employment/Volunteer or Volunteer.

RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) are generally valid for five years, unless suspended or cancelled earlier. However, the Registrar can determine a lesser period of time.

If an application for a RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) is successful (with or without conditions), the registered person is subject to ongoing monitoring for relevant new records for the life of the RWVP.

Registration to Work with Children (Without Conditions)

A person with a RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) can work in all child-related regulated activities in the relevant class of registration:

- People who have a RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) in the Employment/Volunteer class can move between all kinds of child-related regulated activities, whether paid or otherwise, and all kinds of employers during the five years that their RWVP is valid. However, they must inform the Registrar of any changes to their employer.
- People who have a RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) in the Volunteer class can volunteer in all kinds of child-related regulated activities with all kinds of employers during the five years that their RWVP is valid. However, it is an offence for them to engage in a regulated activity for financial or other material benefit or reward. They must inform the Registrar of any changes to their employer.

Registration to Work with Children (With Conditions)

- If the Registrar determines that a person's application is granted subject to conditions, those conditions may include that the registered person:
 - must not engage in a specified regulated activity
 - must not engage in any regulated activity other than the specified regulated activity
 - must not drive a motor vehicle if a child is a passenger
 - must not have unsupervised contact with a child
 - must not supervise another registered person
 - may be engaged by any employer, but only in the specified regulated activity
 - must only engage in the specified regulated activity for a specific employer.

If a registration is given with conditions, the College is notified of the conditions.

A person may apply to the Registrar to have their conditional registration amended. The College is notified of any amendment and the details of the amendment.

It is an offence for a conditionally registered person to knowingly or recklessly contravene a condition of their registration. It is also an offence for the College to engage the person, or to require the person to be engaged in, a regulated activity knowing that, or with reckless disregard as to whether, their conditional registration does not allow that type of engagement.

Refusal of Application to Work with Children (Negative Notice)

If an application is unsuccessful, the applicant is notified in writing that their application is refused, with reasons for the decision. This is called a Negative Notice. A Negative Notice means that the person is not registered to work with children.

If the person is already in child-related work at the College (or planning to be), the College will be:

- notified that the application has been refused
- instructed to remove the person from child-related work.

The College will not be advised of the reasons for refusal.

If a RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) is refused, it is a criminal offence for the person to work in child-related regulated activities for five years (unless circumstances have changed that permit an earlier reapplication). It is also an offence for the College to engage them in a regulated activity.

People who have received a Negative Notice, or whose RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) has been cancelled, cannot reapply for registration within five years of being issued

with the Negative Notice or of the cancellation of their registration, unless the information on which the decision was made has changed.

Teacher Registration May be Cancelled

The Teachers Registration Board may immediately suspend or cancel the registration of a registered teacher if it is satisfied that:

- the teacher does not hold a RWVP; or
- the teacher's RWVP has been suspended and the suspension has not been revoked.

The Teachers Registration Board must notify the teacher and the College as employer, in writing, of the decision to suspend or cancel the teacher's registration.

The Teachers Registration Board may revoke the suspension of the teacher's registration if it is satisfied that the teacher holds a RWVP, is of good character and is fit to be a teacher.

Ongoing Monitoring of RWVP Holders

People who have a RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) are subject to ongoing monitoring by the Registrar for new information relevant to whether the registered person continues to pose no risk or an acceptable risk of harm to vulnerable people.

The Registrar must conduct an additional risk assessment if it believes on reasonable grounds that there is new relevant information. It can immediately suspend the person's RWVP while the additional risk assessment is being conducted. The College will be informed if a staff member's, contractor's or volunteer's RWVP is suspended pending the conclusion of an additional risk assessment.

The additional risk assessment can result in conditions being added or changed to a person's RWVP or to the RWVP being suspended for a period of time or cancelled.

The College will be notified by the Registrar if the RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) of a staff member, contractor or volunteer is suspended or cancelled, and must immediately remove that person from engaging in a regulated activity.

Proposed Registration Decisions, Reconsiderations and Appeals

If the Registrar decides, based on its risk assessment of an applicant for a RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS), that the application should be refused or a RWVP with

conditions should be given, it will inform the applicant in writing before making a final decision, by first issuing a proposed Conditional Registration Notice or a proposed Negative Notice.

Similarly, if the Registrar decides, based on an additional risk assessment of a registered person, that the person's RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) should be suspended for a period of time or cancelled, it will inform the person in writing before suspending or cancelling their registration, by first issuing an Intention to Suspend or Cancel Registration. It may, however, issue an interim suspension in certain circumstances.

Certain criminal offences, set out in Schedule I of the Ministerial Order, require the Registrar to **automatically** issue a proposed Negative Notice/ Intention to Suspend or Cancel Registration to an applicant for a RWVP (Children) or RWVP (Children and Adults)/registered person if, at the time of the commission of the offence:

- the applicant/registered person was an adult; **and**
- the victim was a child.

Additional criminal offences, called “disqualifying criminal offences”, set out in the Registration to Work with Vulnerable People (NDIS Disqualifying Offences) Order 2020 require the Registrar to **automatically** issue a proposed Negative Notice/ Intention to Suspend or Cancel Registration to an applicant for a RWVP (NDIS)/registered person, including certain offences where the victim of the offence was a child or an at-risk person.

The College is generally not notified of proposed registration decisions. However, if a registered person's RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) is immediately suspended while an additional risk assessment is being undertaken, or they are subject to an interim suspension after the additional risk assessment is concluded, the College will be notified and the person must be removed from child-related regulated activities.

Where a proposed Negative Notice, Intention to Suspend or Cancel Registration, or proposed Conditional Registration Notice has been given, the applicant/registered person can request, within 20 working days of receiving the notice, that the decision be reconsidered and can provide further information into the circumstances surrounding the matters that have resulted in the decision.

If the applicant/registered person does not request reconsideration within the required period of time, the Registrar must issue the Negative Notice or RWVP (Children)/RWVP (Children and Adults)/RWVP (NDIS) with conditions to the person or must suspend or cancel their RWVP.

Further information about proposed registration decisions and relevant offences can be found in the Consumer, Building and Occupational Services factsheet [The Risk Assessment Process](#).

In some circumstances, a person who has been given a RWVP with conditions or a Negative Notice, or has had their RWVP cancelled, can appeal to the Magistrates Court (Administrative Appeals Division). Time limits and fees apply, and to succeed, an applicant must convince the Administrative Appeals Court that an error was made in the original decision. For more information, refer to the Magistrates Court of Tasmania [website](#).

Staff, Volunteer and Contractor Obligations

Each individual is responsible for applying for their own RWVP. The College, as an employer, cannot apply on their behalf.

All staff, contractors and volunteers at the College must ensure that their RWVP reflects the class of engagement they have with the College and any other organisation for whom they engage in child-related regulated activities. For example, any person who engages in both paid work and as a volunteer (whether at the College or otherwise) must hold an Employment/Volunteer RWVP.

An applicant for a RWVP, or a registered person must notify the Registrar:

- in writing, of any change to their name, address or employer, within 10 working days of the change; and
- if their criminal history has changed, within 10 working days after they are charged, convicted or found guilty.

All staff, contractors and volunteers who are required to have a RWVP must also notify the Registrar of changes to their class of engagement (Volunteer or Employment/Volunteer), whether at the College or otherwise.

A registered person must renew their RWVP before it expires.

Any individual whose RWVP is suspended during an additional risk assessment must immediately notify the College and stop working with children.

A person whose RWVP is cancelled must immediately stop working with children and must surrender their registration card to the Registrar within 10 working days.

The College's Obligations

The College must:

- within 10 working days, after an employee or volunteer commences or ceases to be engaged in a regulated activity for the College, notify the Registrar, in writing, of the commencement or cessation, as the case may be. It is an offence not to do so, refer to Penalties below.
- verify, online, the status of every new person engaged in a regulated activity at or for the College, whether paid or volunteer (including Registered Teachers), before they commence work and must ensure that they have a valid RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS). Paper evidence must not be accepted as proof of a registration. The status of an application or registration can be checked here. To verify a person's registration status, Eastside Lutheran College must have the person's RWVP application or card number and surname.**
- periodically verify, online, the registration status of all persons at the College who are engaged in a child-related regulated activity**
- not employ a registered person in a paid child-related activity unless they hold Employment/Volunteer class registration
- confirm that staff, contractors and volunteers have recorded Eastside Lutheran College as part of their registered details and/or add Eastside Lutheran College's details to all staff, contractor and volunteer registrations. Eastside Lutheran College will then be notified if a registration is changed for any reason.
- conduct risk assessments to identify and mitigate our child protection risks based on the activities offered by the College (including the provision of services by Direct Contact Contractors or outside the College's physical environment)
- remove any person, whose RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) has been refused, suspended or cancelled, from child-related work.

**The online verification system only shows applications that are currently being processed or people whose RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) has been granted (with or without conditions). If a search of the system does not find the relevant person, this means that:

- their application is incomplete (e.g., there are outstanding fees)
- their application has been refused (they have been issued with a Negative Notice)
- their RWVP has been suspended or cancelled.

Penalties

It is a criminal offence:

- if an applicant for a RWVP, or a registered person, does not notify the Registrar of any change in their name, address or employer
- if the College does not notify the Registrar, in writing, within 10 working days of an employee or volunteer commencing or ceasing to be engaged in a regulated activity for the College that the employee or volunteer has commenced or has ceased to be engaged in a regulated activity for the College
- for a person to work in a child-related regulated activity without a RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS)
- for a person to work in a regulated activity in a category for which they do not have the required RWVP. For example, a person who has a RWVP (Children) cannot engage in NDIS-endorsed regulated activities.
- for the College to engage a person in a child-related regulated activity whose application for RWVP has been refused, or whose RWVP has been suspended or cancelled
- for a person, who is required to have a RWVP, to work for financial or other material benefit unless they hold Employment/Volunteer registration. For example, a person who is not a staff member or contractor at or for the College but who receives a financial or material benefit for their services or contributions to the College (e.g. they receive free meals in exchange for volunteering in the College canteen) is required to have Employment/Volunteer registration.
- for the College to engage a person in a child-related regulated activity as a staff member or contractor unless they hold Employment/Volunteer registration
- for a person or entity to give false or misleading information to the Registrar.

Record Keeping

It is the responsibility of the Business Manager to verify the status of all Eastside Lutheran College staff, contractors' and volunteers' RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) who are required to have a RWVP by law, or by the College.

Eastside Lutheran College maintains records (electronic or hard copy format) of child-related workers including:

- full name
- date of birth
- RWVP number
- date and outcome of RWVP verification
- RWVP expiry date.

Records must be readily available for audit and monitoring purposes.

Privacy and Confidentiality

The Department of Justice's Consumer, Building and Occupational Services administers the RWVP scheme and is not allowed to reveal any information it acquires during the registration process, except in limited circumstances. These circumstances include passing information to people or organisations as part of the checking and assessment process. This includes: Tasmania Police and interstate police forces, record-checking bodies, government agencies, courts and tribunals and professional disciplinary bodies listed in the Act.

Eastside Lutheran College will be informed of whether an individual's application for RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) has been granted with or without conditions or refused.

Eastside Lutheran College will also be informed if a person's registration is suspended or cancelled, but not of the reasons for the suspension or cancellation.

None of the information gathered for the RWVP application, such as criminal or professional records, will be passed on to Eastside Lutheran College.

Implementation

This Policy is implemented through a combination of:

- staff training
- effective communication and incident notification procedures
- effective record keeping procedures
- initiation of corrective actions where necessary.

Discipline for Breach of Policy

Where a staff member breaches this policy Eastside Lutheran College may take disciplinary action, including in the case of serious breaches, summary dismissal.

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

Key References

[Tasmanian Department of Justice, Consumer, Building and Occupational Services – Registration to Work With Vulnerable People Fact Sheets](#)

[Teachers Registration Board Tasmania: Registration to Work With Vulnerable People](#)

Child Safety Training

Eastside Lutheran College recognises that without training and education of our staff, Board members, Direct Contact Volunteers and Direct Contact Contractors, our policies and procedures will not operate to effectively keep our children and young people safe and protect them from abuse, neglect and grooming.

Every person who commences work at the College, or provides a service at or for the College, is informed of their child safety and protection responsibilities, our [Child Safe Policy](#) and [Child Safety Code of Conduct](#).

Eastside Lutheran College staff, Board members, Direct Contact Volunteers and Direct Contact Contractors receive Child Safety Training when they first commence their role at the College and are required to complete ongoing training on child safety issues at least annually. Training is managed through our online staff learning system - CompliLearn.

The College's Child Protection Officers, and other selected staff, undertake additional training as considered appropriate to their roles.

Through CompliLearn, the College creates and maintains electronic records of Child Safety Training completed by staff, Board members, Direct Contact Volunteers and Direct Contact Contractors. For more information, refer to [Child Safety Record Keeping](#).

Management of Staff, Direct Contact Volunteers and Direct Contact Contractors

The College has implemented the following procedures and work practices to ensure the ongoing suitability of our staff, Direct Contact Volunteers and Direct Contact Contractors to work with children and young people, or in child-related work.

Induction Procedures

The College's induction procedures for staff, Board members, Direct Contact Volunteers and Direct Contact Contractors include comprehensive training on the College's policies and procedures, such as the College's child protection obligations and Child Safety Program. For more information, refer to [Child Safety Training](#).

Supervision

Staff members regularly undertake performance appraisals which include:

- reviewing the skill sets of staff members relating to child protection, safety and wellbeing
- identifying additional training needs relevant to the staff member's role
- setting goals in relation to issues which impact the safety and wellbeing of children and young people. For example, identifying ways to support staff members to perform the duties and skills contained within their job description. This may include setting a target number of hours per week spent on the child protection issues relevant to their role.

Performance and Development Reviews

Performance and development reviews are regularly undertaken for all staff, Direct Contact Volunteers and Direct Contact Contractors and include consideration of performance against the College's Child Safety Code of Conduct and the requirements of the Child Safety Program.

This also includes ensuring that a staff member has not breached any of the College's reporting procedures, the [Child Safety Code of Conduct](#) or the [Maintaining Professional Boundaries Policy](#).

Disciplinary Procedures

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

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

Participation and Empowerment of Children and Young People

Children and young people often do not report abuse, neglect or grooming behaviours because they:

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

Eastside Lutheran College recognises that in order to achieve child safe environment at the College which meets students' intellectual, physical, social, emotional and moral needs, students need to be involved in the creation and maintenance of such environments.

It is our policy that we have simple and accessible processes in place to assist children and young people (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 young people and encouraging their participation.

This is done through various work systems, practices, policies and procedures. These include:

- [Pastoral Care - Child Protection](#)
- [Children and Young People with a Disability](#)
- [Cultural Diversity](#)

Pastoral Care – Child Protection

Pastoral care is the support given to students for their development as a person. It relates to the total care of children and young people and involves tending to both the academic and non-academic needs of children and young people including spiritual, emotional and social wellbeing. Eastside Lutheran College's complete Pastoral Care Policy can be found here - [Pastoral Care Policy](#).

Eastside Lutheran 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 children and young people, and to deliver age appropriate education to all students about:

- healthy and respectful relationships
- child abuse and grooming awareness and their right to be safe
- their 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 Safe Policy](#) and [Child Safety Code of Conduct](#)
- standards of behaviour for children and young people.

The College is committed to ensuring that child abuse, neglect and grooming reporting procedures are age-appropriate, simple, and accessible for all children and young people including those from culturally diverse backgrounds and those with a disability.

Children and young people are encouraged to provide feedback about child safety and protection issues at the College and the College conducts children and young people focus groups and organises children and young people surveys about various safety issues at the College, including

child safety. The 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. Child safety and wellbeing topics are also incorporated into the College's curriculum.

Children and Young People with a Disability

The 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 child or young person at the College and considers how each policy and procedure the College develops and implements may affect students with a disability.

Eastside Lutheran 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 College recognises that children and young people with a disability will not only require additional assistance to participate and engage in College activities in a safe and supportive manner, but also that there are specific child protection risks that arise in relation to children and young people with a disability.

This 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.

The College has implemented specific risk controls in relation to the safety of children and young people with disabilities. These include:

- specific screening and training for staff/external professionals that will have direct contact with students with a disability
- written guidelines for staff working with students with a disability
- express, written permission from the parent/carer of a student with a disability where physical contact is required as part of their care
- alternative reporting avenues to suit the needs of students with a disability at the College

Children and young people with a disability at the College may also require varied reporting avenues or systems to children and young people without a disability, and the College has considered this when creating and implementing its [Procedures for Responding to and Reporting Child Protection Incidents](#).

When supporting a child or young person with a disability who has been impacted by child abuse, neglect or grooming, it is critical that the College considers:

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

Cultural Diversity

Children and young people from culturally diverse backgrounds are those who identify as having particular 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 children and young people of Aboriginal or Torres Strait Islander descent who identify as being Aboriginal or Torres Strait Islander.

Eastside Lutheran College values and respects the racial and cultural diversity of our children and young people and is committed to ensuring that the backgrounds of all children and young people are sensitively recognised, catered for, celebrated and valued so that racial and cultural differences do not compromise a child or young person's safety and wellbeing.

It is our policy that:

- we identify children and young people from culturally diverse backgrounds when they are enrolled in the College
- we employ appropriate strategies to ensure the safety of these children and young people as required
- we encourage participation and empowerment of these children and young people in the development of these strategies
- we consider these children and young people when developing and implementing policies and procedures related to child protection at the College
- we educate our staff about these cultural differences and the strategies and procedures we have employed.

When supporting children and young people from culturally diverse backgrounds, including Aboriginal or Torres Strait Islander children and young people, or those who identify as Aboriginal or Torres Strait

Islander, it is critical that the College provides culturally appropriate support. Where possible the College will work with relevant cultural support groups, ensure that confidentiality of the family is maintained and engage an interpreter when communicating with the child or young person's family.

Similarly, when supporting international students or full fee paying overseas students who have been impacted by abuse, the College will give consideration to 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, neglect or grooming may also be experiencing trauma, dislocation and loss. Sensitive consideration should be given when determining how to support the child or young person and their family.

Child Safety Risk Management

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

- the activities children and young people undertake at the College (including the provision of services by contractors or outside the College's physical environment)
- physical and online environments that exist at the College
- the characteristics and needs of all of our children and young people.

Risk Management Strategies

Eastside Lutheran College has implemented the following risk mitigation strategies to ensure that the College maintains a proactive approach to our duty of care to protect children and young people from harm and complies with our legal and regulatory obligations:

- this Child Safety Program including our Child Safe Policy and our Child Safety Code of Conduct
- a comprehensive Maintaining Professional Boundaries Policy, implemented through training and communicated publicly
- induction and ongoing training provided to staff, Board members, Mandatory Reporters, Direct Contact Contractors and Direct Contact Volunteers, at least annually, about identifying risks of child abuse, neglect and grooming in all College environments, their obligations and responsibilities for managing these risks, how to report and respond to child safety and protection incidents, and the College's current child safety standards

- the appointment of the College's Child Protection Officers who are "Child Protection Champions" at the College and receive specialised, additional training to ensure that any concerns about child safety and protection in any College environment held by students, staff, Volunteers, Third Party Contractors, External Education Providers and parents/guardians may be discussed in a safe and supportive environment
- policies and procedures relating to excursions and camps ensuring that child protection risks specific to excursions and overnight stays are identified and controls are put in place
- the creation of child-safe premises through ongoing, periodic reviews of all physical 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
- the delivery of a developmentally appropriate child protection education to all students, addressing the boundaries between appropriate and inappropriate interactions and when, how and who to tell when a boundary is crossed
- specific procedures for ensuring child-related employment screening is undertaken and verified prior to the engagement of staff, Volunteers, Third Party Contractors and External Education Providers in accordance with the Registration to Work with Vulnerable People Act 2013 (Tas) to ensure that students remain safe in all College environments both internal and external to the College grounds
- identifying and recording all risks of child abuse, neglect and grooming in all College environments in a child protection risk register, and assessing the risks with regard to 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, neglect and grooming, 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.

CompliSpace Assurance

The College has implemented CompliSpace Assurance as one strategy to manage the risk of child abuse, neglect and grooming in all College environments.

CompliSpace Assurance is an online risk and compliance workflow and incident management tool that integrates with our Child Safety Program to provide a system of risk management, compliance and continuous improvement based on international standards.

Procedures for Responding to and Reporting Child Protection Incidents

Eastside Lutheran College has established simple and accessible procedures for anyone to report a child abuse or grooming concern internally to one of the College's Child Protection Officers.

Eastside Lutheran College has developed and implemented procedures for Board members, staff, Volunteers, Third Party Contractors and External Education Providers for responding to allegations and disclosures of child abuse, neglect or grooming, or suspected child abuse, neglect or grooming, including procedures for support following a disclosure by a student.

Reporting procedures for parents/guardians and other community members are also included in our Child Safe Policy which is available on our public website.

Age-appropriate reporting procedures for students are developed through our pastoral care program.

The College's policies and procedures for responding to and reporting allegations of suspected child abuse, neglect or grooming are made available to staff, students, parents/guardians and the wider College community on request.

All of the College's procedures for reporting and responding to allegation of child abuse, neglect or grooming are designed and implemented considering the diverse characteristics of the College community.

The College will respond to all allegations of child abuse, neglect or grooming in an appropriate manner including:

- informing the appropriate authorities and fully cooperating with any resulting investigation
- protecting any child or young person 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 young person or a child or young person with a disability
- securing and retaining records of the allegation and the College's response to it.

Documenting Your Observations and Actions

It is critical that all teaching staff, non-teaching staff, Board members, Volunteers, Third Party Contractors and External Education Providers keep clear and comprehensive notes relating to incidents, disclosures and allegations of child abuse, neglect or grooming. 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 are required to provide evidence to support your decisions regarding the handling of child protection incidents.

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

Preserving Evidence

When an incident of suspected child abuse, neglect or grooming occurs at the 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 or young person who has allegedly been abused remain in their clothing. If this is not possible, ensure the clothes are not washed, are handled as little as possible and are 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 Protection Incident

Responding to an Emergency

All staff, Board members, Volunteers, Third Party Contractors and External Education Providers must act as soon as they witness a child protection incident or form a reasonable suspicion or belief that a child or young person has been or is at risk of being abused, neglected or groomed.

If a child or young person 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
- nominating one of the College's Child Protection Officers to be the future liaison with Police on the matter.

The following sections outline the that you may become aware that a child or young person may be experiencing abuse or grooming and strategies for managing each situation and supporting and assisting children and young people involved in the disclosure or report.

Witnessing a Child Protection Incident

If you witness an incident where you believe a child or a young person has been subject to abuse, neglect or grooming, you must take immediate action to protect the safety of those involved.

Where there is an immediate risk to the health and/or safety of a child or young person, follow the steps outlined in the [Responding to an Emergency](#) section of this Program.

The College's [Procedures for Responding to and Reporting Child Protection Incidents](#) should be followed after the health and safety of the child or young person involved is ensured.

Observation of Risk Indicators

The different types of child abuse, neglect and grooming and their key risk indicators are set out in [Definitions and Key Risk Indicators of Child Abuse](#).

The process of identifying child abuse, neglect or grooming 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, neglect or grooming.

If you form a concern that a child or young person may be being abused or groomed, you should make written notes of your observations recording both dates and times. You should also report the matter internally to a College [Child Protection Officer](#).

Private Disclosure by a Child or Young Person

If a child or young person discloses a situation of abuse, neglect or grooming to you privately, you should stay calm and not display expressions of panic or shock.

You should reassure and support the child or young person. You can do this by:

- stating clearly that the abuse, neglect or grooming is not the student's fault
- reassuring the child or young person that you believe them
- telling the child or young person that disclosing the matter is the right thing to do.

You should be patient and allow the child or young person to talk at their own pace. When responding, you should use the child or young person's language and vocabulary.

Sometimes a child or young 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 child or young person and pressure them to tell you more than they want to.

Once a disclosure is made you must report the matter in accordance with the College's Procedures for Responding to and Reporting Child Protection Incidents, and internally to a 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 grooming by a child or young person, staff should follow the steps set out in the College's Support Following Disclosure Policy.

Public Disclosure by a Child or Young Person

Public disclosure occurs where you observe a child or young person disclosing abuse, neglect or grooming to other children or young people.

In this circumstance, you should use a strategy of "protective interrupting".

The aim of "protective interrupting" is to prevent a child or young person from disclosing details of abuse, neglect or grooming in front of other students, while at the same time providing the child or young person with the opportunity to disclose later, in a safe and confidential manner.

You can do this by:

- asking the child or young person if you can talk privately; and
- moving the child or young person away from the other students to a quiet space,

and then following the guidelines with respect to managing a private disclosure and the College's Procedures for Responding to and Reporting Child Protection Incidents.

Following a disclosure of abuse, neglect or grooming by a child or young person, staff should follow the steps set out in the College's Support Following Disclosure Policy.

Third Party Disclosure

A third party such as a friend of the child or young person, a relative or another parent may provide you with information relating to child abuse, neglect or grooming.

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; and
- 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 in accordance with the College's Procedures for Responding to and Reporting Child Protection Incidents, and internally to a 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 College may come forward to a current staff member, Volunteer or other member of the College community and disclose past abuse or grooming behaviour from their time at the 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 Tasmania and currently attending a Tasmanian school, you must follow the Procedures for Responding to and Reporting Child Protection Incidents in this Program, specifically the obligations you may have under the following policies:

- Mandatory Reporting
- Conduct Reportable to the Teachers Registration Board

If the former student is no longer of schooling age or attending a school in Tasmania, you must still act.

If you are aware of an incident of past serious abuse of someone who is now an adult, the incident can be reported to the Police. Please note that the Police will usually require a statement from the victim, and some people may be uncomfortable or not ready to do this. It is important that you direct the former student to support and counselling services listed on the Royal Commission's Support Services web page.

All disclosures by former students must be reported to a College Child Protection Officer or the Principal as soon as possible. The College will then determine the appropriate authority to report the matter to.

Support Following Disclosure

You should take the following steps to support and assist a child or young person after a disclosure of child abuse, neglect or grooming is made.

The range of measures employed will depend on:

- the degree of severity of the situation;
- the risk of harm to the child or young person; and
- the capability and willingness of the parent to protect their child or young person from harm.

After a disclosure is made:

- do not promise the child or young person that you will not tell anyone about the allegation;
- reassure the child or young person that it was the right thing to do to tell an adult;
- tell the child or young person what you plan to do next;
- do not confront the person believed to be the perpetrator;
- report the matter to one of the College's Child Protection Officers who will be able to assist you in developing additional support strategies; and
- whenever there are concerns that a child or young person is in immediate danger the Police should be called on 000.

Support for Staff and Volunteers

Witnessing a child protection incident or receiving a disclosure or allegation of abuse, neglect or grooming can be a stressful experience for staff and Volunteers involved. The College provides support to impacted staff and Volunteers to access necessary support.

Reporting a Child Protection Concern Internally

Child abuse, neglect and grooming 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 or young person.

It is important to remember at all times that the safety and welfare of children and young people is paramount.

Therefore, if you have a concern that a child or young person may be experiencing abuse, neglect or grooming, whether or not you have formed a belief or suspicion on reasonable grounds that the abuse, neglect or grooming has occurred, you should immediately raise your concerns with one of the 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.

You may at any time report any concerns for the safety or welfare of a child, to the Advice and Referral Line on 1800 000 123.

Please note that reporting the matter internally does not release you from other legal and regulatory reporting obligations you may have, namely those under our:

- Mandatory Reporting
- Conduct Reportable to the Teachers Registration Board.

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

Mandatory Reporting

Section 14 of the Children, Young Persons and Their Families Act 1997 (Tas) (CYPF Act) requires prescribed persons to inform authorities of concerns about abuse or neglect. These persons are referred to as Mandatory Reporters.

Who is a Mandatory Reporter?

Mandatory Reporters include:

- ♦ registered nurses and medical practitioners
- ♦ psychologists
- ♦ teachers
- ♦ police officers
- ♦ principals

- any employee or volunteer that works in an organisation that provides education services and receives any funding from the Crown.

Under this definition of Mandatory Reporters, the following groups of persons at the College are Mandatory Reporters:

- all staff, including teaching, non-teaching, casual and temporary staff
- the Principal
- Board members
- Volunteers
- Third Party Contractors employed by the College
- External Education Providers engaged by the College if the Provider receives Federal funding.

What Must Be Reported?

Mandatory Reporters must report when, in carrying out official duties or in the course of their work, they believe or suspect on reasonable grounds that a child has been or is being abused or neglected, or is an affected child as defined in the Family Violence Act 2004 (Tas). A child is a person under 18 years of age so this reporting obligation applies to both children and young people (a child who is 16 or 17 years old).

An “affected child” as defined in the Family Violence Act is a child whose safety, psychological wellbeing or interests are affected or likely to be affected by family violence.

While grooming is not conduct which must be reported, it is the College’s policy that such conduct must be reported by Mandatory Reporters.

Mandatory Reporters are required to safeguard the privacy of the child with the exception that they are required to inform the Principal that a report has been made about the child as soon as practicable. In the event that a Mandatory Reporter is not comfortable raising their issue of concern with the Principal, perhaps due to a perceived conflict of interest, they are to inform the Child Protection Officer.

It is an offence under the CYPF Act if a Mandatory Reporter does not make a report.

What Are Reasonable Grounds?

Whether someone has reasonable grounds for suspected abuse or neglect is a question of fact that will vary depending on each unique child protection incident or circumstance.

You may have formed a belief or suspicion on reasonable grounds if:

- a child has told you that they have suffered sexual abuse, physical or emotional injury, or neglect
- someone else tells you that a child has been abused
- your own observations of physical and behavioural indicators of abuse lead you to believe that the child has suffered abuse or neglect.

For more information about physical and behavioural indicators of abuse and neglect refer to [Definitions and Key Risk Indicators of Child Abuse](#).

How to Make a Report

If you are a Mandatory Reporter and you believe, suspect or know that a child has been or is being abused or neglected you must contact the Advice and Referral Line on 1800 000 123 as soon as possible.

When you call the Advice and Referral Line, a staff member will talk to you about the situation for the child and their family. This will include what you're worried about, anything that is going well for the child and their family, and what you think might help. The staff member will also:

- ask for your name and work details and whether or not you agree for this to be shared with the family
- find out if you've already been doing some things to help the family and if the family know that you're concerned
- assess the risk to the child based on what you've said and other information available to them.
- make a record of the conversation including the information you've given and any agreements you've made together
- talk to you about next steps to be taken.

If you call the Advice and Referral Line have a legal right to confidentiality.

The staff member will record your details, but won't disclose your identity without your consent unless they need to consult with another person acting in the course of official duties under the Act (such as another Advice and Referral Line staff member or a Child Safety Officer); or if they've been ordered by a court.

Responsibility to Prevent Abuse or Neglect

Section 13 of the Children, Young Persons and Their Families Act 1997 (Tas) states that an adult who knows, or believes or suspects on reasonable grounds, that a child is suffering, has suffered or is likely to suffer abuse or neglect has a responsibility to take steps to prevent the occurrence of the abuse or neglect. One step the adult may take to prevent the occurrence of the abuse or neglect is to inform Child Safety Services of their knowledge, belief of suspicion.

Unlike a person's failure to comply with the Mandatory Reporting section of the Children, Young Persons and Their Families Act 1997 (Tas) or the Obligation to Protect Children from Harm Offence, there is no penalty if an adult does not comply with this obligation.

However, all adult members of the College community should be aware of their responsibility under section 13 and their general obligation to help prevent the occurrence of abuse or neglect.

Obligation to Protect Children from Harm

In Tasmania, it is an offence under the Children, Young Persons and Their Families Act 1997 (Tas) (CYPF Act) for a person who owes a child a duty of care to fail intentionally to protect a child from harm.

Section 91 of the CYPF Act states that a person who has a duty of care must not intentionally take or fail to take action that could reasonably be expected to result in sexual, physical, emotional or psychological abuse or harm. This is the offence of failure to protect a child from harm. Penalties include a fine, imprisonment or both.

Eastside Lutheran College, the Principal, and teaching staff at the College owe a duty to take care of students while they are involved in College activities, or are present for the purposes of a College activity. This duty of care is non-delegable.

When non-teaching staff, Volunteers, Third Party Contractors and External Education Providers agree to perform tasks that require them personally to care for students (in the absence of a member of the teaching staff), they will also owe a duty of care to take such measures as are reasonable in all the circumstances to protect students from risks of harm that reasonably ought to be foreseen.

Therefore, where a member of the College community who owes a duty of care to take care of students is aware of abuse, neglect or grooming, or a high risk that abuse, neglect or grooming may occur, and do not act to protect affected children, they may be found guilty of an offence under the CYPF Act.

When a member of the College community becomes aware of a risk of abuse, neglect or grooming against a student or students under their care, they should immediately report the matter internally to a Child Protection Officer, senior staff member or the Principal.

The Child Protection Officer, senior staff member or Principal will then:

- immediately take appropriate action to remove or reduce the risk to the student or students
- conduct an investigation unless this relates to a Mandatory Reporting situation
- make the appropriate report to external agencies.

Appropriate action to be taken may include, for example:

- removing a current employee who is known to pose a risk to a student or students from contact with students and reported to authorities and investigated
- banning a parent who is known to pose a risk to children at the College from attending overnight school camps as a parent volunteer.

Critically, a person is still guilty of this offence even if someone else acts to protect the child and the child does not suffer abuse, neglect or grooming behaviour. It is the intentional act or omission not to protect the child that the offence is based on.

Voluntary Reporting

Any person who believes, on reasonable grounds, that a child or young person may be subject to abuse, neglect or grooming may voluntarily report to Advice and Referral Line on 1800 000 123.

You do not have to prove that abuse has taken place, however if you are unsure about whether what you are observing in a student's behaviour and physical condition is abuse, neglect or grooming, it is best to contact the Advice and Referral Line who can assess the matter and refer it to Child Safety Services where necessary.

If you make a report in good faith, you cannot be held legally liable - regardless of the outcome of the report (refer to the Confidentiality and Privacy section of this Program).

If you need to report an offence that requires immediate Police attention, call the Police on 000.

For more information, support or advice on reporting you can contact a College Child Protection Officer, the Principal or the Advice and Referral Line on 1800 000 123.

For record keeping obligations, refer to Child Safety Record Keeping.

Conduct Reportable to the Teachers Registration Board

Eastside Lutheran College has a duty of care to investigate and act on allegations of employee misconduct which relate to their ability to perform their functions.

In addition, under the Teachers Registration Act 2000 (Tas) (the Act), the College must notify the Teachers Registration Board of Tasmania (the Board) of disciplinary action and certain resignations and retirements where “unacceptable behaviour” is involved.

This obligation is separate and distinct from the Mandatory Reporting obligation under the Children, Young Persons and Their Families Act 1997 (Tas).

What is Reportable?

Under section 31 of the Act, the College as an employer of registered teachers, must notify the Board within 28 days if the College:

- considers any behaviour of a teacher to be unacceptable behaviour; and
- dismisses the teacher, or takes disciplinary action against that teacher, because of that behaviour.

Unacceptable behaviour is defined in section 31(1) of the Act as behaviour of a person that:

- does not satisfy a standard of behaviour generally expected of a teacher;
- is otherwise disgraceful or improper; or
- shows that the person is unfit to be a teacher.

The Board then has powers to investigate and take further action.

Registered teachers at the College also have an obligation to notify the Board within 28 days of being charged with a prescribed offence in Tasmania or elsewhere. A prescribed offence is defined in section 3 of the Act to mean an offence committed in Tasmania or elsewhere which carries a possible sentence of imprisonment, irrespective of whether or not such a sentence was imposed. Similarly, registered teachers must also notify the Board in writing within 28 days of a conviction of any prescribed offence.

The Board will then take appropriate action which can include a caution, imposing conditions on their registration to teach, amending existing registration conditions or suspend or cancel the teacher’s

registration if the teacher is considered to no longer be of good character and no longer fit to be a teacher.

Reporting Grooming Behaviours

Grooming behaviour refers to predatory conduct undertaken to prepare a child for sexual activity at a later time.

Grooming typically involves a graduation from attention giving and non-sexual touching to increasingly more intimate and intrusive behaviour. Any adult member of the College community may engage in the grooming of a student, including staff, Board members, Volunteers, Direct Contact Contractors and External Education Providers.

Grooming is not a recognised form of child abuse in Tasmania, however it may lead to abuse in the future. Grooming behaviours are also a criminal offence under the Criminal Code Act 1924 (Tas).

The College treats the commission of grooming behaviours on its premises, online, using College equipment or during its extra-curricular activities as conduct which threatens the safety of students and action must be taken as part of our Child Safety Program.

Managing a Child or Young Person's Disclosure of Grooming

Where a child or young person discloses information about grooming behaviour, or behaviour that is indicative of grooming, to a staff member, the staff member should follow the same management of disclosure guidelines as in the Managing Your Initial Response to a Child Protection Incident section of this Program.

Where the child or young person discloses grooming behaviour by directing the staff member to electronic communications such as email, internet chat rooms, SMS messages or real time audio/video between the student and the adult who is the subject of the allegation, the staff member should ensure that any electronic evidence of the grooming behaviours is preserved.

How to Report

If you have a reasonable suspicion or belief that grooming behaviour is occurring, or have witnessed repeated indicators of grooming behaviour, a report should be made to the Principal.

If the matter involves the Principal, staff should report suspicions or beliefs to the Chair of the Board.

All staff should be aware that grooming behaviour committed by a staff member or other member of the College community will constitute a breach of the College's Child Safety Code of Conduct and Maintaining Professional Boundaries Policy.

Any concern a staff member has about whether a situation may compromise or breach the Child Safety Code of Conduct or our Maintaining Professional Boundaries Policy should be reported to the Principal.

Record Keeping

Where a staff member suspects grooming behaviour but does not have enough information to make a report, they should keep written and dated records of their observations and concerns until they are prepared to make a report. It should be noted that allegations of grooming are taken very seriously by the College and dishonest reports will result in disciplinary action.

All verbal and written communications regarding child safety and protection matters (including notes of observations, meetings and telephone calls) must be properly documented.

The documented records should include dates, times and enough detail to record key conversations, especially those relating to a student's disclosure.

The records of child safety and protection matters must be stored securely and maintained indefinitely.

For the purposes of any current or future internal or external investigations into grooming allegations, the College maintains records of any and all evidence or notes relating to the allegations made. This may include:

- notes taken during a meeting with a staff member who is the subject of a grooming allegation
- reports made by a staff member about the behaviour of a colleague
- notes taken during a disclosure by a student of grooming behaviour
- copies of any reports made to Police or regulatory bodies about the matter
- digital copies of correspondence between the student and the staff member who is the subject of the allegation, if the allegation includes claims of inappropriate online activity.

For information about the confidentiality of reports of abuse or grooming behaviour, refer to Confidentiality and Privacy.

Family and Community Communication

Eastside Lutheran College acknowledges that our Child Safety Program will be most effective if it is communicated to all people in the College community, and those people feel supported to discuss, address and respond to child protection issues at the College.

Communication of Our Child Safety Program

The College makes our [Child Safe Policy](#) and [Child Safety Code of Conduct](#) available on the College's public website to ensure that they are readily accessible to all members of the community.

Copies of the College's other child safety and protection policies and procedures are available on request.

Eastside Lutheran College's Child Safety Program is also communicated in the following ways:

- the College's induction training for staff members and Direct Contact Volunteers;
- regular information sessions for staff members about specific child protection issues at the College
- the provision of child safety training sessions at least annually for staff members, Direct Contact Volunteers and Direct Contact Contractors including during professional development days
- the provision of child safety and protection information, including reporting procedures, in College newsletters and direct parent/guardian communications.

Contacting Parents/Guardians of Affected Students

In many cases of suspected child abuse, neglect or grooming, or where it is suspected that a student is at risk of being abused, neglected or groomed, it is critical that the child or young person's parents/guardians are notified as soon as is practicable after a notification has been made to the appropriate external authority. This enables the child or young person's parents/guardians to take steps to:

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

It is the College's policy that any notification made to parents/guardians that a child or young person suspected to have been abused, neglected or groomed, or is at risk of being abused, neglected or groomed, is made by the Principal or a College Child Protection Officer after a notification to the Advice and Referral Line (1800 000 123) or the Police has been made.

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

- the parents/guardians are alleged to have engaged in the abuse
- a disclosure to the parents/guardians may subject the child or young person to further abuse
- the child or young person is a mature minor (assessed to be sufficiently intelligent and mature to make such decisions on their own behalf) or aged 18 years or over and has requested that the parents/guardians not be contacted
- the notification is likely to have an adverse effect on an ongoing investigation into the incident.

Support for Reporters

Eastside Lutheran College provides child safety training to Board members, staff members, Direct Contact Volunteers and Direct Contact Contractors who are required to deal with issues such as child safety and protection concerns and dealing with disclosures or suspicions of harm or abuse to ensure that they receive appropriate information for responding to these issues.

The College has also appointed a number of Child Protection Officers, including a Senior Child Protection Officer, who can assist Board members, staff members, Direct Contact Volunteers and Direct Contact Contractors in responding to child protection issues and disclosures of abuse, neglect or grooming.

Support for Children and Young People and Families

Experiences of child abuse or grooming can cause trauma and significantly impact on the mental health and wellbeing of children and young people. In addition to reporting and referral to the relevant authorities, the College plays a central role in addressing this trauma and has a duty of care to ensure that the children and young people feel safe and supported at College.

If a child or young person is impacted by abuse, neglect or grooming, Child Protection Officers will work with the child or young person and their family to develop a support plan for the student and engage external support services which specialise in supporting children impacted by abuse, neglect or grooming.

Children and young people and parents/guardians are also able to contact one of the College's Child Protection Officers to access support.

Support for Children and Young People Interviewed at the College

The College has certain obligations when a request is made by the Police or Child Safety Services workers to interview children and young people regarding child protection incidents at the College. Children and young people to be interviewed may include victims, witnesses or those alleged to have perpetrated the abuse or grooming.

Support for Students

All students interviewed by the Police or Child Safety Services at the College must be supported. Where possible, the child or young person's parents/guardians should be present for any interview. Where this is not practicable, one of the following persons may provide support to the child or young person during the interview, as appropriate:

- the Principal
- a College Child Protection Officer
- in the case of Police interviews, an independent support person over the age of 18 who is not connected with the College, for example, a social worker or counsellor.

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

General Protocols

It is the Principal's responsibility to:

- facilitate interviews requested by the Police or Child Safety Services workers
- advise children and young people of their right to have an independent supportive adult, parent or guardian present at such an interview
- arrange for the child or young person to choose an independent supportive adult to be present
- balance their obligation to protect the rights of children and young people with their obligation to assist the Police and Child Safety Services in their exercise of duty

- ensure there is someone acting as an independent supportive adult for children and young people interviewed at the College by the Police or Child Safety Services workers
- observe confidentiality at all times in the management of a mandatory reporting or criminal case.

Contacting Parents/Guardians

Before contacting a child or young person's parents/guardians, the Principal must seek advice from the Police or Child Safety Services to determine if parents/guardians should be present at the interview.

Where appropriate, parents/guardians must be advised of the scheduling of an interview with the Police. Parents/guardians should also be advised of interviews that have been scheduled with Child Safety Services where it is deemed to be appropriate. However, Child Safety Services may conduct interviews with children and young people without parental/guardian knowledge or consent in exceptional circumstances.

Student as a Victim/Witness

When the Principal allows interviews involving children and young people who may be victims or witnesses, they should:

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

Student as a Suspect

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

Complying with Court Orders

A subpoena or witness summons is a court order that compels the 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 College, the Principal or a staff member has information or documents that are relevant to the proceeding.

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

Child Protection Complaints Management

The College has developed a [Complaints Handling Policy](#) to ensure that any child protection-related feedback, comments or complaints from 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 College's Child Safety Program.

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

All Board members, staff including the Principal, Volunteers, Third Party Contractors and External Education Providers must follow the College's [Procedures for Responding to and Reporting Child Protection Incidents](#) 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 or grooming.

Child Safety Administration and Definitions

This section of the Program includes:

- [Confidentiality and Privacy](#)
- [Child Safety Record Keeping](#)
- [An Overview of Child Protection Law & Regulation in Tasmania](#)
- [Child Safety Definitions](#)

Confidentiality and Privacy

Confidentiality of Information Relating to Child Protection Matters

Anyone who has access to information regarding a case of suspected child abuse, neglect or grooming must keep such information confidential and secure and must only disclose or discuss this

information with those involved in managing the situation.

You must not provide undertakings that are inconsistent with your reporting obligations in the College's Child Safety Program. In particular, you must not promise a student that you will not tell anyone about the child or young person's disclosure.

Children and young people 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.

Inappropriate disclosure will be subject to disciplinary procedures.

Protection of Reporter's Identity

Reports made to Child Safety Services are confidential and the reporter's identity is generally protected by law.

It is important to note however that Tasmanian Police may be granted access to the identity of the reporter if this is needed in connection with the investigation of a serious offence against a child or young person. The request must come from a senior Tasmanian Police officer and the reporter must be informed that their identity is to be released, unless informing them of the disclosure will prejudice the investigation.

Reporter Liability

The identity of a person who makes a report to Child Safety Services is confidential and generally protected by law.

It is important to note however that the identity of the notifier may be disclosed if a person is acting in the course of official duties under the Children, Young Persons and Their Families Act 1997 (Tas) or if a court grants leave.

Protection of Staff's Registration to Work with Vulnerable People Status

Eastside Lutheran College will be informed of whether an individual's application for RWVP (Children), RWVP (Children and Adults) or RWVP (NDIS) has been granted with or without conditions or refused.

Eastside Lutheran College will also be informed if a person's registration is suspended or cancelled, but not of the reasons for the suspension or cancellation.

None of the information gathered for the RWVP application, such as criminal or professional records, will be passed on to Eastside Lutheran College.

If you receive a Negative Notice and are already in child-related work (or planning to be) at the College, the College will be:

- notified that you have received a Negative Notice; and
- instructed to remove you from child-related work.

The College will not be advised of the reasons for refusal.

Protection of Personal Information

How Eastside Lutheran 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 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:

- whether the information, or opinion, is true or not; and
- whether the information, or opinion, is recorded in a material form or not.

The Privacy Act 1988 (Cth) only applies to personal information that is captured in a record. For more information about how the College handles and stores personal information in accordance with the Privacy Act, refer to our [Privacy Policy](#).

Requests for Information

If you receive a request from the Police or Child Safety Services for information relating to a student who has been impacted (or is suspected to have been impacted) by child abuse, you should:

- obtain the request for information in writing; and
- ensure that the written request includes:
 - the name of the Police officer or Child Safety Services 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; and
 - what authority the officer or worker or the organisation believes that they have to access the requested information and documents.

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.

Information Sharing with the College Community

The College takes great care to assess the relevance and appropriateness of sharing information about a child protection incident before providing any information about child abuse to the College community because even the confirmation of an incident or allegation can lead to the identification of a victim.

Record Keeping Obligations

For the College's record keeping obligations relating to child protection incidents, refer to [Child Safety Record Keeping](#).

Child Safety Record Keeping

Documenting a Suspicion or Belief of Abuse

Where a staff member, Board member, Volunteer, Third Party Contractor or External Education Provider forms a suspicion on reasonable grounds that a student has been, or is at risk of being, abused, neglected or groomed, written and dated notes of their observations and concerns should be recorded to assist in a referral/report of child abuse, neglect or grooming.

All verbal and written communications regarding child protection 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 protection must be stored securely and indefinitely.

How to Record Observations, Disclosures or Allegations of Abuse

The College requires all members of the College community, including Board members, staff, Volunteers, Third Party Contractors and External Education Providers to ensure that, where possible, the following information is recorded:

- ♦ whether the student needed first aid, and if so who administered it and whether follow up medical care was/is required

- the student's information including: name, age, gender, address and parent/guardian information
- whether the student has any disabilities, or mental or physical health issues
- the student's history including any known previous history of suspected abuse
- the student's family background, including cultural/linguistic background
- the reporter's grounds for the suspicion that a student has been abused, or is at risk of abuse, including behavioural and physical indicators
- any details of the person alleged to have committed the abuse (if known)
- who the matter was reported to (internally and externally)
- any action that has resulted from the internal/external report
- whether the student's parents/guardians have been contacted.

It is important to note that it is not your role to quiz the student or person making the disclosure or allegation – you should only record what information is offered during the disclosure or allegation and then be sure to report the matter to a Child Protection Officer or the Principal and any relevant external agencies in line with your legal obligations.

All notes and records made regarding child protection incidents are to include, where possible, the information above, and should be given to the Principal or a College Child Protection Officer. The College maintains records of these forms indefinitely.

Registration to Work with Vulnerable People Documentation

It is the responsibility of the Business Manager to verify the status of all College staff, non-parent Volunteers and other persons who require a Registration to Work with Vulnerable People.

Parents who volunteer for child-related work at the College do not need a Registration to Work with Vulnerable People if their child is participating in the activity, or normally participates in the activity.

Eastside Lutheran College maintains records (electronic or hard copy format) of child-related workers including:

- their full name
- their RWVP number
- date and outcome of RWVP verification
- RWVP expiry date.

Records must be readily available if required for audit and monitoring purposes. Records are retained by the College in electronic form indefinitely and closely monitored to ensure that all clearances are

current for employed workers and Volunteers at the College.

An Overview of Child Protection Law and Regulation in Tasmania

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

There are 10 separate pieces of legislation that work together to make up the legal and regulatory framework for child protection in Tasmania. They are in summary:

Children, Young Persons and Their Families Act 1997 (Tas)

The Children, Young Persons and Their Families Act has a number of functions, including to provide for the care and protection of children in a manner that maximises the child's best interests.

For the purposes of our Child Safety Program, the Children, Young Persons and Their Families Act is important for four reasons:

- it provides the statutory definition of "abuse or neglect";
- it imposes a responsibility on all adults to take steps to prevent child abuse or neglect;
- it creates an offence to fail to protect a child from harm; and
- it establishes obligations with respect to Mandatory Reporting.

Registration to Work with Vulnerable People Act 2013 (Tas) and Registration to Work with Vulnerable People Regulations 2014 (Tas)

The Registration to Work with Vulnerable People Act and Regulations aim to protect children from harm by providing a high standard of compulsory background checking for people wishing to do paid, unpaid, or volunteer child-related work in Tasmania.

People who are assessed as posing an unjustifiable risk to the safety of children will fail to gain a Registration to Work with Vulnerable People and the Act prohibits these people from working with children.

The Act imposes penalties on employers and individuals that do not comply with the Act.

Teachers Registration Act 2000 (Tas)

The Teachers Registration Act establishes the Teachers Registration Board of Tasmania (the Board). The Board is the body responsible for the registration of teachers in Tasmania.

Under the Act, the College must notify the Board once the College has taken disciplinary action against a registered teacher (including dismissal), or the teacher has resigned or retired, as a result of unacceptable behaviour (defined in the Act). The Board has powers to investigate and take further action.

Family Violence Act 2004 (Tas)

The Family Violence Act defines family violence in Tasmania and sets out various offences relating to family violence. Critically, the Act also defines an “affected child” as a child whose safety, psychological wellbeing or interests are affected or likely to be affected by family violence. Mandatory reporting obligations in Tasmania include the requirement to make a report about a child that may be subject to family violence under this Act.

Family Law Act 1975 (Cth)

The Family Law Act further defines child abuse to include exposure to family violence. Examples of situations that may constitute a child being exposed to family violence include the child:

- overhearing threats of death or personal injury by a member of the child’s family towards another member of the child’s family; or
- seeing or hearing an assault of a member of the child’s family by another member of the child’s family.

Criminal Code Act 1924 (Tas)

The Criminal Code in Tasmania sets out a number of child protection related offences, including those related to indecent acts and sexual abuse of a child. Of key relevance to the Tasmanian child protection framework are the offences of:

- ‘Procuring unlawful sexual intercourse with person under 17 years’ (section 125C); and
- ‘Communications with intent to procure person under 17 years’ (section 125D).

Education Act 2016 (Tas) and Education Regulations 2017 (Tas)

The Education Act and Education Regulations, as well as having other functions, set out the Standards for registration of a school, including:

- Standard 5: Student Welfare; and
- Standard 7: Staff.

Standard 6 requires the College to have various policies in place related to student welfare including on child protection. Under Standard 8 the College must comply with the Registration to Work with Vulnerable People Act. The policies and procedures included in this Program comply with the Standards.

Criminal Code Act 1995 (Cth)

The Criminal Code is the Commonwealth legislation which establishes offences against laws of the Commonwealth. The Criminal Code includes various telecommunications offences. Division 474 – Telecommunication offences prohibits conduct involving carriage services which include grooming and conduct preparatory to sexual offences, including:

- Using a carriage service to prepare or plan to cause harm to, engage in sexual activity with, or procure for sexual activity, persons under 16 (section 474.25C); and
- Using a carriage service to “groom” persons under 16 years of age (section 474.27).

Our Child Safety Program

In order to comply with each of the ten separate pieces of legislation noted above, Eastside Lutheran 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 create and maintain a child-safe culture.

Child Safety Definitions

This section of our Program includes:

- [Child Safety Program Definitions](#)
- [Definitions and Key Risk Indicators of Child Abuse](#)

Child Safety Program Definitions

“**Child**” is defined in the CYPF Act as a person under 18 years of age.

Child Safety and **Child Protection** are terms used throughout the Program. The phrase “child safety” or “child safety” are broad phrases used to denote the College’s commitment to the creation of a child safety organisation and child safety environments. “Child protection” is part of the broader phrase “child safety”, however it is used in the Program to more specifically refer to the protection of children from abuse, neglect and grooming.

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

Direct Contact Volunteers may have:

- limited or no supervision by College staff in their role
- significant amounts of 1:1 time with students
- supervisory responsibility for a group of children and young people with only broad and indirect oversight of a College staff member
- full supervisory responsibility for one or more children and young people, such as in a sports coaching role or learning support role.

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

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

Indirect Contact Volunteers are those volunteers who are involved in providing support and services while not directly assisting a specific group of children and young people.

Examples of Indirect Contact Volunteer activities may include assisting with College functions, working bees or fundraising barbeques.

Refer to [Indirect Contact 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 children and young people during the normal course of their work, or who may be in a position to establish a relationship of trust with a child or young person even where access to children and young people would be rare (for example full-time maintenance personnel). This also includes any contractors whom the College is legally required to screen.

Examples of Direct Contact Contractor activities may include regular contracted school maintenance services, consulting, tutoring, sports coaching and outdoor education.

Refer to [Third Party Contractors' Responsibilities](#) for more information.

Indirect Contact Contractors are third party contractors who are not Direct Contact Contractors. Refer to [Third Party Contractors' Responsibilities](#) for more information.

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.

Environments include physical, emotional, online, camps, tours, cultural immersions, excursions and sports coaching environments.

Young Person is defined in the CYPF Act as a child who is 16 or 17 years old.

Definitions and Key Risk Indicators of Child Abuse

Child Abuse & Neglect:

Section 3 of the Children, Young Persons and Their Families Act 1997 (Tas) (CYPF Act) defines abuse or neglect as:

- sexual abuse; or
- physical or emotional injury or other abuse, or neglect, to the extent that –
- the injured, abused or neglected person has suffered, or is likely to suffer, physical or psychological harm detrimental to the person’s wellbeing; or
- the injured, abused or neglected person’s physical or psychological development is in jeopardy.

A child is defined by the Act as a person under 18 years of age.

Wellbeing is not defined in the CYPF Act but the Tasmanian Child and Youth Wellbeing Framework defines wellbeing as a state where a child or young person feels loved and safe, has access to material basics, has their physical, mental and emotional health needs met, is learning and participating and has a positive sense of culture and identity.

Grooming is not a recognised form of child abuse in Tasmania, but it is a criminal offence and a form of behaviour that can lead to sexual abuse being committed against a child.

A child’s exposure to family violence can also constitute abuse.

For more information refer to:

- ♦ [Sexual Abuse](#)
- ♦ [Grooming Behaviours](#)

- Physical Injury
- Emotional Injury
- Neglect
- Family Violence

Sexual Abuse

Sexual abuse is not defined in the Children, Young Persons and Their Families Act 1997 (Tas). Generally, sexual abuse occurs when a child has been exposed or subjected to sexual behaviours or acts which are exploitative and/or inappropriate to their age or developmental level.

Harm that results from sexual abuse may include emotional trauma, physical injury or impaired development.

Sexual abuse can include either contact or non-contact behaviours.

Contact behaviours include:

- kissing, touching or fondling a child or young person in a sexual manner
- penetration of the vagina or anus by digit, penile, or any other object
- oral sexual contact
- coercing the child or young person to perform a sexual act on him/herself or anyone else.

Non-contact behaviours include:

- flashing/exposing to a child or young person
- having a child or young person pose or perform in a sexual manner
- looking at a child or young person's genitals for sexual gratification
- exposure to sexually explicit material or acts (including pornographic material)
- communication of graphic sexual matters (including by social media or any other electronic means).

Possible Physical Indicators of Sexual Abuse

- ♦ injury to the genital or rectal areas, such as bruising or bleeding
- ♦ vaginal or anal bleeding or discharge
- ♦ discomfort in urinating or defecating
- ♦ the presence of foreign bodies in vagina and/or rectum
- ♦ inflammation or infection of the 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 of Sexual Abuse

- the child or young person 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 or 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 College 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 bed wetting 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-to-Student Offending

If you are concerned that a child (under the age of 18) may have initiated sexually abusive behaviour to others, you should report your concern to the Advice and Referral Line on 1800 000 123.

Grooming Behaviours

Grooming refers to predatory conduct undertaken to prepare a child or young person for sexual activity in the future.

Grooming behaviour typically involves a graduation from attention giving and non-sexual touching to increasingly more intimate and intrusive behaviour.

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 young person, a parent or guardian for the purpose of facilitating sexual activity at a later time.

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.

Grooming is not a recognised form of abuse in Tasmania, but grooming behaviours are:

- a criminal offence under sections 125C and 125D of the Criminal Code Act 1924 (Tas); and
- an example of behaviour that can lead to sexual abuse, which must be reported under the Children, Young Persons and Their Families Act 1997 (Tas).

The Criminal Code Act 1995 (Cth) also includes various offences which prohibit various types of grooming behaviours, including online grooming.

Online Grooming

Section 125D of the Criminal Code Act 1924 (Tas) states that it is an offence to communicate with a child under the age of 17 years with the intent to procure that child to engage in an unlawful sexual act. This offence can be committed through a number of communication mediums including online, for example via email, chat room, instant messaging sites or social media sites.

The Criminal Code Act 1995 (Cth) prohibits various uses of a carriage service including to groom persons under the age of 16 and to prepare or plan to cause harm to, procure, or engage in sexual activity with, a person under the age of 16.

Possible Indicators of Adult Grooming Behaviours

The types of behaviours that may lead to a conclusion of grooming behaviour include (but are not limited to) the following:

- persuading a child or young person that they have a special relationship with the adult, for example, by:
 - spending inappropriate special time with the child or young person
 - inappropriately giving gifts to the child or young person
 - inappropriately showing special favour to a child or young person but no other children or young people
 - inappropriately allowing the child or young person to overstep rules
 - asking the child or young person to keep the special relationship secret
- testing boundaries, for example, by:
 - undressing in front of a child or young person
 - encouraging inappropriate physical conduct, even where it is not overtly sexual
 - talking about sex
 - ‘accidental’ intimate touching
 - inappropriately extending a relationship out of school hours (an example of where this may be appropriate is where there is a pre-existing friendship with the child or young person’s family)
 - inappropriate personal communication with a child or young person including emails, telephone calls, text messaging, social media or other forms of online communication
 - being overly interested in the child or young person’s sexual development
 - taking a lot of photos of a child or young person
 - sharing alcohol or drugs with a child or young person
 - making jokes or innuendo of a sexual nature
 - inviting or allowing children/young people to attend a staff member’s home without parental/guardian permission
 - entering change rooms or toilets occupied by children/young people when supervision is not required or appropriate

Possible Indicators That a Child or Young Person 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 College or 'down the street'.

Possible Indicators That a Child or Young Person May Be Subject to Online Grooming

- discovery of pornography on their computer or device
- receiving or making calls to unrecognised numbers
- increased 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 offline.

What Is Not Grooming?

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.

Similarly, not all physical contact between a child or young person and a staff member or any person engaged by the 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 children and young people is not grooming behaviour:

- administration of first aid
- supporting children or young people who have hurt themselves
- non-intrusive gestures to comfort a child or young person 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 child or young person's hand or a pat on the back to congratulate a child or young person.

Physical Injury

Physical injury includes significant harm or injury experienced by a child or young person as a result of severe and/or persistent actions or omission, including but not limited to:

- injuries such as cuts, bruises, burns and fractures caused by a range of acts including beating or shaking
- inappropriate administration of alcohol or drugs
- attempted suffocation
- excessive discipline or punishment
- deliberate denial of a child's basic needs such as food, shelter or supervision to the extent that injury results (see also [Neglect](#)).

Possible Physical Indicators of Physical Injury

- 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 or young person'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 Injury

- 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/guardian and reluctance to go home
- no reaction or little emotion displayed when hurt
- little or no fear when threatened
- habitual absences from College without explanations (the parent/guardian may be keeping the child away until signs of injury have disappeared)
- overly compliant, shy, withdrawn, passive and uncommunicative

- fearfulness when other children/young people 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

Emotional Injury

Emotional injury describes the significant impairment of a child or young person's social, emotional, cognitive or intellectual development and/or significant disturbance of the child or young person's behaviour resulting from behaviours such as persistent hostility, rejection or scape-goating by family members or guardians.

Examples of emotional injury:

- constant yelling
- belittling
- ignoring
- ridiculing
- situations where children or young people are exposed to domestic violence,

causing significant harm to their wellbeing or development.

Possible Physical Indicators of Emotional Injury

- speech disorders
- delays in emotional, mental or even physical development
- physical signs of self-harming

Possible Behavioural Indicators of Emotional Injury

- 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 from home
- violent drawings or writing
- contact with other children and young people forbidden

Neglect

Neglect is experienced by a child or young person when their family or guardian does not provide food, shelter or medical attention or supervision to such a severe and/or persistent extent that the child or young person's development is, or is likely to be, significantly damaged or injury occurs, or is likely to occur.

It should be noted that the deliberate deprivation of a child or young person's needs should be considered within the context of physical and emotional injury as well.

Neglect may be episodic and related to a particular crisis or incident, or it may be chronic and persistent.

There are a range of indicators of neglect, which need to be considered in the context of other indicators and the child's or young person's circumstances. One indicator in isolation may not imply neglect.

Possible Physical Indicators of 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 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/guardian
- appearing miserable or irritable
- poor socialising habits
- poor evidence of bonding, or little or no anxiety with strangers
- indiscriminate with affection
- poor, irregular or non-attendance at College
- staying at College long hours
- self-destructive
- dropping out of College
- taking on an adult role of caring for a parent
- misusing alcohol or drugs
- academic issues

Family Violence

Family violence is defined in section 7 of the Family Violence Act 2004 (Tas) to mean any of the following types of conduct committed, attempted or threatened to be committed, by a person, directly or indirectly, against their spouse or partner:

- ♦ assault, including sexual assault
- ♦ threats, coercion, intimidation or verbal abuse
- ♦ abduction
- ♦ stalking
- ♦ economic abuse
- ♦ emotional abuse or intimidation
- ♦ contravening an external family violence order.

Family violence can also include any damage caused by a person, directly or indirectly, to any property jointly owned by them and their spouse/partner, owned by their spouse/partner or owned by an affected child.

The Family Violence Act also defines an “affected child” as a child whose safety, psychological wellbeing or interests are affected or likely to be affected by family violence. There is no distinction between a child and young person in the Family Violence Act.

Section 4(1) of the Children, Young Persons and Their Families Act 1997 (Tas) (CYPF Act) defines a child to be ‘at risk’ if they are subject to circumstances such as those described by the definition of family violence.

Under section 42 of the CYPF Act the Magistrates Court can make a care and protection order where a child is at risk.

The Family Court Act 1975 (Cth) further defines child abuse to include exposure to family violence. Examples of situations that may constitute a child being exposed to family violence include the child:

- overhearing threats of death or personal injury by a member of the child’s family towards another member of the child’s family; or
- seeing or hearing an assault of a member of the child’s family by another member of the child’s family.

As family violence can result in one or more forms of child abuse (being neglect, physical or sexual abuse or emotional or psychological harm) 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 may include:

- ♦ 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.