STUDENT SAFETY & PROTECTION POLICY AND PROCEDURE

Last Review: May 2022 (minor review June 2024)	**Constructed / Reviewed by:** Mentone Grammar on advice from Russell Kennedy Lawyers
Next Review: August 2024 (at least every two years (thereafter or more frequently after a significant student safety incident)	**Approval Required:** Board Motion
Policy Number: 17	**Board Sign Off Date:** 12 October 2022 **Implementation Date**: 1 July 2022

1   Statement of Context and Purpose

1.1   Mentone Grammar (the **School**) is committed to protecting its students from all aspects of harm, and has established strategies, practices, policies and procedures to uphold this public commitment.

1.2   The School takes a zero tolerance approach to any behaviours that jeopardise student safety and wellbeing (including child abuse and reportable conduct). The School regards its student safety responsibilities with the utmost importance and strives to deliver an educational curriculum that promotes the School's ethos, vision and values of *Caring, Respect, Integrity, Endeavour, Service, Discipline and Resilience*.

1.3   The School's aim is to create a space where students can learn in a calm and focused environment characterised by ethical behaviour and defined professional boundaries, and where they feel safe and supported by the School.

1.4   The School recognises that any person in authority within, or in relation to the School has a statutory duty under section 49O of the *Crimes Act 1958* (Vic) to protect students studying at the School from any substantial risk that they will become the victim of a sexual offence committed by another person who is 18 years of age or more and associated with the School.

1.5   In addition, the School has a pastoral, moral and legal responsibility to create an inextricable connection between student safety and learning, especially in a personalised learning environment where the School discovers what motivates and inspires its students, and focuses on their strengths and ambitions.

1.6   This connection will be the foundation of all decisions made, and actions taken by the School when delivering quality education to its students. At all times, the ongoing safety of its students will be at the forefront of mind, and the School's primary focus.

1.7   The School treats seriously its reporting obligations in relation to student safety matters, including to CCYP, Child Protection and Victoria Police. The School recognises that whilst reporting obligations may differ depending on a person's position within the School, all staff are required to uphold the ethos of this policy by ensuring that student safety and wellbeing matters are reported internally, and externally where required.

1.8   As such, this policy sets out how the School will meet its responsibilities and commitment to student safety and wellbeing, and is a child safety policy made in accordance with *Ministerial Order No. 1359 – Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and Boarding Premises*.

2   Application

2.1   This policy applies to all Board members, the Principal, employees, volunteers, contractors, secondees and other authorised personnel required to perform functions on the School's premises, or at School-organised activities and events. Collectively, these individuals are referred to as 'staff'.

2.2   This policy extends to any other person who is engaged in student-connected work at the School, or that otherwise has direct and regular contact with the School's students (whether supervised or not).

3   Related Documents

Legislation

3.1   *Child Safety and Wellbeing Act 2005* (Vic)

3.2   *Worker Screening Act 2020* (Vic)

3.3   *Crimes Act 1958* (Vic)

3.4   *Education and Training Reform Act 2006* (Vic)

3.5   *Children, Youth and Families Act 2005* (Vic)

3.6   *Ministerial Order 1359*

Policies

3.7   Student Safety Staff Code of Conduct

3.8   Student Safety Definitions

3.9   Student Safety Responsibilities

3.10   Responding to Student Safety Concerns Policy

3.11   Student Safety Recruitment and Selection Policy

4   Overarching values and principles

4.1   Mentone Grammar's approach to student safety is guided by a number of overarching principles and values (which are set out below) that guide the development and regular review of strategies, practices, policies and procedures to uphold our commitment to protect students from all forms of harm:

        (a)   All students at the School have a right to be safe and to feel safe.

(b)   The welfare and the best interests of the School's students are paramount.

(c)   The views of students and a student's privacy must be respected.

(d)   Clear expectations for appropriate behaviour by staff with students must be established, including in the Student Safety Staff Code of Conduct.

(e)   The safety of students is dependent upon the existence of a student safe culture.

(f)   Student safety awareness is embodied, promoted and openly discussed within our School community.

(g)   Families can participate in decisions affecting their child and they, and the School community, are engaged and informed about the School's approach to student safety and wellbeing.

(h)   The School community is informed about the School's operations and governance.

(i)   Procedures are in place to screen all staff and external education providers who engage in student-connected work (whether occurring on the School grounds or at a location connected to the School).

(j)   Student safety is everyone's responsibility.

(k)   Specific responsibilities in respect of student safety as outlined in the Student Safety Responsibilities document.

(l)   Annual student safety training is mandatory for all members of the Board, the Principal, staff and anyone else otherwise engaged by the School in relation to student-connected work.

(m)   Procedures for reporting and responding to alleged or suspected incidents of child abuse or reportable conduct (including the complaints process and supports available) are clearly communicated and accessible for all members of the School community. This includes students and otherwise, members of the school community, who must have access to information and support in a reader friendly, accessible, culturally safe and age appropriate manner.

(n)   Students from culturally or linguistically diverse backgrounds should receive special care and support.

(o)   Students who identify as Aboriginal or Torres Strait Islander should receive special care and support.

(p)   Students with a disability should receive special care and support.

(q)   Staff have regard to a student's diverse circumstances and needs, so that they can provide support and respond to those who are vulnerable and to ensure equity is upheld in policy and practice.

(r)   Staff working with students will be suitable and supported to ensure student safety and wellbeing values are reflected in the School environment.

(s)   Ensuring the safety and wellbeing of students in relation to visitors to the School, including third parties contracted to provide services either directly or indirectly to or for students.

5   Statement of Commitment to Student Safety

5.1   Set out below, is the School's publicly available statement of commitment to student safety.

A student safe culture

5.2   Creating and maintaining a student safe culture requires input from the entire School community. Our aim is to provide a safe environment that aligns with Mentone Grammar School's ethos, vision and values of *Caring, Respect, Integrity, Endeavour, Service, Discipline and Resilience*.

5.3   To achieve this, we promote a progressive education model that motivates, nurtures and prepares each generation for the demands of its time.

5.4   Through our processes and practices, we also ensure that a student safe culture is championed and modelled at all levels of the School, from the top down to the bottom up. Accordingly, student safety and wellbeing is embedded in our school leadership, governance and culture. We do this by setting clear expectations regarding student safety to our school community (including staff and students), and ensuring that at all times, our governance arrangements facilitate the implementation of this policy (including by making student safety a standing agenda item and reviewing the School's student safe processes across all levels).

5.5   The commitments, values and principles which guide the School are further outlined below.

Support and engagement of all students

5.6   The School appreciates that a student safe environment looks different for every student, and in delivering this, supports and respects the cultural safety of Aboriginal and Torres Strait Islander students, students from culturally and/or linguistically diverse backgrounds, as well as students with a disability or who are otherwise vulnerable (including students who identify as LGBTQIA+, and those with challenging home situations).

5.7   The School also appreciates that a student safe environment is contingent on a culturally safe environment, which requires proactive and ongoing efforts to maintain.

5.8   Our primary focus in delivering personalised education and through decision-making, is that all students are safe, feel safe, and are able to create and develop a range of strategies and skills, which can be used flexibly to flourish in all aspects of their lives. As such, we support and encourage students to talk openly and share their views, particularly about matters that directly impact them.

5.9   The School will aim to ensure students (and their parents) are provided with the necessary skills and knowledge to understand and maintain a student's own personal safety and wellbeing, including:

(a)   Understanding, identifying, discussing and reporting student safety matters.

(b)   Standards of behaviour for students attending the School.

(c)   Healthy and respectful relationships (including those relating to gender and sexuality).

(d)   Resilience.

5.10   The School will aim to ensure that staff are provided with the necessary skills and knowledge to understand and maintain a student and culturally safe environment, including through:

(a)   Actively supporting and encouraging Aboriginal and Torres Strait Islander students, students from culturally and/or linguistically diverse backgrounds and their families to:

(1)   Express their culture and enjoy their cultural rights.

(2)   Facilitate participation and inclusion in all aspects of school life.

(b)   Implementing and embedding strategies within the school community that acknowledge and appreciate the strengths of Aboriginal culture, and understand its importance to the wellbeing and safety of Aboriginal children and students.

(c)   Cultural training to improve understanding and respect (particularly with regard to Aboriginal and Torres Strait Islander culture), appreciation of culturally sensitive issues, including using appropriate language when referring to individuals or communities, and to equip staff to build culturally safe environments for children and young people.

(d)   Identifying, confronting and addressing incidences of racism seriously (noting it will not be tolerated), with the appropriate consequences and where appropriate with the involvement of Aboriginal and Torres Strait Islander students, students from culturally and/or linguistically diverse backgrounds, and their families.

(e)   Ensuring that the School's strategies, practices, policies and procedures create a culturally safe and inclusive environment which values and respects the diverse and unique identities and experiences of Aboriginal and Torres Strait Islander children, young people and students, (including their families), as well as others from culturally and linguistically diverse backgrounds.

(f)   Providing particular attention to the needs of students with a disability (or otherwise, additional needs), students from culturally and linguistically diverse backgrounds, international students, students who identify as LGBTQIA+ (or who are otherwise gender diverse) and those students who are unable to live at home.

(g)   Providing particular attention to the needs of Aboriginal and Torres Strait Islander students and promote and provide a culturally safe environment for them.

5.11   The School will promote its student safety practices to students in ways that are readily accessible, easy to understand and user-friendly, including by:

(a)   The appointment of Student Safety Officers and a Senior Student Safety Officer who promote student safety and wellbeing (see below).

(b)   Training staff to recognise the indicators of harm to students, including harm caused by not only adults but also other children and young people, and harm in an online environment.

(c)   Collaborating with parents to ensure that they are provided with the information necessary to maintain consistent messaging about child abuse and reportable conduct.

(d)   Encouraging students to identify safe and unsafe environments and situations (including in an online environment).

(e)   Setting clear student safety and wellbeing standards so that staff, students and the school community are aware of the standards that are expected, and those which fall short of the School's expectations.

(f)   Distributing child-friendly publications, including student safety posters (e.g. PROTECT poster).

(g)   Clearly communicating on where students can access support, make a report about safety or wellbeing concerns, or otherwise obtain information.

(h)   Ensuring that students have identified safety and support networks to overcome any barriers that may prevent disclosure of safety or wellbeing concerns.

(i)   Ensuring staff are trained and supported to effectively implement this policy.

6   Raising and responding to student safety concerns

6.1   The School takes all allegations or disclosures of suspected child abuse and reportable conduct seriously, and responds to such allegations and disclosures promptly and thoroughly.

6.2   All instances of suspected child abuse or reportable conduct, allegations of child abuse or reportable conduct, or student safety concerns and complaints must be reported to the Principal, a member of the Executive Team, or a Student Safety Officer, and will be treated very seriously and consistently according to the School's and individual staff member's internal and external reporting procedures and obligations.

6.3   The School has a Responding to Student Safety Concerns Policy, available on the School's website, which sets out:

(a)   How concerns about actual and suspected child abuse and reportable conduct may be raised with the School.

(b)   Who such concerns can be raised with at first instance, who include the Principal, the Executive Team and the School's Student Safety Officers.

(c)   How such concerns will be dealt with by the School (including by complying with any legislative reporting obligations, and the School's expectations of staff regarding information sharing and record keeping).

(d)   How the School will support or assist students (and their families) who disclose such concerns, or who are otherwise linked to such concerns.

6.4   The School will ensure that the Responding to Student Safety Concerns Policy is student-focused, and can be easily understood by the School community, in particular students.

6.5   If School staff believe a student is at immediate risk of child abuse, they must phone 000.

Reporting a Sexual Offence: Failure to Protect Offence

6.6   Failure by a person in authority to protect a child under the age of 16 from criminal sexual abuse is also an offence under section 49O of the *Crimes Act*.

6.7   This applies where there is substantial risk that a child under the care, supervision or authority of an organisation (including a student of a school) will become a victim of a sexual offence by an adult associated with the School.

6.8   The person in a position of authority may be guilty of an offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

6.9   The offence requires an associated person to reduce or remove a 'substantial' risk. It is not a criminal offence to fail to address every possible risk that a sexual offence may be committed against a child. However, there are a number of factors to assist associated persons in identifying risks which amount to 'substantial' risks. These include:

(a)   The likelihood or probability that the child will become the victim of a sexual offence.

(b)   The nature of the relationships between a child and the adult who may pose a risk to the child.

(c)   The background of the adult who may pose a risk to the child, including any past or alleged misconduct.

(d)   Any vulnerabilities particular to a child, which may increase the likelihood that they may become the victim of a sexual offence.

(e)   Any other relevant fact which may indicate a substantial risk of a sexual offence being committed against a child.

7   Student Safe Employment Practices

7.1   We believe that the safety and wellbeing of students is dependent on the existence of a student safe culture. Establishing that culture requires effective staff recruitment, supervision and management practices.

7.2   All positions at the School that involve student-connected work will have a position description, which clearly sets out:

(a)   The position's requirements, duties and responsibilities regarding student safety and wellbeing.

(b)   The applicant's essential or relevant qualifications, experience and attributes in relation to education and student safety and wellbeing.

(c)   The School's ethos, values and commitment in respect of student safety and wellbeing.

(d)   How the School will support those who make disclosures.

7.3   Student safety and wellbeing is a paramount consideration during the recruitment process. All staff working with children and young people must be suitable and reflect the School's values and commitment to student safety and wellbeing in practice.

7.4   The School assesses the suitability of staff to undertake student-connected work through screening (including identity checks), qualification verifications, values-based interviews, work history checks and referee checks.

7.5   All prospective staff will be informed about the School's student safety practices (including but not limited to this policy, the Student Safety Staff Code of Conduct, the School's and individual staff member's record keeping, information sharing and reporting obligations), and be subject to student safety screening in accordance with the School's obligations under legislation (including *Ministerial Order No. 1359 – Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises*).

7.6   A successful applicant cannot commence at the School until written clearance in respect of student safety screening is obtained. A current VIT registration or WWCC (or equivalent) must be sighted and verified by the School, and appropriately recorded before staff can engage in student-connected work.

7.7   Appropriate and mandatory induction regarding the School's student safety and wellbeing practices (including policies and procedures) will follow any successful appointment or engagement.

7.8   The School requires that staff act professionally, and in a way that embodies the School's public commitment to student safety and wellbeing throughout their time at the School. The School has a Student Safety Staff Code of Conduct, available on the School's website, which provides guidelines for staff on expected behavioural standards and responsibilities, and sets out examples of appropriate and inappropriate behaviours. The School will take appropriate disciplinary action where a staff member is found to have acted contrary to that Code, or the School's other policies and procedures regarding appropriate standards of behaviour.

7.9   Staff will otherwise be subject to regular supervision, training and periodic student safety checks, including to ensure their ongoing suitability for student-connected work.

7.10   If for any reason, a staff member does not attend a mandatory student safety training or briefing, the School must direct the staff member on the relevant material and resources on School's website (including the Responding to Student Safety Concerns Policy and Student Safety & Protection Policy) which amongst other things, address mandatory reporting obligations, and the offences of failure to protect and failure to disclose under the *Crimes Act*.

7.11   If the training or briefing session is recorded, a copy of the recording and/or module will be provided to the staff member, who must confirm they have viewed and completed the content. Otherwise, the School must arrange for the staff member to complete the training or briefing on an alternate date, as soon as practicable.

7.12   At least annually, the School will ensure that appropriate guidance and training is provided to Board members and relevant staff engaged in student-connected work about:

(a)   Individual and collective obligations and responsibilities for managing the risk of child abuse and reportable conduct.

(b)   Child abuse and reportable conduct risks in the school environment (including the online environment).

(c)   The School's current student safety standards and practices.

7.13   The Board will ensure that privacy and employment law obligations are met when responding to student concerns and complaints.

8   Student Safety Officers

8.1   Mentone Grammar has appointed Student Safety Officers (**SSOs**) as a first point of contact to provide advice and support to students, parents, and staff regarding the safety and well-being of students at the School

8.2   The following Student Safety Officers may be contacted to provide advice and support:

Name	Position	Contact details
Jessica Richards	Head of Eblana (ELC)	jsr@mentonegrammar.net 0438 433 563
Mary Craven	Head of Riviera	mtc@mentonegrammar.net 0481 602 161
Dan Newton	Head of Bayview	dann@mentonegrammar.net 0411 389 907
Julie James	Head of Greenways	jaj@mentonegrammar.net 0431 162 036
Jason Mann	Head of Frogmore	jsm@mentonegrammar.net 0422 263 830
Bridgitte Roberts	Head of Head of Wellbeing	bridgitter@mentonegrammar.net 0422021491

8.3   School Safety Officers are able to act as a source of support, advice and expertise to staff on matters of student safety and wellbeing and liaise with the Principal and the Executive Team to maintain the visibility of student safety. Staff are encouraged to speak with one of the Student Safety Officers should they hold any concerns relating to student safety and wellbeing.

8.4   School staff, students and parents can contact the Student Safety Officer for further information regarding student safety and wellbeing and for any questions or concerns or reports of suspected or alleged child abuse or reportable conduct

9   Risk management

9.1   The School will develop and implement risk management strategies regarding student safety online and in the physical school environment without compromising a student's right to privacy, access to information, social connections and learning opportunities.

9.2   These strategies will identify, control, remove and otherwise focus on preventing and reducing, the risk(s) of child abuse, reportable conduct and otherwise, risks to student safety and wellbeing by taking into account the nature of the environment, the activities expected to be conducted in that environment (including the provision of services by contractors or outside organisations), and the characteristics and needs of all students expected to be present in that environment.

9.3   In addition, these strategies will place a positive responsibility on ensuring that student safety and wellbeing is actively promoted at School.

9.4   Where the School identifies risks of actual or suspected child abuse or reportable conduct occurring in the online or physical school environment, it will make a written record of those risks and determine the action(s) it will take to remove or otherwise reduce the risks (risk controls and risk treatments).

9.5   The School will monitor, review and evaluate the effectiveness of the implementation of its risk controls annually, and update these where required.

9.6   The School will ensure it creates, maintains and disposes of any records about student safety and wellbeing in line with the Public Record Office Victoria Recordkeeping Standards, including minimum retention periods regarding these obligations. In addition, the School will detail its information sharing and record-keeping processes and ensure all staff (including volunteers) understand their relevant obligations.

10   Student Participation and Empowerment

10.1   The School recognises that a student safe culture is also contingent upon the participation and empowerment of students themselves.

10.2   Consistent with this understanding, the School will ensure:

(a)   That students are informed about all their rights, including to safety, information and participation (for example, those in the United Nations Convention on the Rights of the Child).

(b)   That the importance of friendships is recognised and support from peers is encouraged to help students feel safe and be less isolated.

(c)   Where relevant, that students are offered access to child abuse (including sexual abuse) and reportable conduct prevention programs and other relevant information in an age-appropriate way.

(d)   Staff are attuned to the signs of harm (including that caused by reportable conduct or child abuse) and facilitate child-friendly ways for students to express their views, participate in decision making and raise their concerns.

(e)   The School has strategies and curriculum planning documents in place to develop a culture that facilitates participation and is responsive to the input of students.

(f)   The School provides opportunities for students to participate and are responsive to their contributions, thereby strengthening confidence and engagement.

11   Reflection and Continuous Improvement

11.1   The School is committed to continual improvement that is responsive to emerging thinking, evidence and practice, so as to eliminate (where practicable) the possibility of student safety risks occurring in the first place. Where the School can improve, it will strive to do so. The School will report on the outcomes of any relevant review to the School community.

12   Student Safety Responsibilities

12.1   Society as a whole shares responsibility for promoting the safety and protection of students from child abuse and reportable conduct. In the School context, all members of the School community have a role to play.

12.2   However, specific responsibilities in respect of student safety and wellbeing are assigned to:

(a)   The Board.

(b)   The Principal.

(c)   The Executive Team.

(d)   Student Safety Officers.

(e)   Staff.

(f)   Students and parents.

12.3   For further information, please refer to the Student Safety Responsibilities document.

13   Breach of this Policy

13.1   Mentone Grammar emphasises the need for staff to fully comply with the requirements of this policy.

13.2   Any school staff found to be in breach of the requirements of this policy may be subject to disciplinary action, up to and including termination of employment or engagement (as the case may be). Staff should refer to the Performance Management, Misconduct and Disciplinary Action Policy. Breaches may also result in notifications to appropriate authorities and/or the Police.

14   Communication and Implementation

At Board / Principal Level

14.1   This policy is made publicly available on the School's website.

14.2 This policy is available to staff as part of the School's and the Board's internal policies and procedures. Aspects of (and updates to) the School's student safety framework, including this policy will be addressed in the School's professional development updates, training programs, bulletins and newsletters.

14.3 To properly implement this policy:

(a) The Board and Principal will review this policy and the School's student safe practices at least every two years (or more frequently after a significant student safety incident) and implement improvements where applicable.

(b) Families and the School community will be afforded the opportunity to contribute to the review and development of the School's student safety and wellbeing policies and practises (including this policy).

(c) Periodic training and refresher sessions on this policy are provided to all staff.

(d) All staff must ensure that they abide by this policy and assist the School implementing this policy.