

CHILD SAFETY POLICY

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Purpose

This policy was written to demonstrate the strong commitment of Melbourne College of Hair and Beauty to child safety and establishing and maintaining child safe and child friendly environments.

Definitions

Term	Definition
The Act	<i>Child Safety and Wellbeing Act 2005</i> ¹
Aboriginal child	A person under the age of 18 who: <ul style="list-style-type: none"> • is of Aboriginal or Torres Strait Islander descent • identifies as Aboriginal or Torres Strait Islander, and • is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.
Child abuse	For the purposes of these standards, abuse constitutes any act committed against a child involving: <ul style="list-style-type: none"> • physical violence • sexual offences • serious emotional or psychological abuse • serious neglect. <p>Further explanation of these types of abuse is provided in the section Child Abuse.</p>
Children from culturally and/or linguistically diverse backgrounds	A child or young person who identifies 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. ²
Child	A person who is under the age of 18 years.
Child safety	In the context of the child safe standards, child safety means measures to protect children from abuse.

¹ If passed, the Child Wellbeing and Safety Amendment (Child Safe Standards) Bill 2015 will amend the *Child Safety and Wellbeing Act 2005*.

² Victorian Government, *Cultural Responsiveness: Guidelines for Victorian Health Services* (2009) http://www.health.vic.gov.au/__data/assets/pdf_file/0008/381068/cultural_responsiveness.pdf

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Child safe organisation	In the context of the child safe standards, a child safe organisation is one that meets the child safe standards by proactively taking measures to protect children from abuse.
Cultural competency	A set of congruent behaviours, attitudes and policies that come together in a system, agency or among professionals that enable them to work effectively in cross-cultural situations. ³
Cultural abuse	Actions and attitudes that deliberately ignore, denigrate or attack the culture of a person or community. ⁴
Cultural safety for Aboriginal children	<p>The positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity.</p> <p>A culturally safe environment does not ignore, challenge or deny cultural identity. Cultural safety upholds the rights of Aboriginal children to:</p> <ul style="list-style-type: none"> • identify as Aboriginal without fear of retribution or questioning • have an education that strengthens their culture and identity • maintain connections to their land and country • maintain their strong kinship ties and social obligations • be taught their cultural heritage by their Elders • receive information in a culturally sensitive, relevant and accessible manner • be involved in services that are culturally respectful.⁵
Cultural safety for children from culturally and/or linguistically diverse backgrounds	An environment which is spiritually, socially and emotionally safe, as well as physically safe for children; where there is no assault, challenge or denial of their cultural or linguistic identity, of who they are and what they need. ⁶ Efforts need to be made to ensure the culturally and/or linguistically diverse children and their families receive information in a culturally sensitive, relevant and accessible manner, including in relevant community languages.
Children with a disability	A disability can be any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities. ⁷ A disability can occur at any time in life. Children can be born with a disability or acquire a disability

³ Aboriginal Cultural Competence Framework 2008:
http://www.dhs.vic.gov.au/__data/assets/pdf_file/0011/580934/Aboriginal_cultural_competence_2008.pdf

⁴ Aboriginal Cultural Competence Framework 2008
http://www.dhs.vic.gov.au/__data/assets/pdf_file/0011/580934/Aboriginal_cultural_competence_2008.pdf

⁵ Victorian Aboriginal Child Care Agency, 2010, *Building Respectful Partnerships*

⁶ Williams, R. 1999, 'Cultural Safety - what does it mean for our work practice?', *Australian and New Zealand Journal of Public Health*, Vol 23, Issue 2, p213-214.

⁷ s 3 *Disability Act 2006*.

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Term	Definition
	suddenly through an injury or illness. Some disabilities may be obvious while others are hidden. ⁸

⁸ Department of Health and Human Services, [About disability](http://www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/disability-in-victoria/about-disability), <www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/disability-in-victoria/about-disability>

Applicable Standards

Standards for Registered Training Organisations 2015

Standard 8 - The RTO Cooperates with the VET Regulator and is legally compliant at all times.

Clause: 8.5

The RTO complies with Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations.

Clause: 8.6

The RTO ensures its staff and clients are informed of any changes to legislative and regulatory requirements that affect the services delivered.

Policy

Context

This policy reflects our commitment to provide a safe environment where every person has the right to be treated with respect and is safe and protected from harm.

It complies with the Education and Training Reform Act 2006, Child Safe Standards - Managing the Risk of Child Abuse in Schools, Ministerial Order No 870.

Scope

This policy, from the date of endorsement, applies to all people involved in the organisation, including:

- students
- teachers (permanent and casual)
- committee of management members
- contractors
- sub-contractors
- work experience students

- indirect service providers
- any other individual involved in this organisation

Commitment to Children's Safety

All children, students under eighteen (18) years of age, who come to Melbourne College of Hair and Beauty have a right to feel and be safe. We are committed to the safety and well-being of all young people accessing our services and the welfare of those in our care will always be our first priority. We aim to create a safe and friendly environment where all young people are valued and feel safe.

We promote diversity and tolerance, and people from all walks of life and cultural backgrounds are welcome. In particular we:

- Promote the cultural safety, participation and empowerment of Aboriginal children;
- Promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds; and
- Ensure that children with a disability are safe and can participate equally.

We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures. We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.

Melbourne College of Hair and Beauty is committed to preventing child abuse and identifying risks early, and removing and reducing these risks. We have robust human resources and recruitment practices for all personnel and committed to regularly training and education our personnel on child abuse risks.

Appendix I provides a stand-alone document displayed as a public commitment to child safety.

Legislative Framework

Providing services nationally, Melbourne College of Hair and Beauty has implemented a Child Safe framework aligned to national legislative requirements including, but is not limited to:

- Working with Children Act 2005 (VIC);
- Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (VIC);

Melbourne College of Hair and Beauty is committed to establishing and maintaining child safe environments and has designed services with a particular focus on:

- The Keep Them Safe: A Shared Approach to Child Wellbeing framework (NSW);
and
- Child Safe Standards (VIC).

As a child-safe organisation, Melbourne College of Hair and Beauty:

- Has a visible culture of child safety that is part of everyday practice;
- Has strong leadership driving a culture of child safety;
- Has the safety of children as its prime consideration;
- Has well-articulated policies and procedures to implement its child safe approach;
- Actively encourages participation, empowerment and serves to protect children;
- Has actively considered risks of abuse within the organisation;
- Engages with children to create a child safe environment and empowers children to speak up if something is wrong; and
- Has inclusive approaches for children with a disability, Aboriginal children and children from culturally and/or linguistically diverse backgrounds.

Child Participation

Melbourne College of Hair and Beauty encourages and respects the views of children who access our services. We listen to and act upon any concerns that young people or their families raise with us. We teach young people what they can do if they feel unsafe.

We ensure that young people and their families know their rights and how to access the complaints procedures available to them.

We value diversity and do not tolerate any discriminatory practices.

Non-Training Contractors and External Providers and Third Parties

When a non-training contractor (not delivery of training), external training providers and/or Third Parties are contracted to provide all or a portion of a program the College will ensure and have documented in a Memorandum of Understanding that the external provider:

- has competent and appropriately qualified and screened staff available for the College's program; and
- has a compliant Child Related Employment Screening process for any individual and/or entity acting on their behalf; and
- meets the requirements of the Working with Children Check as outlined in the Working with Children (Criminal Record Checking) Act 2004; and
- employees will evidence comprehensive understanding of Child Safe Environments and Mandated Notification requirements; and
- has the appropriate level of public liability insurance; and
- indemnities, disclaimers or other documents are not signed which absolve them or any individual or entity working on their behalf from liability for negligent acts or omissions.
- Representatives of the non-training contractor (not delivery of training), external training provider and/or Third Parties will be required:
 - to provide evidence of the above prior to each renewal of the MoU which will not be more than 3 calendar years; and
 - advise the College immediately of any changes to circumstances for any of the above.

Representatives of the non-training contractor (not delivery of training), external training provider and/or Third Parties will be required to undertake an Induction when attending the the College premises for the first time and for any purpose which will require them to engage with any minor child on premises.

Staff Procedures

Code of Conduct

All members are made aware of, and must abide by, our Code of Conduct. (see attachment - Appendix II)

Child Safety Officer

Melbourne College of Hair and Beauty has appointed a Child Safety Officer for its operations, being the designated person to hear or to be informed about all the allegations or concerns, and providing support to other personnel.

Child Abuse

Reporting child abuse is a community-wide responsibility. Child abuse includes any act committed against a child involving:

- Physical violence;
- Sexual offences;
- Serious emotional or psychological abuse; and
- Serious neglect.

Call the police on 000 if you have immediate concerns for a child's safety.

All Melbourne College of Hair and Beauty personnel are required to report to police if they know or reasonably believe that a sexual offence has been committed by an adult against a child under the age of 16. It is a criminal offence (failure to disclose) to fail to comply with this obligation across jurisdictions.

What is a 'reasonable belief'?

A 'reasonable belief' is not the same as having proof. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed when:

- A child states that they have been sexually abused;
- A child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves);

- Someone who knows a child states that the child has been sexually abused;
- Observations of the child's behaviour or development leads to a belief that the child has been sexually abused; or
- Signs of sexual abuse lead to a belief that the child has been sexually abused.

A reasonable belief is a deliberately low threshold. This enables authorities to investigate and take action.

If a person 16 years or older provided you with the information and they do not have an intellectual disability and they do not want the information reported to the police, an individual is then not required to report to police.

Melbourne College of Hair and Beauty will not tolerate incidents of child abuse. All personnel understand their obligation to notify relevant authorities as soon as practicable if they have a reasonable suspicion that a minor has been, or is being, abused or neglected by a member of their family or any other individual:

- Victoria Child Protection Crisis Line - 13 12 78

Recruitment Practices

Melbourne College of Hair and Beauty takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with our students. We employ a range of screening measures and apply best practice standards in the screening and recruitment of employees and volunteers. We interview and conduct referee checks on all employees.

We conduct criminal history assessment for people working with children, as set out in Section 8B of the *Children's Protection Act 1993*. Criminal history assessments are required for anyone within our organisation that:

- has regular contact with young people and is not directly supervised at all times;
- works in close proximity to young people on a regular basis and is not directly supervised at all times; or
- supervises or manages persons who:
 - have regular contact with young people or
 - work in close proximity to young people on a regular basis; or
- has access to sensitive records relating to young people.

Exemptions from this requirement may apply in some circumstances.

We ensure that criminal history information is dealt with in accordance with the Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children, issued pursuant to Section 8A, *Children's Protection Act 1993*.

Support for Employees

Melbourne College of Hair and Beauty seeks to attract and retain the best employees. We provide support and supervision so people feel valued, respected and fairly treated. We ensure that employees who work with young people have ongoing supervision, support and training so that their capacity is developed and enhanced to promote the establishment and maintenance of a safe environment for our student

Strategies we have implemented include:

- All new employees undergo induction and receive a copy of our child safe policy and code of conduct.
- All employees receive regular supervision sessions that include a focus on ongoing learning about child protection and other matters that affect students.

Fair Procedures for Staff

In addition to making a report to the Child Abuse Report Line, employees and volunteers must also report to the principal if reasonable suspicion is formed that a child has been, or is being, abused or neglected by another employee.

In response to any report to the principal concerning a member, or employee of this organisation, disciplinary action will be taken.

Other protective actions may also be introduced to ensure the safety of children and young people within our organisation.

Examples of strategies to minimise risk include the development of further policies and procedures which may address (but are not limited to):

- Transportation
- Taking images of young people
- Complaints procedures around safety
- Physical contact
- Procedure for breaches of policy
- Training\cyber safe guidelines
- Protecting privacy and confidentiality in issues around child safety
- Procedures for dealing with situations where a member is being investigated for, or is charged with, a serious criminal offence.

Evaluation of these strategies and the development of additional strategies to minimise and control risks to children and young people occur as part of our ongoing risk management process.

Professional Development for Staff

From time to time we provide opportunities for employees to attend information sessions about these mandatory reporting obligations. We also ensure that employees have access to relevant information resources such as:

- Flowchart: [A step-by-step guide to making a report to Child Protection or Child FIRST \(PDF - 270Kb\)](#)
<http://www.education.vic.gov.au/Documents/schools/principals/spag/safety/makingreportchild.pdf>
- [Protecting the safety and wellbeing of children and young people](#)
<http://www.education.vic.gov.au/school/principals/spag/safety/Documents/protectionofchildren.PDF>
- [Mandatory Reporting eLearning Module](#)
<http://www.elearn.com.au/deecd/mandatoryreporting>
- Department of Health:
 - [Child Protection](#)
<http://www.cyf.vic.gov.au/family-services/to-make-a-report-to-child-protection>
 - [Child FIRST](#)
<http://www.cyf.vic.gov.au/family-services/how-to-make-a-referral-to-child-first>
- [Victoria Police Sexual Offences and Child Abuse Investigation Teams \(SOCIT\)](#)
http://www.police.vic.gov.au/content.asp?Document_ID=36222
<http://www.education.vic.gov.au>

We ensure that support is also available for the employee making the report

Working with Children Checks

All Melbourne College of Hair and Beauty personnel are required to undertake, as a component of the recruitment process, a National Criminal Check to ensure suitability in meeting Melbourne College of Hair and Beauty's legislative and contractual obligations. National criminal checks are valid for, and must be renewed every three years.

www.nationalcrimecheck.com.au

Procedures

Responsibilities

Principal

It is the Managing Director's responsibility to:

- determine whether a breach in privacy is justified to ensure the safety and well-being of a minor child and implement an external intervention; and
- through the Director Studies to ensure that all employees, operations support contractors, external providers and partners meet the obligations of this policy and the Working with Children (Criminal Record Checking) Act 2004; and
- the College does not breach the provisions of this policy or the Act.

Child Safety Officer

It is the Children's Protection Officers' responsibility to:

- determine whether a breach in privacy is justified to ensure the safety and well-being of a minor child and make a report for external intervention under Mandated Notification;
- ensure that all employees, contractors, external providers and partners meet the obligations of this policy and the Act;
- the College does not breach the provisions of this policy or the Act and acts within Mandated Notification requirement

Employees & Contractors

It is the responsibility of all employees and contractors to:

- ensure that when in direct contact with children they conduct themselves in an appropriate and respectful manner at all times;
- abide by the Code of Conduct – Employees;
- ensure that they abide by the requirements of the Act in regards to suspected reportable situations;
- to comply with this policy and provide the College with evidence of currency the first week of July each year along with their Professional Development evidence;
- to immediately report to the Child Safety Officer their suspicions that a participant may harm themselves or others, or that the participant is suffering from serious/critical personal issues;

- to immediately report to the Child Safety Officer their suspicions that an External Provider or Partner is not meeting their obligations under this Policy.

Students

It is the responsibility of all students, minor or adult, to:

- abide by the Student Code of Conduct;
- immediately report any instance of abuse by any stakeholder to any person by informing the person with whom they feel most comfortable doing so.

Allegations, Concerns and Complaints

Melbourne College of Hair and Beauty takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Personnel are trained to deal appropriately with allegations.

We work to ensure all children, families and personnel know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour. We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place.

Mandatory Reporting

Information about making appropriate reports of abuse or neglect is available from the Department of Human Services website <http://www.dhs.vic.gov.au/for-individuals/children,-families-and-young-people/child-protection/about-child-abuse>

Melbourne College of Hair and Beauty will not tolerate incidents of child abuse.

All employees understand their obligation to notify the Child Protection Crisis Line 13 12 78 (24 hours, 7 days a week, toll free within Victoria) as soon as practicable if they have a reasonable suspicion that a child has been, or is being, abused or neglected.

Staff are referred to Melbourne College of Hair and Beauty's policy, Child Protection - Mandatory Reporting.

Supporting Young People and their Families

Child Protection is everyone's responsibility. Melbourne College of Hair and Beauty recognises that even where a report is made, we may still have a role in supporting the young person. This support may include:

- Referring the child, young person or their family to other appropriate services
- Displaying information about services that can assist children and their families (such as the Kids Helpline and Youth Healthline) in areas accessed by children and their families.

Communication

Melbourne College of Hair and Beauty will ensure that everyone to whom this policy applies is aware of and has had an opportunity to read the policy.

We also ask employees to sign a written statement indicating that they have read and will abide by our child-safe policy. We retain a copy of all signed statements.

Related policies and procedures

- *Domestic Student Management*
- *Risk Management*

Regular Review

This policy will be reviewed every two (2) years and following significant incidents if they occur. Melbourne College of Hair and Beauty will ensure that families and children have the opportunity to contribute. If possible, the College will work with local aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

State and Territory Requirements

In addition to the above national check, all personnel providing services in Victoria must undertake a Victorian "Working with Children" check as a component of the recruitment process, in line with the *Working with Children Act 2005 (VIC)*. Checks are valid for five years.

<http://www.workingwithchildren.vic.gov.au/>

Risk Management

Melbourne College of Hair and Beauty is required, by law, to protect young people when a risk is identified. In addition to general occupational health and safety, Melbourne College of Hair and Beauty proactively manages risks of abuse to its young people.

Melbourne College of Hair and Beauty has risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments and online environments.

Child Safety Policy Issue History

VERSION DATE	REVISION DETAILS
21 st January 2017	Initial Release

Appendix I

Our Commitment to Child Safety

Melbourne College of Hair and Beauty is committed to safety and wellbeing of all children and young people. This will be the primary focus of our care and decision - making.

Melbourne College of Hair and Beauty has zero tolerance for child abuse. Melbourne College of Hair and Beauty is committed to providing a child safe environment where children and young people are safe and feel safe, and their voices are heard about decisions that affect their lives. Particular attention will be paid to the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds, as well as the safety of children with a disability.

Every person involved in Melbourne College of Hair and Beauty has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all children and young people is at the forefront of all they do and every decision they make.

Sandra Piva

Principal

For display to public.

Appendix II

Child Protection Guidelines for Employees (Code of Conduct)

Caring for young people brings additional responsibilities for employees of this organisation.

All employees of this organisation are responsible for promoting the safety and well-being of young people by:

- Ensuring the safety and welfare of the young person is paramount at all times.
- Treating all young people with dignity, equality and respect.
- Adhering to this organisation's child safe policy at all times.
- Listening and responding appropriately to the views and concerns of young people within the organisation.
- Taking all reasonable steps to ensure the safety and protection of young people within the organisation.
- Ensuring young people understand their rights and explaining to the young person in age-appropriate language what they can expect when participating in a service, activity or program offered by the organisation.
- Responding quickly, fairly and transparently to any serious complaints made by a young person or their parent/guardian.
- Notifying the **Child Protection Crisis Line 13 12 78** (24 hours, 7 days a week, toll free within Victoria) as soon as practicable if they have a reasonable suspicion that a young person has been or is being abused or neglected. This is an after hours emergency service.

Employees will not:

- Take part in any unnecessary physical contact with a young person.
- Discriminate against any young person because of age, gender, cultural background, religion, vulnerability or sexuality.
- Develop any 'special' relationships with young people outside of the professional relationship.
- Contact any student on social media.