*Where language and culture come together*

# COMMUNITY LANGUAGES AUSTRALIA

# Student Welfare Policies and Procedures Manual for Community Languages Schools.

## APRIL 2017

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**Background**

Community Languages Australia CLA also known as the Australian Federation of Ethnic Schools Associations (AFESA) is an umbrella body designed to unite the ethnic schools of Australia, and the state-based bodies which serve as their administrators. A key task for CLA is to consolidate these organisations under a single, organizational banner, and in the process, carry out many crucial roles in the creation, maintenance, and profile of Australia's, over 1,000 community language schools. One of the major activities for CLA is National Coordination and Quality Assurance of all community language schools.

Community language schools play a key role in facilitating languages and culture education across all Australian States and Territories to an excess of 110,000 school age children. They offer major advantages for communities, families, who are keen to maintain the language and culture of their heritage. They are a complementary provider for the teaching and learning of languages which would otherwise be unavailable, as it is not possible to offer over seventy languages through one system.

**Some members deliver VCE courses and have VCAA accreditation.**

**The VRQA has set minimum standards to be met by those delivering these courses.**

**AFESA has responsibility to ensure minimum standards for the conduct of schools is maintained. Schools must comply with the minimum standards.**

This Manual is for the use of school authorities to ensure there is compliance in relation to student and staff welfare. Whilst the Manual provides general information and advice it is the responsibility of each school to familiarise their leadership, staff and community with its contents.

There are parts of this manual that refer to specific issues relating to the school's specific situation or location e.g.) evacuation plans.

It is the school authority's responsibility to ensure these are met.

School Authorities are responsible for ensuring they are referring to relevant, current Act or Regulations

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## 1.0 Working with Children

In recognition of its obligation to provide a safe environment for children, CLA instructors are required to have a valid Working with Children (WWC) Check in compliance with the *Working with Children Act 2005*. The Check is just one of responsibilities in creating and maintaining child-safe environments. child-related work is not limited to work involving direct and unsupervised contact with children. Any contact with children, unless it is only occasional and incidental, is enough to trigger the requirement to get a Check.

Organisations providing services or facilities specifically for children in CLA schools will be required to meet Child Safe Standards from 1 January 2017.

Activities and services provided to children can vary between organisations but all organisations need to focus on building and maintaining a child safe environment.

In section 2 of the Act it is stated that the **purpose** of the Act is:

- To assist in protecting children from sexual or physical harm by ensuring that people who work with, or care for them, have their suitability to do so checked by a government body.
- To establish a process for assisting in determining whether a person is suitable to work in child-related work.
- Nothing in this Act takes away from, or removes the need to comply with, any requirement imposed by or under any other Act with respect to child-related work.

The Working with Children (WWC) Check is a legal requirement for most people engaged in **child-related work**.

Every person who wishes to undertake child-related work must first pass a WWC Check, unless exempt. Once you have passed the WWC Check, you will receive a card and can participate in child-related work for 5 years. Your criminal history continues to be monitored during this time. Your card can be suspended or revoked if any additional charges or disciplinary findings are made against you.

Victorian Government Working with Children Check website:
http://www.workingwithchildren.vic.gov.au/home/about+the+check/purpose/working+with+children+act/

**1.1 Definitions (section 3)**

All instructors working at community languages schools must have a valid Working with Children Check. Community languages schools are required to adhere to this Act as they are deemed as being:

***Educational institutions-*** an education and training organisation registered on the State Register under the **Education and Training Reform Act 2006-** to the extent that the college, university, provider, institution or organisation provides a program of study or training primarily for, or directed at, children and that leads to the award of a Senior Secondary Certificate of Education that is recognised by the AQF within the meaning of the **Education and Training Reform Act 2006.**

***Child-*** a person under 18 years of age

***Direct contact***- any contact between a child and an adult that involves:

(a) Physical contact; or
(b) Face to face oral communication; or
(c) Physically being within eyeshot
(d) Yard Duty
(e) Unsupervised contact

**Direct supervision**: Supervising another person's contact with children must be personal and immediate but can include a brief absence, such as taking a phone call in another room.

*Working with Children Act 2005:*

Under the Act, a Check is a requirement for people doing child-related work, and organisations must ensure that people doing child-related work have a valid Check. Penalties apply if you or your organisation fail to comply with the Act. These penalties are substantial, and include fines, imprisonment, and in some cases, both.

http://www.workingwithchildren.vic.gov.au/home/about+the+check/purpose/working+with+children+act/

### 1.2 Duty of Care

The purpose of this policy is to explain the nature of the legal duties owed by teachers and school staff towards students. In a legal context, 'duty of care' is an element of the tort of negligence.

Schools must ensure that they exercise the same level of care and supervision that a parent would. Therefore, teachers must:

- Maintain constant supervision of the students in their charge
- Not send students to deliver messages beyond the school grounds
- Take immediate action in any situation where there is a threat to the welfare or safety of a student like: Child abuse
- Attend their allocated yard duty time
- Ensure that no student leaves the school premises without written parental permission
- Ensure that a safe and appropriate working environment is created and maintained in the classroom
- Ensure visitors register is signed by people entering the school premises.
- Carrying the working with children card while they are on duty.

For more information on this policy:
http://www.education.vic.gov.au/school/principals/spag/safety/pages/dutyofcare.aspx

### 2.0 Occupational Health and Safety

CLA is committed to providing a safe and positive working environment for its staff acknowledging that staff well-being is a major factor in enabling them to perform their duties to the best of their ability.

Consistent with the requirements of the *Occupational Health and Safety Act, 2004*, CLA, as an employer has an obligation to provide safe working conditions and work practices.

These include:

- provide or maintain equipment and systems of work that are safe and without risks to health;
- make arrangements for ensuring the safe use, handling, storage and transport of equipment and substances;
- provide information, instruction, training and supervision necessary to ensure the health and safety at work of instructors;
- maintain places of work under their control in a safe condition and provide and maintain safe entrances and exits;
- make available adequate information about research and relevant tests of substances used at the place of work.

### 2.1 Act objectives

The objectives of this Act are (section 2)-

(a) to secure the health, safety and welfare of instructors and other persons at work; and
(b) to eliminate at the source, risks to the health, safety or welfare of instructors and other persons at work; and
(c) to ensure that the health and safety of members of the public is not placed at risk by the conduct of undertakings of employers and self-employed persons; and
(d) to provide for the involvement of instructors, employers and organisations representing those persons, in the formulation and implementation of health, safety and welfare standards-

### 2.2 Principles of health and safety protection (Section 4 Occupational Health and safety 2004)

Section 4 of the Act affirms the following principles of health and safety protection:

1. The importance of health and safety requires that instructors, other persons at work and members of the public be given the highest level of protection against risk to their health and safety that is reasonably predictable in the circumstances.
2. Persons who control or manage that give rise or may give rise to health or safety are responsible for eliminating or reducing those risks so far as is reasonably predictable.
3. Employers and self-employer's persons should proactive, and take all practicable measures, to ensure health and safety at workplaces and in the conduct of undertakings.
4. Employers and instructors should exchange information and ideas about risks to health and safety and measures that can be taken to eliminate or reduce those risks.
5. Instructors are entitled, and should be encouraged, to be represented in relation to health and safety issues.

**2.3 Health and Safety Policy**

**Overview**

CLA recognises its responsibilities under the *Occupational Health and safety Act 2004* to provide a healthy safe work environment for staff members, volunteers, clients and other visitors. To achieve this policy, management will make every reasonable effort in the areas of accident prevention, hazard control and removal, injury protection, health preservation and promotion. Those aspects of working conditions will be given top priority in its plans, procedures, programs, job instructions, training, and supervision to ensure that staff and volunteers are aware of safe work practices.

**2.4 Policy**

Health and safety at work is both an individual and shared responsibility of all instructors. The following areas of responsibility are essential to the success of the policy:

Management is required to actively pursue the goals set out in the first paragraph of this policy through the following approaches:

(a) devising and administering a comprehensive safety and health program;
(b) holding regular meetings to discuss health and safety performances; and
(c) taking effective action to provide and maintain safe and healthy working conditions for all instructors.

The legislation places obligation on instructors to take care of their own health and safety, and health and safety of other persons who may be affected by their acts or omissions at the workplace. It also provides for involvement of instructors in dealing with health and safety issues. Therefore, all staff are expected to practice safe working habits, reporting unsafe working conditions and equipment, take care of others, cooperate with CLA in meeting the requirements of the *Occupational Health and Safety Act* and immediately report any hazards or faulty equipment.

**2.5 Maintenance of a Safe and Healthy Workplace**

CLA is obliged as far as is practicable:

- To monitor the health of instructors;
- To maintain information and records relating to the health and safety of instructors;
- To monitor workplace conditions;
- To engage outside specialist advice when it is required;
- To provide occupational health and safety information to instructors, including the name of persons to whom an instructor may make an enquiry or complaint in relation to health and safety.

CLA has the following key responsibilities:

- Assessment of work-related medical conditions, and investigation of all matters relating to occupational health and safety in the office;

- Provision of advice and supervision of all aspects relating to the maintenance of a safe working environment, safety training, hazard monitoring of the workplace and investigation of serious or recurring accidents;
- Provision of advice to instructors on WorkCover entitlements, administration of WorkCover claims, liaison with the Victorian WorkCover Authority, and preparation of responses to the conciliators, Administrative Appeals Tribunal, Medical Panel or County Court;
- Implementation of rehabilitation programs for injured instructors, supervision of return-to-work programs and liaison with rehabilitation providers;
- Development and implementation of occupational health and safety training programs.

**2.6 Health and Safety Representatives**

*Elected health and safety representatives have specific functions and powers defined by the Occupational Health and Safety Act. Health and safety representatives may:*

- Inspect any part of the workplace giving reasonable notice to the employer or the employer's representative; and
- Immediately in the event of any accident or immediate risk to the health and safety of any person;
- Accompany any inspector during an inspection of the workplace;
- With the consent of the staff member, be present at any interview between a staff member and an inspector concerning health and safety;

**2.7 Reporting of Accidents and Hazards**

***Overview***
It is important to recognise the need for reporting, investigating and analysing all injures accidents and potential hazards. Therefore, all accidents and occupational illnesses must be reported promptly to the manager.

It is a legal requirement under *Occupational Health & Safety* legislation and an insurance requirement to report all work injuries. However, it should be recognised that good reporting also leads to effective prevention.

**2.8 Definitions**

*Accident* can be defined as an unplanned event, which may cause injury and/or damage to property or equipment, or has the potential to cause injury or damage.

*Work injury* means any injury, occupational disease or disability, which arises out any school activity that requires first aid or medical treatment.

*Hazard* means any event, obstruction, or matter, which can cause injury or an accident.

**2.9 Reporting Accidents**

All accidents and occupational illnesses must be reported promptly to the Principal

A reporting form should be made available which should be completed either by person suffering the injury or illness or someone acting on his or her behalf. Prompt reporting is also necessary in the event of a claim being made under WorkCover.

To fulfil legal requirements and to facilitate accident prevention, any accident, significant injury or major illness must be reported immediately by manager. Other injures or occupational illnesses should be reported within 24 hours. Accidents not causing injury shall also be reported.

It is important to provide as much detail as possible, including name, date of accident/incident and place of incident. It is most important to use specific and identifiable room or locations (for example do not use terms such as ‘my office’ or ‘hurt right finger’), or for injures describe the condition suffered (in example, ‘cut right finger’).

### 2.10 Investigation of Accident

It is important the need be recognised for the reporting, investigation and analyses of all injures, accidents and potential hazards. The main purpose of this procedure is to prevent a similar accident or injury from re-occurring. Therefore, the purpose of this procedure is to gather all-important facts and set in motion any needed action required.

All accidents should be investigated. However, the level of investigation will vary. For example, minor incidents such as scratch on the skin requiring a band-aid, would need a simple investigation. No injury however small should be ignored simply because it is of a minor nature.

For more serious accidents causing injury or having potential to cause injury, the following procedure may be considered:

First aid should be given as soon as possible to an injured person. If the person is seriously injured or ill, medical help must be obtained as soon as possible.

Secure the location of accident until an investigation is completed. In the case of injury, it can start whilst the injured person is receiving treatment or as soon as possible. Keep evidence, such as collecting samples of broken equipment. Interview the injured person as well as people who might have witnessed the accident happen.

The accident investigation should be completed within 24 hours, whilst still fresh in the mind. In exceptional circumstances completion within 48 hours is acceptable.

### 2.11 *WorkCover* information for all instructors

*What is WorkCover?*
*WorkCover* is Victoria’s injured workers’ Compensation Scheme.

*WorkCover* acts in three spheres:

***Prevention:*** It aims to increase awareness of occupational health and safety in providing policies and standards to prevent injury in the workplace, because work must always be done safely, with safe equipment, in safe and healthy workplaces.

***Compensation:*** Compensates workers who are injured at work.

***Rehabilitation:*** Helps injured workers to return to work.

### 2.12 A Brief Guide to Compensation

**Compensation**
The purpose of compensation is to provide proper compensation to an instructor who has suffered a work-related injury or illness at work or because of their employment.

**Who Is an Instructor?**
An instructor is any person who receives payment for providing the service. This would normally include all full time, part time and casual staff. A voluntary worker who does not receive any payment for the services he or she provides is not eligible for the compensation under WorkCover compensation laws.

**What Is a Compensable Injury?**
A compensable injury is any injury, which occurs at work or during your employment. Therefore, employment must be a significant contributing factor to development of the injury.

**What do you do if you are injured?**
If an instructor suffers a work-related injury or illness, he or she must report it to the employer in writing within 30 days of becoming aware of that. If an instructor did not report the injury, he or she might not be entitled to make a compensation claim.

**What types of WorkCover claims are there and how can they be lodged?**
Claim forms are available from any Post Office or the WorkCover Office. Claims fall into five categories as follows:

1. Claims for weekly compensation can be made by completing a weekly compensation claim form and providing a WorkCover medical certificate signed by treating doctor. The claim form and medical certificate must be sent to the WorkCover Officer.
2. Claims lodged by dependants of a deceased worker must be submitted on the prescribed form and returned to the WorkCover Officer with a death certificate.
3. Claims for permanent disability must be also lodged on a prescribed form.
4. Claims for medical services are made only if no time has been lost from work.
5. Claims for Common Law damages are allowed if the employer can be proven negligent, and if these negligent actions caused harm to instructor.

Each type of above claims is governed by various procedures, which are prescribed, by *the Accident Compensation Act 2004*.

The claim process can be quicker and simpler if an injured instructor attends the WorkCover Office to complete the relevant form. If the injured instructor is not able to attend due to injury or hospitalisation, CLA can help sending a staff member to help the instructor.

**What happens when a valid claim is lodged?**
A decision as to whether the claim is accepted or rejected must be made within 28 days of the claim being received by the WorkCover Officer. If the claim is accepted, the instructor will receive a letter notifying him or her of his or her rights, duties and entitlements. However, the instructor must continue to give the employer valid medical certificates for as long as he or she is unable to work and require weekly benefits.

**Medical examinations**
It is not unusual for a medical examination to be arranged for an injured instructor. He or she will be asked to attend an appointment with a medical practitioner who specialises in the type of injury that the instructor has.

**Offer of suitable employment**
If the instructor is away from work for same time because of a work-related injury, CLA must hold open that job or one similar in nature for a period of 12 months. However, WorkCover benefits may be stopped if the instructor refuses to participate in rehabilitation services or return to work plan.

**2.13 Rehabilitation Policy**
CLA is committed to preventing illness and injuries at the workplace by providing a safe and healthy working environment for all staff. It is recognised that injury or illness may still occur and therefore all incidents will be reviewed and steps will be taken to prevent recurrence.

CLA believes that occupational rehabilitation is of benefit to everyone and should commence as soon as possible following injury or illness. Furthermore, no person being rehabilitated will suffer financial loss or prejudice in any way.

Rehabilitation is defined as the restoration of injured instructors from occupational ill-health to the fullest physical, mental, social, vocational and economic usefulness of which they are capable. It incorporates a multidisciplinary range of skills in addition to the medical management of an injury. Rehabilitation begins at the moment of injury or ill-health and continues until the instructor is fully rehabilitated as possible.

School authorities under the law should help injured instructors' recover and return to work.

The return to work process has three elements:

- a risk management program
- an occupational rehabilitation programs
- individual return to work plans for injured workers.

**2.14 Smoke Free Workplace Policy**
In recognition of its obligation to provide a safe and healthy working environment for instructors, volunteers, clients and visitors, it is Department of Education and CLA policy that smoking is not permitted on school site.

**2.15 Alcohol and Drugs in the Workplace**

**Overview**
Alcohol is widely promoted and accepted as one of Australia's most used drugs. The effect of alcohol in the workplace includes absenteeism, poor performance, OHS costs due to accidents and health care costs. When a worker consumes drugs or alcohol or any other substance that affects their safe performance at work, or affects the health and safety of other workers, clients, or visitors, then the issue becomes management business. It has related to the management's responsibility under the section 21 of the *Occupational Health and Safety Act 2004* to provide a safe and healthy working environment.

**Policy**
The consumption or possession of alcohol is prohibited. This means that alcohol cannot be consumed at the workplace nor can it be brought onto it.

Drugs must not be brought onto or consumed at the workplace.

If, in the opinion of the principal or other responsible person, a person is unfit to perform work because of the effect of drugs or alcohol, that person shall not be permitted to remain in the workplace.

Persons taking prescribed drugs or pharmaceutical drugs, which are likely to impair their judgment, or work performance, must advise the supervisor or another responsible person of the likely effect of the medication so that appropriate work assignments can be given.

**Procedures for dealing with Drugs or Alcohol Affected Person**
When dealing with instructors or other persons, whom you suspect of being under the influence of drugs or alcohol, you are essentially following a discipline procedure. For discipline to be effective, the procedure must have the following elements:

(a) The policy must be clearly communicated in making all instructors aware of the expectations and consequences.
(b) Clear behaviour evidence, which means if the instructor breaches the policy, it must be evidenced and reported.
(c) The consequences as described in the below-explained procedures should be followed.

**Procedures for Breach of Drug/Alcohol Policy**
For any discipline problem, there is a following procedure:

- Verbal Warning, for the first breach with the statement of consequences;
- Formal Written Warning, for the second breach, with the statement of consequences sent to the instructor concerned. The copy of warning should be kept in their personal file: and
- Final Discipline Action, for the third breach, which may involve carrying out of the consequences such as dismissal, demotion or transfer.

It is possible to dismiss an instructor for breach of policy if:

(a) the policy is clearly communicated,
(b) all instructors are treated in the same way by the policy,
(c) an instructor who breaks the policy is given the reasonable opportunity to change, and
(d) the above-mentioned steps of procedure are strictly followed.

Checklist for Implementing and Maintaining a Drug and Alcohol Policy

1. Display the Drug and Alcohol Policy on the notice board.
2. Communicate instructors about the prohibition of using drugs and alcohol in the office and discipline procedures that are followed if is breach registered.

**2.16 Evacuation Procedure**

Community languages schools are required to have an evacuation plan. For schools, which utilise government buildings, the evacuation that has been created by that facility needs to be known to all members of the school community. For schools, whose buildings do not have an evacuation plan, it is the responsibility of the school to create a plan and familiarise the school community with the procedure by placing the evacuation plan in a strategically located position which is accessible to the entire school community. Ideally, the evacuation plan would be exhibited on a main wall, which would allow staff and students to become familiar with the plan.

**2.17 Security**

Access is restricted to authorized users in line with agreed protocols and is limited to the minimum level necessary for each user.

Computer security is controlled by:

- Using access passwords
- Deletion of files held on hard drives, where appropriate

Paper record security is controlled by:

- Keeping staff/student/school files in locked storage when not in use
- Disposing of waste paper containing staff/student information by shredding
- If possible, personal information is not left in an unattended car. If staff/student/school information is carried in a car, it is locked in the boot so that it cannot be seen nor easily accessed by an authorized person.

Staff/student/school information sent by post or courier is secured by:

- Using registered mail so that delivery acceptance is recorded
- Sealing envelopes and marking them, “Confidential: Attention X”

**Demonstrations or case studies**
In the case of demonstrations or case studies, the relevant individuals must:

- Take reasonable care to protect their own health and safety and the health and safety of others;
- Co-operate with their employer in ensuring that the workplace is safe and healthy and report to the employer any situation at the workplace that could constitute a hazard;
- Follow the instruction and training provided by their employers, use the personal
- Protective equipment provided and not interfere with anything set up in the interests of health and safety.
- The legislation also recognises that instructors have certain rights regarding health and safety in their workplaces. These include the right to:
- Be informed, i.e. to know about potential hazards;
- To be represented on matters relating to occupational health and safety.

**2.18 Health and Safety in Community Languages Schools**

In accordance with the requirements of the legislation, information and relevant training will be provided to all staff on the causes and prevention of work related illnesses and injuries.

***Furniture and Equipment***
Staff will be provided with relevant training prior to the use of any equipment.
It is the responsibility of staff to ensure that they use equipment appropriately and follow the procedures recommended to protect keyboard users from muscle fatigue and repetitive strain injury.

Staff should ensure that they protect their eyes from the light emitted by the photocopier, and should take care when filling the machine with toner.

***Stress***
CLA recognises that stress is an occupational hazard and aims to minimize stress for staff by:

- making skilled staff working conditions a priority;
- clearly defining job responsibilities and accountability structures;
- establishing support systems for all staff;
- ensuring work plans and timelines are realistic.

***Smoking***
CLA recognises the dangers of passive smoking and has made the workplace a smoke free environment. Staff are not permitted to smoke on site.

***Accidents***
An accident report forms as provided by WorkCover Authority must be completed by any staff involved in an accident (however minor) either at work or on the way to or from work and given to their manager as soon as possible.

***Communicable Disease***
Staff should practice basic hygiene and exercise infection control measures to avoid communicable diseases.

**2.19 First Aid**

In line with the First Aid Regulation of the *Occupational Health and Safety Act, 2004*.

**First aid**: is the immediate treatment or care given to a person suffering from an injury or illness

until more advanced care is provided or the person recovers.

**First aider:** is a person who has successfully completed a nationally accredited training course or

an equivalent level of training that has given them the competencies required to administer first aid.

**First aid equipment**: includes first aid kits and other equipment used to treat injuries and illnesses.

**First aid facilities:** include first aid rooms, health centres, clean water supplies and other facilities

needed for administering first aid.

The following policy in relation to first aid applies to Community Languages Schools:

- Each school must ensure that a first aid kit is stored on site;
- Each school must nominate the First Aid officer and first aiders
- Schools need to have first aid policy and procedures
- The First Aid officer is in charge of the kit and must ensure it is properly maintained;
- The First Aid officer is responsible for ensuring that a Register of Injuries and Treatment is maintained up-to-date and all First aiders having current certificate.
- Schools must ensure that there is an adequate number of trained first aid officers on site. For further training or information, schools can contact ESAV.
- Schools must ensure they are having the list of student's names with allergy and their allergy plan. Individual Anaphylaxis Management Plans.
- Displaying well-recognised, standardised first aid signs will assist in easily locating first aid equipment and facilities.
-

First aid kits should be kept in a prominent, accessible location and able to be retrieved promptly. Access should also be ensured in security-controlled workplaces. First aid kits should be located close to areas where is easy to access.

**2.21 Staff Accountability**

It is important for the smooth running of community languages schools that all staff are clear about whom they are responsible to, and that there is a set procedure for reporting.

**2.22 Instructor Information**

Files will be kept on each instructor. It will include their signed Agreement of Engagement, their job description, a completed instructor record card, notes on their performance and any other relevant information. Instructors are entitled to see their file at any suitable time to be arranged with the Manager. Child Safe Standard 4 (Standard 4) requires schools to use policies and procedures for recruitment, supervision, training and managing performance that support a child safe school environment.

**2.23 Job Descriptions**

All staff should have a job description which specifies their roles and responsibilities. Job descriptions should be reviewed as required, depending on a funding agreement, its terms and conditions. Each staff person should be given a copy of their job description prior to their commencing employment and whenever their job description is changed. Ensure that position descriptions for all new positions advertised from 1 August 2016 include the standard 'Child Safe Environments' clause as provided in the 'Recruitment in Schools' Guide.

**2.24 Conditions of Employment**

The conditions of employment for Community Languages Schools Staff are specified below:

- All staff should have an Agreement of Engagement, which is to be signed by the staff Principal and representative of the management committee prior to their commencing work.
- School policy regarding staff conditions of employment are specified in the Agreement of Employment.
- Each staff person shall be given a copy of their signed 'Agreement of Employment' prior to commencing employment.
-

**In accordance with any applicable legal requirement or school policy, the school must make reasonable efforts to gather, verify and record the following information about a person whom it proposes to engage to perform child connected work:**

- **a) Working with Children Check status;**
- **b) proof of personal identity and any professional or other qualifications;**
- **c) the person's history of work involving children;**
- **d) references that address the person's suitability for the job and working with children**
- **e) face-to-face interviews including behavioural-based questions and questions about motives for wanting to work with children**

**Probationary Period**
The initial term of employment for a new worker should be 3 months. If the committee is not happy with the person's performance their employment can be terminated during the period of the agreement by giving at least 14 days' notice in writing. Probation periods can help you assess an inexperienced staff member's performance and suitability for the job before confirming their permanent employment. If you have any concerns about the person working with children, you should seriously consider whether you want them to remain in the job and your organisation.

Subsequent terms of employment could be for a year or more and should be negotiated between the committee and the instructor.

**Review of Job Descriptions**

Job descriptions should be reviewed whenever the Agreement of Engagement is due to expire. If the job description needs to be changed the Agreement of Employment should be terminated by giving not less than 14 days' notice in writing to the instructor that their employment will cease on the expiry of the current term of their employment.

A new Agreement of Employment should then be signed in relation to the revised job description.

Changes to the job description within a current term of employment must be agreed to by the instructor.

Note: Before a contract of employment is signed by an instructor, the manager must check it against the relevant award or seek legal advice to ensure that it complies with that award.

**2.26 Code of Behaviour**

**A Code of Conduct is a highly effective strategy to help keep children safe from Harm. A Code of Conduct lists behaviour that are acceptable and those that are unacceptable. It identifies professional boundaries, ethical behaviour and how to avoid or better manage inconvenient situations.**

A copy of the Code of Behaviour should be given to all staff on recruitment. Failure to abide by the Staff Code of Behaviour may lead to dismissal from the School. The child safe standards require organisations that provide services for children to have a code of conduct that establishes clear expectations for appropriate behaviour with children. A code of conduct can help you enforce appropriate behaviour with children in your organisation to help protect children from abuse.

In complying with the child safe standards: CHILD SAFE STANDARD 3: DEVELOPING A CHILD SAFETY CODE OF CONDUCT

***Instructors and volunteers agree to:***

- Abide by the philosophy of community languages schools and the school
- Observe all the rules of the school including those specified in the constitution and any others determined by the management committee or the membership of the organisation;
- Adhere to all the accounting procedures of the school
- Represent community languages schools in a positive way
- Not discuss confidential issues of the school with people outside the organisation
- Not take illegal drugs or consume alcohol when on duty or on the premises
- Follow any grievance procedures set down by the management committee to try to resolve any conflicts with other staff or members of the school
- Not harass in any form students or other staff or members of the school
- Not abuse, physically or verbally, other staff or members of the school
- Treat all who enter the school with courtesy, respect and consideration, act on complaints and provide services to the best of their ability.
- All staff, volunteers and board members are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children.
- All personnel are responsible for supporting the safety, participation, wellbeing and empowerment of children.

Failure to abide by the above rules may lead to dismissal from the CLA

**3.0 Workplace Harassment, Victimisation and Bullying**

**3.1 Anti Bullying Policy**

***This policy applies to the members, staff and students of Community Languages Schools.***

**Definition:**
A person is bullied when one or more other persons expose them regularly and over time to negative or harmful actions. Bullies are people who deliberately set out to intimidate, exclude, threaten and or hurt others repeatedly. Bullying is a clear form of harassment.

**Forms of Bullying:**

- Verbal: name-calling, put downs, verbal threats or demands **based on culture, race, religion, gender or physical appearance**
- Psychological: stalking or giving dirty looks
- Social: excluding or ignoring others, spreading rumours
- Cyber-bullying: harassment or cyber-stalking via SMS messages, mass emailing, chat rooms, blogs, message boards and social networks
- Physical: hitting, tripping, poking, kicking a student or stealing, taking, damaging or defacing their belongings, **harmful actions targeting medical conditions such as allergies**
- Sexual harassment: suggestive comments or gestures, unwelcome advances or conduct of a sexual nature

**Aims:**

- To educate the school community about the different forms of bullying, and its total unacceptability.
- Everyone within the school community to be alert to signs and evidence of bullying and to have a responsibility to report it whether as an observer or victim.
- To ensure that all reported incidents of bullying are followed up appropriately and that support is given to both victims and perpetrators.
- To seek parental and peer-group support and co-operation always.

**Implementation:**

- Parents, staff, students, volunteers and the community will be aware of the school's position on bullying.
- The school will adopt a four-phase approach to bullying.

**A. Primary Prevention:**

- Professional development for staff relating to bullying, harassment and proven counter measures.
- Community awareness and input relating to bullying, its characteristics and the school's programs and response.
- Provision of programs that promote resilience, life and social skills, assertiveness, conflict resolution and problem solving.
- At the **commencement of each school year**, each classroom teacher will revisit the school policy on bullying with their class.

**B. Early Intervention:**

- Classroom teachers and the Principal to remind students, members, volunteers and staff to report incidents of bullying on a regular basis.
- Public recognition and reward for positive behaviour and resolution of problems.
- The Principal will be informed of all bullying incidents.

**C. Intervention:**

- Once identified each bully, victim and witnesses will be spoken with, and all incidents or allegations of bullying will be fully investigated and documented.
- Students and staff identified by others as bullies will be informed of allegations.
- Both bullies and victims will be offered ongoing counselling.
- If student/member/volunteer/teacher **bullying is repeated** parents will be contacted and consequences implemented consistent with the school's Student Code of Conduct.
- If staff/student/member/volunteer bullying persists the Principal will commence formal disciplinary action.

**D. Post Violation:**

- Consequences for students will be individually based and may involve: -
  - exclusion from class
  - exclusion from yard
  - school suspension

- Reinforcement of positive behaviours
- Classroom Meetings
- Support Structures
- Ongoing monitoring of identified bullies
- Rewards for positive behaviour
- Consequences for staff will be individually based and may involve a period of monitoring, a formal support group or disciplinary action

**3.2 Workplace Harassment Policy**

CLA and community languages schools are committed to ensuring a healthy and safe workplace that is free from workplace harassment. Workplace harassment is unacceptable and will not be tolerated under any circumstances. This policy applies to members, students, volunteers, Committee Members and staff.

**Definition of workplace harassment**

1. A person is subjected to 'workplace harassment' if the person is subjected to repeated behaviour, other than behaviour amounting to sexual harassment, by a person, including the person's employer or a co-worker or a member/s or students or group of co- workers of the person that:

a. Is unwelcome and unsolicited
b. The person considers to be offensive, intimidating, humiliating or threatening
c. A reasonable person would consider to be offensive, humiliating, intimidating or threatening
d. Workplace harassment does not include reasonable management action taken in a reasonable way by the person's employer about the person's employment.

3. The definition of 'sexual harassment' is contained in the *Equal Opportunity Act 2010*. Detailed below are examples of behaviours that may be regarded as workplace harassment, if the behaviour is repeated or occurs as part of a pattern of behaviour. This is not an exhaustive list; however, it does outline some of the more common types of harassing behaviours. Examples include:

- Abusing a person loudly, usually when others are present
- Repeated threats of dismissal or other severe punishment for no reason
- Constant ridicule and being put down
- Leaving offensive messages on email or the telephone
- Sabotaging a person's work (for example) by deliberately withholding or supplying incorrect information, hiding documents or equipment, not passing on messages etc.
- Maliciously excluding and isolating a person from workplace activities
- Persistent and unjustified criticisms, often about petty, irrelevant or insignificant matters
- Humiliating a person through gestures, sarcasm, criticism and insults
- Spreading gossip or false, malicious rumours about a person with an intent to cause the person harm.

**Actions that are not workplace harassment**

Legitimate and reasonable management actions and business processes, such as: actions taken to transfer, demote, discipline, redeploy, retrench or dismiss a worker are not considered to be workplace harassment, provided these actions are conducted in a reasonable way.

**Effects of workplace harassment on people and the business**

Workplace harassment has detrimental effects on people and the business. It can create an unsafe working environment, result in a loss of trained and talented workers, the breakdown of teams and individual relationships, and reduced efficiency. People who are harassed can become distressed, anxious, withdrawn, depressed and can lose self-esteem and self-confidence.

**3.3 Workplace strategies to eliminate workplace harassment**

- Provide all instructors with workplace harassment awareness training
- Develop a code of conduct for workers to follow
- Introduce a complaint handling system and inform all workers on how to make a complaint, the support systems available and options for resolving grievances
- Regularly review the workplace harassment prevention policy, complaint handling system and training.

Responsibilities of staff/ volunteers of the School requires all staff/volunteers to behave responsibly by complying with this policy, to not tolerate unacceptable behaviour and to maintain privacy during the investigations. Principal, School Coordinator and Committee Members must also ensure that workers are not exposed to workplace harassment. Management are required to personally demonstrate appropriate behaviour, promote the workplace harassment prevention policy, treat complaints seriously and ensure where a person lodges or is witness to a complaint, that this person is not victimised.

**Where staff/volunteers can go for assistance**

A staff/volunteer, who is being harassed, can contact the School Coordinator or the Chairman or the Principal for assistance in the management and resolution of a workplace harassment complaint.

**3.4 Commitment to promptly investigate complaints**

The School has a complaint handling system, which includes procedures for reporting, investigating, and resolving and appealing workplace harassment complaints. Any reports of workplace harassment will be treated seriously and investigated promptly, fairly and impartially. A person making a complaint and/or who is a witness to workplace

harassment will not be victimised.

### 3.5 Consequences of breach of policy

Disciplinary action will be taken against a person who harasses staff/volunteer or who victimises a person who has made or is a witness to a complaint. Complaints of alleged workplace harassment found to be malicious, frivolous or vexatious may make the complainant liable for disciplinary action.

## 4.0 Equal Opportunity- Anti Discrimination, Racial Vilification and Disability Discrimination

CLA is committed to upholding the values outlined in the *Equal Opportunity Act 2010*.

### 4.1 Act Objectives

As stated in Part 1, Section 3, the objectives of this Act are-

(a) To eliminate discrimination, sexual harassment and victimisation, to the greatest possible extent;
(b) To further promote and protect the right to equality set out in the Charter of Human Rights and Responsibilities;
(c) To encourage the identification and elimination of systemic causes of discrimination, sexual harassment and victimisation;
(d) To promote and facilitate the progressive realisation of equality, as far as reasonably practicable by recognising that-

  (i) discrimination can cause social and economic disadvantage and that access to opportunity is not equitably distributed throughout society;
  (ii) equal application of a rule to different groups can have unequal results or outcomes
  (iii) the achievement of substantive equality may require the making of reasonable adjustments and reasonable accommodation and that taking of special measures;

(e) to enable the Victorian Equal Opportunity and Human Rights Commission to encourage best practice and facilitate compliance with this Act by undertaking research, educative and enforcement functions;
(f) to enable the Victorian Equal Opportunity and Human Rights Commission to resolve disputes about discrimination, sexual harassment and victimisation in a timely and effective manner, and to also provide direct access to the Victorian Civil and Administrative Tribunal for resolution of such disputes.

### 4.2 Definitions

Discrimination is defined in part 2, section 6 as being linked to the following attributes.
The following are the attributes on the basis of which discrimination is prohibited in the area of activity set out in part 4-

(a) age
(b) breastfeeding
(c) employment activity
(d) gender identity
(e) disability
(f) industrial activity
(g) lawful sexual activity
(h) marital status
(i) parental status or status career
(j) physical features
(k) political belief or activity
(l) pregnancy
(m) race
(n) religious belief or activity
(o) sex

(p) sexual orientation
(q) personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes

In section 7 the meaning of discrimination is defined as-

(1) direct or indirect discrimination on the basis of an attribute.

**4.3 Equal Employment Opportunity**

Schools must aim to choose the best person for the job regardless of:

- race, colour and national origin;
- physical, intellectual or psychological impairment including HIV and AIDS;
- gender;
- marital status (including de facto);
- parental status (including pregnancy);
- religious or political beliefs, activities or practices.

School Management committees should establish and monitor all employment policies, practices and procedures to ensure that equal opportunity principles are followed in all areas of staff management including:

- advertising for positions;
- job descriptions and selection criteria;
- interview questions and processes;
- selection panel composition and practices;
- appointment procedures;
- staff training and development;
- transfer, promotion and higher duties;
  discipline and dismissals

Some suggested processes

**4.4 Staff selection**

CHILD SAFE STANDARD 4: SCHOOL STAFF SELECTION, SUPERVISION AND MANAGEMENT PRACTICES FOR A CHILD-SAFE ENVIRONMENT.

Staff are selected against the key selection criteria outlined in the relevant position descriptions. Community languages schools should carry out reference checks before a new staff member or volunteer is engaged. To find the best applicant for the position, community languages schools will focus on the requirements of the job rather than questions or assumptions about the applicant's circumstances or background. Community languages schools will provide information and training to all staff and management group members involved in the staff advertising, selection and appointment process.

**4.5 Recruitment Process for Paid and unpaid (volunteer)Staff**

1. Clarify the need for and role of the worker and develop or review the Job Description.

1.1 Ensure that position descriptions for all new positions advertised from 1 August 2016 include the standard ‘Child Safe Environments’ clause as provided in the ‘Recruitment in Schools’ Guide.

1.2 Identify the actions the school proposes to take, per Standard 1, to promote and embed the Child Safety Code of Conduct in accordance with Standard 3 [this is to address Requirement 1 for existing staff].and articulate the timeframe for this.

2. Work out who will be involved in the short listing and interviewing.

3. Advertise the position.

4. Send applicants a copy of the job description.

5. Shortlist applicants on the basis of their relevant skills and experience.

6. Interview.

7. Select the most suitable applicant.

7.1 In accordance with any applicable legal requirement or school policy, the school must make reasonable efforts to gather, verify and record the following information about a person whom it proposes to engage to perform child connected work:

a) Working with Children Check status, or similar check;

b) proof of personal identity and any professional or other qualifications;

c) the person's history of work involving children; and

d) references that address the person's suitability for the job and working with children.

8. Advise the successful applicant in writing.

9. Sign an Agreement of Engagement.

10. Write letters to unsuccessful applicants.

11. Orientate the new worker.

**4.6 Advertising Positions**

Most of the positions are to be advertised in the community newspapers and radio as well as other relevant avenues.

**4.7 Interviewing**

The selection panel should draw up a list of interview questions prior to the interviews. All applicants should be asked the same questions. The questions will aim to explore the applicant's relevant skills and experience to perform the duties.

**4.7.1 Referee reports**

Referee reports are a critical part of the assessment of the relative merits of each short-listed applicant. Such reports allow for a rigorous checking of claims made by applicants and the gathering of evidence on work performance.

**4.8 Procedure When a New Staff Person Joins**

When a new staff is appointed a position at community languages schools the following procedure applies:

- an Agreement of Engagement specifying all the terms and conditions of employment is signed by the staff person and the Chairperson or Principal and a copy given to the staff person;

- ensure the person has a copy of their job description;
  From 1 August 2016, all position descriptions must include the following statement:
  CLA schools are child safe environments. Our schools actively promote the safety and wellbeing of all students, and all school staff are committed to protecting students from abuse or harm in the school environment, in accordance with their legal obligations including child safe standards. The school's Child Safety Code of Conduct is available on the school's website.
- an instructor record card is completed;
- an Instructor Tax Declaration Form is completed and forwarded to the Australian Tax Office;
- a page in the wages book is set up;
- the instructor is given time to read the staff orientation kit, and the opportunity to ask any questions;
- when practicable, a handover is arranged with the previous occupant of the position;
- contents of this Policy and Practice Manual relevant to the person's position are explained to them.

**4.9 Staff Orientation Kit**

A staff orientation kit will be maintained by the Manager and given to all new staff members on recruitment. The orientation kit will include:

- agency name, address, phone numbers and fax numbers;
- agency philosophy and objectives;
- management model;
- organisation chart;
- staff roles, rights and responsibilities;
- pay day and method of payment;
- staff meetings;
- Agreement of Engagement
- code of behaviour;
- Organisation and Administrative Manual
- Student and Staff Welfare Manual

**4.10 Staff Supervision and Support**

Supervision and support are important to ensure that staff is supported in their work and that their work is carried out effectively. All staff (paid and unpaid) will be provided with regular supervision. This will include an annual performance appraisal. Staff should contact their supervisor if issues arise. School management committee/ senior staff member (or other nominated committee member) is responsible for providing supervision and support. The committee member responsible will have relevant skills and experience. The Principal is responsible for providing supervision and support to all other staff.

**4.11 Performance Appraisal**

CLA and community languages schools are committed to supporting staff to improve their own efficiency and effectiveness. Staff is expected to perform their duties to the best of their ability and to show a high level of personal commitment to providing a quality, professional service at all times. Performance appraisals will be conducted annually by an appointed committee member who is his/her supervisor. Performance appraisals are based on job descriptions and agreed work plans. Performance appraisals will also be carried out for regular volunteers in the service. Staff should be encouraged to attend Professional Development sessions and training provided through State Associations

The aims of the staff performance appraisal are:

- to allow free and confidential discussions about work between instructor and supervisor;
- to discuss the instructor's job performance, in comparison with set standards;
- to discuss any work problems and search for a solution;
- to discuss means of improving work performance including identification of training and development needs.

**4.12 The Performance Appraisal Process**

The person conducting the performance appraisal should:

- review the job requirements so you are fully aware of them;
- review the goals and objectives or job expectations previously agreed to with the instructor. (These may have been agreed to in the last performance appraisal.);
- give the instructor a copy of the appraisal form to complete before the appraisal session and arrange a session time;
- review the instructor's history: skills, training, experience, past performance appraisals etc.
- using the Performance Appraisal Form, assess the instructor's job performance against the expectations of the position using all sources of information available to you. Rate each area or duty from unacceptable to outstanding;
- note performance issues, which need to be discussed with the instructor.
- include strengths, weaknesses and opportunities for development. Provide specific examples, especially where performance is poorly rated;
- Be open and honest. Try to be positive even when dealing with negative issues. Keep in mind that this is a positive meeting for the benefit of the instructor and yourself;
- Write up the performance appraisal.
- Include all issues covered, actions to be taken, time lines and instructor comments.

**4.13 Staff training**

All school staff will receive training appropriate to their position. By providing opportunities for staff development and encouraging staff to expand their knowledge and skills. CLA and schools believe that the improved abilities of its staff will be reflected in continuing improvements to services. Staff development, education and training are tied into the performance appraisal and staff supervision process.

The training needs of staff and volunteers should be discussed with the Principal, at the annual staff performance appraisal and at supervision sessions. The Principal is responsible for ensuring that the basic training needs of staff/volunteers are met. This may be through:

- the provision of a staff orientation kit and/or procedures manual;
- referral to an external training course;
- the provision of ‘in-house’ training sessions or on the job training.
- State Association and Department of Education programs

Basic training for staff will ensure that:

- all new staff has induction training through an orientation session. This will cover the
- staff orientation kit and the content and use of this Policy and Practice Manual and Organisational and Administrative Manual;
- All school staff members receive training on Child Safe Standards. The Child Safe Standards are compulsory minimum standards for schools, to ensure they are well prepared to protect children from abuse and neglect.
- staff receive yearly training on occupational health and safety issues and in the use of equipment;
- staff receive training regarding the legal responsibilities associated with their work;
- staff receive training related to the needs of the consumer group;
- staff will also receive ongoing training on the content and use of this Manual.

**4.14 Training Procedure**

1. Identify training and PD needs
2. Prioritise training and PD needs
3. Determine available training, learning resources and options
4. Source/ select appropriate training
5. Conduct or provide opportunities training activities
6. Evaluate training

Staff and volunteers will be advised of changes in practice and policy, or of upcoming events, through a number of different forums.

Including;

- Staff Meetings
- Individual Supervision
- Staff Notice Boards
- Staff Resource Folders
- Letters/ Memos/Email

**4.15 Staff Development Opportunities**

CLA and community languages schools will support its staff in staff development, education and training activities which are relevant to, and will benefit the organisation. Support may include:

- staff attendance for workshops, seminars and conferences run by the school, CLA or other agencies;
- Participate in an accredited course of study part-time or externally at a recognised educational institution;
- purchasing resources such as videos and research literature.

Staff should report back to the Principal about any training or PD activities, which they have attended and the value of the activity to their work.

Any staff wishing to participate in staff development opportunities should discuss these with their immediate supervisor at least 14 days prior to the activity. This will allow for the rostering of a person's work.

**4.16 Staff Performance**

The staff performance dispute procedure is the procedure for dealing with issues of poor performance by a staff person. The procedure provides staff with an opportunity to improve their performance through training and trial periods.

The following is the procedure for dealing with a staff performance dispute not involving misconduct, which would result in instant dismissal. It is also included in the Agreement of Employment.

Step 1: Verbal Warning

The instructor will be told as soon as possible of any complaint concerning the performance of his/her work and will be provided with an opportunity to discuss the complaint. If appropriate, the Manager will, in consultation with the instructor, outline how the instructor must improve his/her performance. Any assistance needed by the instructor to improve his/her performance will be identified and provided where possible. A date to review the instructor's performance will be set if required.

Step 2: First Written Warning

If at the time of review set in Step 1, the instructor's performance is still unsatisfactory, there will be further discussion with the instructor. This will include the instructor, a representative of their choice and the Manager.

The complaint against the instructor and plans for improvement will be recorded in writing and a copy given to the instructor clearly stating that a lack of improvement by a given time will result in a final written warning

Step 3: Final Written Warning

If at the date set in Step 2, the instructor's performance has not improved, there will be further discussion with the instructor. This will include the instructor, a representative of their choice and the Manager.

The complaint against the instructor and plans for improvement will be recorded in writing and a copy given to the instructor clearly stating that a lack of improvement by a given time will result in termination of employment.

Step 4: Termination of Employment

If the problem persists after the final written warning the employer may terminate the employment of the instructor. The Manager represents the employer and has the authority to dismiss staff. In the case of a staff performance dispute between the Manager and the management committee, any dismissal must be by a majority vote of the committee.

Detailed notes of these meetings will be recorded.

**4.17 Staff – Parents - Student Grievance Procedure**

The grievance procedure specifies the procedures staff, parents, students can follow if they have a grievance about their employment conditions, behaviour, results, assessment their supervisor or the management committee.

Step 1

Those with a compliant should approach the Manager for discussion and advice on the issue. The discussion is confidential.

Step 2

If the problem is not resolved in Step 1 the instructor may put the issue in writing to the Manager and request that the issue be raised with the management committee at the next committee meeting

If it relates to curriculum issues the curriculum –VCE coordinator should establish a process of review and involve the party with the grievance

The management committee shall make a decision on the issue and advise the instructor within 7 days.

Step 3

If the problem is not resolved in Step 2 the instructor may attend a meeting of the management committee and shall be entitled to address that meeting.

The instructor may be accompanied by a representative of their choice.

Aggrieved party may request that the Manager. Instructor, coordinator not is present while they address the meeting. The committee shall make a decision on the issue and advise the aggrieved party of their decision within 7 days.

A full report should be provided to the principal, management committee and those lodging the complaint.

If the matter is not resolved it should be forwarded to the Australian Federation of Ethnic Schools Association (AFESA)

In matters of curriculum and assessment the aggrieved party may seek advice from the Victorian Regulations and Qualifications Authority (VRQA)

**4.18 Appeal**

The Manager and committee will ensure that their decisions are in line with the relevant Acts of Parliament, which govern the employment of staff or curriculum issues.

Staffing issues

If a staff members feels that they have been unfairly treated, they may consult with the relevant Union or the Industrial Relations Commission of VIC.

If staff members feel that they have been unfairly discriminated against on the grounds of sex, race, etc. they may refer the issue to the Equal Opportunity Tribunal.

Staff should be made aware of their rights to consult with the Industrial Relations Commission of VIC or the Equal Opportunity Tribunal.

**4.19 Misconduct**

Misconduct includes very serious breaches of agency rules, which warrant the instant dismissal of an instructor.

Examples of misconduct include:

- theft of property or funds from community languages schools;
- wilful damage of service property;
- intoxication through alcohol or other substances during working hours;
- verbal or physical harassment of any other instructor or consumer particularly in respect of race, sex or religion;
- disclosure of confidential information regarding the organisation to any other party without prior permission;
- the disclosure of information concerning the consumers of the organisation other than the information that is necessary to assist consumers and to ensure their safety;
- carrying on a personal business from school premises or using the service's resources for private business;
- falsification of any organisation's records for personal gain or on behalf of any other instructor;
- failure to comply with the Staff Code of Behaviour.

**4.20 Instructor Exit Procedure**

When an instructor leaves community languages schools, the following procedure applies: arrange an exit interview or termination interview. The exit interview is conducted by the Manager or a member of the management committee and provides useful feedback about CLA for use in planning and evaluation.

*Exit Interview Record:*

prepare the instructor's termination payment:

- calculate ordinary wages due or wages in lieu of notice;
- calculate annual leave due to the date of termination. This is paid at the instructor's current rate of pay;
- calculate leave loading in accordance with the employment contract;
- check if the instructor is entitled to pro-rata long service leave;
- check if any allowances are owing (e.g. travel, meals);

- check if the instructor owes community languages schools monies;
- prepare a written statement showing the detailed calculation of all monies to be paid to the instructor;
- make sure there is a letter of resignation from the instructor if they resigned, or a letter of termination from the management committee if they were dismissed;
- if requested, prepare a written statement of employment detailing the period of employment and type of work performed.

If appropriate, prepare a reference make sure that property belonging to community languages schools is returned, including keys, files and equipment.

**5.0 Child Protection**

CLA is committed to the safety and wellbeing of all children and young people. As part of the Government's commitment to implementing the recommendations of the Betrayal of Trust report, which found that more must be done to prevent and respond to child abuse in our community, there is a new regulatory landscape surrounding child safety, underpinned by the new PROTECT Child Safe Standards. The Child Safe Standards are compulsory minimum standards for all CLA schools, to ensure they are well prepared to protect children from abuse and neglect.
To create and maintain a child safe organisation, all schools must comply with Ministerial Order No. 870, in operation from 1 August 2016.

**5.1 Notifications of Abuse**

**For the purposes of these standards, abuse constitutes any act committed against a child involving:**

**physical violence**
**sexual offences**
**The infliction on a child**
**serious emotional or psychological abuse**
**serious neglect**

Community languages school's instructors are committed to protecting a child's right to be safe from abuse of any kind. These procedures must be applied in any circumstance where there is an incident.

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

If any instructor has suspicions of abuse consult the **Department of Human Services Victorian Child Protection Service**. When someone with mandatory reporting obligations has reasonable suspicion of abuse they need to contact the **Child Protection Crisis Line: 13 12 78** or **Victoria Police 000** (urgent matters).

| DHS Regions | Tel. |
|---|---|
| **Eastern** | **1300 360 391** |
| **Southern** | **1300 655 795** |
| **Northern & Western** | **1300 664 977** |
| **Barwon South Western** | **1800 075 599** |
| **Gippsland** | **1800 020 202** |

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| | |
|---|---|
| **Grampians** | **1800 000 551** |
| **Hume** | **1800 650 227** |
| **Loddon Mallee** | **1800 675 598** |

**If you are unsure which regional office to call, please see the website below -**

Information about child protection services can be found on the Department of Health and Human Services website <www.dhs.vic.gov.au/for-individuals/crisis-and-emergency/reporting-child-abuse>

**5.2 NQS & National Regulations**

| | | |
|---|---|---|
| QA2 | 2.3.4 | Educators, co-ordinators and educators are aware of their roles and responsibilities to respond to every child at risk of abuse or neglect. While the child safe standards focus on organisations, every adult who reasonably believes that a child has been abused, whether in their organisation or not, has an obligation to report that belief to authorities. |

| | | |
|---|---|---|
| Regs | 84 | Awareness of child protection law<br>The Betrayal of Trust report, tabled on 13 November 2013 |

**5.3 Aim**

We believe that the safety of children is paramount always and aim to protect a child's right to be safe from abuse of any kind. The service also aims to defend the rights of educators to confidentiality if a complaint against them is made and is found to be unsubstantiated. CLA will ensure that all parties affected by this policy are made aware of their roles and responsibilities regarding child protection. The schools aim to educate all parties about their roles in child protection and about signs of abuse and ensure that all requirements of child protection requirements are being met.
The standards are compulsory for all organisations providing services to children, and aim to drive cultural change in organisations so that protecting children from abuse is embedded in the everyday thinking and practice of leaders, staff and volunteers.

. This will assist organisations to:

- prevent child abuse
- encourage reporting of any abuse that does occur
- improve responses to any allegations of child abuse.

**5.3.1The scope of the standards:**

The standards will apply to organisations providing services for children. This includes organisations that provide services to both adults and children. This includes organisations which are funded and/or regulated by government and those which are not.

### 5.4 Statement of Commitment

CLA and community languages schools fundamentally believe that all children have the right to a life that is free from harm. Our schools aim to provide an environment that is free from any type of abuse and foster a child's growth and development as per the individual requirements of each child. Educators at our schools are aware of their obligations under the law regarding the welfare of children and always uphold their obligation. In addition to this, our schools aim to provide regular training to all educators on child protection issues to ensure that, in the sad event a child has suffered abuse; the service can act quickly in the best interests of the child. In complying with the compulsory child safe standards, an organisation to which the standards apply must also ensure they have a focus on promoting the cultural safety of Aboriginal1 children, the cultural safety of children from culturally and linguistically diverse backgrounds and the safety of children with a disability.

## 5.5 Code of Conduct

**A Code of Conduct is a highly effective strategy to help keep children safe from harm1. A Code of Conduct lists behaviour that are acceptable and those that are unacceptable. It identifies professional boundaries, ethical behaviour and how to avoid or better manage inconvenient situations. (**CHILD **SAFE STANDARD 3: DEVELOPING A CHILD SAFETY CODE OF CONDUCT)**

This Child Safety Code of Conduct is to the requirements of the Child Safe Standards and applies to all school employees, contractors, volunteers and any other members of the school community involved in child-related work with students of the school. This Child Safety Code of Conduct identifies inappropriate behaviour with children in a school environment. The objective is to guide school staff in identifying and regulating their own behaviour and the behaviour of other school staff, and to protect children from abuse in the school environment.

Our schools are required to develop or review codes of conduct and ensure they provide all staff and volunteers with a set of clear principles about how they should behave with children. Where applicable, organisations can reference professional codes of conduct that clearly outline appropriate behaviour with children.

Schools uphold the following code of conduct in relation to employers, educators, volunteers, students, families and children:

**For Instructors -Teachers:**

Ensure that all instructors are:

- Clear about their roles and responsibilities regarding child protection.
- *All staff, volunteers and board members of [INSERT NAME OF ORGANISATION] are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children, as noted below.*
- *adhering to [INSERT NAME OF ORGANISATION] child safe policy at all times / upholding [INSERT NAME OF ORGANISATION] statement of commitment to child safety at all time*
- *taking all reasonable steps to protect children from abuse.*

- Aware of their obligations to immediately report suspected abuse to **Call the police on 000 if you have immediate concerns for a child's safety.**
- Aware of the indicators when a child may be at risk of harm or significant harm.
- Provide training and development for all instructors in the recognition and reporting of abuse and harm.
- Provide reporting procedures and professional standards for care and protection work.

- reporting any allegations of child abuse to [INSERT NAME OF ORGANISATION] Child Safety Officer [INSERT OFFICER'S NAME] / leadership, and ensure any allegation to reported to the police or child protection
- if an allegation of child abuse is made, ensure as quickly as possible that the child(Ren) are safe.
- Enable educators to have access to relevant acts, regulations, standards and other resources for them to complete their obligations.
- treating everyone with respect
- promoting the cultural safety, participation and empowerment of Aboriginal children (for example, by never questioning an Aboriginal child's self-identification)
- promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination)
- promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination)
- encouraging children to 'have a say' and participate in all relevant organisational activities where possible, especially on issues that are important to them.
- ensuring as far as practicable that adults are not left alone with a child.

5.5.1 **Staff and volunteers must not:**

- develop any 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children)
- exhibit behaviours with children which may be construed as unnecessarily physical (for example inappropriate sitting on laps. Sitting on laps could be appropriate sometime, for example while reading a storybook to a small child in an open plan area)
- put children at risk of abuse (for example, by locking doors)
- do things of a personal nature that a child can do for themselves, such as toileting or changing clothes
- engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities)
- use inappropriate language in the presence of children
- express personal views on cultures, race or sexuality in the presence of children
- *discriminate against any child, including because of culture, race, ethnicity or* disability
- have contact with a child or their family outside of our organisation without our child safety officer's knowledge and/or consent (for example, no babysitting). Accidental contact, such as seeing people in the street, is appropriate)
- have any online contact with a child or their family (unless necessary, for example providing families with e-newsletters)
- ignore or disregard any suspected or disclosed child abuse.

**5.6 Child Protection Risk Management Strategy- Concerns of Abuse/Neglect**

The *Children Youth and Families Act 2005* (**Amendments to the Children, Youth and Families Act 2005 - March 2015, this paper, updated on 27 March 2015, summarises amendments to the Children, Youth and Families Act 2005 most of which are due to take effect on 1 March 2016.)** allows for types of reports to be made if educators or staff are concerned for the safety or wellbeing of a child – a report to Child Protection Services or a referral to Child FIRST.

Employees and volunteers could be supported through the appointment of an individual child safety officer with specified 'child-safe' duties in their job description. including being the designated person to hear or be informed about all allegations or concerns, and providing support to other personnel. This will assist organisation in ensuring that child safety is prioritised, and that any allegations of abuse or safety concerns are recorded and responded to consistently and in line with organisation's legal requirements and policies and procedures.

More information is available at:

http://www.dhs.vic.gov.au/for-service-providers/children,-youth-and-families/family-and-parenting-support/how-to-make-a-referral-to-child-first

A report to **Child Protection Services** will be made if:

- the harm or risk of harm has a serious impact on the child's immediate safety, stability or development
- the harm or risk of harm is persistent and entrenched and is likely to have a serious impact on the child's immediate safety, stability or development
- the child's parents cannot or will not protect the child from harm.

A report to **Child FIRST** will be made if concerns about the child have a low to moderate impact on the child and the immediate safety of the child is not compromised. Some of these concerns may include:

- family conflict or family breakdown
- young or isolated families
- significant parenting problems that may be affecting the child's development.
- families under pressure due to a family member's physical or mental illness, substance abuse, disability or bereavement
- significant social or economic disadvantage that may adversely impact on a child's care or development

For further information: http://www.dhs.vic.gov.au/data/assets/pdf_file/0011/578063/reporting-concerns-about-children-young-people.pdf

Child Protection and the Victorian police are responsible for investigating an allegation of child abuse. Any allegation of abuse by a proprietor, staff member, educator or visitor to an education and care service must immediately be reported directly **to Police on the emergency number 000**.

## 5.7 Definition of Abuse

'**Abuse'** –For the purposes of these standards, abuse constitutes any act committed against a child involving:

- physical violence
- sexual offences
- serious emotional or psychological abuse
- serious neglect.

(a) **Physical violence** occurs when a child suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person. Physical violence can be inflicted in many ways, including beating, shaking, burning or use of weapons (such as, belts and paddles).
Possible physical indicators:

- Unexplained bruises

- Burns and/or fractured bones

  Possible behavioural indicators:
- Showing wariness or distrust of adults
- Wearing long sleeved clothes on hot days (to hide bruising or other injury)
- Fear of specific people
- Unexplained absences
- Academic problems

(b) **Sexual offences** occur when a person involves the child in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to his/her age and development. Child sexual abuse can involve a range of sexual activity including fondling, masturbation, penetration, voyeurism and exhibitionism. It can also include exposure to or exploitation through pornography or prostitution, as well as grooming behaviour.[1]

Possible physical indicators:

- Presence of sexually transmitted diseases
- Pregnancy
- Vaginal or anal bleeding or discharge

Possible behavioural indicators:

- Displaying sexual behaviour or knowledge that is unusual for the child's age
- Difficulty sleeping
- Being withdrawn
- Complaining of headaches or stomach pains
- Fear of specific people
- Showing wariness or distrust of adults
- Displaying aggressive behaviour

(c) **Serious emotional or psychological abuse** occurs when harm is inflicted on a child through repeated rejection, isolation, or by threats or violence. It can include derogatory name-calling and put-downs, or persistent and deliberate coldness from a person, to the extent where the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired. Serious emotional or psychological abuse could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.

Possible physical indicators:

- Delays in emotional, mental, or even physical development
- Physical signs of self-harming

  Possible behavioural indicators:
- Exhibiting low self-esteem
- Exhibiting high anxiety
- Displaying aggressive or demanding behaviour
- Being withdrawn, passive and/or tearful
- Self-harming

(d)**Serious neglect** is the continued failure to provide a child with the necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child's health, safety and/or development is, or is likely to be, jeopardised. Serious neglect can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life-threatening situations.

Possible physical indicators:

- Frequent hunger
- Malnutrition
- Poor hygiene
- Inappropriate clothing

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[1] A new grooming offence commenced in Victoria on 9 April 2014. Further information is available on the Department of Justice website <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/grooming+offence>

Possible behavioural indicators:

- Stealing food
- Staying at school outside of school hours
- Aggressive behaviour
- Misusing alcohol or drugs
- Academic issues

**Call the police on 000 if you have immediate concerns for a child's safety.**
Information about child protection services can be found on the Department of Health and Human Services website
<www.dhs.vic.gov.au/for-individuals/crisis-and-emergency/reporting-child-abuse>

***Suspicion of harm***
You can suspect harm if:

- you are concerned by significant changes in behaviour or the presence of new unexplained and suspicious injuries.

***Disclosure of harm***
A disclosure of harm occurs when someone, including a child, tells you about harm that has happened or is likely to happen.
Disclosures of harm may start with:

- I think I saw…
- Somebody told me that…
- Just think you should know…
- I 'm not sure what I want you to do, but…

**5.8 Procedures for receiving a disclosure of harm**

When receiving a disclosure of harm:

- remain calm and find a private place to talk
- don 't promises that you 'll keep a secret; tell them they have done the right thing in telling you but that you 'll need to tell someone who can help keep them safe
- only ask enough questions to confirm the need to report the matter; probing questions could cause distress, confusion and interfere with any later enquiries, and
- do not attempt to conduct your own investigation or mediate an outcome between the parties involved.

**Reporting guidelines for disclosures or suspicions of harm**
Following are the actions our organisation will take immediately following a disclosure or suspicion of harm.

- Comply with all legal requirements to report child abuse to appropriate authorities, including the police by calling 000 when it is suspected that a child's safety is at immediate risk.
- Ensure processes for reporting suspected child abuse are appropriate, clear and robust, and that children and families feel comfortable following them. This includes:
  - step by step guides for staff outlining when and to whom a report must be made
  - requirements for accurate recording of relevant information and actions taken
  - clear criteria for assessing how and when to report to leadership and authorities (the police and/or child protection), which comply with all legal requirements
  - instituting strategies to make people feel safe and comfortable reporting suspected abuse, for example by designating a person, such as a Child Safety Officer / Champion, for staff and children to contact to discuss a suspected abuse or child safety concern.

**Documenting a suspicion of harm**
If you or others have concerns about the safety of a child, record your concerns in a non-judgmental and accurate manner as soon as possible. If a parent explains a noticeable mark on a child, record your own observations as well as accurate details of the conversation. If you see unsafe or harmful actions towards a child in your care, intervene immediately, provided it is safe to do so. If it is unsafe, call the police for assistance.

**Documenting a disclosure of harm**
Complete an incident report form or record the details as soon as possible so that they are accurately captured. Include:

- time, date and place of the disclosure
- 'word for word 'what happened and what was said, including anything you said and any actions that have been taken, and
- date of report and signature.

If you need to take notes as the person is telling you, explain that you are taking a record in case any later enquiry occurs.

**Reporting the disclosure or suspicion of harm to authorities:**

A new offence for failure to disclose child sexual abuse came into effect on 27 October 2014. The offence requires that any adult who holds a reasonable belief that a sexual offence has been committed in CLA schools by an adult against a child (aged under 16) disclose that information to police. The offence applies to all adults, not just professionals who work with children, unless they have a reasonable excuse.
Our organisation will not conduct its own enquiries in relation to the disclosure or suspicion of harm or try to come to an agreement between the parties involved. The person who receives a disclosure or suspects harm is to contact the relevant authority to ensure information provided is comprehensive and accurate.
A step by step guide to making a report to Child Protection or Child FIRST is available on the Victorian Department of Human Services website at
http://www.dhs.vic.gov.au/__data/assets/pdf_file/0003/582591/flowchart-mandatory-reporting-27-5-10.pdf
Report the matter to: 13 1278 Child protection Services

**Changes to child protection law:**

On Tuesday, 2 September 2014, the Parliament passed legislation to strengthen response to children and young people in out-of-home care. These are significant changes for children in out-of-home care, their parents and carers, and the services that support them.

Our schools recognise the Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014 which states the following;
A mandatory reporter who forms the belief on reasonable grounds that a child is in need of protection must report to the Secretary that belief and the reasonable grounds for it as soon as practicable -

(a) after forming the belief; and

(b) after each occasion on which he or she becomes aware of any further reasonable grounds for the belief.

A belief is a belief on reasonable grounds if a reasonable person practising the profession or carrying out the duties of the office, position or employment, as the case requires, would have formed the belief on those grounds.
As soon as immediate health and safety concerns are addressed must report all incidents, suspicions and disclosures of child abuse as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.

**Actions following a disclosure of harm**
Support and counselling will be offered to all parties involved.
school **must** provide support for children impacted by abuse. This should include the development of a Student Support Plan in consultation with wellbeing professionals. This is an essential part of duty of care requirements.
Strategies may include development of a safety plan, direct support and referral to wellbeing professionals etc. Schools **must** follow the Four Critical Actions every time schools become aware of a further instance or risk of abuse. This includes reporting new information to authorities

**5.9 FOUR CRITICAL ACTIONS FOR SCHOOLS**
**Responding to Incidents, Disclosures and Suspicions of Child Abuse**

I. **ACTION 1: RESPONDING TO AN EMERGENCY**
II. **ACTION 2: REPORTING TO AUTHORITIES**
III. **ACTION 3: CONTACTING PARENTS/CARERS**
IV. **ACTION 4: PROVIDING ONGOING SUPPORT**

**The person against whom the allegation has been made**

A new criminal offence for failing to protect a child under the age of 16 from the risk of sexual abuse commenced on 1 July 2015.
The offence requires a person in a position of authority to reduce or remove the risk of sexual abuse of a child by an adult associated with their organisation.
A person in authority in an organisation must take reasonable steps to reduce or remove a known substantial risk that an adult associated with their organisation will commit a sexual offence against a child.
For example:

- A current employee who is known to pose a risk of sexual abuse to children in the organisation should be immediately removed from contact with children and reported to appropriate authorities and investigated.
- A community member who is known to pose a risk of sexual abuse to children should not be allowed to volunteer in a role that involves direct contact with children at the organisation.
- A parent who is known to pose a risk of sexual abuse to children in a school should not be allowed to attend overnight school camps as a parent helper.

If you want to report a child in **immediate** risk or danger of a sexual offence, please call Triple Zero (000).

**Family Violence**

Family violence, either threatened or actual, occurs within a family, including physical, verbal, emotional, psychological, sexual, financial and social abuse. Child Protection must be informed when there are strong indicators that family violence is placing a child at significant risk if danger.
This plan outlines the steps to be taken following a breach of the child and youth risk management strategy in order to address the breach in a fair and supportive manner.

**If the source of suspected abuse is from within the family or community, contact DHHS CHILD PROTECTION.**

**CONTACT DHHS CHILD PROTECTION *AREA:***

- **North Division 1300 664 9777**
- **South Division 1300 655 795**
- **East Division 1300 360 391**
- **West Division (Rural) 1800 075 599**
- **West Division (Metro) 1300 664 9777**

***AFTER HOURS***
**After hours, weekends, public holidays 13 12 78**

**Interstate websites and contact numbers**

- Australian Capital Territory (ACT) **- 1300 556 729**
- New South Wales (NSW) **- 13 21 11**
- Northern Territory (NT) **- 1800 700 250**
- Queensland (QLD) **- (07) 3235 9999**
- South Australia (SA) **- 13 14 78**
- Tasmania (TAS) **- 1800 001 219**
- Western Australia (WA) **- (08) 9325 1111**

**Contact Information**
National Relay Service
**Tel: 1800 555 660**

Schools must report to DHHS Child Protection if a child is:

- in need of protection from child abuse
- at risk of being harmed (or has been harmed) and the harm has had, or is likely to have, a serious impact on the child's safety, stability or development.

**CONTACTING PARENTS/CARERS**
Principal must consult with DHHS Child Protection or Police to determine what information can be shared with parents/carers. They may advise:

- not to contact the parents/carers (e.g. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and does not wish for their parents/carers to be contacted)
- to contact the parents/carers and provide agreed information (this must be done as soon as possible, preferably on the same day of the incident, disclosure or suspicion).

### 5.9 Managing Breaches and Failure to Disclose offence

A new offence for failure to disclose child sexual abuse came into force on 27 October 2014. This offence has been introduced as part of the *Crimes Amendment (Protection of Children) Act 2014*, in response to a recommendation from the report of the Parliamentary Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations, *Betrayal of Trust*.
The new offence requires that any adult (aged 18 and over) who holds a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child (aged under 16) disclose that information to police (unless they have a reasonable excuse).

Failure to disclose offence; Reporting child sexual abuse is a community-wide responsibility. Accordingly, a new criminal offence has been created in Victoria that imposes a clear legal duty upon all adults to report information about child sexual abuse to police.
Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.

For information about how the offence may affect the reporting obligations of organisations funded by the Department of Human Services, download the factsheet from the Department of Human Services website

http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence

**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
- professional observations of the child's behaviour or development leads a mandated professional to form a belief that the child has been sexually abused
- signs of sexual abuse lead to a belief that the child has been sexually abused.

**Definition**

A breach is any action or inaction by any member of the organisation, including children and young people, that fails to comply with any part of the strategy.

This includes any breach in relation to:

- statement of commitment to the safety and wellbeing of children and the protection of children from harm and Zero tolerance of child abuse
- code of conduct for interacting with children and young people;
- procedures for recruiting, selecting, training and managing paid instructors and volunteers
- policies and procedures for handling disclosures or suspicions of harm, including reporting guidelines
- policies and procedures for implementing and reviewing the children and youth risk management strategy and maintaining an instructor register
- risk management plans for high risk activities and special events, and
- strategies for communication and support.

All stakeholders are to be made aware of the actions or inactions that form a breach as well as the potential outcomes of breaching the child and youth risk management strategy. Failure to disclose does not change mandatory reporting obligations. Certain professionals are mandatory reporters, meaning they are required to report to the Department of Health and Human Services if they believe on reasonable grounds that a child is in need of protection from physical and sexual abuse.

**Processes to manage a breach of the child and youth risk management strategy**

Breaches will be managed in a fair, unbiased and supportive manner. The following will occur:

- all people concerned will be advised of the process
- all people concerned will be able to provide their version of events
- the details of the breach, including the versions of all parties and the outcome will be recorded
- matters discussed in relation to the breach will be kept confidential, and
- an appropriate outcome will be decided.

**Suitable outcomes for breaches**

Depending on the nature of the breach, outcomes may include:

- emphasising the relevant component of the child and youth risk management strategy, for example, the code of conduct
- providing closer supervision
- further education and training
- mediating between those involved in the incident (where appropriate)
- disciplinary procedures if necessary, or
- reviewing current policies and procedures and developing new policies and procedures if necessary.

### 5.10 Template: Risk management Plan for High Risk Activity

**Risk management**

In CLA, Schools are required to protect children when a risk is identified (see information about failure to protect above). In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.

We have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments (for example, any doors that can lock), and online environments (for example, no staff or volunteer is to have contact with a child in organisations on social media).

In addition to occupational health and safety concerns, a child and youth risk management strategy should analyse the risk of ‘harm’ to children and young people. Schools are responsible for delivering this strategy to suit the relevant needs of their school environment and circumstances.

| STEP 1 | STEP 2 | STEP 3 | STEP 4 | STEP 5 | STEP 6 |
|---|---|---|---|---|---|
| **Describe the activity** *Identify all elements of the event from beginning to end* | **Identify Risks** *Something that could happen that results in harm to a child or young person* | **Analyse the Risk** *Likelihood/ Consequences* | **Evaluate the Risk** *The level of risk* | **Manage the Risk** *Assess the options* | **Review** *Nominate who will review after the event/activity* |

**6.0 Strategies to promote the participation and empowerment of children**

**6.1 Description**

Schools need to ensure children feel safe and comfortable in reporting concerns or allegations of abuse. Organisations should have simple and accessible processes that help children understand what to do if they want to report abuse, inappropriate behaviour or concerns for their safety. All personnel need to have an awareness of children's rights and adults' responsibilities regarding child abuse.

**6.2 Rationale**

Children often do not report abuse because they feel uncomfortable or they do not know how to raise their concerns or allegations of abuse. Some organisations do not have simple and accessible processes assisting children to understand their rights and how to report concerns regarding their safety.

**6.3 How could your organisation implement this standard?**

Examples of how your organisation could implement this standard include the following:

- Provide children with child-appropriate and accessible information about what child abuse is, their rights to make decisions about their body and their privacy, that no one has a right to injure them, and how they can raise concerns about abuse. For example, information could be included in welcome packs, information sessions and posters, as well as on websites and social media.
- Ensure information and processes for reporting concerns are accessible to all children, for example by having policies and procedures that are able to be accessed and understood by children with a disability.
- Ensure information and processes for reporting concerns are culturally appropriate for Aboriginal children. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community controlled organisation to review information and processes.
- Consider access and culturally appropriate language, photographs and artwork for Aboriginal children, children from culturally and/or linguistically diverse backgrounds and children with a disability when drafting communications materials.
- Translate Schools information (including information about children's rights, child safe policies, statements of commitment and reporting and response procedures) into relevant community languages, including relevant Aboriginal languages.

- Gather feedback from children, for example through surveys, focus groups, story time and social media, about whether they would feel safe and taken seriously if they were to raise concerns, and implement improvements based on this feedback.
- Enable children to express their views and make suggestions on what child safety means to them, and on child safe policies, reporting and response procedures, and acknowledge and act upon these where possible. For example, views could be gathered through suggestion boxes, feedback sessions, emails or online (via wikis or other social media).

6.4 **Successfully implementing this standard should result in organisations in which:**

- reporting procedures for when a child feels unsafe are accessible for all children
- children understand what child abuse is, and their rights (age appropriate)
- children understand how to report an allegation of abuse or concern for their safety to the organisation, a trusted adult and external bodies (for example, the police)
- children feel safe, empowered and taken seriously if they raise concerns
- children feel empowered to contribute to the organisation's understanding and treatment of child safety
- children's reports of concern are responded to appropriately
- staff understand how to empower children and encourage their participation.

**7.0 Allegations, concerns and complaints**

Our Schools takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff and volunteers are trained to deal appropriately with allegations. We work to ensure all children, families, staff and volunteers 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 (see information about failure to disclose above).

CLA recognises that sound guidelines and strategies need to be in place in order to manage complaints against teachers as well as providing adequate parent complaint information. Below are two links which provide information regarding effective complaint and misconduct guidelines as well as general information relating to strategies in dealing with such instances. CLA regards such matters to be of upmost importance and is committed to ensuring that community languages schools are equipped with the adequate tools and information to successfully address these issues.

- http://www.education.vic.gov.au/hrweb/Documents/Complaints_Misconduct_and_Unsatisfactory_Performance.pdf
- http://www.education.vic.gov.au/about/contact/Pages/complaininfo.aspx

**7.1 General Process**

In case of a dispute:

Schools must make a concerted effort to try and investigate and handle the issue internally through relevant processes.

**Failure to that**: schools can refer to CLA for intervention assistance in regard to the issue

**Failure to that**: schools can refer to the Department of Education and Training for further assistance and information.

**8.0 Privacy**

CLA acknowledges that community languages schools must exercise appropriate processes and guidelines which respect the privacy of all staff and students. CLA considers any breach of privacy by schools to be a serious issue which will need to be investigated.

For further information:

- Privacy Victoria: http://www.privacy.vic.gov.au/privacy/web2.nsf/pages/privacy-laws
- Information Privacy Act 2000: http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e92000e23be/4BE13AE4A4C3973ECA256E5B00213F50/$FILE/00-098a.pdf
- DET Information Privacy Policy: http://www.education.vic.gov.au/Pages/privacypolicy.aspx
- DET Privacy Policy:

**By Jurisdiction**

- Working with Children Act
- Education and Training Reform Act
- Occupational Health and Safely Act
- WorkCover
- Workers' Compensation Act
- Equal Opportunity Act
- Department of Human Services Victorian Child Protection Services
- The Children, Youth and Families Act

## 9. Emergency Management Planning (E M P)

### 9.1 Purpose of this policy

To ensure the safety of all staff, students and school visitors in the event of an emergency at community languages school.

**Policy**

CLA Schools must have a current Emergency Management Plan (EMP) that contains a risk assessment that addresses hazards and protentional threats to the school and which covers the four components of preparedness, prevention, response and recovery.

**Schools must:**

- Ensure that staff, students and the school community have a clear understanding of the EMP and its procedures
- Ensure that staff, students and the school committee are trained so that they know what they are required to do during an emergency
- Test emergency arrangements at regular intervals to ensure that procedures work and everyone learns emergency protocols

Schools may seek advice from local emergency service providers and local councils where available to inform the content of the *risk mitigation* and *offsite evacuation* sections of their EMP.

#### 9.2 Scope

This EMP applies to all staff, students, visitors, contractors and volunteers at The Community schools.

### 9.3 School EMP (Emergency Management Planning)

should include:

- the range of emergencies covered
- A site plans
- A general description of the school and its environment
- An assessment of risks and hazards facing the school
- Roles and responsibilities of staff and others
- Procedures for reporting emergencies
- Procedures to be followed by staff and students during an emergency
- Lockdown arrangements
- Evacuation arrangements
- Alternative evacuation assembly areas
- Emergency services contact numbers

- Measures to prevent or reduce the impact of emergencies that do occur
- Arrangements for establishing recovery programs following emergencies

### 9.4 Evacuation

| | |
|---|---|
| **Priority** | **Safety of students, staff, parents, members of the community and/or site visitors.** |
| **Reporting the emergency** | • **Contact Emergency Services immediately on 000**<br>• **Notify the Regional Director** |
| **Evacuation**<br><br>***Edit to suit the location*** | **Signal** |
| | **Procedure** |
| | **Special considerations** |
| | **Special responsibilities** |
| **Evacuation assembly**<br><br>***Edit to suit the location, replacing the example with the process in black font.*** | **Assembly area/s** |
| | **Assembly procedure**<br><br>***1. Class lists/rolls are checked.***<br><br>***2. Report all students/persons unaccounted for to the Principal (or delegate).*** |
| **Evacuation clearance**<br><br>***Edit to suit the location, replacing the example with the process in black font.*** | ***1. No person is to return to any area of the school until advised by the Principal.***<br><br>***2. One blast on the alarm is the clearance signal.*** |
| **General principles**<br><br>***Edit to suit the location,*** | ***Evacuation procedures will be displayed on Emergency Evacuation maps in all rooms.***<br><br>***1. PRIORITY is to the safety of pupils and persons in the school.*** |

| | |
|---|---|
| ***replacing the example with the process in black font.*** | 2. ***ALL staff, parents and visitors are automatically involved.***<br>3. ***Visitors should sign the Visitors book at the office.***<br>4. ***ALL VOLUNTEERS in school should sign in the 'Volunteers' book***<br>5. ***visitors and volunteers must follow the Evacuation Procedures including bringing the sign on book.***<br>6. ***PARENT HELPERS/TUTORS must follow Evacuation Procedures.***<br>7. ***NO person should be placed in a position of risk.***<br>8. ***EVACUATION drill will be conducted at least twice a year. Annual revision of the use of Fire Extinguishers will be conducted.***<br>9. ***PRINCIPAL OR DELEGATE is responsible for ensuring the electricity is turned off and that Emergency Services are contacted and given every assistance.*** |
| **Communications**<br><br>***Edit to suit the location, replacing the example with the process in black font.*** | • ***If the evacuation goes for an extended time then the Response Controller activates the Communications Plan to inform the parents and stakeholders via the established formats.*** |
| **Pre-arrangements**<br><br>***Edit to suit the location, replacing the example with the process in black font.*** | • ***Site Emergency Evacuation Maps must be clearly displayed in all rooms.***<br>• ***Visitor sign-in registers maintained in the office or Tuckshop.***<br>• ***Emergency class lists kept by exit door.***<br>• ***Relief staff provided with Evacuation summary.*** |

### 9.5 On-site evacuation/relocation procedure

**When it is unsafe for children, staff and visitors to remain inside the facility's building the Chief Warden on-site will take charge and activate the Incident Management Team if necessary.**

- Call 000 and inform emergency services of the nature of the emergency.
- Determine which of your facility's pre-identified on-site evacuation points is most appropriate to use.
- Assemble children, staff and visitors at your nominated on-site <insert the location of your on-site evacuation assembly point/s>.
- Take the child attendance list, staff attendance list, your Emergency Kit/First Aid Kit and this Plan.
- Once at the assembly point, check all children, staff and visitors are accounted for.
- Ensure communications with emergency services is maintained.
- Wait for emergency services to arrive or provide further information.
- Confirm with emergency service personnel that it is safe to return to normal operations.
- Seek advice from your Approved Provider/Licensee or Person with Management or Control/Licensee Representative if required.
- Maintain a record of actions/decisions undertaken and times.
- Contact parents as required.

| In an Emergency | |
|---|---|
| ***Call***<br><br>**Police, Ambulance, Fire Services** | **000** |
| ***For Advice call your***<br><br>**Approved Provider/Licensee or Person with Management or Control/Licensee Representative** | **<Insert your Approved Provider/Licensee or Person with Management or Control/Licensee Representative contact details here.** |
| ***Convene your***<br><br>**Incident Management Team** | |

### 9.6 School/Campus Map

**<Insert Area map here.>**

*Sample area map*

| | |
|---|---|
| **Distance to off-site assembly point:**<br><br>**Approx. time to reach off-site assembly point:** | |
| **See the Legend** | |
| **Primary assembly point** | ☆ |
| **Route to Primary assembly point** | — |
| **Off-site assembly point** | ☆ |
| **Route to Off-site assembly point** | - - - |
| **Emergency services access point** | |

### 9.7 Specific emergencies – response procedures

***The fields below contain example responses for guidance and should be edited to suit the location.***

| | |
|---|---|
| **Building Fire**<br><br>***Edit to suit the location, replacing the example with the process in black font.*** | **<As appropriate insert any additional mitigation steps relevant to your facility that you have identified in your risk assessment>**<br><br>• ***Call 000 for emergency services and follow advice.***<br><br>• ***Activate the fire alarm.***<br><br>• ***Report the emergency immediately to the School Response Controller who will convene your SRT if necessary.***<br><br>• ***Extinguish the fire (only if safe to do so).***<br><br>• ***If appropriate, follow the procedure for on-site evacuation.***<br><br>• ***Evacuate to the <Insert the location of your assembly point/s>, closing all doors and windows.***<br><br>• ***Check that all students, staff, visitors and contractors are accounted for.***<br><br>• ***Contact parents as required.*** |
| **Bushfire**<br><br>***Edit to suit the location, replacing the example with the process in black font.*** | **<As appropriate insert any additional mitigation steps relevant to your facility that you have identified in your risk assessment>**<br><br>• ***Call 000 for emergency services and follow advice.***<br><br>• ***Report the emergency immediately to the School Response Controller who will convene the SRT if necessary.***<br><br>• ***Determine appropriate response strategy (evacuate or lockdown) in consultation with emergency services, if possible.***<br><br>• ***Provide advice to Emergency services regarding any hazards within the school, e.g., gas cylinder location.***<br><br>• ***If evacuation is required and time permits before you leave:***<br><br>• ***Make sure you close all doors and windows***<br><br>• ***Turn off power and gas.***<br><br>• ***Check that all students, staff, visitors and contractors are accounted for.***<br><br>• ***Listen to TV or local radio on battery-powered sets for bushfire/weather warnings and advice.***<br><br>• ***Contact parents as required.*** |
| **Major external emissions/spill** | **<As appropriate insert any additional mitigation steps relevant to your** |

| | |
|---|---|
| **(includes gas leaks)**<br><br>***Edit to suit the location, replacing the example with the process in black font.*** | **facility that you have identified in your risk assessment>**<br><br>• ***Call 000 for emergency services and follow advice.***<br><br>• ***Report the emergency immediately to the School Response Controller who will convene the SRT if necessary.***<br><br>• ***Turn off gas supply.***<br><br>• ***If the gas leak is onsite, notify your gas provider.***<br><br>• ***If appropriate, follow the procedure for on-site evacuation.***<br><br>• ***Alternatively, this may need to be to an off-site location.***<br><br>• ***Check students, staff and visitors are accounted for.***<br><br>• ***Await 'all clear' advice from emergency services or further advice before resuming normal school activities.***<br><br>• ***Contact parents as required.*** |
| **Intruder**<br><br>***Edit to suit the location, replacing the example with the process in black font.*** | **<As appropriate insert any additional mitigation steps relevant to your facility that you have identified in your risk assessment>**<br><br>• ***Call 000 for emergency services and seek and follow advice.***<br><br>• ***Report the emergency immediately to the School Response Controller.***<br><br>• ***Do not do or say anything to the person to encourage irrational behaviour.***<br><br>• ***Initiate action to restrict entry to the building if possible and confine or isolate the threat from building occupants.***<br><br>• ***Determine whether evacuation or lock-down is required. Do this in consultation with the Police where possible.***<br><br>• ***Evacuation only should be considered if safe to do so.***<br><br>• ***Contact parents as required.*** |
| **Bomb or substance threat**<br><br>***Edit to suit the location, replacing the example with the process in black font.*** | **<As appropriate insert any additional mitigation steps relevant to your facility that you have identified in your risk assessment>**<br><br>• ***Call 000 for emergency services and seek and follow advice.***<br><br>• ***Report the threat to the School Response Controller.***<br><br>• ***Do not touch any suspicious objects found.***<br><br>• ***If a suspicious object is found or if the threat specifically identified a given area, then evacuation may be considered:***<br><br>• ***If appropriate under the circumstances, clear the area immediately*** |

| | |
|---|---|
| | ***within the vicinity of the object of students and staff***<br>• ***Ensure students and staff are not directed past the object***<br>• ***Ensure students and staff that have been evacuated are moved to a safe, designated location***<br>• ***Contact parents as required.***<br>***If a bomb/substance threat is received by telephone:***<br>• ***Do not hang up.***<br>• ***If possible fill out the bomb threat checklist while you are on the phone to the caller.***<br>• ***Keep the person talking for as long as possible and obtain as much information as possible.***<br>• ***Have a co-worker call 000 for emergency services on a separate phone without alerting the caller and notify the School Response Controller.***<br>***If a bomb/substance threat is received by mail:***<br>• ***Place the letter in a clear bag or sleeve.***<br>• ***Avoid any further handling of the letter or envelope or object.***<br>• ***Call 000 for emergency services and seek and follow advice.***<br>• ***Notify the School Response Controller.***<br>***If a bomb/substance threat is received electronically or through the school's website:***<br>• ***Do not delete the message***<br>• ***Call 000 for emergency services and seek and follow advice***<br>• ***Notify the School Response Controller.*** |
| **Internal emission or spill**<br><br>***<u>Edit to suit the location, replacing the example with the process in black font.</u>*** | **<As appropriate insert any additional mitigation steps relevant to your facility that you have identified in your risk assessment>**<br>• ***Call 000 for emergency services and seek and follow advice.***<br>• ***Report the emergency immediately to the School Response Controller who will convene your SRT if necessary.***<br>• ***Move staff and students away from the spill to a safe area and isolate the affected area.***<br>• ***Seek advice in regard to clean up requirements, and if safe to do so, the spill can be cleaned up by staff. Personal Protective Equipment should be worn as per the requirements of the Material*** |

| | |
|---|---|
| | ***Safety Data Sheet and Safety Work Procedure.***<br><br>• ***Contact parents as required.*** |
| **Severe Weather event**<br><br>***<u>Edit to suit the location, replacing the example with the process in black font.</u>*** | **<As appropriate insert any additional mitigation steps relevant to your facility that you have identified in your risk assessment>**<br><br>***Sudden event during operational hours***<br><br>• ***Call 000 if emergency services are needed and follow advice.***<br><br>• ***Advise the School Response Controller who will convene the SRT if necessary.***<br><br>• ***Before the storm, store or secure loose items external to the building, such as outdoor furniture and rubbish bins.***<br><br>• ***Disconnect electrical equipment – cover and/or move this equipment away from windows.***<br><br>• ***Secure windows (close curtains & blinds) and external doors. If necessary, tape windows and glass entrances. Utilise boards and sandbags if required.***<br><br>• ***Instigate a lockdown.***<br><br>• ***During the severe storm:***<br><br>• ***Remain in the building and keep away from windows***<br><br>• ***Restrict the use of telephone landlines to emergency calls only, particularly during a thunderstorm.***<br><br>• ***Report any matter concerning the safety and wellbeing of students, staff and visitors to the School Response Controller.***<br><br>• ***Listen to local radio or TV on battery-powered sets for weather warnings and advice.***<br><br>***Forecast imminent event (e.g. cyclone, floods)***<br><br>• ***If weather warnings and advice from the State Disaster Management Group indicate that the location will be impacted by a severe weather event, the School Response Controller will follow the decision-making process to determine if the school will be temporarily closed.***<br><br>• ***The SRT will be convened.***<br><br>• ***If the school is to be temporarily closed, then all stakeholders will be advised including the Regional Director who will manage the School Closures advice.***<br><br>• ***The Temporary Closure procedure needs to be implemented.***<br><br>• ***After the event, if the school is situated in the impact zone, then*** |

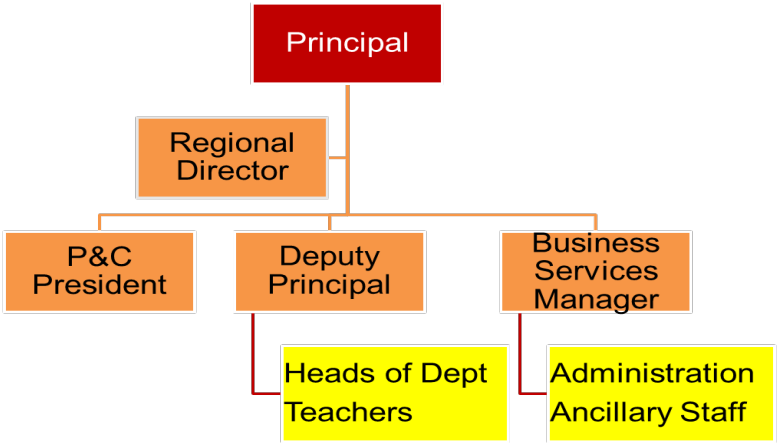
| | |
|---|---|
| | ***Building and Asset Services (BAS) will determine if the site is safe for the School Response Controller to enter to undertake a Suitability Assessment to Re-open.*** |

**9.8 School communications details**

**Phone tree**

**In a disaster or emergency event, the phone tree will be activated.**

***(Example only, please adjust for the location.)***




**School personnel contact details**

| Role | Name | Email(s) | Phone No. (Day) | Phone No. (After Hours) |
|---|---|---|---|---|
| | | | | |
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**External Emergency numbers**

***(Applicable for the location)***

***Display a copy of this list next to your administration phone/s.***

| Group | Contact/details | Phone number |
|---|---|---|
| Police | Life-threatening or time critical emergency | 000 – calling from land line |
| | Non-life-threatening incident | 131 444 |
| | Local Police Station | |
| Ambulance | | 000 |
| Fire and Emergency Services (FES) | | 000 |
| State Emergency Service (SES) | | 132 500 |
| Hospital/s | | |
| Electricity | Local number | |
| Water Corporation | Local number | |
| Gas supplier | | |
| Building and Asset Services | Regional Manager | |
| Department of Community Safety (Regional Office) | | |
| Child Safety Services | | |

**9.9 Students/Staff requiring assistance to evacuate**

**** Response – evacuation, lockdown or temporary closure.***

| Name | Class/ Room | Condition | Response*/ Assistance required | Person responsible | Family/Carer contact & mobile |
|---|---|---|---|---|---|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

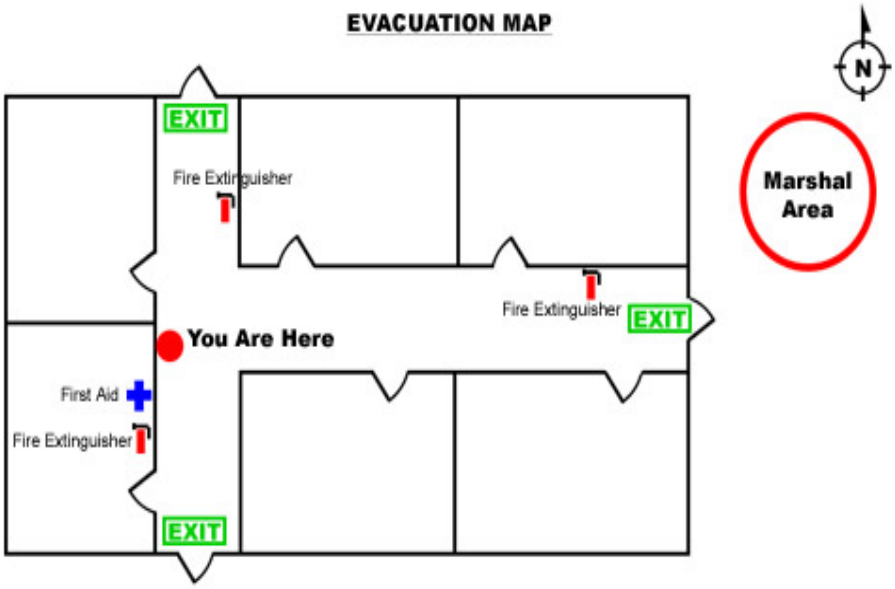
**9.10 Specialist trained Staff**

**(E.g. First Aid, Fire Warden, Chainsaw qualified etc)**

| Staff Member | Training | Date Qualified To |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |

**9.11 Evacuation diagram**

| Date Evacuation Diagram Validated: | |
|---|---|




**(As an Example, only)**

**<Insert a detailed evacuation diagram here. Refer to the Evacuation Diagram section of the Guide for assistance. To access an online tutorial on how to create your evacuation diagram go to http://www.education.vic.gov.au/about/programs/health/Pages/emptu**

## 10.0 REFERENCE

### 1.0 Working with Children ACT

**NSW -** Child Protection (Working with Children) Act 2012
**http://www.austlii.edu.au/au/legis/nsw/consol_act/cpwca2012388/**
***ACT*** *- Working with Vulnerable People (Background Checking) Act 2012*
http://www.legislation.act.gov.au/sl/2012-4/current/pdf/2012-4.pdf

**QLD -** Commission for Children and Young People and Child Guardian Act 2000(Qld) -
http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/CommisChildA00.pdf

**SA -** Children's Protection Act 1993 (SA) -
http://www.legislation.sa.gov.au/LZ/C/A/CHILDRENS%20PROTECTION%20ACT%201993/CURRENT/1993.93.UN.PDF

**WA -** Working with Children (Criminal Record Checking) Act 2004 (WA) -
http://www.austlii.edu.au/au/legis/wa/consol_act/wwcrca2004412/

**TAS -** No Relevant Act

**NT -** Care and Protection of Children Act 2007 (NT) -
http://www.austlii.edu.au/au/legis/nt/num_act/capoca200737o2007315/

### 1.1 Education and Training Reform Act 2006

**NSW** - Education Act 1990
http://www.legislation.nsw.gov.au/xref/inforce/?xref=Type%3Dact%20AND%20Year%3D1990%20AND%20no%3D8&nohits=y

***ACT*** *- Education Act 2004*
***http://www.legislation.act.gov.au/a/2004-17/current/pdf/2004-17.pdf***
**QLD** - Education (General Provisions) Act 2006
http://www.legislation.qld.gov.au/LEGISLTN/ACTS/2006/06AC039.pdf

**SA** - Education Act 1972
http://www.legislation.sa.gov.au/LZ/C/A/EDUCATION%20ACT%201972/CURRENT/1972.154.UN.PD

**WA** - School Education Act 1999 http://www.austlii.edu.au/au/legis/wa/consol_act/sea1999170/

**TAS** - Education Act 1994 http://www.austlii.edu.au/au/legis/tas/consol_act/ea1994104

**NT** - Education Act
http://www.austlii.edu.au/au/legis/nt/consol_act/ea104/

### 2.0 Occupational Health and Safety Act, 2004

**NSW -** Occupational Health and Safety Act 2000
http://www.legislation.nsw.gov.au/fullhtml/inforce/act+40+2000+FIRST+0+N

Work Health and Safety Act 2011 -
http://www.austlii.edu.au/au/legis/nsw/consol_act/whasa2011218/

**ACT -** Work Health and Safety Act 2011

- http://www.legislation.act.gov.au/a/2011-35/current/pdf/2011-35.pdf

**QLD –** Work Health and Safety Act 2011 -
http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/W/WorkHSA11.pdf

**SA -** Work Health and Safety Act 2012
http://www.legislation.sa.gov.au/LZ/C/A/WORK%20HEALTH%20AND%20SAFETY%20ACT%202012.aspx

**WA -** Occupational Health and Safety Act 1984 -
http://www.austlii.edu.au/au/legis/wa/consol_act/osaha1984273/

**TA -** Work Health and Safety Act 2012 -
http://www.thelaw.tas.gov.au/tocview/index.w3p;cond=;doc_id=1%2B%2B2012%2BAT%40EN%2B20130214000000;histon=;prompt=;rec=;term

**NT -** Work Health and Safety Act 2011 -
http://www.austlii.edu.au/au/legis/nt/num_act/whasula201139o2011543

**2.11 WorkCover**

**NSW – WorkCover NSW -** http://www.workcover.nsw.gov.au/Pages/default.aspx

**ACT – Worksafe ACT -** http://www.worksafe.act.gov.au/health_safety

**QLD – Worksafe QLD -** http://www.deir.qld.gov.au/workplace/index.htm

**SA – Safe work SA -** http://www.safework.sa.gov.au/

**WA – Worksafe WA -** http://www.commerce.wa.gov.au/WorkSafe

**TAS Workplace Standards Tasmania-** http://workplacestandards.tas.gov.au/home

**NT- NT Worksafe -** http://www.worksafe.nt.gov.au/home.aspx

**2.20 Workers' Compensation Act, 1987**

**NSW –** Workers' Compensation Act 1987 -
http://www.legislation.nsw.gov.au/maintop/view/inforce/act+70+1987+cd+0+N

**ACT -** Workers' Compensation Act 1951

- http://www.legislation.act.gov.au/a/1951-2/current/pdf/1951-2.pdf

**QLD -** Workers' Compensation and Rehabilitation Act 2003 -
http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/W/WorkersCompA03.pdf

**SA -** Workers Rehabilitation and Compensation Regulations 2010 under the *Workers Rehabilitation and Compensation Act 1986* -
http://www.legislation.sa.gov.au/LZ/C/R/WORKERS%20REHABILITATION%20AND%20COMPENSATION%20REGULATIONS%202010/CURRENT/2010.154.UN.PDF

**WA -** Workers' Compensation and Injury Management Act 1981 -
http://www.austlii.edu.au/au/legis/wa/consol_act/wcaima1981445/

**TAS –** Workers' Rehabilitation and Compensation Act 1988 -
http://www.thelaw.tas.gov.au/tocview/index.w3p;cond=;doc_id=4%2B%2B1988%2BAT%40EN%2B20130704000000;histon=;prompt=;rec=;term=

**NT -** Workers' Rehabilitation and Compensation Act -
http://www.austlii.edu.au/au/legis/nt/consol_act/wraca400/

**4.0 Equal Opportunity Act 2010**

**NSW –** Anti Discrimination Act 1977 -
http://www.legislation.nsw.gov.au/maintop/view/inforce/act+48+1977+cd+0+N

**ACT –** Discrimination Act 1991 –

http://www.legislation.act.gov.au/a/1991-81/current/pdf/1991-81.pdf

**QLD -** Anti Discrimination Act 1991 -
http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/A/AntiDiscrimA91.pdf

**SA –** Equal Opportunity Act 1984 -
http://www.legislation.sa.gov.au/LZ/C/A/EQUAL%20OPPORTUNITY%20ACT%201984/CURRENT/1984.95.UN.PDF

**WA -** Equal Opportunity Act 1984
http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_305_homepage.html

**TAS -** Anti Discrimination Act 1998 -
http://www.thelaw.tas.gov.au/tocview/index.w3p;cond=;doc_id=46%2B%2B1998%2BAT%40EN%2B20120518000000;histon=;prompt=;rec=;term=#Anti-Discrimination%20Act%201998

**NT -** Anti Discrimination Act 1992

http://www.austlii.edu.au/au/legis/nt/consol_act/aa204/

**5.0 Department of Human Services Victorian Child Protection Service**

**NSW –** Family and Community Services - http://www.community.nsw.gov.au/

**ACT –** Department of Disability, Housing and Community Services
Care and Protection Services - http://www.dhcs.act.gov.au/ocyfs/services/care_and_protection

**QLD –** Department of Communities, Child Safety and Disability Services -
http://www.communities.qld.gov.au/childsafety/child-safety-services

**SA -** Department for Communities and Social Inclusion - http://www.dcsi.sa.gov.au/

**WA –** Department for Child Protection and Family Support -
http://www.dcp.wa.gov.au/Pages/Home.aspx

**TAS –** Department of Health and Human Services -
https://www.dhhs.tas.gov.au/children/child_protection_services

**NT -** Department of Health - http://www.health.nt.gov.au/

**5.6 The Children Youth and Families Act 2005**

**NSW –** Children and Young Persons (Care and Protection) Act 1998 -
http://www.legislation.nsw.gov.au/fullhtml/inforce/act+157+1998+FIRST+0+N

**ACT -** Children and Young People Act 2008 –

http://www.legislation.act.gov.au/a/2008-19/current/pdf/2008-19.pdf

**QLD -** Child Protection Act 1999 -
http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf

Commission for Children Young People and Child Guardian Act 2000 -
http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/CommisChildA00.pdf

**SA -** Children's Protection Act 1993 -
http://www.legislation.sa.gov.au/lz/c/a/childrens%20protection%20act%201993/current/1993.93.un.pdf

**WA -** Western Australia Family Court Act 1997 -
http://www.austlii.edu.au/au/legis/wa/consol_act/fca1997153/

**TAS -** Children, Young Persons and Their Families Act 1997 -
http://www.dhhs.tas.gov.au/__data/assets/pdf_file/0018/122373/cyptf_act_1997_consolidated_291112.pdf

**NT -** Care and Protection of Children Act 2007 -
vhttp://www.austlii.edu.au/au/legis/nt/num_act/capoca200737o2007315/