

# Living Waters Lutheran College

## CHILD PROTECTION POLICY



### 1. Overview

The Lutheran School is an agency of the Lutheran Church of Australia (LCA) through which the Church seeks to carry out its ministry and mission to the people of Australia.

The Lutheran Schools Association (LSA) is the system authority for schools under the auspices of the LCA in South Australia, Western Australia and the Northern Territory. LSA provides support, encouragement, leadership and resources for school communities as they fulfill their educational responsibilities within the context of Christian ministry and as they live out the vision, ethos and values that the LCA has for its schools and for all who work and learn within them.

A central belief of the LCA is that each person has intrinsic value given that all are created in the image of God. Thus, Lutheran schools seek to be safe and healthy places for all where compliance with legal requirements can be demonstrated and where caring, cooperative and respectful relationships contribute to supportive communities that reflect the values of the gospel of Jesus Christ.

The framework, **Lifelong Qualities for Learners**, defines the ethos of Lutheran schools:

‘As central to their ministry and mission, Lutheran schools seek to nurture individuals who are aware of their humanity, open to the influence of the Holy Spirit and growing in and living according to a [developing] cohesive world view while living in community and reflecting characteristics of God through core values, especially love, justice, compassion, forgiveness, service, humility, courage, hope, quality and appreciation’.

Child protection is a key priority in upholding this ethos. Schools play a vital role in creating safe environments for children and young people where the physical, social and psychological wellbeing of each individual is valued and protected and where each child’s wellbeing and interests is upheld through explicit strategies for prevention, protection and support.

*A child-safe school:*

- *‘Takes a preventative, proactive and participatory stance on child protection issues’ (Child Wise Choose with Care p.18). The safety and wellbeing of children is a paramount consideration when developing activities, policies and management practices;*
- *is one that values and embraces the opinions and views of children;*
- *encourages and assists children to build skills that will assist them to participate in society;*
- *takes action to protect children from physical, sexual, emotional and psychological abuse and neglect.*

*Creating child-safe environments is a dynamic process that involves active participation and responsibility by individuals, families, government and non-government organisations and community groups. Sharing responsibility for the care and protection of children helps to develop a stronger, more child-focused community. A child-safe community can:*

- *care for all children;*
- *identify vulnerable children;*
- *support children who have been abused and neglected; and*
- *prevent further harm to children.*

*The focus of a child-safe organisation is not simply to create an environment free from risk or danger. Rather it is about building an environment which is both child-safe and child-friendly, where children feel respected, valued and encouraged to reach their full potential.*

(Families SA, Child-Safe Environments: Principles of Good Practice, p.5)

## 2. Purpose and Scope

Every child has a right to be safe from harm at all times. The wellbeing and best interests of children are the responsibility of the entire community. Child protection legislation in each state aims to ensure that children are safe from harm and cared for in a way that allows them to reach their full potential. The Lutheran Schools Association is committed to the care, safety and protection of all children attending its schools. The responsibility of those schools extends beyond academic success to the intellectual, physical, social, emotional and spiritual development of children and provision of caring and supportive learning environments in all schools.

The purpose of this Child Protection Policy is to promote and enhance the safety and welfare of children in Lutheran schools.

It is the core policy that underpins a set of child protection policies, procedures and guidelines and therefore should be read in conjunction with the following documents:

- Mandatory Reporting of Child Sexual Abuse in Western Australia Legislation
- Child Protection – Procedures and Notification Steps for Staff
- Staff Code of Conduct
- LEA Valuing Safe Communities (2009)
- Critical Incident Management Plan

By implementing these and a range of individual school policies and programs, Lutheran schools seek to:

- provide guidance on appropriate standards of conduct for adults in dealing with children;
- define appropriate standards of care for ensuring the safety of children;
- provide guidance on the recruitment and supervision of employees of Lutheran schools;
- provide guidance on the standards to be observed in dealing with information obtained about the criminal history of employees and volunteers who work with children in Lutheran schools.

Lutheran schools recognise that the primary responsibility for a child's care and protection lies with the family, and therefore acknowledge the need to work together with parents and care-givers. Nevertheless, everyone working in a school is responsible for the care and protection of children and for reporting information about child abuse concerns such as neglect or physical, sexual and emotional abuse. Staff, given their close interactions with students, plays an important role in the detection of child abuse and the provision of support and assistance to children who are abused or at risk of abuse.

## 3. Legislation and Compliance

Under the various state child protection legislation and non-government school registration requirements, schools have detailed legal responsibilities with respect to child protection. These include ensuring that child-safe environments are established and maintained within the school and that instances of child abuse are reported to the relevant authorities. The LSA, as a system authority, has a responsibility to ensure that schools comply with child protection legislation in their respective states.

### International Legislation

The principles and philosophy that underpin child protection work within Australia are based on the United Nations Convention on the Rights of the Child, 1990.

The Convention emphasises that:

- all children have equal rights to protection from abuse and neglect;
- all children should be encouraged to fulfil their potential and inequalities should be challenged;
- organisations shall take all appropriate legislative administrative, social and educational measures to protect children from all forms of abuse, neglect or negligent treatment while in their care;
- organisations have a duty-of-care to children with whom they work and with whom their agents, contractors and subcontractors work.

The Universal Declaration of Human Rights, 1998 is also relevant.

### **Australian Child Protection Legislation**

*Family Law Act 1975 (Cth)*

*National Framework for Creating Child-Safe Environments (2005)*

*National Child Protection Framework (currently under development, 2008)*

The principal child protection acts in Western Australia are listed below, along with other Acts of Parliament pertinent to the operation and delivery of various services to children and families. In addition, there are links to websites where Acts of Parliament can be downloaded.

### **Western Australia**

Department for Child Protection

<http://www.community.wa.gov.au/DCP/Resources/Child+Protection/>

#### **Principal Acts:**

*Children and Community Services Act 2004 (WA)*

#### **Other Relevant Acts:**

*Criminal Code Act 1913*

*Child Welfare Act 1947*

*Community Services Act 1972*

*Equal Opportunity Act 1984*

*Disability Discrimination Act 1992*

*Adoption Act 1994 (WA)*

*Family Court Act 1997 (WA)*

*Corruption and Crime Commission Act 2003*

*Working with Children (Criminal Record Checking) Act 2004 (WA)*

*Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008*

## **4. Policy Principles**

- Each person has intrinsic value given that all are created in the image of God.
- God wants us to love each other as He loves and not to abuse the relationships in which He has placed us.
- A safe school is one where the physical, social and psychological wellbeing of each individual is valued and protected at school and at any event supported by the school.
- All people who care for children must act in the best interests of the child and take all reasonable steps to ensure the child's safety.

- Everyone affected by the work of the school (children, young people, their families, staff, management, volunteers) has a responsibility to participate in child-safe practices and should therefore be encouraged to make suggestions and voice concerns.
- Schools have a duty-of-care to children with whom they work and with whom their agents, contractors and subcontractors work.
- Fear, denial, entrenched culture, lack of resources and complacency are deemed to be barriers to a safe community.
- Any form of child abuse in a community is to be taken seriously – this includes fulfilling legal and moral obligations to report abuse (or suspicions of abuse) to children or young people.
- Verbal information and documents relating to allegations of child abuse should be treated with appropriate confidentiality.
- Quality leadership is an essential element that underpins the creation of a safe and supportive environment.
- Schools have a responsibility to develop and implement policies, programs and processes for nurturing a safe environment that are proactive, oriented towards prevention and intervention, and to engage the wider school community in doing so.
- Policies and programs should be regularly monitored and evaluated so that decisions and improvements are based on evidence.
- Roles and responsibilities of all members of the school community in promoting a safe and supportive environment should be explicit, clearly understood and disseminated.
- In-service professional development is critical in creating a safe and supportive school environment.
- Schools have a responsibility to provide opportunities for students to learn the knowledge, skills and attitudes needed for positive relationships.
- Fear of abuse or harassment allegations should not interfere with the development of healthy relationships.

## 5. Policy Statements

Living Waters Lutheran College is committed to the safety and wellbeing of all children and young people accessing our service. We support the rights of the child and will act without hesitation to ensure a child-safe environment is maintained at all times. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure environment for children and young people.

In recognition of Living Waters Lutheran College duty-of-care to its students while they attend school or take part in activities authorised by the school, we undertake to:

- take all reasonable steps to provide suitable and safe premises;
- take all reasonable care to provide procedures to ensure that no child is exposed to inappropriate risk or harm;
- encourage the disclosure of any possible inappropriate behaviour;
- address any concerns about a child's welfare;
- fulfill legal and moral obligations to promptly report any child protection concerns.

## 6. Definitions and Terms

### Child Protection Concerns

A child protection concern may arise from any action or inaction which is inconsistent with the care or protection of a child. This may include physical, emotional or sexual abuse or neglect of a child. It may involve repeated or persistent maltreatment, or it may arise out of a single incident. It may be observed evidence of risk or indicators, reports of maltreatment by a person without parental responsibility for the child and/or disclosure of information provided directly by the child or parent/care-giver that describes or alleges maltreatment.

**School**

Pre-schools, kindergartens, early learning centres, out-of-school hours care and vacation care services, junior primary, primary, secondary, senior secondary schools and any associated boarding facilities.

**Staff**

All employees, paid work-place participants, volunteers, contractors and subcontractors.

**Students**

All children and young people enrolled at or attending the sites defined under school, including international and exchange students.

## 7. Policy Implementation

Living Waters Lutheran College is committed to taking a preventative, proactive and participatory stance on child protection issues through the development of a culture of awareness and accountability. In particular, the school acknowledges the following responsibilities to:

- identify and analyse and evaluate risks of harm and to implement strategies to minimise and prevent risk;
- develop appropriate policies and procedures to establish child-safe environments. These policies and procedures must reflect the standards and principles of good practice;
- publish and promote the school's child protection policies and procedures;
- fulfill state requirements for reporting child abuse, neglect and maltreatment;
- demonstrate that we understand child abuse and acknowledge the damage an incident of abuse would do to the child, their family, people within and outside of the school community and to the school itself;
- develop and maintain an open and aware culture towards child safety and protection through communication and consultation;
- establish clear boundaries defining the roles of staff in relation to children;
- adopt best practices in staff recruitment and selection;
- fulfill legal and moral obligations to screen all staff and volunteers;
- ensure that staff and volunteers are supported and supervised and to provide adequate staff to supervise children;
- implement a clear complaints procedure for reporting concerns;
- empower and encourage children to participate in safe school programs;
- provide training in the elements of a child-safe school and ensure that staff and volunteers know and fulfill their moral and legal responsibilities to protect children and young people;
- establish and maintain safe environments for children.

Living Waters Lutheran College seeks to fulfill these responsibilities by implementing the following policies and procedures:

- Mandatory Reporting of Child Sexual Abuse in Western Australia Legislation
- Child Protection – Procedures and Notification Steps for Staff
- Staff Code of Conduct
- LEA Valuing Safe Communities (2009)
- Critical Incident Management Plan
- Emergency Procedures Plan
- Privacy Policy
- Drug Policy
- Computer and Internet Use Policy
- Statement on Harassment and Bullying
- Mobile Phone and Electronic Devices Policy

Living Waters Lutheran College also seeks to fulfill these responsibilities through the following programs:

- Valuing Safe Communities Training for all Staff
- Protective Behaviours Program for Students
- Pastoral Care program including Health Programs, Bullying and Cyberbullying education.
- Mandatory Reporting of Child Sexual Abuse Training for all Staff.
- Staff Code of Conduct Training

<b>Child Protection Policy</b>		
<b>Version</b>	<b>Action</b>	<b>Date</b>
V1	Major review ratified by College Board	15 May 17
	Reviewed by principal – no change	15 Jun 18
	Review	Jun 19