



STUDENT WELLBEING POLICY

A safe and nurturing culture for all children and young people

Introduction

The welfare of each child and young person studying at Huntingtower is the school's paramount concern. Huntingtower is committed to providing a caring, supportive and safe environment, in which all children and young people can learn and develop to their full potential, free from the risks of child abuse, bullying, victimisation and other forms of unacceptable or unlawful behaviour.

This Student Wellbeing Policy outlines the framework within which Huntingtower promotes and protects child safety and student wellbeing, and should be read in conjunction with:

- The Student Wellbeing – Staff Code of Conduct, which sets out the particular standards of behavior expected from Huntingtower school staff in relation to child safety and student wellbeing matters.
- The Student Wellbeing – Concerns Procedure, which sets out how concerns about child safety and reportable conduct may be brought to the school's attention, and will otherwise be dealt with. It also deals with the school's various reporting obligations.
- The Student Wellbeing - Responsible Student Behaviour Policy and Student Wellbeing – Responsible Student Behaviour Guidelines, which together set out the ways in which concerns about student behavior will ordinarily be dealt with.

Values

Every child and young person studying at Huntingtower has a right to be safe.

Huntingtower recognises that many of its staff have a statutory duty under section 490 of the *Crimes Act 1958* (Vic) to protect children studying at Huntingtower 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, or otherwise associated with the school.

Huntingtower also recognises its pastoral, moral and legal responsibility to create a nurturing school environment where children and young people are respected, their voices are heard and taken seriously, and where they are safe and feel safe. At all times, the ongoing safety and wellbeing of all children and young people will be Huntingtower's primary focus of care and decision-making.

Huntingtower will promote the inherent dignity of children and young people, and their fundamental right to be respected and nurtured in a safe school environment. This is particularly so for the most vulnerable children, including aboriginal children, children from culturally and/or linguistically diverse backgrounds, and children with a disability.

Huntingtower encourages children and young people to express their views and make suggestions, especially on matters that directly affect them.

Huntingtower will work to ensure there is a clear awareness of the difference between appropriate and inappropriate behaviour.

Huntingtower will take prompt action on any concerns a child or young person may have and appropriately act on those concerns.

Huntingtower will strive for continual improvement that is responsive to emerging thinking, evidence and practice, so as to eliminate the possibility of inappropriate behaviour that may compromise child safety or student wellbeing from occurring in the first place.

Huntingtower will respect the primary role of families, and their values and expectations will be considered.

Commitment to Child Safety and Student Wellbeing

In order to fulfil our obligations regarding child safety and student wellbeing, Huntingtower makes the following commitments consistent with the above values:

- **Education and engagement**

Creating a school environment that promotes child safety and student wellbeing is a process that involves active participation and responsibility by the school, families, volunteers and the school community. It is marked by collaboration, vigilance and proactive approaches across policies, procedures, curriculum and practices.

Every person involved at Huntingtower 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.

Huntingtower, in partnership with families, will ensure children and young people, are engaged and active participants in child safety and student wellbeing processes, particularly those that have an impact on their personal safety and wellbeing.

This means that the views of children, young people and families are taken seriously and their concerns are addressed in a just and timely manner. Children and young people will also be provided with the necessary skills and knowledge to understand and maintain their personal safety and wellbeing.

Huntingtower will support and assist students who disclose child abuse or reportable conduct concerns, or who are otherwise affected by those concerns.

- **Implementing effective risk-management and employment practices.**

Huntingtower will systematically and continually identify and assess risks to child safety and student wellbeing, and will eliminate (where practicable) or otherwise reduce all potential sources of harm.

Effective risk management will be embedded in school life through effective, transparent and well-understood policies, procedures and practices.

- **Employment decisions**

Huntingtower is committed to using best practice standards in the recruitment of highly competent and professional staff who are shaped and challenged to maintain the safety of all students. The high-quality of staff appointments will be upheld through employment and staff review processes and practices

The school operates safe recruitment practices including ascertaining the suitability of employed staff and volunteers in regulated activities. Checks will be generated through the disclosure of Victorian Institute of Teaching registration and/or through a Working with Children Check which is in line with current legislation.

- **Policies and Procedures**

Huntingtower will have policies and procedures in place to demonstrate its commitment to child safety and student wellbeing, and the Principal will monitor the school's adherence to this Student Wellbeing Policy.

These policies and procedures will:

- ensure Huntingtower staff and other school personnel (including volunteers) behave in a manner consistent with child safety and student wellbeing as the school's paramount consideration;
- enable Huntingtower parents and students to understand, identify, discuss and report child safety and reportable conduct concerns;
- enable Huntingtower staff to respond to and report child abuse and reportable conduct concerns in accordance with their legal obligations and the school's policies and procedures (including in relation to mandatory reporting);
- ensure support or assistance is provided to children who disclose child abuse or reportable conduct concerns, or who are otherwise linked to suspected child abuse or reportable conduct; and
- ensure conflicts of interest are appropriately managed when concerns or complaints are made against Huntingtower staff or other personnel.

Huntingtower will ensure that staff and other personnel receive appropriate induction and ongoing professional learning in relation to child safety and student wellbeing matters, including compliance with their legal obligations and the school's policies and procedures.

- **Confidentiality**

Appropriate confidentiality will be maintained at all times when dealing with child safety and student wellbeing matters, with information only being provided to those who have a right or need to know.

- **Compliance and Monitoring**

Huntingtower will stay up to date on legislation relating to child safety and student wellbeing matters, and will meet its legislative obligations.

- **Communication**

Huntingtower will communicate its policies and procedures regarding child safety and student wellbeing matters to staff, students, parents and the wider school community.

- **Child Protection Officers**

The Counsellors at Huntingtower will be the nominated Child Protection Officers (CPOs), and together with the Principal's leadership team will ordinarily deal with child safety and student wellbeing concerns, and ensure any mandatory reporting obligations are met and that adequate records are maintained.

CPOs are available to listen, discuss and clarify issues confronting individual staff, students or families in relation to child safety and student wellbeing matters.

Definitions

For the purpose of all Student Wellbeing policies and procedures, the following definitions are used:

- Behaviour that causes significant or serious **emotional or psychological harm** to a child or young person includes sexual offences, sexual misconduct, physical violence and significant neglect.

However, other types of behaviours can also cause significant emotional or psychological harm including, for example, severe or sustained instances of:

- verbal abuse;
 - coercive or manipulative behaviour;
 - hostility towards, or rejection of, a child or young person;
 - humiliation, belittling or scapegoating.
- **Bullying** refers to repeated unreasonable behaviour towards a child or young person that poses a risk to that individual's health and safety. For further details, please see the Anti-Bullying Policy and Cyberbullying Policy.

Bullying behaviours can also involve unlawful discrimination, sexual harassment or victimisation.

- **Child** means a child under the age of 18 years.
- **Child abuse** includes:
 - any act committed against a child involving a sexual offence, including grooming;
 - the infliction, on a child, of physical violence or serious emotional or psychological harm;
 - the serious neglect of a child.
- **Grooming** is defined in the *Crimes Act 1958* (Vic) and refers to communication, by words or conduct, between an adult and a child with the intention of facilitating the commission of a sexual offence involving the child.

Grooming may be identified by attempts being made at establishing an intimate relationship with, befriending or influencing a child (or, in some circumstances, members of the child's family). In this respect, grooming involves psychological manipulation that is usually very subtle, drawn out, calculated, controlling and premeditated (Victorian Parliamentary Inquiry 2013).

Grooming can occur online.

- **Mandatory reporting** refers to legal requirements to report alleged behaviour compromising child safety or student wellbeing, including under the:
 - *Crimes Act 1958* (Vic)
 - *Child Youth and Families Act 2005* (Vic)
 - *Child Wellbeing and Safety Act 2005* (Vic)
- **Neglect** refers to an individual's failure to meet their obligations and responsibilities to keep a child or young person safe and well, and can include:
 - supervisory neglect, which is the absence or inattention of a worker or volunteer which places the child or young person at risk of physical harm or injury, sexual abuse or allows other criminal behaviour to occur; and
 - physical neglect, which is the failure to provide basic physical necessities for a child, such as adequate food, clothing, housing or medical attention.

- **Physical violence** includes an act that causes physical injury or pain. Examples of physical violence can include:
 - hitting, kicking and punching;
 - pushing, shoving, grabbing, throwing and shaking;
 - using an object to hit or strike;
 - using inappropriate restraint/excessive force.

Physical violence does not include lawful behaviour. For example:

- reasonable steps taken to protect a child or young person from immediate harm, such as taking their arm to stop them from going into oncoming traffic; or
- medical treatment given in good faith by an appropriately qualified worker or volunteer, such as a senior first aid officer administering first aid.

Threats of physical violence that do not cause physical injury or pain may still amount to behaviour that causes serious or significant emotional or psychological harm.

- **Reportable conduct** means:
 - a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded;
 - sexual misconduct, committed against, with or in the presence, of a child;
 - physical violence committed against, with or in the presence of, a child;
 - any behaviour that causes significant emotional or psychological harm to a child;
 - significant neglect of a child.

Significant means that the harm or neglect is more than trivial or insignificant. However, it need not be as high as serious and need not have a lasting permanent effect.

Conduct by a worker or volunteer may not be reportable conduct if it relates to a worker or volunteer:

- who has taken reasonable steps to protect a child from immediate harm;
- who has responsibility for discipline, and has taken lawful and reasonable disciplinary action (such as by sending a child to sit in 'time out' for a period of time, in line with school policy); or
- who is an appropriately qualified worker or volunteer who has given medical treatment in good faith, such as a senior first aid officer administering first aid.

- **School Community** consists of all those who are directly and indirectly involved with Huntingtower, including students, parents and alumni, as well as businesses, charitable organisations and neighbourhoods that are interested in the wellbeing of the school.
- **School Personnel** means any person employed or engaged by Huntingtower, and includes the Huntingtower Board, the Principal and any other teaching or other relevant staff, contractors, agents and volunteers.

- **Sexual misconduct** includes behaviour, physical contact or speech or other communication of a sexual nature, inappropriate touching, grooming behaviour and voyeurism.

Examples of sexual misconduct include:

- developing an intimate relationship with a child or young person, for example, through regular contact with the child or young person without the knowledge or approval of the school;
 - inappropriately discussing sex and sexuality with a child or young person; or
 - other overtly sexual acts that could lead to the school taking disciplinary or other action.
- **Sexual offence** means a sexual offence set out in clause 1 of Schedule 1 to the *Sentencing Act 1991* (Vic), and includes sexual assault (including rape and attempted rape), indecent acts, possession of child abuse material, exposure to pornography, and grooming.

Any sexual activity between a child and an adult can be a sexual offence. In certain circumstances, sexual activity between children can also be a sexual offence, and also between two adults (particularly when one is a student).

- **Victimisation** means treating a person unfairly or unreasonably because they, or someone associated with them, has made, or intends to raise a concern about child safety or student wellbeing, or who is otherwise involved or participates in a process under the Student Wellbeing – Reporting Concerns Procedure.

Communication

This policy is available to staff, parents, students and the school community via the school's website.

In addition, relevant aspects of this policy will be raised at staff and student meetings, and highlighted in Bulletins and newsletters.

Related Policies

Student Wellbeing Policy

Student Wellbeing – Concerns Procedure

Student Wellbeing – Responsible Student Behaviour Policy

Student Wellbeing – Responsible Student Behaviour Guidelines

Related Legislation

Child Safe Standards – Managing the Risk of Child Abuse in Schools, Ministerial Order No 870 under the *Education and Training Reform Act 2006*

Crimes Act 1958 (Vic)

Children, Youth and Families Act 2005 (Vic)

Child Wellbeing and Safety Act 2005 (Vic)

Sentencing Act 1991 (Vic)

Working with Children Act 2005 (Vic)

Evaluation

The Principal is primarily responsible for monitoring Huntingtower's overall compliance with this Procedure, which will be reviewed as part of Huntingtower's policy review cycle (and otherwise as and when required).

Authorisation

This policy was authorised by the Principal in July 2018.